



**Town of Becket  
Board of Health  
557 Main Street  
Becket, Massachusetts 01223  
(413) 623-8934 ext. 22 fax 623-6036**

## **Meeting Minutes for October 25, 2018**

**Board Members Present:** Gale LaBelle and I. David Krawet

**Board Members Absent:** Laurel Burgwardt

**Health Agent:** Jayne Smith

**Administrative Assistant:** Jessica Perotti

**Public Present:** Chris McCaul and Michael McCaul

### **Call to order**

Gale LaBelle calls the meeting to order at 3:32 PM. Ms. LaBelle offers agendas to anyone that would like a copy. Ms. LaBelle introduces herself, the Board members present, Health Agent and Administrative Assistant. Ms. LaBelle reads the rules of the meeting and ensures everyone has signed in to the meeting.

### **3417 Main Street**

#### **a. Updates on septic installation**

Ms. LaBelle asks Ms. Smith to explain what has happened here so far and why changes were made. Ms. Smith explains that the first plan submitted asked for a variance from a neighbor's well and for a two foot (2') separation to groundwater because an advanced technology was being used. When the installation began, it was discovered that the groundwater was higher than what was estimated with the percolation (perc) test by six inches (6"). Ms. Smith confirms she was not involved in the perc testing. The construction went underway and a neighbor called the office to express her concern for water run-off onto her property. Ms. Smith went out and asked Mr. McCaul, the homeowner, to stop with the installation. After going out to see what was going on there, it was discovered that what was going on was actually better than what was proposed on the original plan. The leach field was shifted to the back and away from the property line. Instead of having a system component ten feet (10') away, it was now thirteen feet (13') away which gave a little more wiggle room to address drainage. This shift of the leach field also brought it away from the neighbor's well on the other side and will no longer require a variance. Raising the system six inches (6") changes things too because the topography of the top of the field would not allow the grade to be maintained. There were discussions in the field of adding some sort of a retaining wall. The Building Inspector was consulted and he confirmed anything higher than four feet (4') would require an engineer's design. Ms. Smith says a retaining wall is not defined in Title V Code. Ms. Smith has had conversations with Dan Kurpaska of MassDEP (Massachusetts Department of Environmental Protection) regarding this plan and Mr. Kurpaska thought it was a reasonable approach. Ms. Smith confirms that the retaining wall has been installed as well as the 40mm plastic liner to prevent the leachate from traveling horizontally. Ms. Smith says she has been out several times but has still not done a final inspection. She says formal reports were not done every time but



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pictures have been taken to document the progress. She has not noticed anything alarming regarding the installation.

Ms. Smith talks about Manifest Injustice. Manifest Injustice prevents a Board of Health from requiring a homeowner to bring their septic system into compliance if it will require the homeowner to spend more than fifteen percent (15%) of the property's value. Ms. Smith says that in this case, that amount has just about been met.

Ms. Smith asks the Board to make a decision on the revised, as-built plan that was submitted and to take into consideration the time of year and the importance of getting this system back into compliance.

Ms. LaBelle talks about the Letter of Disclosure she submitted to the Town Clerk which allows her to vote on the septic plan. Ms. LaBelle explains that she did this because the installer of the system is her son-in-law.

Mr. Krawet asks Ms. Smith if she has been out to look at the system since the last meeting. Ms. Smith confirms that she has not. Mr. Krawet says that Ms. Thomas sent pictures of Mr. McCaul working on the septic system over the weekend. Ms. Smith says that while Ms. LaBelle did ask Mr. McCaul not to work on the system, an official order was never issued. The work he did over the weekend was done at his own risk because if the Board decides that something else should be done, he would need to remove it all. Mr. Krawet asks Mr. McCaul what he did exactly over the weekend. Mr. McCaul explains that he went through a large pile of topsoil that was between the treatment pod and the leach field to pick out the rocks. He also ran electric from the control panel to the treatment pod and laid the pipes where they will be going in the ground.

Ms. LaBelle says this has gone on long enough asks Ms. Smith if there is anything the Board should consider regarding this plan for its approval. Ms. Smith says the Board should consider the nearby Public Water Supply (PWS) at Becket School. She recommends that the Board approve the revised as-built plan that was submitted for this property which includes the 3'x3' retaining structure and the drainage swale. Also, prior to the issuance of the COC (Certificate of Compliance), the system needs to be seeded and there is to be negative drainage to the neighbor's property.

### **b. Approval up updated septic plan**

Ms. LaBelle says there is a recommendation to the Board to approve the revised plan with the 3'x3' blocks creating a retaining wall and drainage swale. Also, the system is to be seeded and



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assurance that there is negative drainage to the neighbor's property. Ms. LaBelle makes a **motion** to approve the plan as recommended by Ms. Smith. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

#### **Adjournment**

Ms. LaBelle makes a **motion** to adjourn. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**. Meeting is adjourned at 3:50 PM.

#### **Meeting Minutes Reviewed and Approved on November 7, 2018 by:**



Galè LaBelle, Chair



I. David Krawet, Clerk