

Meeting Date: September 7, 2011

Meeting Start Time: 7:10 PM

Board Members Present: Zipkowitz, Dauchy, Hillman

Absent: Phillips, Fair

Clerk: Sue Nagy

1. Continuing discussion of Order to Correct **77 Jackson Hill Road**. Present **Donald and Sara Robinson**, owners **77 Jackson Hill Road**. **Zipkowitz** reviewed materials the **Robinsons** brought to the last meeting. **Zipkowitz** contacted **Mr. Gorski** DEP Western Regional Director and stated that on the Residential Building Permit Application dated 12/2/2008 the application states "a change of use" signed by **Sara Robinson**. Also, BOH received a copy of a letter from the Building Inspector sighting change of use on Residential Building Permit Application. **Dauchy** sees no room for discretion in this situation according to Title 5 Regulations. **Robinson** believes that the BOH has the ability to grant a waiver. **Paul Nietupski** DEP Staff Specialist for Title 5 stated that if a "change of use" is noted on the permit application DEP would enforce Title 5 requirements. BOH informed the Robinsons that the BOH would require something is writing from DEP saying that in their opinion this situation does not constitute a "change of use". Discussion will continue at the 9/19/2011 meeting.
2. Present **Herbert Ross** Real Estate Broker representing the buyer **124 Jackson Hill Road**. Present **Terry Reynolds, P.E.** (**Dauchy** revealed to the Board that he had worked with **Mr. Reynolds** in the past, but had not been under his employ but had worked on projects together. None in Leverett.) Received check# 5589, dated 8/29/2011 for \$150.00 for Title 5 Inspection for **124 Jackson Hill Road**. **Hillman** made a motion to approve DSCP Application for **124 Jackson Hill Road** and reduce the fee from \$300.00 to \$150.00 because the extent of the repair is to replace the tank only. **Zipkowitz** seconded. Motion passed. Assigned **DSCP#R2011-09-07a**. Signed by **Zipkowitz**. Received check# 5598, dated 9/5/2011, for \$150.00 for DSCP Application. Received copy of Title 5 Inspection dated 8/31/2011. System conditionally passes.

**Steve Ball, H.A.** arrived at 8:07PM.

3. **David Biddle**. Present, owner **142-144 Montague Road**. The roof at Unit **142-144** has been repaired. **Steve Ball, H.A.** told the Board of health that there is chronic dampness in the units and the owner must deal with this problem according to code. The owner stated that he hasn't always had access to the property. **Mr. Biddle** proposed another inspection of the property before court proceedings begin. **Steve Ball** inspected than re-inspected the property and said that little had been done to correct the violations. Attic window open to weather, siding not repaired, bathroom floors still spongy, mold in kitchen cabinet still visible. A licensed well driller must properly decommission the well at unit **142-144 146-148**. The Board has reviewed the order from the **Steve Ball, H.A.** and instructed the Health Agent to file with the court.

4. **Steve Ball, H.A.** re-inspected **129B Shutesbury Road**, owner **Jeff McQueen**. All mold issues have been rectified.
5. Received Bacteriological Report from Quabbin Analytical dated 8/9/2011 for **Leverett Co-op**. Absent of Coliform.
6. Received letter from Quabbin Analytical asking if the town of Leverett would like to continue water testing at the Co-op and Hampshire/Franklin Daycare. Clerk will call to confirm that Leverett would like to continue water testing.

Adjourned: 9:10 PM

Next meeting September 19, 2011 @ 7:00 PM

Susan Nagy, Clerk