

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

Meeting Minutes for September 7, 2022

Board Members Present: Gale Labelle, Robert Ronzio

Board Member via phone: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public Present: Robert Akroyd, Edwin Alba, John Andrews, Jennifer Deacon, Mike Kulig, Ned Saviski

Public via Zoom: Bill Allen, Colin Sykes,

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

1. Call to order at 5:04 PM
2. Board to approve meeting minutes for August 3, 2022. Mr. Ronzio makes a motion to approve the minutes for August 3, 2022. Ms. Burgwardt seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
3. **Kaniecki update Housing Code Action**
 - a. **44 Pleasant** - continued
 - b. **58 Depot** - continued
 - c. **2442 Main St-** continued
 - d. **50 Dawn Drive** - continued
 - e. **33 Pine Dale Circle-** trash/debris complaint - continued
 - f. **23 Lady of the Lake** - continued
 - g. **23 Pinedale Circle-** trash debris complaint - continued
 - h. **799 King Richard Dr** - continued
 - i. **43 Pleasant St-** continued
4. **Alliance Reports**
 - a. **88 King Arthur-** Certified mail sent 12/10/21 Order to perform perc test by 1/31/22. BOH meeting 2/2/22 extend deadline to 5/31/2022. BOH meeting 7/2/22 request order sent to new owner. Soil perc scheduled to be witnessed 8/18/22. Mr. McFarland states he conducted the soil percolation test and it is noted as passing. Mr. Ronzio states the board needs to now set a deadline for installing the new system. Mr. Saviski states a December installation deadline could be challenging since it is extremely busy now. Mr. Ronzio states people are living in the house now and there have been complaints from the neighbors. The board agrees that septic design plans and a septic construction permit application must be received by December 7, 2022. The board asks Ms. Lundberg to send the property card to Mr. Sykes for an updated order to be issued to the homeowner.
 - b. **50 Beach** - continued
 - c. **0 Sir Walter Ct-** DSCP- Ms. LaBelle makes a motion to approve the permit contingent on a survey by a registered land surveyor. Mr. Ronzio seconds the motion. . Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

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- d. **7 Bowman Lane-** DSCP- Ms. LaBelle makes a motion to approve the Eljen system, with a 2 foot separation from groundwater, and the old system must be decommissioned. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- e. **180 Long Bow Lane East-** DSCP- Mr. Ronzio makes a motion to approve the plan, contingent on Conservation Commission approval. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- f. **171 Old Pond Rd-** DSCP- Mike Kulig states it is a $\frac{3}{4}$ acre waterfront lot with a failed septic system. Mr. Kulig states there are a handful of wells in the area but they have met the 100 foot setback on all of them, and it is more than 50 feet to the lake. Mr. Kulig states this is an Eljen system and they are not requesting any variances. Ms. Burgwardt makes a motion to accept the septic design plan for 171 Old Pond Road. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- g. **307 Gentian Hollow Rd-** DSCP to *replace* septic tank and d-box in same location. Mr. Ronzio makes a motion to issue a permit to replace the d-box, to replace the 1,000 gallon tank with a 1,500 gallon tank, at 307 Gentian Hollow Road. Ms. Burgwardt seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

5. Title V inspections:

a. Received reports

- 1. **136 Carter Rd-** pass
- 2. **1232 Main St-** fail
- 3. **77 Iroquois-** pass
- 4. **87 Sir Edwards Way-** pass
- 5. **9 Needle Lane-**pass. Mr. Fahey comment on the Alliance report recommend the board accept the passing Title 5. Mr. Ronzio makes a motion to accept the passing Title 5 based on Mr. Fahey's recommendation. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- 6. **186 Prince John** pass

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6. Percolation tests:

a. Received reports

- 1. 0 Jacobs Ladder Rd 217.1 & 217.2 Notar**

7. Full Circle Applications Received:

a. Food Service Establishments:

- 1. Board discussion of repercussions for failure to obtain/renew Food Service Permits, including. Fines, late fees, threatening to close the establishment for operating without a permit. Mr. Saviski states he will be inspecting the Route 8 Pub, Papa Bob's, Elder services, Head Start, The Sherwood Shop and Canterbury Farm. Mr. Saviski states they all appear to be operating without current Food Service Establishment permit applications. Mr. Saviski states he will walk them through the application process, and asks if there are any penalties for failing to submit applications. Ms. LaBelle and Mr. Ronzio agree there will be no penalties right now but if they fail to submit applications there will be fines.**

b. Well

- 1. 111 Longview-** Ms. LaBelle makes a motion to accept the well plan for 111 Longview. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- 2. 243 Wells Rd-** application pending- collapsed well replacement. Mr. Ronzio states a survey needs to be done in order to accept an application for a well permit. Ms. LaBelle agrees that a survey should be required. Mr. Ronzio states they need to show all setbacks on the location of the new well. Ms. LaBelle makes a motion to approve a well permit for 243 Wells Road, contingent on a licensed survey of the property boundaries, with a variance to 10 feet from the front and side lines, and no variance to setback from the septic system. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

8. New Business:

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- a. **Informal discussion- Silver Leaf Drive 214.132.1220G** John Andrews states that in 2018 he noticed that a culvert had been installed that is draining water onto his property. Mr. Andrews states he spoke to the Sherwood Greens Road District and was first told that when he was ready to build they would address the situation, however now the Road District is saying they won't do anything unless the lot is determined to be buildable. Mr. Andrews states he has a soil perc test done in August 1995 and a septic design done in 1998. Mr. Andrews states he contacted the state and they have no record of a permit for the culvert. Mr. Ronzio states you cannot determine if a lot is buildable or not with the water from the culvert draining into it. Mr. Andrews states the longer it goes on the more damage it causes. Mr. Andrews states his neighbors well is very close to the property line, limiting his ability to locate his septic system. Mr. Ronzio states given the topography the Road district probably would not move the center culvert, they would need to go to the Conservation Commission because of the wetlands. Mr. Andrews states the culvert is causing the wetlands. Ms. LaBelle asks if the septic plan was done before or after the culvert. Mr. Andrews states the plan was done before the culvert. Mr. Ronzio states the lot meets the requirements for frontage and acreage to be considered a buildable lot. Mr. Ronzio asks if Mr. Andrews has the minutes from the Sherwood Greens Road District meeting. Mr. Andrews presents the minutes from the 9/8/2018 Sherwood Greens Road District meeting indicating the "18 inch culvert is problematic". Mr. Ronzio states the Board of Health cannot order the Road District to do anything but it appears from they are responsible for correcting the situation. Mr. Ronzio asks Mr. Andrews to provide a copy of the 9/8/2018 SGRD minutes to be added to the file at Town Hall. Ms. LaBelle states we are very positive the land will be buildable.
- b. **Informal discussion- 229 South Cove Drive 211.41** Robert Akroyd Greylock Design. Mr. Akroyd presents a drawing of proposed changes to the septic system to upgrade and bring it into compliance. Mr. Ronzio notes that Taconic Land Service did a survey. Ms. LaBelle notes it is a half-acre lot and asks how big the septic system is. Mr. Akroyd responds that it needs to be upgraded to 440 gallons per day and increased to a 1500 gallon tank. Ms. LaBelle asks if there is enough room on the lot. Mr. Akroyd replies that they will need a variance to the side setback. Mr. Ronzio cautions that the board will look very carefully at the submitted plan. Mr. Akroyd states the current system passed a Title 5 inspection. Mr. Akroyd states the current system is designed for a 2 bedroom house, that 3

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bedrooms exist currently and they are seeking to upgrade to 4 bedrooms. The board reviews documents on file. Ms. LaBelle asks when the third bedroom was added. Mr. Akroyd states they do not know when that happened, his client inherited the situation and is seeking to correct it. Mr. Akroyd states the very modest cottage is being renovated. Mr. Akroyd leaves a copy of the 8/5/2019 Title 5 inspection with the board, stating it indicates the system is in excellent condition. Mr. Akroyd requests that the board send him a copy of the 1989 septic system design on file. Mr. Akroyd states he will submit an application for next month.

- c. **Informal discussion- 23 Lyman St 206.26-** replacing existing metal septic tank. Bill Salvini states there is an existing trailer put in in the 1960's and an existing septic system on the property. Mr. Salvini states he wants to replace the existing trailer, and although the septic system is working he wants to replace the existing steel tank. Mr. Ronzio asks if Mr. Salvini has spoken to the Building Inspector. Mr. Salvini replies he has spoken to the Building Inspector, his parents were the original owners, and his mother is still alive so the property is not legally in his name yet. Mr. Ronzio states an original owner would be entitled to replace the trailer one time. Ms. LaBelle asks if the septic system is in good shape. Mr. Salvini replies they are still using it, Mr. Salvini states he wants to pump the tank but afraid it could be deteriorated, so he wants to replace the tank with a concrete d-box. Mr. Ronzio states a Title 5 inspection would assess the entire system, not just the tank. Mr. Saviski states a Title 5 would be required only if the property was being sold outside the family. Mr. Ronzio asks when the septic system was installed. Mr. Salvini states it may have been installed around 1961. Ms. LaBelle states the board would give Mr. Salvini a permit to have the tank replaced by a professional.
- d. **155 Black Arrow-**complaint that trash attracting bears and other animals during the day Ned Saviski, he will report findings. Mr. Saviski states he observed excessive garbage, an abandoned older truck poor yard maintenance, and new garbage cans that seem to indicate someone is living in the house. Mr. Saviski recommends sending a correction order. The board agrees.

- e. **Septic plan approval expiration.**

Plan approvals on file

Year plan approved					
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2018	2019	2020	2021	2022	Grand Total
1	1	2	9	7	20

Mr. Saviski states the septic system permit expires 3 years from the date of approval, and the Board can grant a one year extension. Ms. Lundberg notes the regular mail notice was returned today marked "unable to forward". Mr. Ronzio states we are probably going to need the sheriff.

9. Old Business:

- a. **358 Prince John Drive-** Correction Order for locks w/in 30 days, mailed cert & regular 8/19/2022. Mr. Ronzio states if they do not comply we need to inform the owners we will change the locks and charge them for it.
- b. **345 Wells Road-** trash complaint- email to BI 7/15 about people living in trailer. Ms. LaBelle signed the correction order.
- c. **59 Benton Hill Rd-** debris, unlicensed vehicle complaint forwarded to BI. Ms. LaBelle signed the correction order.
- d. **250 Alan A Dale-** debris complaint. Sent to CSykes 7/13/22. Ms. LaBelle signed the correction order.
- e. **23 Algerie Rd-** trash/debris complaint- Sent to CSykes 7/13/22. Ms. LaBelle signed the correction order.
- f. **99 Friar Tuck-** junk complaint and people possibly living in RV on property. Forwarded to BI unregistered vehicles portion of complaint. Sent to CSykes 7/13/22. Mr. Sykes states he has an order letter prepared for cleaning up the debris. Mr. Sykes asks the board if they want an investigation to determine if people are living in the recreational vehicle. Mr. Ronzio states the town has zoning regulations prohibiting people from living in an RV unless it has been pre-approved. Mr. Ronzio says the recreational vehicle issue should be added to the letter. Mr. Sykes asks Ms. Lundberg to send him a copy of the relevant bylaw, Section 6 of the Zoning bylaws.
- g. **50 Hilltop Court-** possible debris complaint-. Sent to CSykes 7/13/22. Ms. LaBelle signed the correction order.
- h. **41 Sir Galahad Dr- Paul Willis requests an informal discussion with board regarding the Title 5 done on 6/5/2022.** Notice that board rejected passing Title, sent certified and regular mail on 8/19/22. Mr. Willis states on 6/5/22 he did a Title 5 inspection, uncovered all the components, witnessed by Laurel Burgwardt. Mr. Ronzio states he was present and the crushed pipe he witnessed

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would be a failure. Mr. Willis states the pipe was crushed minimally. Mr. Ronzio states Mr. Willis could not get a rod through the pipe, it was completely crushed. Mr. Willis states the crushed area was only 2 inches long. Mr. Ronzio disagrees. Mr. Willis asks where we go from here. Mr. Ronzio states the pipe should be replaced, and asks how many bedrooms are in the house and the tank size. Mr. Willis replies there are 3 bedrooms, a 1,000 gallon tank, that Mass DEP does not say that undersize is a failure criteria and there were no tree roots inside. Mr. Ronzio asks Ms. Burgwardt to describe what she witnessed. Ms. Burgwardt states there was a small section of pipe crushed, the rest was fine, Mr. Willis dug in 3 different spots, and it was not scoped with a camera. Ms. LaBelle states we want what is best for the homeowner and asks what is the expense to replace part of the pipe or the whole pipe. Mr. Willis states there is minimal cost difference. Ms. LaBelle states she thinks replacing the whole pipe would be best. Ms. Burgwardt makes a motion to replace the whole pipe at 41 Sir Galahad Drive. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

- i. **36 Washington** debris complaint Mr. Sykes asks that Ms. Lundberg send the property card to him.
- j. **88 King Arthur** – Certified mail sent to new owner on 7/15/22 of the original order to conduct a T5. Soil Perc application rec'd 8/5/22 by Scott McFarland. Scheduled for 8/18/22. No report rec'd
- k. **28 Brook Lane**- failed Title 5 on 7/2/2017. Sent to CSykes 8/5/22. Ms. LaBelle signed the correction order.

10. Public Input

11. Budget-

- a. Town Beach water testing costs- continued

12. Correspondence- none

13. Any other business to come before the Board

- a. **816 Main St**- Jennifer Deacon asks the board if they will accept a septic system design done in 2006, on file at town hall, in her application for a new septic system construction permit. Ms. LaBelle states a lot may have changed since

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2006 and asks if there is any dwelling at the lot. Ms. Deacon states there is no dwelling, a well was installed in the location shown on the 2006 plan. Mr. Ronzio states it may be necessary to have new soil percolation tests done. Ms. Deacon states White Engineering is willing to update the plans if they can get a copy of the original 2006 plan. Mr. Saviski states a soil perc test done after 2003 is probably ok. Ms. LaBelle and Mr. Ronzio agree the soil perc would be okay and the design would need to be updated.

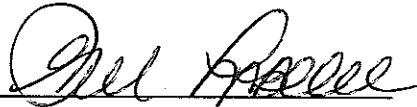
- b. Mr. Sykes indicates that an inspector observed a property with debris but the address noted may have been incorrect. Board discussed the location and determined the correct location is 297 Prince John Drive 216.667 and 0 King Arthur 216.672. Ms. Lundberg will send the relevant property cards to Mr. Sykes.

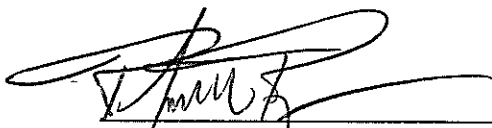
Nest meeting for the Board of Health will be October 5, 2022 at 5PM.

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 7:48 PM.

Meeting Minutes reviewed and approved on October 5, 2022 by:


Gale LaBelle, Chairperson


Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk