

Minutes of the Leverett Board of Health

Leverett Town Hall

Meeting Date: February 3, 2014

Meeting Start Time: 7:05 PM

Board Members Present: Phillips, Hillman, Zipkowitz

Absent: Dauchy, Fair

1. Received from Karl's Site Work, Inc., check# 63314, dated 1/31/2014 for \$200.00 for Septic Haulers Permit. Issued permit# 14-03 2/3/2014. Signed by Zipkowitz.
2. Received from Quabbin Analytical Bacteriological report dated 1/14/2014 for Leverett Coop. Absent of Coliform.
3. Received from Obear Construction check#5405 dated 1/24/2014 for \$375.00. \$300.00 **DSCP#C2014-01-22A** and \$75.00 for well permit 336 Long Plain Road.
4. Steve Ball, Health Agent, (HA) arrived at 7:31.
5. Present Cathie Rubeck, tenant 144 Montague Rd., and also present Atty: Joel Feldman. Hearing opened at 7:30pm. Hearing is to discuss 144 Montague Rd., eviction. Rubeck and Feldman object to the emergency condemnation and eviction of the tenant they call the action extreme. Feldman proposed that the board stop the eviction so Biddle (owner) has time to make the repairs. Feldman also stated that if the condemnation is modified the bank can continue foreclosure and that they have the right to appeal the board's decision to the housing board. At the time of the hearing the Town has NOT enforced the eviction notice. It was also stated at the time of the hearing that the town was not prepared to lift the order. The hearing will be continued at a future date. Zipkowitz will talk with

select board member Peter d'Errico. Steve Ball, HA, stated that the board has the authority to modify the order.

6. Hearing opened at 8:07PM. Present Brian Emond, owner 75 North Leverett Road. Variance Hearing. Application reviewed by Steve Ball, HA., the board needs to 4 approve local upgrades. 1. Reduce setback from BW wetlands from 100 to 43 feet. 2. Reduce setback from SAS to the onsite water supply from 100' to 70', 3. Reduce the private water supply from 150' to 70', 4. To increase the width of the SAS from 12' to 19'. Maximum Feasible Compliance. Hillman moved to approve Local upgrades

Local upgrade approval - 310 CMR 15.405(1)(e)reduce setback from BW wetlands from 100 to 43

Local upgrade approval - 310 CMR 15.405(1)(g)reduce setback from the SAS to the onsite water supply from 100ft to 70 ft.

Local variance to 218-6.1 to reduce the private water supply from 150 ft. to 70 ft.

Received from Brian and Nancy Emond, check#3993, dated 2/3/2014 for DSCP Application. Phillips moved to conditionally approve DSCP on receipt of payment. Hillman seconded. Motion passed.

Meeting adjourned: 8:37PM

Next meeting February 22, 2014 (Wednesday) @ 7:00 PM

Susan Nagy, Clerk