Belchertown Board of Health
Meeting Minutes
Monday December 3, 2018 at 7:30 PM
Lawrence Memorial Hall

Present: Roger Bonsall, Andrew Drawec, Dana Burton and Hope Guardienier

In Attendance: Judy Metcalf, Director, Stephen Bell, Health Agent
Mary Grenier, Recording Secretary

A. Drawec opened the meeting at 7:30 PM

223 Federal Street Owner, Laurie Shea, present; Registered Sanitarian, Alan Weiss, present: Requesting Local Upgrade-reduction from required setback from SAS to foundation 13’ instead of the required 20’ due to available space and slope at the location. Alan Weiss explained to the Board that the leach pit had caved in and there is very limited area to do a repair. There is no sewer hook-up available. The septic tank was replaced in 2014. After reviewing the design R. Bonsall approved local upgrade to Laurie Shea for installation of leach field to be no less than 13’ from the foundation where 20’ is required due to lot constraints. H. Guardienier seconded. All in Favor.

400 Stebbins Street Jim Potter of Jones Group, RE, present and Alan Weiss Registered Sanitarian, present: Local Upgrade-Use of a sieve analysis instead of perc and SAS less than 100’ from wetland but more than 50’. Owner has filed NOI with Conservation. Alan Weiss addressed the Board and said that the Conservation Commission has accepted the delineation lines. The SAS will be 50’ outside the wetland buffer State required minimum. The area has a high water table and was too wet too Perc, a sieve analysis was provided. R. Bonsall motioned to approve 1.) the use of a sieve analysis due to unperceivable conditions and 2.) the SAS to be repaired no less than 50’ from the wetland instead of the Belchertown requirement of 100’. The new Owners will be advised by the Realtor, Jim Potter to have a water analysis performed. H. Guardienier seconded. All in Favor.

403 Bay Road Jim Potter, Jones Group, RE Alan Weiss Registered Sanitarian: Variance reduction from required setback from SAS to well 80’ instead of 100’ Alan Weiss explained to the Board that this property abuts the 400 Stebbins St. A new Septic tank and pump chamber will be installed. The SAS is uphill. There is an old well on the property that will be properly filled and abandoned. The current drilled well was tested and found to be within the minimum standard for drinking water. H. Guardienier motioned to approve the variance for the SAS repair be no less than 80’ from the well instead of the required 100’. A letter will be attached to the septic permit that the Owners are advised to test the well on a yearly basis. The Owners will also be advised by Jones Group Realtors about drilling a new well on the property in a location that meets the required setbacks. R. Bonsall seconded. All in Favor.

270 Turkey Hill Road Owner Jeanine Morin, Housing Issue: Single family home with basement apartment; 1) basement is ¾ below grade 2) Ceiling height is less than 7’ 3) Chronic moisture. Ms. Morin was present. Health Agent Stephen Bell explained to the Board that the tenant, Nathan Van Duesen, had called asking for a housing inspection complaining of dampness and mold. On September 21, 2018 he did the inspection and noticed that it was a basement apartment and the ceiling height was below the 7’ height requirement in the entire unit and that it was at least 3/4’s below grade which makes it an uninhabitable living space. S. Bell noticed mold growth behind wallpaper, carpets and baseboards. Mr. Van Duesen told inspector that he was moving out. S. Bell’s inspection notice along with a letter to Ms. Morin that the apartment cannot be re-rented until all violations are corrected and that the Health Agent would need to re-inspect prior to any occupation of the unit. On September 26, 2018 the Board received a letter from Attorney Lawrence Faber on behalf of Ms. Morin stating they
ae asking for a formal hearing to contest the findings in the inspection report dated September 21, 2018. He believed the Building Department approved this basement apartment around 20 years ago. (Town hall has no records for a permit at this address) The request was placed on the Board’s November 5, 2018 agenda. Attorney Farber asked for an extension since he would be out of town on that date. The hearing was rescheduled for tonight. Ms. Morin addressed the Board and explained that this apartment has always been rented and she never had an complaints. This rental is helping with the costs to maintain the property. She pays the electricity for the apartment and had given the tenant dehumidifiers. The tenant would not run them. The Board asked Director J. Metcalf if variances would be allowed instead of enquiring Ms. Morin having to do major construction to meet the code. J. Metcalf said variances with conditions would be allowed. H. Guardenier motioned to grant variance to the housing code 105 CMR 410.401(A) and 105 CMR 410.402 for Jeanine Morin to allow her to continue to rent the basement apartment located at 270 Turkey Hill Road, Ms. Morin has rented out this basement apartment for almost 30 yrs. The following conditions will be attached to this variance: 1.) There must never be ceiling fans installed in any of the rooms. 2.) Windows in the apartment meet the requirement for light and ventilation-they need to always be operable and have screens. 3.) Tenants must be supplied with a working dehumidifier and the Owner is to pay for electricity. 4.) Install low profile ow lighting fixtures. R. Bonsall seconded. All in Favor.

A. Drawec thanked Stephen Bell for his service and wished him luck on his move to Ottawa, Canada.

J. Metcalf informed he Board that the Town's received grant money to help set up digital permit tracking software. This will help all departments monitor a building/renovation project and know when one department has signed off on it.

R. Bonsall motioned to accept the November 5, 2018 meeting minutes as amended. A. Drawec seconded. All in Favor.

Board signed warrant.

A. Drawec moved to adjourn at 9:07 PM H. Guardenier seconded. All in Favor.

Andrew Drawec, Chairman

Roger Bonsall

Dana Burton

Hope Guardenier