

**1Town of Heath
Board of Health
Meeting Minutes
July 5, 2018**

PRESENT: Betsy Kovacs, Susan Gruen, Armand Clavette, Henry Godek.

ALSO PRESENT: Mary Sumner BoH Clerk, Andrea Crete FRCOG Agent, Cheryl Woodard, James Gleason, Richard Veighey.

Chair: Betsy Kovacs

Meeting was **called to order** at 4:34pm.

1. **Reviewed agenda:** Noted that several residents would be joining the meeting and we will adjust agenda as needed.
2. M/S/C to accept June 6, 2018 **minutes** as presented.

Chairman suspended agenda to allow Armand Clavette to share some concerns. He has heard at several meetings he has been at that the current Board of Health is singling out Mohawk Estates properties and treating them unfairly as compared to other Town properties. He reviewed the need to be consistent to all properties. The current BoH is trying to address issues that have 'fallen through the cracks'; the BoH continues to be active in trying to follow up on existing and new issues. Andrea noted that as BoH members change issues can get lost and then become complaint-driven, which must be followed up on.

Chairman also noted that when the BoH met with the BoS a year ago we were told to ask for help and resources if needed to pursue these issues.

3. **Chairman's Report:** Betsy reported she and Armand attended annual meeting of MAPHCO and other meetings representing Heath BoH.
4. Mary gave a brief update on the **budget**, all is with in order.

OLD BUSINESS:

1. Reviewed the **Nurses report**; no concerns were noted.
2. **5 Ledges (Town owned property):** Susan reported the shingles have been sampled, no results yet. The Town has received one quote for demolition and is seeking another. It was noted that the property has collapsed even further; will ask BoS to post 'no trespassing 'signs.
3. **15 Ledges:** Chairman and Susan reported the property has been mostly cleaned up. An email from owner confirmed he will finish by end of summer. Mary to write a letter thanking him for work done and ask to have a final cleanup of remaining debris/garbage by a date certain which he is to suggest to BoH for its agreement.
4. **38 Bray Road:** Betsy recused herself and Henry chaired. Mary noted that we have not received a current written update as we had requested. Andrea reported that she visited the property on July 5th before our meeting. She noted the front yard looked ok, but in talking with owners they said they have been putting all household trash inside a storage trailer as they lack the resources to pay for a sticker for the transfer station. The BoH has received a complaint with pictures which were taken end of June

showing trash in the woods behind the house spilling out of a trailer as well as various trailers and vehicles in the woods. Andrea will look into the availability of resources to help them including the possibility of funds from Housing Court as there are small children living there. It was also noted that the dogs are loose and some are not immunized.

5. **52 Avery Brook Road:** Reviewed the letter sent on June 27 confirming owners' commitment to remove old vehicles. There is noticeable effort in cleaning up property; will check in as September 3, 2018 completion deadline approaches and warn them of impending deadline.

6. **8 Swamp Road:** Reviewed recent history: Robert Kragen withdrew his application for variance with the ZBA and instead is seeking a Special Permit (see attached) for a non-conforming use of his property. Discussed concern that it is not an allowable use, that granting a special permit would set a precedent. Planning Board Chairman told Betsy PB will not make a decision until PB meets with BoS and BoH to hear their views. Reviewed BoH next steps based on June 20, 2018 letter sent to Kragen which gave 30 days for removal of excess trailers. Andrea noted that she wants to check with Dept. of Public Health to clarify the BoH's authority over enforcement of a Zoning Bylaw. It was noted that there is a typo in the Zoning Bylaw that actually refers to enforcement of driveways and not camper trailers. Mary will research Town files to see when/how the typo occurred. Andrea to discuss with Building Inspector and Phoebe Walker, as well, and report back to BoH members.

Jim Gleason joined the meeting at 5:31pm to discuss his property at 160/161 Colrain Stage Road: Betsy reviewed the history: Jim applied for a TOP; due to limited information on the application it couldn't be determined which structure he wished to have a permit for: the mobile home or the camper trailer. Ongoing concerns regarding year-round occupancy of the mobile home that lacks septic or well. Jim confirmed it is a mobile home without septic or well, and stated that he does not lease the property.

Cheryl Woodard joined the meeting at 5:38 pm. She attended to give a brief update, we heard her update before continuing discussion on 160/161 Colrain Stage Rd.

7. **3 Ledges:** Cheryl Woodard said she will schedule a perc test once Shawn Kimberley (engineer) returns from vacation. Test to be performed early Aug with funding from the Housing Authority.

Jim Gleason went on to explain that three people use 161 Colrain Stage Road for cutting fire wood, as a work shop, and as a cabin; all three people drive the exact same make and color car so it looks like the same person is there all the time. Jim also noted he was not aware of the winter occupancy restriction. Jim would like us to consider this property on its function/use rather than its structure. Jim also noted he has a camper/ trailer and asked that a permit application be mailed to him for that. BoH thanked Jim for this information, they will review the property and get back to him. Jim left the meeting at 5:44 pm.

Discussed the facts presented. Andrea will ask Building Inspector to visit the mobile home and determine if it is a mobile home in which case it is not the responsibility of the BoH to enforce compliance with Zoning Bylaws related to mobile homes. Mary will mail Jim a permit application and copy of regulations for his camper/trailer.

At 5:58 pm Richard Veighey joined the meeting to discuss 23 Cascade Drive. Reviewed lot size and the four trailers present; two are owned by Richard and two are owned by his children. Reviewed Zoning Bylaw.

Discussed options and status of the four campers: two campers can stay all the time and are currently permitted; one that is being stored there will be removed; the other is a visiting camper and cannot remain for more than two weeks as a visiting camper/trailer. One trailer must be removed now. The BoH thanked Mr. Veighey for coming and will get back to him on fourth camper. Mr. Veighey left the meeting at 6:12pm.

BoH discussed the need to clarify the Zoning Bylaw 'typo' (noted in #6. 8 Swamp Road) before we do further enforcement. Once clarified, we will write to Veighey about rules and which body regulates them.

71 Sadoga Road was on the agenda for 6:20 pm. The owner did not appear.

8. **444 Route 8A:** BoS are trying to get a quote to see the cost of final clean up and then see what funding/donations might be available. Discussed history. Andrea will do some research on her end to see options available to BoH to assist in cleanup. She will also check with Building Inspector to see if there is funding and/or deadline for clean-up.
9. **435 Route 8A:** Property title in dispute. Letters were sent to all known owners informing them of need for a Title V. Have not heard from owners to date. Andrea to follow-up and inform them of need to schedule a Title V.
10. **148 Taylor Brook Road:** Letter was sent on 6/4/2018 reminding them that the 6-month period for a Title V inspection had passed and they need to schedule an inspection and inform BoH of the inspection date by June 18, 2018. Have not heard from owners. Mary has called and left several messages. Mary will get information to Andrea so she can better advise how to proceed.
11. **6 Apache:** Failed Septic; discussed history on property. Letter was sent with a July 30 deadline to respond with plan of action. Mary will get information to Andrea so she can better advise how to proceed.
12. **42 Papoose Lane:** After reviewing files and discussing, it was decided to not send owners a letter. They are currently using ME facilities when they are at property. They are investigating purchasing more lots to address the well and septic issues. Any upgrade will need permits and owners are aware of this. Property can be taken off agenda till any work begins. Mary will update file.
13. **37 Shawnee Drive:** Reviewed history and current complaint/concern over proper waste disposal and possibility of ground water contamination. Betsy and Andrea visited site and viewed waste handling; all was in order. Betsy will write a letter to complaining party reviewing what was found. Mary will get address to Betsy.

Susan Gruen left the meeting at 6:31pm to go to a Planning Board meeting.

New Business:

5. **71 Sadoga Road:** Owner never called and hasn't come tonight. Reviewed property. Betsy will write a letter to owners and go visit property.

Susan Gruen rejoined the meeting at 6:36pm.

6. **133 Taylor Brook Road:** Betsy spoke to owner; has four campers on two lots, is removing older camper immediately, will have 3 campers on two lots with one of the lots being owned by daughter. BoH will wait for determination on enforcement authority before any further action.
7. **612 Route 8A:** Reviewed history; Julie Sidon, the land owner, did respond to letter but could not be here tonight. One of the campers is occupied. Mary will send out applications for TOP for both camper trailers; ask for proof of holding tank pumping to see if dates of cleaning coincide with the odor

complaint and advise that camper cannot be lived in year-round. Mary will see if owner can come to August meeting for further discussion.

8. **Gravel Bank on Route 8A:** Owner sent an e-mail update that trailer will be renovated and then relocated. Mary will ask for further timeline details, specifically where it will be relocated to.
9. **594 Route 8A:** Betsy discussed this property's on-going issues; BoS Chairman advised Betsy to contact Shelia Litchfield former Chairman BoS for additional history before discussing further with BoS.
10. **Lot 10 Mohawk Estates** complaint: A complaint was made to DEP on its website about hydraulic fluid having been spilled from a broken hose on a large piece of equipment. Complaint went to Town Coordinator who forwarded to Betsy. She visited the site and found nothing when viewed from the road. She informed complainant. Mary will work with Armand to get better location/address. Appears this happened last fall, and lot is currently not being used, but contamination may be present.
11. **Cannabis Regulations and Smoking in Public Regulation:** Discussed public hearing. Set time for Tuesday August 7, 2018 at 6:00 pm during our next regular meeting.
12. **Dog poop baggies:** Mary reviewed what to order as there are several styles. It was decided to order one without a trash receptacle as there is no one to empty it; we will just provide bags. This will be a FY19 expense.
13. Reviewed and discussed Susan's draft of a **standard letter** the BoH can use for general items. Susan will edit and bring to next meeting.

New Business:

1. **Nominations for BoH and CPHSOB:** The BoH members put forth several names to ask if they will be willing to be on BoH. Betsy and Susan will call them. M/S/C for Betsy to be on the CPHS oversight board with Armand and then Susan as backup.
2. **Dell Road:** Large new driveway constructed over past several months. Mary will check to see if any permits applied for that concern BoH review.

Other Business:

1. **Title V Reports:** Mary noted several have been received; 25 Moduc Street conditionally passed due to septic tank leaking. Armand noted money was set aside for repair during sale; Mary will work with Andrea on next steps.
2. **157 Avery Brook Road:** a mailbox has been added at end of driveway; concern over condition of septic on this property. Mary will check files and with Tax Assessor to see who owns/ed property and if it was sold or transferred.

Next BoH Meeting: Discussed next regular BoH meeting would fall on August 1 but neither Betsy or Mary are available. It was decided that the next meeting will be on August 7, 2018 beginning at 4:30pm and will include public hearing at 6:00pm.

Meeting Adjourned at 7:30 pm

Submitted by Mary Sumner, BoH Clerk