

Charlemont Board of Health Minutes
August 26, 2020
Conference call

Present: Doug Telling, Rob Lingle, Bill Harker
Absent: None
Guests: Lisa Danek Burke, Katie and Patrick Banks,

Called to order at 6:00 pm

Harker moved and Telling seconded a motion to accept 7/22/20 minutes. Passed 3-0

Telling reported on mail. Several Title V's for Country Aire, all passes. Two priority letters from Columbia Delta. A request for names of the representative and alternate to CPHS. Telling moved and Harker seconded that Lingle remain the representative and Telling the alternate.

Lingle asked if Carlene Hayden notifies us of important mail. Telling replied that she has.

Telling reported that all Bone Frog events have been cancelled for the year and that bike races are off until Phase IV.

Lingle asked about outdoor numbers. Telling replied that it is 25 for indoor events and 50 for outdoor events. Outdoors but not an event there are no limits, just face covering and social distancing. Lingle noted that he sees no face covering or social distancing at restaurants. Telling replied that the tables are pods, those who come together. The tables should be six feet apart.

Lingle reported that it has been found that discharge from sewage plants contains live viruses.

Lingle reported that flu vaccines are based upon what is found in southern hemisphere and there are very few cases there. Telling reported that the reinfection case in Hong Kong is a new strain of coronavirus.

Question of Overlook Outposts no mask required policy. The owner called Lingle and questioned the legality of mask order. Telling reported that the state would issue tickets with \$300 fine. Lingle wants to let the owner know what might happen. Danek Burke said the Board is obligated to investigate when it has received complaints, and suggested Randy Crochier would be the appropriate health agent to visit store. Lingle wants to outline issues to owner first. Danek Burke noted that this is a state requirement. Lingle says he runs into this resistance a lot. Telling ask Danek Burke if she has tickets. She stated she would check, there may be a format available for tickets. Telling will get a copy of Baker's emergency order that provides the legal foundation for his actions.

176 Main St.

Telling reported that the Planning Board addressed this at their last meeting. They are requiring that all hooped animals and male fowls be removed. Jim Hawkins will inspect in four weeks.

Danek Burke noted that MassDEP Private Well Guidelines and CPHS private well regulations require wells ~~need to~~ be 100' from stables, barnyards and manure storage. She reported that Randy Crochier went out and measured the neighboring wells. The well at 176 Main, 174 Main, 182 Main, and likely 184 Main, are within the 100' buffer. 182 Main is very close to the 100' for an extremely small portion of the 176 Main St Property and a definitive measurement is needed. Lingle worried about surface contamination. Telling added that we need to see how far into the yard 100' is and close that area from animals. It is possible that this may make the farming untenable. Harker noted that the wells are a problem. In a phone call and email to Telling, Gisela Walker suggested using nuisance law. Lingle replied that it could be disputed. Danek Burke said that Charlie Kaniecki and Cheryl Sbarra can be available to provide educational assistance to Board. Danek Burke asked if Charlemont is a Right to Farm community. Sbarra has said that there is no legal standing to that.

48 Potter Rd Ext.

Telling spoke to two members of the Planning Board who said to go ahead with the septic system. Harker some temporary buildings that may be too close to the boundary and that the road needs to be upgraded. Telling reported that they are looking to build a two bedroom house on an existing foundation, a separate apartment with one bedroom connected to the house by a breezeway, and another one bedroom structure on an existing foundation. All three will be connected to the septic system. Danek Burke noted they have applied for a four bedroom septic system. The data submitted with Plan by Thomas Leue shows two (2) deep holes and no percolation tests from August 24, 1999, performed by Christian Boysen and two percolation tests from May 1, 2000 by David Keates. Both witnessed by Alan Booth. In 2006 the laws were changed to require 4 deep holes. Her problem is that two deep holes were 20 years old and the locations are not all shown on the plan. She recommends two new deep holes. If the original two deep holes and percolation tests cannot be identified then she recommends four deep holes be dug and percolation tests be completed. Lingle thanked her for bringing this to the board. Increasing expenses up front will save people money in the future. Harker recommended dowsing as a way to save money.

Harker moved and Telling seconded a motion to require new soil evaluation, including two more deep holes and four in the event that the earlier ones cannot be found and two new perc tests if they cannot be identified. Passed 3-0

Lingle reported that he did not get hold of Roger King. Danek Burke noted that the plans have changed from the original permit.

Janet Hardin's system is now part of an estate. Lingle will follow up.

Katie and Patrick Banks asked if their septic system has been reviewed. Danek Burke said it is in the queue, but she has had few problems designed by Shawn Kimberly.

Harker asked about the Attorney General's Abandoned and distressed housing and receiver program. Danek Burke confirmed that the Board had voted to join the program last month and there is no cost to the town. Once the property inventories and prioritization is completed, we can work with the Springfield attorney general's office to provide legal assistance try to assign a

receiver. The board should start thinking about where buildings are that could benefit from the program. Lingle said we need to think about how to divide this up.

Telling moved and Harker seconded a motion to adjourn. Passed 3-0

Adjourned at 7:17 pm

Minutes not official until signed.

Documents Reviewed

8/26/20

- Agenda 8/26/20
- Minutes 7/22/20
- Email from Lisa Danek Burke
- CPHS Oversight Board appointment form
- Walker Email