

Board of Health Minutes Town of Williamsburg August 1, 2016

Members present Donna Gibson, Chair, Rusty Luce, Helen Symons,
Visitors: Alan Seewald, attorney for Henrietta Wallace, Henrietta Wallace, Keith Snow, William Wallace, Fran Ryan (Daily Hampshire Gazette), Elaine Hyde, Chris Duval, Mary Dudek, Charlotte Otis, and a man who preferred not to give his name
Discussion re porta potty's:

Prior to this meeting the Board had received several emails expressing concern re the issue of porta potty's at the property of Chris Duval. Donna Gibson acknowledged receipt of these emails and opened the meeting to a general discussion of their concerns, which became quite a heated exchange between several participants. At several points the chair asked the participants to speak more civilly to the matter. One participant requested that the chair request the presence of the police as he was feeling threatened. The other participant said he would leave but did not. It was difficult under the circumstances to have a civil discussion of the matter. Donna reported that the health agent and Rusty Luce had visited the site in question (porta potty's on C Duvall property) and they found that they were not functioning as such as they contained no chemicals and were nailed shut. My Duval said he considered them decorations. Henrietta Wallace's attorney presented the article which pertains to porta potty s (No privy or chemical toilet shall be constructed or continued in use; provided, that the board of health may approve in writing the construction or continued use of any privy or chemical toilet which it determines will not (a) endanger the health of any person; or (b) cause objectionable odors or other undue annoyance. When so approved, a privy or chemical toilet may, subject to written authorization of the board of health in accordance with 310 CMR 15.00, qualify as a toilet within the requirements of 105 CMR 410.150(A) (see 105 CMR 410.840).

In no event may a privy be located within 30 feet of any building used for sleeping or eating, or of any lot line or street.

Mr. Sewwald noted that they are within 30 feet of her property. The Board decided to meet on August 5, 2016 at 2pm to discuss this issue further and to determine if it needs any further action on the part of the Board as at this time it appears that these do not meet the definition of porta potty's. and it is a civil matter between the above mentioned parties.

Keith Snow, Jennifer Black presented letters to the Board (see Attached) expressing their concerns that Chris Duvall had a failed septic system and there were no plans to remedy this. Chris Duvall said that he had submitted plans for remediation to the Health Agent and was waiting for their approval. He has two years to install a new system and there is no seepage of sewage on his property. Valerie Bird was unable to be at this meeting because she was in Housing Court but Helen Symons was able to reach her by text and she confirmed that she does have plans for a septic system by Chris Duvall and is in the process of reviewing them. My Duval was asked by the Board to come to the next meeting and bring his plans. He said he would do this. He also said that he was feeling harassed by his neighbors and wondering when it was ever going to stop.

Donna Gibson said she feels that this is a civil matter between neighbors and it would be inappropriate for the Board to intervene.

Old Business:

Rusty Luce has ordered the new recycling box and it should be here in the next 6-8 weeks. He has obtained estimates for the construction of the new platform and the Board approved the construction by Carl Smith using the Veranda material for \$1674.

Radon concerns:

Mary Dudek who has agreed to present an educational program in the fall re Radon testing has been unable to reach the person at the Mass DEP who is very knowledgeable re this issue. She said that another neighbor on Old Goshen Road has discovered a high level of Radon in the water. She thinks that Radon in the water should be required in the testing of wells when a property is sold. She also requested that Donna contact the person at the DEP to see if she could participate in the educational program which is being planned. Donna agreed to do that.

The Minutes of 6/20/16 were unanimously accepted by the Board

Next meeting :

August 8, 2016 2pm

Respectfully submitted;

Helen Symons, secretary