

## **Board of Health Minutes**

**May 7, 2019**

The meeting opened at 7:15 with Ms. Amodei, Ms. Moeller and Mr. Parkin present.

The minutes of the meeting of April 6<sup>th</sup> were approved as written.

The Board was reminded about the Household Hazardous Waste Collection Day on June 1<sup>st</sup> and could anyone help out on that day. Ms. Moeller will not be around that day but Ms. Amodei might be able to go. Mr. Parkin will also let me know

### **120 River Street.**

The Board approved and signed a septic permit for a replacement of a D-Box.

### **47 Alexander Way**

The Board approved and signed a septic permit for a change of ownership.

### **309 Hall Street**

Douglas Luongo homeowner and Attorney Deschenes appeared before the Board to discuss a problem that has developed with the Luongo's trying to get an occupancy permit for a converted barn into an in-law apartment on the same property.

Our Agent; Bridgette Braley was present and told the Board that she had had some communication with the mother-in-law back in October 2018. She said she informed her that the septic system would have to be enlarged to accommodate the additional bedroom. The septic system is presumably designed for four bedrooms only. Ms. Braley never heard from the mother-in-law or anyone else again until they were asking her to sign an occupancy permit application in January 2019. Since no additional work was done to enlarge the septic system, Ms. Braley could not sign the occupancy permit application.

Attorney Deschenes told the Board that the Mother-in-law was very ill and was not expected to live much longer and the Luongo's would like to get her into that in-law apartment to make it a little more comfortable for her. Presently she is sleeping on the second floor and needs to be carried up and down the stairs. Attorney Deschenes told the Board that the Luongo's were told by the building inspector that if they removed a closet in one of the four bedrooms in the existing home, it would not be considered a bedroom anymore and the property could now be rated as a 4 bedroom home instead of 5 so they went ahead and did that and also removed the door eliminating any privacy for that room. Ms. Braley said that may be the definition of a bedroom used in the building code but it did not meet the requirement of the Title V code. Walls need to be removed to eliminate the room completely.

Ms. Braley told the Board that there are at least 5 other families in town who have built in-law apartments and all have conformed to the requirement. Attorney Deschenes told the Board

that the Luongo's do not have the money to enlarge the system. Prices they received were \$35-50,000 so Attorney Deschenes asked the Board whether they would entertain using a DEP deed restriction registered with the Registry of Deeds stating that the house would never be sold for anything other a 4 home unless the septic system is enlarged to accommodate the additional bedroom.

Mr. Parkin and Ms. Amodei stated that they wanted to speak with Town Counsel about using a deed restriction. Attorney Deschenes asked the Board that if Town Counsel approved the use of the deed restriction, would the Board approve the occupancy? Ms. Braley would like to be a part of that conversation. She also said she would call DEP about the use of deed restrictions requirements. Room size is also a way to determine if it is a bedroom. The room should be at least 70 sq. feet.

Ms. Amodei made a motion for the following scenarios.

1. If the room is less than 70 sq. feet, the Board would sign the occupancy permit.
2. If it is more than that, a deed restriction will be visited by the Board and DEP will be contacted. Town Council will also be contacted to get his thoughts on it.

Ms. Braley was willing to visit the home this evening but Mr. Luongo said that was not a good time so Ms. Braley made an appointment for tomorrow at 2:30 P.M. She will try to contact the Building Inspector to see if he can accompany her.

The meeting adjourned at 9:00 P.M.