

Board of Health
April 2, 2012

Continuation of the March 12, 2012 hearing regarding the Crepeau Property

Meeting opened at 7:14pm

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser; Jackie Duda, Health Agent; Duane Pease, Administrative Assistant; Gregory Crepeau

Prior to the start of the hearing, **Jackie Duda** informed the Board of Health (BOH) the Hudson's are requesting a hearing regarding the letter she had sent to them. They would prefer the hearing be held on a Saturday. Tentative date was set for May 12th. Jackie will call the Hudson's and advise if that date is okay with them.

Noreen requested an overview of the subject property as she was not present for the initial hearing.

Jackie briefly explained that she went to the property, had taken plain view photos, went through Town records and could find not record of a septic system or well permit. She then sent a letter to the Crepeau's on 12/30/11 giving them one year to comply with a septic system and potable water.

Mr. Crepeau explained he built the cabin with logs he cut down and chinked it with straw and clay, he uses it as a place to get away and it is not his permanent residence. He researched the By-Laws and found the camper he had on his property was not legal so he cut it up with a saws-all and disposed of the metal, he provided the Board with copies of his receipts for the metal he recycled. The only part left is the frame and if he can not find someone that could use it; he will also cut it up and remove it. He had used the toilet in the camper and about twice a year he would bring the full container to the Westfield Sewer Treatment plant and dispose of the waste. He is currently using a Coleman toilet and carries his waste out when he leaves. His future hope is to use a composting toilet and he provided the Board with a brochure to this means. He also provided copies of the water testing he had done by Test America; the testing showed no bacteria, e-coli, etc. His potable water is provided by a spring that is not on his property.

Alan said he appreciated his pro-activeness but there were many places like this in Middlefield and they all need to be compliant, this is clearly a violation of the health standards at this time.

Noreen said she was concerned about the health and safety of the Townspeople and all have to be treated the same way.

Mitch was worried is something happened to him or his family and the BOH knew of the violation, it would come back on the BOH.

Crepeau said the photos taken, were taken while Jackie was on his property and the road is abandoned and reverted back to him. He also wanted to know why he wasn't contacted prior to her going to his property.

Alan said it was not the intent to trespass and the Board does need to have a paper trail and that is why there is sometime a time lag. He assured him, he was not being singled out and that when Mrs. Crepeau was at the first hearing, she debated if it was a dwelling.

Crepeau said the road going in is very rough and that he had hand dug and installed culverts and drainage along the road.

Alan said he has a history of non-compliance.

Crepeau responded by saying whenever he found out he was not in compliance, he tried to get into compliance.

Alan told him he should have obtained a building permit prior to building his cabin.

Jackie advised the Board, the composting toilet is approved under Title V but the building still requires a perk test and a fully compliant septic system design that could be installed by a subsequent buyer. If that is not done, the composting toilet is not allowed. Jackie informed the Board they can go two ways: 1) go with her original letter or 2) the BOH can allow "camping". Also, a privy is a non-conforming system and the Board has chosen not to allow them in Middlefield.

Noreen questioned the water issue.

Jackie advised potable water is potable water.

Alan wanted to know how many times a year the water has to be checked.

Jackie told him, there only needed to be one test. She would not accept the test Crepeau provided but would get her own sample to be tested.

Jackie told Jr. Crepeau he needed to have a perc test done on the property and this would be considered a repair and that 2 10' deep holes would have to be dug.

It will be left up to Jackie and Mr. Crepeau to arrange a mutual time for the perc test.

Mitch said if you lived in a tent, it most likely wouldn't be a problem.

Jackie added there are many people that like to live off the grid 2-3 days a year.

Crepeau stated it would be a manifest injustice if he were required to remove his cabin.

Alan reiterated the Board is just trying to get people into compliance and that common sense also has its place. It is not just you, but the Town has quite a few situations like this and all have to follow the State code.

Jackie stated what we have been doing is hearing testimony on the Crepeau matter and since there is nothing else, testimony is closed. Testimony was closed at 8:03pm.

Alan said he thought the order could stay in force with potential amendments regarding the composting toilet and potable water issues.

Noreen felt the time frame of one year was fine and Alan agreed. Mitch also agreed to the year.

The year will be up on 1/11/13, one year from Mr. Crepeau's receipt of the certified letter sent by the Board of Health Agent.

The Board issued 4 amendments to Mr. Crepeau:

- 1) He will need written permission from the owner of his source of water and that the BOH agent will take a sample of the water and require him to pay for the testing;
- 2) The septic system design must show the system can be installed at his location, Jackie will also research to composting toilet;
- 3) Jackie will witness the perc test on the property and this will be done at a mutually agreeable time for both;
- 4) Jackie will be allowed to inspect the rest of the property, including the building interior.

The above amendments were motioned by Noreen, 2nd by Alan; vote was 3-0 in favor.

Noreen motioned to adjourn the BOH meeting, Alan 2nd; vote was 3-0 and the meeting was adjourned at 8:10pm.

Minutes respectively submitted by:

Duane Pease
Administrative Assistant

Minutes accepted with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser