

TOWN OF SHELBURNE
Minutes of Meeting
Board of Health
Monday, January 15 2019

A duly posted meeting of the Shelburne Board of Health was held on Monday, January 15, 2019 at 6:30 pm in the meeting room at Shelburne Town Hall, 51 Bridge St., Shelburne Falls, MA.

Present: Deb Coutinho, Chair

Bob Gonzalez

Andrea Crete, FRCOG CPHS Regional Health Agent

Administrative Assistant: Liz Kidder

Absent: Rob Hicks

Audience:

The meeting was called to order at 6:30 pm.

Motion to approve the minutes of November 20, 2018 was made by Bob and seconded by Deb.

Vote: 2 in favor, 0 opposed, 0 abstentions

Poll of Audience: no one present

Appointments: none

Special Permit Applications/Variations: none

FRCOG CPHS program – Andrea Crete

Title 5 Water Testing - it was voted at the last CPHS oversight committee meeting that the FRCOG will no longer require water testing at the time of transfer of property. The CPHS program is going to recommend it be changed in local regulations and policies. She noted that banks often require a water test for mortgages. However, properties were often transferred without a water test, therefore it is very difficult to enforce.

Andrea is going to be sending out revised local private well regulations for consideration. For Shelburne to adopt them, the Board will need to hold a public hearing. She recommended putting it on the agenda for a meeting for discussion by the Board, then schedule a public hearing after which the Board can adopt them.

Short Term Vacation Rentals - The Board reviewed a guidance document that Andrea put together for anyone wanting to participate in short term rentals. It was noted that short term rentals are allowed by right in the Shelburne Zoning Bylaws, however, any rentals serving food or advertising as a B&B, require a special permit form the ZBA.

Andrea has also found that there are Title 5 regs regarding B&B's that have to be addressed. She is talking with DEP about their requirements related to septic systems, especially as they relate to numbers of bedrooms. For most of the "Air B&Bs", the water and sewer needs are similar to those of families who reside in those homes. They (DEP) have data that has led to their determinations of how large the septic system needs to be. Andrea will be checking the records for properties out of the Village relative to their private septic systems. If there are no records, it is at the discretion of the board as to whether they need a Title 5 inspection to make sure their septic system is functioning. It can be on a case by case basis.

Sewer and Private Well Regulations – Andrea that Shelburne review and consider local septic regulations. The CPHS recommended regulations are consistent with Title 5. The Board would have to adopt the regulations following a public hearing. On Thursday, CPHS is reviewing the revised private well policy. Bob and Deb both supported the proposed policy.

Septic Installer Policy - Andrea is presenting this policy to the CPHS board for adoption and a vote. Andrea reviewed the policies and the purpose behind each of them. Andrea said that sanitarians and engineers who design systems are regulated by the State licensure commission. Bob and Deb felt that the policy was going to be very useful and appropriate.

Other regulations/issues related to the CPHS program -

Local Upgrade Approval, 989 Mohawk Trail – Andrea reported that at 989 Mohawk Trail a perc test was done in 2013 with only one deep hole. For the owner to obtain a disposal works installation permit, the Board will have to grant a Local Upgrade Approval (LUA) since the standard is two deep holes. For her to approve a plan with just one deep hole, the local Board has to vote to approve it. Her recommendation is to require that they do another deep hole to check on soils. She suggested that the Board could approve it with a condition that when they are out with the equipment to install the system, they do another deep hole test with Andrea as a witness. If they find a problem with the groundwater level, she can be there to make changes to the septic plan as needed. They will have to submit an as-built plan reflecting any changes. Bob gave Andrea the background since he knows the owner of the property.

A motion to approve the septic plan for 989 Mohawk Trail on the condition that another deep hole is done at the time of installation with Andrea Crete present to confirm consistency with soil profiles, groundwater level and compliance with Title 5, and, that she may require changes to the septic plan be made on site during installation that are to be reflected in the final as-built plan submitted to the Town. Motion made by Deb and seconded by Bob.

Vote: 2 in favor, 0 opposed, 0 abstentions.

Andrea reported that Greg Bardwell had asked about water testing on the new town building on the Mohawk Trail. She advised him that he needed to have a private well test done. Andrea and Randy Crochier will be conducting all the food establishments inspections. They now have an electronic software program on a small laptop that she can carry out into the field and record the food inspections right onto the FDA food inspection form. Using “surface pros” and a portable wireless printer, she will be able to sign and print out a copy of the report for the site owner. They will then be able to analyze the data for critical risk factors for the region by town.

CPHS/Shelburne draft budget for FY 2020 - the annual budget for the CPHS will be discussed at the board meeting on Thursday. The Board reviewed their budget request for FY 2020.

Adult-Use Marijuana Health Regulations – the Town adopted zoning bylaw regulations at ATM2018 and there have not been any proposals for an adult use marijuana establishment in Shelburne to date.

Emergency Management – Deb participates on the Shelburne Emergency Management Committee with Chris Myers and had recently participated in a drill. This drill focused on how to respond if there was a failure of dams on the Deerfield River. Deb will also participate in follow-up discussions based upon what was learned during the drill.

Inspections – Food Service- Andrea and Randy Crochier are going to be working together on these inspections and Labelle’s nursing home has been added to the list.

Tobacco Control Enforcement – the Tobacco control program has a new contact person- Merridith O’Leary.

Permit requests – none

DPH reports – none

DEP reports – none

Invoice – none

Review of phone messages, mail and emails – Deb reported that she is still getting phone calls at home; many she refers to Andrea or she is needed to look up old property records.

Other Business not reasonably foreseen 48 hours prior to the meeting - nothing presented.

Schedule next meeting: Tuesday, March 19, 2019 at 6:30 pm

A motion to adjourn the meeting was made by Bob and seconded by Deb.

Vote: 2 in favor, 0 opposed, 0 abstentions

The meeting was adjourned at 8:07 pm

Respectfully submitted by:

Liz Kidder

Administrative Assistant

List of Documents:

Email regarding submittal of Annual Reports

Fiscal Year 2020 Budget Requests

CPHS – Important Notice to All Shelburne Public Health Permit-Holders

Email Andrea Crete 1/7/19

Shelburne Permit Holders Letter from CPHS

2019 FRCOG Technical Assistance Project Solicitation

Email Andrea Crete 1/10/19 CPHS Short Term Rental Guidance

CPHS Title 5 Disposal System Installer Policy

CPHS Local Septic Regulations

CPHS Formal Policy for Private Wells

CPHS Regulations for Private Wells