

**Town of Becket
Board of Health
557 Main Street
Becket, Massachusetts 01223
(413) 623-8934 ext. 122 fax (413) 623-6036**

Meeting Minutes for August 3, 2022

Board Members Present: Gale Labelle, Robert Ronzio, Laurel Burgwardt

Board Member Absent: none

Clerk of Committee: Tess Lundberg

Public Present: none

Public via Zoom: Aaron Beatty, Jill Caffarelli, Robert Cafferelli, Dave Christopolis, Bobbie Fachini, Ed Fahey, Hannah Kowalski, John Krauser, Robin Mathiesen, Jeanette Mindle, Olivia Patterson, Emily Pfeiffer, Michael Pfeiffer, Michael Rubino, Colin Sykes,

Items will be kept in the order of the agenda for easier reference.

1. Call to order at 5:00 PM
2. Board to approve meeting minutes for July 6, 2022. Mr. Ronzio makes a motion to approve the minutes for July 6, 2022. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt abstains. **Motion passes.**
3. Kaniecki update Housing Code Action
 - a. **44 Pleasant St** – continued, Aaron Beatty asks the board if any movement has been made. Ms. Labelle states that Mr. Kaniecki is working on the resolution.
 - b. **58 Depot St** - continued
 - c. **2442 Main St**- Mr. Fahey states the issues at the property have been cleared and it can be removed from the agenda going forward.
 - d. **50 Beach** Mr. Kaniecki sent an email 7/20/22 to new owners advising existing condemn order until re-inspected, and Title 5 report has not been received. Mr. Fahey asks the board if they want an order sent to conduct a Title 5 inspection. Ms. LaBelle states the board does want that done.
 - e. **50 Dawn Drive** - continued
 - f. **33 Pine Dale Circle** - continued
 - g. **23 Lady of the Lake**-7/6/22 BOH meeting extended the deadline to 9/30/2022.
 - h. **23 Pinedale Circle** - continued
 - i. **799 King Richard Drive** - continued
 - j. **43 Pleasant St**- Title 5 done 6/28/22, conditional pass, copy sent to Mr. Kaniecki 7/25/22. Aaron Beatty asks the board if any movement has been made. Ms. Labelle states that Mr. Kaniecki is working on the resolution.

3. Fahey Reports

- a. **88 King Arthur** Per Board request certified mail sent 7/15/22 of the original order to conduct a T5 to new owner. Mr. Jerebstov called the office 7/18/22 said Dan Gaylord is scheduling a perc test. No application as of 7/29/22. Mr. Ronzio states

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people are living in the property with a failed Title 5, they need a soil perc test and they should not be living there. Mr. Fahey states there is a 2 year deadline to conduct repairs after a failed Title 5 and asks if the board has a copy of the Title 5 report. Ms. LaBelle states it is her understanding that someone complained about smell. Ms. Burgwardt states she will contact Jack Conboy and request a copy of the Title 5 report. Mr. Ronzio states if the board cannot get a copy of the Title 5 from Jack Conboy then the inspection must be done again. Mr. Fahey states the deadline was 05/31/2022, the board has the option to start fining them for the violation.

- b. **32 Nocher Rd-** Mr. Fahey states the application is for a new tank and d-box with no change to the field. Ms. LaBelle makes a motion to approve the application. Ms. Burgwardt seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
- c. **0 Sir Walter Ct-** Mr. Fahey questions the distance from the well to the property line and the distance from the field to the property line. Ms. Caffarelli states it is not on the plan but it is greater than 100 feet. Mr. Fahey states they need to confirm the distance from the well on the plan. Ms. Caffarelli asks what the setbacks are. Mr. Ronzio states 100 feet from the septic, 30 feet from the property line. Ms. Caffarelli states they will make that change. Ms. Caffarelli states they were told by the owner that there are no wetlands. Mr. Ronzio asks if the property was surveyed by a registered land surveyor. Ms. Caffarelli states it was surveyed by the engineers, and we found 2 pins. Mr. Ronzio states that is not enough. Ms. LaBelle states we suggest getting a survey done by a registered land surveyor, and that you contact the Conservation Commission to confirm if there is any wetlands involvement.
Continued.

4. Title V inspections:

a. Received reports

- 1. **16 Peterson Rd-** failed
- 2. **77 Sitting Bull-** conditional pass
- 3. **43 Pleasant St-** conditional pass
- 4. **106 Access Rd-** pass
- 5. **171 Old Pond Rd-** failed. Board reads the report and questions the lack of information about why the system failed. Mr. Fahey states that he will contact the contractor.
- 6. **684 Leonhardt Rd-** pass

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5. Percolation tests:

- a. Received reports
 - 1. 0 Deer Run 413.33.25
 - 2. 0 Deer Run 413.33.26
 - 3. 1483 Bancroft Rd
 - 4. 0 Long Bow Lane
 - 5. 0 Sir Walter Ct 219.15
 - 6. 0 George Carter Rd
 - 7. 180 Long Bow Lane East
 - 8. 132 Sir Walter Court
 - 9. 0 Hilltop Court 219.169D
 - 10. 0 Tyringham Rd

6. Full Circle Applications Received:

- a. **Septic Installers**
 - 1. **Germain Construction**- Contractor was listed in error as installer on a pending Disposal System Construction permit. The correct installer will be **Delaney Excavation**. The board approves issuing a Septic Installer Permit to Delaney Excavation, contingent on receiving a complete application.
- b. **Camps**
 - 1. **All Out Soccer Camp** – Mr. Sykes states he will be conducting the camp inspection on Monday, August 8, 2022.
- c. **Well**
 - 1. **111 Longview**- Plans reported to be in mail as of 7/18/22. Plans were not received as of the 8/3/2022 meeting. Hannah Kowalski states she will send the plans.

7. New Business:

- a. **36 Washington St**- debris/dumping complaint with photos 7/22/22. Ms. Labelle asks Ms. Mindle if well water has been tested. Ms. Mindle states the water testing was already done. Mr. Ronzio states Ms. Mindle called him and requested water testing kits. Ms. Mindle states she just wanted to have the kits on hand. Ms. LaBelle states she had left a message with Salvini associates about surveying the property lines, but she has not heard back from them. Ms. Mindle states she would challenge Salvini surveyors because they lost a lot of footage she owned when the island was put in on the road. Ms. Mindle states she does not want Salvini to conduct the survey. Ms. Mindle suggest that Mr. Ronzio gets in touch with Salvini and challenges

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them. Ms. LaBelle states there has been a complaint about the trash in the rear of the property. Ms. Mindle states her son is holding the material until the price of metal goes up. Ms. LaBelle states she is going to request that Mr. Fahey inspect the debris complaint. Ms. LaBelle tells Ms. Mindle that someone will be out to look at the yard. Ms. Mindle states they will have to make an appointment. Ms. LaBelle states she will ask Mr. Fahey and she will accompany him on the inspection. John Krauser expressed concern that the debris was exposing the Westfield River to a source of rust and carcinogens. Mr. Ronzio stated that the Conservation Commission should be advised to investigate.

- b. **30 Washington St-** informal discussion with Olivia Pattison- restaurant reopening. Ms. Pattison explains to the board that she has purchased the property and is working on reopening the restaurant. Ms. Pattison states the hood fan and fire suppression contractor is scheduled to come in. Ms. Pattison states she needs to renew her Chokesaver Certificate and asks the board any other steps she will need to complete. Ms. LaBelle states that Ms. Pattison will need to go to the Planning Board because the restaurant has been closed for over 2 years and the special permit would have expired after 2 years. Ms. LaBelle asks what kind of restaurant is planned. Ms. Pattison states she plans to open for breakfast and lunch, and hopes to have a fine dining option for one night a week. Ms. LaBelle asks if a water test has been done. Ms. Pattison states the water was tested as part of the home inspection. Ms. LaBelle asks the seating capacity and number of bathrooms. Ms. Pattison states there is a 40 person seating capacity and one restroom. Mr. Ronzio states this will need to go through the Planning Board before the Board of Health can make any decisions. Mr. Ronzio states the former owners were testing the water monthly and the well has been suspect for a long time. Mr. Ronzio asks who conducted the water test. Ms. Pattison states the water was tested by Microbac. Ms. LaBelle asks who did the Title 5 inspection. Ms. Pattison states the Title 5 was done by Paul Willis on 2/17/2022. Ms. LaBelle states Ms. Pattison should go to the Planning Board, then return to the Board of Health.

8. Old Business:

- a. **358 Prince John Drive-** debris complaint. Property card request for order to secure sent to Colin Sykes 7/13/22. Mr. Ronzio states the property has been cleaned up but the building is not secured and is a hazard. Mr. Ronzio states the board needs to notify the owner to secure the building. Mr. Sykes asks what time frame the board wishes. Mr. Ronzio states 30 days.

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- b. **345 Wells Road-** debris complaint- email to BI 7/15 about people living in trailer. Mr. Sykes states he did an initial investigation, took photos of the property, and asks the board for a time frame. Mr. Ronzio states 30 days.
- c. **59 Benton Hill Rd-** debris, unlicensed vehicle complaint forwarded to BI. Mr. Sykes states they did an initial drive by inspection and they are ready to send an order.
- d. **250 Alan A Dale-** debris complaint Property card sent to Colin Sykes 7/13/22. Mr. Sykes states he did an initial investigation, took photos of the property, and asks the board for a time frame. Mr. Ronzio states 30 days.
- e. **23 Algerie Rd-** debris complaint- Property card sent to Colin Sykes 7/13/22. Mr. Sykes states he did an initial investigation, took photos of the property, and asks the board for a time frame. Mr. Ronzio states 30 days.
- f. **99 Friar Tuck-** Forwarded to BI unregistered vehicles complaint. Property card to Colin Sykes 7/13/22. Mr. Sykes states he needs to return to the property.
- g. **50 Hilltop Court-** debris complaint-. Property card to Colin Sykes 7/13/22. Mr. Sykes states he needs to return to the property
- h. **9 Needle Lane-** To resolve the two conflicting Title 5 reports, Mr. Fahey and Dan Gaylord of B&D Septic re-inspected the system. No failure criteria present at this time. Fahey recommends the Board of Health accept the passing Title 5 inspection report by B&D and reject the failed title 5 report submitted by Bill Allen. The new septic tank installed was inspected. No issues were found. The system is in compliance with Title 5 regulations. Mr. Ronzio makes a motion to accept the Title 5 report submitted by Dan Gaylord. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
- i. **41 Sir Galahad Dr-** board rejected passing Title 5 submitted by Paul Willis. Requested Fahey to look into it. Property card sent to Fahey 7/13. Mr. Fahey will compose a letter, requests that Ms. Lundberg send him a copy of the Title 5 report.

9. Public Input - none

10. Budget-

- a. Town Beach water testing costs- continued
- b. 2023 Becket-Washington Community Calendar. Mr. Ronzio makes a motion to approve the \$12 expenditure for the listing on the community calendar. Ms. Labelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

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11. Correspondence

Mass DEP Public Water System reports for Becket Motel and YMCA Camp Chimney Corners

12. Any other business to come before the Board

- a. Emily Pfeiffer is in the process of buying a .27 acre lot on Long Bow Lake, she wants to determine if she would be able to build a small house on the property and what type of septic system would be used. Mr. Ronzio states if there is no house currently on the lot a tight tank is not an option, it would be best to purchase the lot contingent on a perc test, being mindful of the setbacks. Mr. Ronzio states she should also get a survey to make sure the property lines are located
- b. **307 Gention Hollow Rd.** Bobbie Fachini asks for clarification on what is required to replace a tank and d-box after a failed Title 5. Mr. Fahey states if the components are not moving then you do not require an engineer's drawing, just an as built after installation.
- c. **Long Bow Lane West-** Michael Rubino states at a previous Board of Health meeting it was required that he get a deed restriction to 2 bedrooms. Mr. Rubino states his lawyer needs the wording for the deed restriction. Mr. Fahey states he has a template and will send it to Mr. Rubino.
- d. **28 Brook Lane-** Mr. Ronzio states the property failed a Title 5 on 7/2/2017 and there is no record of repairs made. The board instructs Ms. Lundberg to send the property card to Mr. Sykes for an order.
- e. **38 Brandons Way-** Mr. Ronzio states there is no well, no septic, the property was purchased this year and he has received a complaint that there are 15-20 people camping on the lot. The board instructs Ms. Lundberg to send the property card to Mr. Sykes for investigation.
- f. **Jacobs Pillow Dance Festival noise complaint.** Mr. Ronzio states the issue was discussed at the previous board meeting. Mr. Ronzio states Becket has no ordinances regarding noise, except in the case of wind turbines. Mr. Ronzio states this is a civil matter, not Board of Health jurisdiction. Ms. LaBelle states she agrees it is not Board of Health jurisdiction.
- g. **Beaver issue-** Ms. LaBelle states she contacted Fish & Wildlife advising them that the annual limit of 3 beaver permits had been exhausted trying to resolve the problem. Ms. LaBelle states Fish & Wildlife stated they would not do anything. Mr. Ronzio states the board needs to obtain, in writing, from Fish & Wildlife that they refuse to do anything and they will not fine the town if we exceed the maximum allowed beaver permits. Ms. LaBelle states she will call Fish & Wildlife again.

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- h. Mr. Ronzio makes a motion to adjourn. Ms. Burgwardt seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor.
Motion passes.

Meeting is adjourned at 7:04 PM.

Meeting Minutes reviewed and approved on September 7, 2022 by:



Gale LaBelle, Chairperson



Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk