

Colrain Board of Health

Meeting Minutes

05/02/2023

18:30 Hours

Meeting called to order at approx. 18:30 Hours.

Public member attendees: Jean Dwight, Alan Fauteux, Robert Ramirez, one person who did not provide a legible printed name for the record.

CBOH Board Members and staff: Gary Ponce, Kate Minifie, Tim Slowinski, Nina Anzuoni, Kurt Schellenberg (FRCOG), Randy Crochier (FRCOG)

Meeting minutes from 03/07/2023 meeting tabled.

A letter from Julio De Jesus was discussed regarding a condemnation order that has been in effect since 1989. After discussion a proposal was made to lift the order of condemnation. The proposal was passed by unanimous consent.

Robert Ramirez is present and is requesting to be added to the agenda. The Board agreed. Mr. Ramirez is requesting to develop a green burial on his farm at 12 Heath Road. Randy states he would need a modified perc test. Gary Ponce moved that Mr. Ramirez would need to follow up with Randy to create the home burial lot.

Members of the Catamount Sportsmen's Club were present to discuss a request for 3 separate variances of 310 CMR 15 for the 2023 season.

- A variance for the 2023 season to 105 CMR 440.08 was requested to allow the Club to operate while having one toilet for each sex in lieu of the three toilets per sex that are required per under 105 CMR 440.08.
- A variance for the 2023 season to 105 CMR 440.09 was requested to allow the Club to operate while having one lavatory and zero showers for each sex in lieu of the two lavatories and two showers per sex that are required per under 105 CMR 440.09.
- A variance for the 2023 season to 105 CMR 440.10 was requested to allow the Club to operate while utilizing the existing onsite sewage treatment and disposal system.

At the hearing on May 2, 2023, CSC explained their reasoning for the requests for variances and how they felt that requiring immediate full compliance of the 105 CMR 440 would be manifestly unjust. Request for relief from 105 CMR 440.10, the CSC has been working through Stoddard Engineering and their Board of Directors to determine the most prudent system based on the use of the property. Further the Board of Directors have been determining the funds required for compliance as well as the most appropriate method to obtain those funds. The Colrain Board of Health determined that not allowing this variance would require the CSC to make determinations based on funding rather than prudent public health and safety requirements. Request for relief of 105 CMR 440.08 and 105 CMR 440.09 are directly dependent on the compliance with 105 CMR 440.10 as the work required to comply with 105 CMR 440.10 will necessitate changes to the bathrooms as they presently exist. As such, the BOH unanimously voted the following:

A variance for the 2023 season to 105 CMR 440.08 was requested to allow the Club to operate while having one toilet for each sex in lieu of the three toilets per sex that are required per under 105 CMR 440.08. The Colrain Board of Health voted unanimously to allow this variance for the 2023 season. This variance for the 2023 season is subject to final approval of the Massachusetts Department of Public Health.

A variance for the 2023 season to 105 CMR 440.09 was requested to allow the Club to operate while having one lavatory and zero showers for each sex in lieu of the two lavatories and two showers per sex that are required per under 105 CMR 440.09. The Colrain Board of Health voted unanimously to allow this variance for the 2023 season. This variance for the 2023 season is subject to final approval of the Massachusetts Department of Public Health as detailed in 105 CMR 440.25.

A variance for the 2023 season to 105 CMR 440.10 was requested to allow the Club to operate while utilizing the existing onsite sewage treatment and disposal system.

The Colrain Board of Health voted unanimously to allow this variance for the 2023 season under the following conditions:

- 1. A completed application for a 310 CMR 15 complaint septic system shall be electronically filed in the CPHS permitting software no later than September 1, 2023. This application must include engineered plans meeting 310 CMR 15 including any requested variances.**
- 2. CSC shall provide a signed contract with a septic installer licensed to work in Colrain stating that the system shall be installed prior to May 10, 2024.**

A permit to the Club allowing it to operate in 2023 as a Family Style Campground from date of issue to November 1, 2023, may be issued under the following conditions:

1. A completed application for a 310 CMR 15 complaint septic system shall be electronically filed in the CPHS permitting software no later than September 1, 2023. This application must include engineered plans meeting 310 CMR 15 including any requested variances.
2. CSC shall provide a signed contract with a septic installer licensed to work in Colrain stating that the system shall be installed prior to May 10, 2024.
3. CSC shall apply for all needed building, plumbing, electrical, etc., permits from the Town of Colrain.
4. CSC shall be in compliance with 105 CMR 445.000
5. The Club acknowledges that if the Massachusetts Department of Public Health denies any variance, that the Colrain Board of Health may have to suspend or revoke the 2023 license if ordered/recommended to do so by Mass DPH.

Health Agent updates:

Title 5/ Septics

- A. 107 Adamsville Road- has been looked at by Attorney General Neighborhood Renewal Program
- B. 48 Call Road- Failed Title 5, has 2 years to replace, has potable water from Water District
- C. 269 Heath Road
- D. 109 Main Road
- E. 116 Main Road-noncompliance letter sent out for septic 1/22, sold with no Title 5
- F. 12 Wilson Hill Road- has a new perc test planned? With new owner
- G. 44 Wilson Hill Road- Needs Title 5
- H. 1 Greenfield Road-unsanitary conditions, inspection next Thursday
- I. 341 Adamsville Road- has removed some of demolition debris.
- J. Barnhardt: Still being worked on by their district for both short- and long-term solutions, FRCOG, Natalie Blais, Sen McGovern, DEP and others involved. 9180/g day being generated by houses.

Debris/Trash/Misc.

- K. 341 Adamsville Road (Demolition clean up)-Appears to be in process, some debris has been removed.
- L. 22 Heath Road (Tires, debris, trash, etc.)- Owner has had contact with Randy, states he is saving them to sell to support Youth Baseball, Randy will continue to work with them.

Public Health Nursing update: Serve Safe Class next week, Meg training to be a SHINE Officer

Interest in MA Attorney General Office Neighborhood Renewal Program: There is continued interest, Randy will follow up

Health District Update-CPHS oversight meeting:

MAPHCO/FC Public Health Emergency Planning Coalition: Discussion regarding the After-Action review conducted by MAPHCO/FRCOG in light of the COVID 19 pandemic.

Recommendations from the AAR included:

- 1. To develop a new overarching Emergency Dispensing Site (EDS) plan for Franklin County that is flexible, scalable, and deployable at various locations within the region.**
- 2. Eliminate confusion of what MAPHCO is and does by renaming it to make the coalition function clearer; re-write Principles of Operation to reorganize the Coalition and give it specific and measurable duties/authorities.**
- 3. Reorganize the Coalition governance model to be composed of public health professionals.**
- 4. Pursue service area changes with MDPH and municipal offices of Williamsburg, Orange and New Salem. Move Williamsburg to the Hampshire County PHEP and move Orange and New Salem into the Franklin County PHEP.**

CBOH along with other local boards of health have been asked to provide a full-coalition representative/liaison and to commit to sending a member to the June MAPHCO Annual Meeting to ratify the recommended changes.

Nina Anzouni will attend.

Gary Ponce moved that the meeting be adjourned at 2118 hours. 2nd by Kate Minifie. Accepted by unanimous consent.

Next meeting 6/6/23 18:30 hours at Highway Garage Meeting Room.

**Respectfully submitted,
Gary Ponce**