

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

Meeting Minutes for October 5, 2022

Board Members Present: Gale Labelle, Robert Ronzio

Board Member via phone: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public Present: Aaron Biasin, Mary Courting, Ron Eley, Tom Leue, Jessie Sullivan

Public via Zoom: Bill Allen, Peter Appleby, Ed Fahey, Peter Gilbert, Joyce Gilbert, Ned Saviski

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 September 7, 2022.** Mr. Ronzio makes a motion to approve the minutes for August 3, 2022. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes**
3. Kaniecki update Housing Code Action

Mr. Saviski states there have been no housing updates from Mr. Kaniecki.

- a. **44 Pleasant St-** continued.
- b. **58 Depot St -** continued.
- c. **2442 Main St-** Notice of Dismissal from Attorney General dated 9/28/22, authorizing sale of property through Local Action Unit affordable housing. Continued.
- d. **50 Dawn Drive -** continued.
- e. **33 Pine Dale Circle -** continued.
- f. **23 Lady of the Lake-** 9/28/22 Mr. Daigneault submitted letter to request more time. Mr. Saviski will conduct an inspection to determine progress.
- g. **23 Pinedale Circle -** continued.
- h. **799 King Richard Drive -** continued.
- i. **43 Pleasant St -** continued.

4. Alliance Reports

- a. **50 Beach St.** housing code issue turned over to Alliance 8/12/22
- b. **293 Old Pond Rd – DSCP.** Tom Leue states the design is for the replacement of an existing septic system. Mr. Leue states both lots were soil perc tested in 2005, and groundwater was found at 27 inches. Mr. Leue states they will remove the existing leach pit, add an Eljen brand technology tank designed for a 3 bedroom house. Mr. Leue states there are three LUA considerations 1) a 2 foot separation from

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groundwater, 2) the septic tank location between the house and the existing retaining wall requires a 7 foot setback from the foundation, and 3) the existing well is 20 feet from the nearest corner of the septic tank.

Mr. Ronzio asks if the property has been surveyed. Mr. Leue states he does not have information on a registered land survey but he has a 2007 survey showing the subdivision and proposed locations. Ms. LaBelle asks if any pits were done. Mr. Leue states he did not know it would change anything. Ms. LaBelle states she would prefer to see more recent soil perc results, and she does not like the 20 foot separation from the well. Ms. LaBelle asks Mr. Fahey for his opinion. Mr. Fahey states the perc test locations from 2005 were not determined. Mr. Leue states the perc locations were determined from the survey. Mr. Fahey asks where the existing tank is relative to the well. Mr. Leue states it is in the same location. Mr. Ronzio asks for confirmation of the minimum separation from the tank to a well. Mr. Fahey states the minimum is 50 feet. Ms. LaBelle states she would want to have the water tested before and after the installation. Mr. Fahey states that Mr. Leue had answered his question about the use of ejector pumps, he had wanted to confirm that it was not 100% by pump. Mr. Leue states the ejector pump will be used for one bedroom only. Mr. Ronzio states the board will not approve a 2 foot separation from groundwater given the proximity to the lake. Mr. Ronzio makes a motion to approve the design for 293 Old Pond Road with a variance for a 20 foot separation from the well, less than 10 foot separation from the tank to the house foundation, a 3 foot separation from groundwater, and well water must be tested before and after installation. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

- c. **0 County Rd- 401.8.2** – DSCP- no physical copies of plan received for board to review. Continued.
- d. **Food Establishment Inspection- Route 8 Pub** - no food establishment permit on file
- e. **Food Establishment Inspection- Sherwood Shoppe**- no food establishment permit on file
- f. **Food Establishment Inspection- Becket Washington School**- permit incomplete
- g. **409 Moberg Rd**- DSCP- no physical copies of plan received for board to review. Continued.
- h. **52 Lyman St**- DSCP to replace tank/dbox. T5 report not received. Board will not approve the plan without receiving the Title 5 report.

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- i. **0 Sir Walter Court- DSCP-**Mr. Ronzio states we need to know that the well is 30 feet from the property boundaries, a variance can be requested but it must be shown. Mr. Ronzio states the well appears to be about 18 feet from the road. Mr. Fahey asks why it is not 30 feet since this is new construction. Mr. Ronzio states if they move it back to 30 feet they would have to move the septic system as well. Mr. Fahey states if they move the septic system it may not catch the area that was soil perc tested. Mr. Fahey requests that the plans be sent to him.

5. Title V inspections:

a. Received reports

- 1. **1154 George Carter Rd-** fail
- 2. **14 King Arthur-** pass
- 3. **307 Friar Tuck -** pass
- 4. **260 Alan A Dale –** conditional pass. Peter and Joyce Gilbert ask what the status is on this report. Mr. Fahey states the report should have been marked for further evaluation, not as a conditional pass. Mr. Fahey states the board needs to decide if a well less than 40 feet from the SAS is acceptable. Joyce Gilbert states they purchased the property in January and the previous owner had no information. Ms. Gilbert states Ron Lavigne tested the well water and results were good, and Lavigne's opinion was a new system is not needed. Ms. Gilbert states they are only there during the summer and they are willing to do periodic well testing. The board looks at the water test results attached to the Title 5 report. Mr. Ronzio asks who witnessed the Title 5 inspection. Mr. Sykes states it was witnessed by Ned Saviski. Mr. Saviski states the tank was old but it was functioning. Mr. Ronzio asks the tank size and number of bedrooms. Mr. Gilbert states it is a 1,000 gallon tank, pumped in May. Ms. Gilbert states there are 2 bedrooms. Mr. Saviski states with the exception to being close to the well everything was functioning. Mr. Fahey states the issue is a well under 50 feet needs board of Health approval or it is considered a failure. The board discusses the water test results. Ms. LaBelle makes a motion to accept the Title 5 report for 260 Alan A Dale Rd with the variance of less than 50 feet from the well

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to the septic, with the requirement that the well water is tested annually and results are submitted to the Board of Health. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

6. Percolation tests:

a. Received reports

1. **88 King Arthur Drive**
2. **0 Big Bass Lane 416.59**
3. **1154 George Carter Road**
4. **144 Little John Drive**
5. **0 Sherwood Drive- 219.214**
6. **0 Maid Marian 217.247** –failed due to high groundwater

7. Full Circle Applications Received:

d. Well

- a. **0 County Rd- 401.8.2**
- b. **243 Wells Rd-** BOH meeting 9/7/22 stated survey required. Aaron Biasin of White Engineering states they did a topographic survey locating the tank, leach field, well, and two iron pins. Mr. Bisasin states the well is 90 feet from the tank, 100 feet from the leach field, and 20 feet from the property line. Ms. LaBelle makes a motion to approve the well permit for 243 wells Road with a variance to 12 feet from both property lines. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

8. New Business:

- a. **Form 3 COC for 0 Mallard Drive 413.78** received. Board voted online only COCs at July 2022 BOH meeting. Board decides not to accept the Form 3, that the online COC will have to be completed.
- b. **233 Gentian Hollow Rd-** resident request re-inspection of premises, failure of landlord to complete ordered repairs. Mr. Saviski states he had phoned the resident several times and got no reply. Ms. LaBelle states she would like to accompany Mr. Saviski on the inspection. Mr. Saviski states he will attempt to contact the resident again.
- c. **Informal Discussion-** Ryan Eley 609 Main St . Mr. Eley states he intends to bring the property back to the original use. Mr. Eley states the septic was installed in

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April with 3,000 gallon tight tank and a restriction to 1 bathroom and restaurant seating for 10 people. Mr. Eley would like to increase the seating capacity provided the tank is pumped out regularly. Ms. LaBelle asks how frequently he expects to have the tank pumped. Mr. Eley states he anticipates 2 to 3 times annually. Mr. Eley shows his construction plans to the board and states all distribution lines to the septic are being replaced, and the bathroom will be handicap accessible. Ms. LaBelle asks about the grease trap location. Mr. Eley states grease traps are inside the building under the sink. Ms. LaBelle asks about dishwashing. Mr. Eley states dishes will be put through a sanitizer. Mr. Ronzio states the building was closed for more than 2 years and is a nonconforming structure on a nonconforming lot. Mr. Ronzio states the Planning Board should have been consulted, but the owner decided to go the Board of Health with a septic design, which was approved with the 10 person seating limit. Mr. Ronzio states we could increase the seating limit but it is the owner's responsibility to make sure the system is pumped out. Mr. Eley states it would be devastating to my business if the system backed up. Ms. LaBelle states she thinks increasing the seating limit to 20 would be appropriate and the board would have to do frequent inspections for the first year of operation. Mr. Fahey asks if Mr. Eley has anyone under contract to do septic pumping. Mr. Eley states he will have a contract before the end of the year. Mr. Fahey states the pumping contract would be needed in order to get a Food Establishment permit. Mr. Ronzio makes a motion to approve the increase to 20 seats with the contingency if pumping issues occur the board may reduce the seating. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

d.

9. Old Business:

- a. **358 Prince John Drive-** 9/12/22 correction orders sent regular and certified mail to updated San Diego address.
- b. **354 Wells Road-** trash complaint- 9/9/22 sent regular and certified mail.
- c. **59 Benton Hill Rd-** debris complaint. 9/9/22 sent regular and certified mail.
- d. **250 Alan A Dale-** debris complaint. 9/9/22 sent regular and certified mail. Homeowner left a voicemail for the board on 9/13/22 stating the debris would be cleaned up by the end of the week. Board requests that the inspectors check on the status.

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- e. **23 Algerie Rd-** trash/debris complaint- 9/9/22 sent regular and certified mail. 9/19/22 both mailings returned not deliverable as addressed unable to forward. Researched two alternate addresses, will provide for possible re-issue of order. Orders were signed off by board.
- f. **99 Friar Tuck-** 9/16/22 property card to CS. Mr. Sykes states he has sent the orders for signatures.
- g. **50 Hilltop Court-** debris complaint. 9/9/22 sent regular and certified mail. 9/21/22 Property owner came to office, advised to attend BOH meeting to speak directly to board/inspectors for clarification.
- h. **36 Washington** debris complaint. 9/16/22 property card to CS. Mr. Sykes states he has sent the orders for signatures.
- i. **88 King Arthur** –9/16/22 property card to CS.
- j. **28 Brook Lane-**9/19/22 T5 noncompliance letter sent regular and certified mail. Mr. Appleby states he received the compliance letter. Mr. Appleby states he got a Title 5 inspection, and that the engineer he consulted recommended a tight tank. Mr. Appleby states the lot is 60 x 75 feet, the system failed due to water, and it is 63 feet to the well, Mr. Appleby states he does not have a plan yet but the idea is to install a tight tank the furthest distance possible from the well. Ms. LaBelle asks if there is a land survey plan. Mr. Appleby states he has a survey done in December 2017 at the time of the property sale. Mr. Ronzio states it needs to be a survey done by a registered land surveyor, stamped, and showing the location of the buildings, well and septic on the property. Mr. Appleby states he wants the board to be aware that he is working to resolve the situation. Ms. LaBelle states the board wants to see the survey and it should be submitted to the Board of Health office. Mr. Fahey states the survey and Title 5 report should be given to the engineer designing the system. Ms. LaBelle states the survey and the design must combine the plot survey and the septic plan.
- k. **155 Black Arrow-** trash complaint. 9/14/22 order sent regular and certified mail.
- l. **297 Prince John/0 King Arthur 216.672** debris complaint - 9/16/22 property card to CS. Mr. Saviski advises that the correct address for the complaint is 305 Wells Rd.

10. Public Input -none

- 11. Budget-** discuss returning Full Circle tablets. Board decides the tablets should be returned to Full Circle Technologies.

12. Correspondence- none

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13. Any other business to come before the Board- none

Next meeting for the Board of Health will be November 2, 2022 at 5PM.

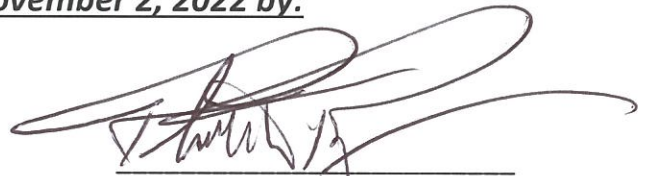
Mr. Ronzio makes a motion to adjourn. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

Meeting is adjourned at 7:22 PM.

Meeting Minutes reviewed and approved on November 2, 2022 by:



Gale LaBelle, Chairperson



Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk