

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

Meeting Minutes for April 5, 2023

Board Members present: Gale Labelle, Robert Ronzio

Board Member via Zoom: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public present: Mona Bailey, Eric Bartlett, Elizabeth Burnette, Cathy Defoe, Neil Nooney, Fred Sears

Public via Zoom: Lee Burnette, Jennifer Davis, Michael Hart, Scott Levy, Andy McDowell, Ned Saviski, Colin Sykes, Ed Fahey, Robin Mathiesen,

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

1. Meeting called to order at 5:00 PM by Ms. LaBelle.

2. Board to approve meeting minutes for March 1, 2023. Mr. Ronzio makes a motion to approve the minutes of March 1, 2023. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

3. Alliance Reports

A. Disposal System Construction Permits

1. 145 Prince John- Revised plan with registered land surveyor pending, Continued.

2. 50 Dawn Drive Board examines the proposed plan. Mr. Ronzio makes a motion to approve the septic design. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

3. 100 Family Court. – Fred Sears states the home has 4 bedrooms and the existing septic system has failed. Mr. Sears states the proposed design, on a 13-acre lot, is well within all set backs and the buffer zone. Mr. Sears states a new septic tank and pup chamber will tie into the existing port to create a Title 5 compliant system. Mr. Sears states no variances are being requested and there will be a 4-foot separation from ground water. Mr. Ronzio asks if the old tank was out of compliance by depth. Mr. sears replies the old tank was 5 feet below grade, the new tank will be 1 foot below grade and there will be erosion controls. Ms. LaBelle makes a motion to approve the septic design for 100 Family Court. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

B. Well Permits

1. 164 Main St- 3/14/23 revised plan # 5041 received. Mr. Fahey states the relocated geothermal well design now meets the setback requirements. Mr. Ronzio makes a motion to approve the well design. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

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2. **50 Dawn Drive** Board examines the proposed plan. Mr. Ronzio makes a motion to approve the well design. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

C. Title V Inspections

- a. Received reports
 - i. **115 Hopkins Lane**- pass
 - ii. **162 Mystic Isle Way**- Failed
 - iii. **748 Hamilton Rd**- pass

4. Housing Code Action/Alliance

- a. **44 Pleasant**- March 2023 Alliance Update: Front and back window is broken out making the building accessible from behind. Contractor on site said he will close building up as neighborhood kids are trespassing. Contractor expects to finish by fall. Ms. LaBelle requests that Mr. Saviski re-check next month.
- b. **58 Depot St** - March 2023 Alliance Update: Soil perc test scheduled for 4/20/23 -10am. Broken basement window allowing access to pests and elements.
- c. **23 Lady of the Lake**- March 2023 Alliance update: No changes in March 2023. Uninhabitable placard posted on front door. Giving the owner until March then will decide whether to issue condemnation order. Ms. LaBelle requests that the case be sent to Housing Court.
- d. **2442 Main St**- March 2023 Alliance update: No changes in March 2023.
- e. **50 Dawn Drive**- Town is working with Construct, using a \$145k grant to rehab the home and sell to low income. Keep on agenda on a watch basis. Likely to be resolved without further BOH action.
- f. **799 King Richard Dr**- March 2023 Alliance update: Uninhabitable Placard posted again in March. For sale sign removed. Board requests the home be re-placarded.
- g. **43 Pleasant St**- March 2023 Alliance update: Showing improvement. Contractor hopes to complete work by Fall 2023.

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- h. 50 Beach** - March 2023 Alliance update: No changes in March 2023
- i. 354 Wells Road-** March 2023 Alliance update: No changes in March 2023. Mr. Saviski notes the house is set back from the road and it is difficult to tell exact conditions. Ms. LaBelle states this case should go to Housing Court in May or June if no improvements.
- j. 59 Benton Hill Rd-** March 2023 Alliance update: No changes in March 2023. Ms. LaBelle asks if the Building Inspector has replied to inquiries about the status of the vehicle removal. Ms. Lundberg states she has not gotten any response.
- k. 23 Algerie Rd** - March 2023 Alliance update: No changes in March 2023. Owner is waiting for tenant to be evicted in order to clean up the property.
- l. 99 Friar Tuck-** March 2023 Alliance update: No changes in March 2023.
- m. 50 Hilltop Court-** March 2023 Alliance update: No changes in March 2023.
- n. 28 Brook Lane-** failed Title 5 on 7/2/2017. T5 noncompliance letter sent 9/9/2022.
March 2023 Alliance update: No changes in March 2023.
- o. 297 Prince John Dr** March 2023 Alliance update: No changes in March 2023
- p. 155 Black Arrow-** March 2023 Alliance update: Valley Trucking dumpster remains in front of house. Mr. Saviski contacted Valley Trucking but they were not willing to give any information.
- q. 233 Gentian Hollow Rd-** March 2023 update, lock repaired, no other progress. Ms. LaBelle asks Mr. Saviski to review his latest inspection. Mr. Saviski states he did a follow-up inspection on March 30, 2023. Mr. Saviski states the door was repaired but nothing else on the correction order had been done. Mr. Ronzio asks about the motion of entry document attached to the latest email about the inspection. Mr. Saviski states the motion of entry document was given to him by Elizabeth Burnette and he believes it is an attempt to have the tenants evicted. Ms. LaBelle reads aloud the motion of entry document. Ms. Bailey states the motion is accurate but not complete and she presents a document to the board. Ms. Bailey states they must appear in housing court on 4/23/2023. Ms. Bailey states according to sanitary code they are withholding rent because of the code violations and the landlord should not be able to evict us. Ms. LaBelle states that would be a court matter. Ms. Bailey states the board has not escalated the code violations to housing court. Mr. Saviski states at the previous board meeting it was decided to

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not go to housing court at that time. Mr. Ronzio states it should be brought to housing court now. Ms. LaBelle asks Mr. Saviski to start the process to take the issue to housing court.

- r. **336 Sir George Drive-** Correction Order sent 3/3/2023. Neil Nooney states that cleanup was delayed slightly due to the significant snowstorm, but he has made progress including the removal of vehicles. Mr. Nooney asks the board for a 30-day extension on the correction order deadline. Ms. LaBelle makes a motion to extend the correction order deadline 30 days. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passed.**

- s. **358 Prince John-** 3/8/2023 Correction order sent to secure door

- t. **134 Fireside Lane-** Letter sent 3/10/2023

5. Full Circle Applications Received:

a. Food Service Establishment

- 1. **Dreamaway Lodge Restaurant-** no certificates. Ms. LaBelle asks when they plan to open. Mr. McDowell states April 22, 2023. Ms. LaBelle asks Mr. Saviski if he has inspected the premises. Mr. Saviski states he has not inspected yet but can do it next week. Board approves issuing the Food Service Establishment permit contingent on receiving all certifications required on the application.
- 2. **Jacobs Pillow Dance Festival Staff Kitchen-** Board approves issuing the Food Service Establishment permit.
- 3. **Chimney Corners YMCA Camp/ Brock & Co-** No Chokesaver Certificate Board approves issuing the Food Service Establishment permit contingent on receiving all certifications required on the application.
- 4. **Camp Becket/ Brock & Co-** No Chokesaver Certificate. Board approves issuing the Food Service Establishment permit contingent on receiving all certifications required on the application.

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b. Septic Haulers/Installers

1. Septic Installer

- a. M & M Site Services- Board approves issuing the Septic Installer permit
- b. Willis Enterprises dba White Wolf- Board approves issuing the Septic Installer permit contingent on receiving the updated BCBOHA certification.

6. New Business:

- a. **Informal discussion-** 0 Jacobs Ladder Rd 217.1 Anthony Cammarano wished to discuss a medical grade water bottling facility. Mr. Cammarano is not present at the meeting. Dismissed.
- b. **3367 Main St Becket Athenaeum well declassification** –Ms. LaBelle asks Mr. Bartlett to address the board. Mr. Bartlett states the plan is to connect the Becket Athenaeum and the Becket Arts Center to the same well. The disconnected well will be used as an outdoor spigot for watering landscape. Mr. Ronzio asks who is doing the work. Mr. Bartlett replies White Wolf Excavating is the contractor. Mr. Ronzio states the board can declassify the well, he asks Mr. Bartlett to sign the application prior to the Board signing. Mr. Ronzio makes a motion to approve declassifying the Becket Athenaeum well. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. LaBelle votes in favor. **Motion passed.**
- c. **89 Lady of the Lake-** failure to upgrade failed/nonconforming T5 conducted 8/2/2020. Board asks Ms. Lundberg to send the property card to Mr. Sykes so he can generate a correction order.
- d. **168 Greenwater Dr-** demolition sign off. Mr. Fahey states this sounds like a private demolition where the Building Inspector is asking for a sign off on the removal of rodents and debris. Receipts for the rodent baiting service were provided when requested from John's Excavation. The board approves and signs off.

7. Old Business:

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8. Public Input

9. Budget-

10. Correspondence

- a. **DEP Notice of Enforcement Action-** Rt 8 Pub/Spencer House 3235 Main St- public water system record and reporting violation. Ms. LaBelle states Heather Anello told her they were closed because business was slow, but that Ms. Anello seems to be telling different things to different people. Mr. Ronzio asks if the liquor store and/or the marijuana dispensary are open. Ms. LaBelle states it is her understanding that they are closed. Mr. Ronzio states her Cannibas Control Commission agreement would be nullified if she closed. Ms. LaBelle states the restaurant would need to be re-inspected before it re-opens. Ms. Lundberg states she has not received a completed Food Service Establishment permit application for 2023.

11. Any other business to come before the Board

- a. **Camp Greylock complaint-** Ms. LaBelle states she does not believe Camp Greylock is present at the meeting. Ms. Lundberg states Camp Greylock was invited to attend the meeting for the discussion. Michael Hart states his son went to Camp Greylock and names the medical condition they had noted on his medical forms. Ms. LaBelle states there are a lot of people on this meeting and she is concerned that stating the condition in a public meeting could be a HIPAA violation. Mr. Hart states he has gone to the American Camp Association and the Massachusetts Camp Association but none of them have regulations to follow. Mr. Hart states Camp Greylock violated the privacy of his medical records and the HIPAA violation doesn't seem to be relevant. Ms. LaBelle states this is a little beyond the Board's capacity and Mr. Hart may want to get some legal advice. Mr. Hart states if there are laws or rules the camp has to follow there needs to be some kind of record that the rules were not followed. Mr. Hart states his son's medical records were disseminated to the camp counselors and that is some kind of violation. Mr. Hart states he wants it documented the camp broke a rule so he can pursue legal action. Ms. LaBelle asks Mr. Fahey if the violations discussed fall under any current regulations. Mr. Fahey suggests that a letter be sent to Camp Greylock directing them to attend a meeting and answer some questions. Mr. Hart asks what is the source document for the rules and regulations are enforced by the Board of Health. Mr. Fahey states 105 CMR 430.00: Minimum standards for recreational camps for children: State sanitary code chapter IV applies. Mr., Hart states he has those rules and he believes those are the regulations that were violated. Mr. Hart states he can send to the board Camp Greylock's offer to pay him a

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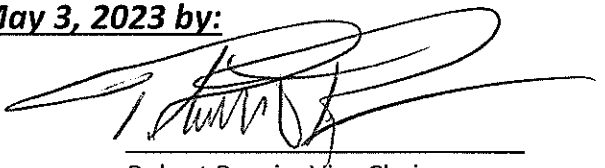
small amount of money to sign a non-disclosure agreement. Ms. LaBelle states the board needs to go over the code section to see what they can do. Ms. LaBelle states she would like to continue the discussion at the next board meeting. Mr. Hart states he is concerned that the camp is going into another season and they should change the way they do things. Ms. LaBelle makes a motion to continue the discussion. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. LaBelle votes in favor. **Motion passed.** Mr. Fahey will supply a letter to be sent to Camp Greylock.

- b. **2727 Jacobs Ladder Road-** a member of the public had contacted the Board of Health concerned that work on the septic system had been done without a permit. Mr. Fahey states he spoke to them a few months ago and was told they did an emergency repair and have only been doing work on the driveway and drainage.
 - c. **177 East Shore Road-** Ms. Lundberg states the board had flagged the property regarding a previous soil percolation issue. Ms. Lundberg states they have received notice from the Zoning Board of Appeals of an upcoming hearing on the property.
12. Ms. LaBelle makes a motion to adjourn the meeting. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

Meeting is adjourned at 6:45 PM.

Meeting Minutes reviewed and approved on May 3, 2023 by:


Gale LaBelle, Chairperson


Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk