

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

Meeting Minutes for March 11, 2024

Board Members present: Robert Ronzio

Board member attending via phone: Gale LaBelle, Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public present: Bob Alarie, LeiAnne Ellis, Amy Perlmutter, Patrick O'Brien

Public via Zoom: Ed Fahey, Destin Heilman, Mike Kulig, Kate Hubbel, Dan Hassett, Colin Sykes, Allison Odle, Dan Reiff.

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

- 1. Call to order: Mr. Ronzio calls the meeting to order at 5:05 PM.**
- 2. Board to approve the minutes for February 7, 2024 and February 27, 2024.** Ms. Labelle makes a motion to approve the 2/7/24 minutes. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**
Ms. Labelle makes a motion to approve the 2/27/24 minutes. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**
- 3. 2206 Jacobs Ladder Road-** Administrative search warrant discussion. Ms. Labelle states there was a marijuana farm inside the house, interior walls were gone and black mold was present. Ms. Labelle state inspector Dan Hassett went to the scene but he was unable to cross the threshold because the was not listed on the warrant. Ms. Labelle states if the Board of Health wants to get a warrant to cross the threshold to inspect the premises we would need to seek assistance from Town Counsel, and we should also include the Building Inspector and Electrical Inspector. Dan Hassett states that Tess Lundberg called him because the Massachusetts State Police requested Board of Health presence due to the mold inside the house. Mr. Hassett states if we are not on the warrant we cannot go in without the permission of the occupant. Mr. Hassett states if he had entered the house without the permission of the occupant it becomes unenforceable. Mr. Hassett states he was able to observe the interior of the house from the open doorways. Mr. Hassett states he saw evidence of mold, and saw that interior walls had been removed. Mr. Hassett states the mold levels observed would be unsafe conditions for someone to live there. Mr. Hassett states because of the blocked off exterior windows and exterior sliding glass door he is concerned that the property is a fire trap that would endanger first responders if they entered. Mr. Hassett says he spoke to Becket Police officer Nicole Miller this morning and was told the front door is unsecured. Mr. Ronzio says he will speak with the Town Administrator about securing the front door. Mr. Ronzio asks if it was a forced entry by the

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State Police. Mr. Hassett states he believes it was a forced entry, he has requested a report from the State Police but has yet to receive anything. Mr. Fahey one option is to ask the board to vote to declare the building uninhabitable, which the inspectors can post and notify tomorrow. Mr. Fahey states condemnation is a longer process that we can start if needed. Mr. Hassett states they would need to go into the premises and do a full assessment. Ms. Labelle makes a motion to declare 2206 Jacobs Ladder Road uninhabitable, and to contact the Town Administrator to secure the premises. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**

4. Alliance Reports

A. Disposal System Construction Permits

1. **0 Pill Drive-** Mr. Ronzio looks at the plans submitted. Ms. Burgwardt makes a motion to approve the plan. Ms. Labelle seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**
2. **133 Mystic Isle Way-** Mr. Ronzio asks if the designer is present. Ms. Lundberg says the designer is not here. Mr. Fahey states he has reviewed the plan. Mr. Fahey states he was told by the Alliance witness the property would not perc, and it is a 2 bedroom home for seasonal use. Mr. Fahey states it is his understanding that with seasonal use they could install a tight tank with a deed notice, if they went to full time use they would have to attempt to perc again. Mr. Ronzio states we can say the dwelling can only be occupied up to 180 days a year. Mr. Ronzio makes a motion to approve the plan with the contingency of seasonal only use, not used more than 180 days a year, with a deed notice recorded at the Registry of Deeds. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**
3. **494 King Richard Drive-**no physical plans received by the board. Continued.

B. Soil Percolation tests:

1. **254 Benton Hill Rd- DSCP was approved 2/7/24 w/contingency 2 added test pits on this test.** Mr. Kulig states the board met previously and asked for a confirmation of the soils. Mr. Kulig states they did one test

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pit with 9 feet of soil very consistent with the other pits, witnessed by Mr. Sykes. Mr. Ronzio reads the minutes of the previous meeting noting the board had asked for two additional pits, they did one pit but it was confirmed by Mr. Sykes to be consistent to the other pits. Mr. Ronzio states as long as Mr. Sykes approved it we will go along with it. Ms. Burgwardt makes a motion to accept the test pit confirmation. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

5. Housing Code Action Alliance

Mr. Hassett states there are a number of properties on the list that are nuisances, and not having a nuisance control officer is problematic. Mr. Hassett states he wants to ask the board to select 3 or 4 properties to focus on, instead of trying to do all of them at once. Mr. Hassett states there are some properties on the list that need to be focused on differently, such as 89 Lady of the Lake which might be a good candidate for receivership. Mr. Hassett state he, Mr. Sykes and Mr. Fahey can present a proposed list to the board. Mr. Ronzio states he would be willing to accompany the inspectors if they do site visits to categorize the sites.

a. 144 Pleasant- *correction* order issued 4/19/2021.**Alliance Update** - August 2023-The windows are broken out on the top floor. The doors are boarded up.

a. **58 Depot St** - meeting with AGO and property owner on 2/27/2024. Continued.

b. **23 Lady of the Lake-** Correction order sent 1/12/2022. Alliance Update October 2023- No changes, observed old truck cap, camper and other bulky items and debris on property and shed in disrepair. Uninhabitable placard not seen.

c. **799 King Richard Dr-** Correction order sent 1/7/2022 Alliance Update October 2023 – Uninhabitable placard still present. Windows are boarded up and appears secure, no garbage or debris present

d. **43 Pleasant St-** Correction order sent 4/8/2022.

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- e. **59 Benton Hill Rd-** Correction order sent 8/29/2022 debris complaint. Alliance Update October 2023- No changes, unlicensed vehicle and clutter, trash and furniture remain.
- f. **99 Friar Tuck-** Correction order sent 10/1/2022. Alliance update August 2023- Abandoned camper on property.
- g. **50 Hilltop Court-** Correction order sent 8/29/2022. Debris complaint- Alliance Update October 2023- Minor changes, some cleanup of items/rubbish. Unlicensed vehicle remains.
- h. **28 Brook Lane-** failed Title 5 on 7/2/2017. T5 noncompliance letter sent 9/9/2022
- i. **297 Prince John Dr-** Correction order sent 11/2/2022. Alliance Update October 2023 – Minor changes, some cleanup of items/rubbish. 2 Trailers still on property
- j. **155 Black Arrow-** Correction order sent 9/8/2022 Alliance Update October 2023 – No changes, Rubbish/Machinery still on property.
- k. **233 Gention Hollow Rd- .** No Occupancy letter sent 1/17/2024
- l. **336 Sir George Drive-** Correction order sent 3/1/2023. Alliance Update October 2023 – Trailers and vehicles still onsite
- m. **358 Prince John-** Correction order sent 8/12/2022. Alliance Update October 2023 – Pre-condemnation order drafted to secure dwelling and comply with provisions. Board to confirm the deadline before it is sent.
- n. **27 Prentice Place-** Correction order pending. 2/12/23 T5 application received.
- o. **330 Wells Rd-** complaint regarding debris on the front lawn, machinery, lawnmowers. Added to inspectors list Dec 2023
- p. **376 Wells Rd-** complaint regarding debris, shed possibly built on property line, cut wood thrown into neighbor's property. Added to inspectors list Dec 2023

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- q. **61 Porcupine-** Becket Board of Health meeting 2/7/2024 extend deadline for install to 6/1/2024, added contingency that a BOH inspector must be present when the existing tank is pumped and then decommissioned, with the pump record to be sent to the BOH. Continued.
 - r. **323 Wells Road** septic plan approved 1/6/2021. No record of installation or inspection. Deed for transfer of property 7/9/2021. No record of Title 5 inspection. Noncompliance letter pending.
- 5. Full Circle Applications Received:**
- a. **Food Service Establishment**
 - 1. **Sherwood Shoppe-** Ms. Burgwardt makes a motion to approve the permit, contingent on receipt of the required drinking water test. Mr. Ronzio seconds the motion, Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
 - 2. **Club at Shaw Pond** - Ms. Burgwardt makes a motion to approve the permit, contingent on receipt of the required drinking water test and choke saver certificate. Mr. Ronzio seconds the motion, Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
 - 3. **Dreamaway-** Ms. Burgwardt makes a motion to approve the permit, contingent on receipt of the required drinking water test within 30 days of the opening date. Mr. Ronzio seconds the motion, Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
 - 4. **Camp Watitoh-** Ms. Burgwardt makes a motion to approve the permit, contingent on receipt of the required drinking water test and choke saver certificate. Mr. Ronzio seconds the motion, Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
 - 5. **Becket General Store/Rte 8 Pub-** Board will not approve the permit until all certificates and drinking water tests are submitted.
 - b. **Septic Haulers/Installers**
 - 1. **Septic Installer**
Discussion of current system renewal/expiration dates of installer permits. Can 2024 permits be issued valid until 3/31/24 with

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contingency that renewed BCBOHA must be received. Mr. Ronzio makes a motion to set the annual renewal dates for Septic Installer Permits as April 1, with and expiration date of March 31. Ms. Burgwardt seconds the motion. Ms. Burgwardt votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

1. **Craig Tighe** – Ms. Burgwardt makes a motion to approve. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
2. **Gary O'Brien Property Services-**
3. **P&M Masonry-** Ms. Labelle makes a motion to approve the Septic Installer permit for Patrick Obrien, P&M Masonry. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. Ms. Labelle votes in favor. **Motion passes.**
4. **Bill Magni-** Ms. Burgwardt makes a motion to approve. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
5. **REWC Land Management-** Ms. Burgwardt makes a motion to approve. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**
6. **Tim Handlowitz-** Ms. Burgwardt makes a motion to approve. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

c. Tobacco and Nicotine Delivery Product Sales

1. **Becket Country Store.** Mr. Sykes asks if they have their state license. Ms. Lundberg confirms they do. Mr. Ronzio votes in favor of the permit providing sales are limited to over 21 year olds. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

6.New Business:

a.Dark Sky presentation March 2024. Dark Skies group will return to the April 3, 2024 meeting where Ms. Burgwardt states she will be present at town hall. Continued.

b.0 Benton Hill Road 209.12 Informal discussion of perc soil report from 2007. No property owner present. Tabled.

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c. George Carter Rd 403-3.2 informal discussion on septic design house with barn. Percs on file. No property owner present. Tabled.

7.Old Business: none

8.Public Input :none

9.Budget:no discussion

10.Correspondence:none

11.Any other business to come before the Board

a. 66 Woodmans Path- Alison Odle states she is not on the agenda, her septic plan was approved in February, she wants to clarify that she will use White Wolf as in installer. Ms. Lundberg states White Wolf is on the application as the installer. Ms. Lundberg states as soon as White Wolf completes the requirements for their 2024 Septic Installer permit the disposal system construction permit for 66 Woodmans Path can be issued.

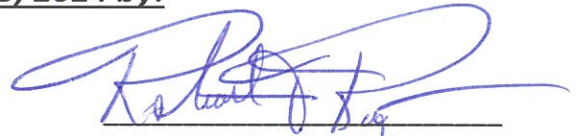
b. 0 Jacob Ladder Road 213.21- Mr. Fahey reviewed the plan and approved. Mr. Ronzio makes a motion to approve. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes**

Mr. Ronzio makes a motion to adjourn at 6:51 PM. Ms. Burgwardt seconds the motion. Mr. Ronzio votes in favor. Ms. Burgwardt votes in favor. **Motion passes.**

Meeting adjourned at 6:51 PM

Meeting Minutes reviewed and approved, April 3, 2024 by:

Gale LaBelle, Chairperson



Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk