

Westhampton Board of Health

Minutes to Meeting of November 2nd, 2017

Present for the Board: Tom Martin, David Blakesley, Ron Lauren, Valerie Bird

Also Present: Ginny Curtis, Mary Powers, Joan Powers, Judy Wayne, David Wayne, Jim Houston (Selectboard), John Kelsey, Michael Kelsey, Judy Dunaway, Bob Walker, Tom Quinlan (Building Inspector)

Meeting opened at 4:00. Adjourned at 5:31

- 1) Board approved minutes to August 31st meeting.
- 2) Judy and David Wayne for 17 Pine Island Lake (West side of the lake off of West Shore Dr). Inherited a cottage on this ½ acre property that is in a state of extreme disrepair. Plan on using existing footprint to rebuild. Owners presented copies for the Board of existing septic permit (1970) that reveals a 1000 gal tank and 600 sq ft of leaching area with flow permitted to 250 gpd. They plan to replace with 2 bedroom residence. Plan to get a Title V inspection to confirm system in ground and its functionality. Will coordinate with Health Agent.
- 3) John and Michael Kelsey for KOA Campground. Valerie Bird notes she has issued an enforcement order for inspection of all the septic systems on the property. Board notes that it has received a request for a hearing on the enforcement order. Board needs to post this hearing as agenda item for its next meeting on December 7th, 2017 at 4:15. Tom Martin notes for the record that the Board has received a number of complaints this year that may be tied to septic issues. On the 1st week of May Karl Norris complained to Selectboard and Health agent about septic smelling effluent. David Blakesley notes that in further conversation with Mr Norris that this was limited to one specific area along his fence line. After Labor Day Board was notified by Art Pichette (Selectboard) that while on the property he noted breakout from the side of leachfield on the septic system of the middle bathhouse. Board did inspection the soon after and noted that suspected area had been covered over with gravel. The Board was told this was due to erosion of the adjacent road. Board also received a complaint on the 17th of September from Ginny Curtis about strong odors emanating from the property. Ginny Curtis also notes that an email was sent to the Board in July of this year for the same complaint of strong odors. Tom Martin noted that at annual inspection of the campground in early May that Mr. Kelsey was informed of the recent complaint of potential breakout by abutter and of the Boards desire to see the systems on the property inspected; and rather than placing an enforcement order on the property at that time would the owner agree to inspections at the close of the camp season. It was the Board's understanding that Mr. Kelsey agreed to this. Mr. Kelsey notes that he thought that this would mean a simple walkthrough of the property – not an official Title V inspection. Mr. Kelsey tells the Board that he wants to have an official hearing with the Board to appeal the enforcement order. Mr. Kelsey is concerned that having all the properties inspected at this time is a financial burden in the event that all four systems may have to upgraded or replaced. Mr. Kelsey

notes that strong odors from the property are part of his business services: approximately 4-5 thousand gallons of effluent are pumped from his holding tanks per week. This creates unavoidable odors. Ron Lauren notes that DEP has been in contact with him regarding KOA and wants to know how the Board is handling complaints. Tom Martin notes reasons why the interests of the Board and the interests of KOA may coincide: a) septic systems are crucial infrastructure for the campground and replacing systems takes time to plan and put out to bid. Why not get info about the status of the systems so that this work can be done in the off season when it will not impact the business and be more cost effective? b) maintaining working infrastructure will create a better relationship with abutters who can feel assured the business takes in social responsibility seriously. Mr Kelsey provided the Board with copies of Title V inspections done on all the systems in 2002 when they took over ownership. Board to review these documents prior to public hearing when the discussion will continue.

- 4) Bob Walker and Judy Dunaway for 66 Stage Rd. Ms Dunaway is planning on building a garage and would like to place a bedroom above for future use, foreseeing the needs as she ages in place. Board advises a Title V inspection to verify operation and placement of present system and perc test for design of additional flow. Mr Walker asks if this work can be done after the structure construction is begun before winter. Board is ok with this. Board notes that in conjunction with the Building inspector, present at meeting, that work be finished before Certificate of Occupancy is obtained.
- 5) Solid Waste issue at 225 NW Rd. No progress on outdoor cleanup. Agent notes that property in going into Tax Title (where end result could be foreclosure). Mary Powers notes that there may be social issues influencing the decline of the property and that some illegal activity may be taking place. Mr Martin notes that concerns about crime be directed to the Selectboard and the Police and that rural poverty can be difficult problems for municipalities to address. Agent suggests moving solid waste issue forward in the courts and Board agrees.
- 6) Board discussed with Mr. Quinlin (Building Inspector) 335 NW Rd. Board notes that it has issued a Certificate of Compliance for a septic system build to standards for a residence. Mr Quinlin notes that no building permit for the property has been taken out. Currently a garage sits on site and a Certificate of Occupancy for an accessory building exists. Mr Quilin suggest writing a letter to the owner (Fondakowski) explaining that his CO only entitles use of the structure as a garage, Not a residence. Board agrees this would be a good idea and speculates that the owner may have not made this distinction.
- 7) Health Agent and Mr Quinlin are planning to coordinate site visits at 46 Lyman Rd and 63 Southampton Rd to determine housing violations. Agent reports that attempts were made to determine housing violations at 112 Main Rd. without success in this confirmation. 112 Main Rd was added to list of planned visits between agent and Mr Quinlin.
- 8) Agent report that septic plan for Outlook Farm continues to be in process (stuck in DEP review). Heritage Surveys is still handling this coordination.

- 9) Agent notes that Title V inspections for 315 and 320 NW have been scheduled. Tim Maginnis to conduct the inspections.
- 10) Board discussed joint inspection with the building inspector for Main Rd. Auto Salvage (formally Jaws). Mr. Blakesley notes that time frame for cleanup of Hazardous Waste and Piles of plastic and metal debris is soon to pass and he wants to see if progress has been made. He will coordinate the scheduling of this inspection.
- 11) Board decided that it wants the Selectboard to be responsible for closing town buildings in the advent that water is temporarily suspended from the well at the HRHS. Board has let Selectboard know that it believes potable water to be necessary for public use of buildings as well as for use for town employees. Mr. Huston concurs.
- 12) Board discussed period of transition for out Health Agent serving the Foothills Health District. Ron will be phasing out by the end of the year and Valerie will be taking over his responsibilities as she ends her position in North Adams.
- 13) Mr. Blakesley discussed HRMC and Transfer Station. Third Party inspection of Transfer Station has been completed with no issues noted by inspector. Household Hazardous Waste Collection Day at Transfer Station went as planned with turnout at around 150 Households. Town to receive another DEP recycling grant this year in the amount of 5200. Town gathering money to put forward for a new compactor in the future. Still considering to possibility of collecting rigid plastic at the transfer station although the final decision to do so has been put off due to changes in what materials can be collected. More research required.

