

Town of Sheffield
Board of Health
Town Hall-First Floor Meeting Room
April 10 2023
5:30 pm

Members Present: Pat Levine, Chair
Joshua Webb
Eileen Clarke
Scott Smith

Members Absent: Lauren Hyde

Others Present: Josh Risen, Board Administrator
George Oleen, Planning Board Member
Sari Hoy, Planning Board Member
Robbie Cooper, Planning Board Member
Members of the Public

Chair Levine called the meeting to order at 5:31 PM.

Approval of Meeting Minutes:

After review of the January 10, 2023 minutes Chair Levine requested a motion be made to either approve or reject the minutes.

S. Smith made a motion to approve the January 10, 2023 minutes as written, seconded by J. Webb. The motion passed unanimously.

The Board then reviewed the minutes of March 21, 2023.

E. Clarke made a motion to approve the March 21, 2023 minutes as written, seconded by J. Webb. The motion passed unanimously.

Discussion regarding the proposed Tiny House bylaw:

Chair Levine opened discussion on the Tiny House bylaw by asking if it covers the Board of Health requirements regarding septic systems as written. According to S. Smith section 3.3.6 of the Tiny House bylaw which references Massachusetts Title 5 (310 CMR 15.000) is sufficient to cover the Board of Health's oversight of septic systems.

S. Smith informed the Board that while composting toilets are allowed to be used, all homes are still required to obtain an engineered and approved plan for the disposal of grey water. S. Smith said if you generate it, it has to have somewhere to go that is permissible under Title 5. S. Smith informed the Board that all homes must be compliant with the Code and as such he doesn't see much savings available to small home owners when it comes to installation of septic systems, even if they use a composting toilet. R. Cooper stated that he had done research into the costs of composting toilets and that they are approximately \$2100.00. S. Smith informed the Board that the end product in a composting toilet is reduced to ash by a heating element and then can be mixed into the soil on the property. However, composting toilets are not designed to deal with

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liquid waste, so a tiny home with a composting toilet would still require a septic tank designed to accommodate a minimum of two occupants.

J. Webb and Chair Levine both stated that they would like to learn more about the housing code as it relates to Title 5. Chair Levine informed the Board that they should all take an active role in becoming better educated on Title 5 matters as they relate to tiny homes. The Board choose not to take any action on the proposed by-law and Chair Levine suggested that the Board be prepared to express their concerns as individuals at the Planning Board's next scheduled Public Hearing on the Tiny House bylaw set for May 10, 2023.

R. Cooper stated that he had been in communication with a manufacturer of tiny homes and discussed the use of a holding tank for different types of waste that could be pumped and he thought that this could be a potential avenue for cost reduction. S. Smith said that the use of a holding tank is not allowed, and is only permissible in repair situations where there is no other alternative.

A discussion about the different types of soils found in Sheffield ensued.

A discussion about tiny homes being temporary or permanent housing ensued.

A discussion about the difference between a modular home and a mobile home ensued.

Update on Permit Eyes Status:

Chair Levine informed the Board that the Select Board requested that the Board of Health put a hold on the Permit Eye project. She also stated that J. Smith, the Food Inspector, informed her that the Board of Health would not be losing out on funding as a result of the decision not to use Permit Eyes. In fact, J. Smith believes that the Board of Health may actually gain a measure of flexibility by waiting to get onto the newer version of Permit Eyes. The Board decided to take no action at this time regarding the use of Permit Eyes. Chair Levine stated that it is one less entanglement with the Berkshire Public Health Alliance, which is needed as we work towards total participation with the Collaborative.

Announcement/Discussion of the 2023 Massachusetts Association of Health Boards Certificate Program:

Chair Levine introduced the Certificate Program as a way for the Board to become more proficient and skilled in discharging their responsibilities. She views herself and the Board as novices and wants to increase the knowledge base of the Board. In an effort to achieve this, Chair Levine encouraged all Board members to undertake training and educational opportunities when they arise.

Chair Levine said that she, and possibly other board or commission chairs had their hands slapped for asking J. Risen to do too much and was told to get approval from the R. LaBombard, the Town Administrator, prior to instructing him to perform new activities as he is not yet fully trained. Chair Levine stated that she had requested, both in an email and during a meeting between the Board of Health and the Select Board, a copy of J. Risen's job description so that she could know what is proper to request. The response Chair Levine was given was that J. Risen

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did not have a job description.

Invitation to, and discussion of topics for meeting with Chief Munson:

Chair Levine informed the Board that she had been in contact with Chief Munson and requested that he meet with the Board in June to discuss the relationship between the Police and the Board of Health with respect to emergency planning and emergency response. Chief Munson is planning on attending the June 13, 2023 Board of Health meeting.

Discussion/Possible Action Regarding Berkshire Bounty Food Waste Reclamation Program:

L. Hyde sent an email update to Chair Levine indicating that she had mostly completed the task of contacting local food businesses and informing them about the Berkshire Bounty Food Waste Reclamation Program. She is still trying to get in touch with Stagecoach Tavern and Berkshire School. L. Hyde will give another update on this matter at the next meeting.

Board Member items:

S. Smith stated that he was concerned about what the Board was planning on doing with regard to Jesse Bunce. S. Smith doesn't want him to think he can just pay and get his license back, he thinks that there should be some fine or punishment beyond just paying for a new license. Chair Levine said that she appreciates S. Smith mentioning this matter and reminding the Board that this is something to be aware of. J. Bunce was fined \$300.00 and prohibited from applying for an installer's license until October 11, 2023. Chair Levine stated that she hopes J. Bunce will pay his fine and not apply for a new license until after October 11, 2023 as that would end the matter. J. Webb asked if there was a reminder to be sent to J. Bunce to let him know that he has to pay for his license. Chair Levine responded that there was no procedure for that.

E. Clarke mentioned an email that she received which warned of an increase in extensively drug resistant Shigellosis and wanted the Board to be aware of the danger this could pose to the public.

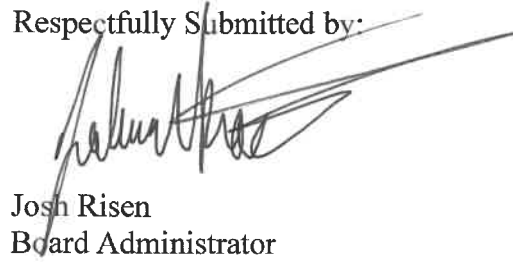
A discussion concerning how to deal with falling down homes ensued.

G. Oleen stated that he wanted to obtain his permit to operate a food establishment for the Legion Hall which he says he paid for last year, when the Legion was charged for two inspections. He stated that the inspection never took place last year. Chair Levine contradicted this by saying that she was present at the inspection that occurred last year and as such can guarantee that it did occur. G. Oleen responded that the inspection could not have been legitimate as there was no one with authority to sign off for the Legion present during the alleged inspections in 2022. G. Oleen stated that the inspection must occur during the hours of operation when the Legion is open and serving the public, and not when a third party is making use of the facilities. Chair Levine asked if he has paid his license fee this year, and informed him that he cannot use credit from last year's payment to cover the current fee.

E. Clarke made a motion to adjourn the meeting, seconded by S. Smith. The motion passed unanimously

Chair Levine adjourned the meeting at 6:25 PM.

Respectfully Submitted by:



Josh Risen
Board Administrator

Documents reviewed at the meeting:

- Draft Meeting Minutes
- Draft – Tiny House Bylaw
- Sign in sheet

Sheffield Board of Health

Date: April 10, 2023

PLEASE PRINT: Your Name

Street, Town

1. George O'Leen 997 Foley Rd.
2. Sari Hoy. 60 Main St
3. Robbie Cooper 295 South Main St.
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