

# **KINGSTON BOARD OF HEALTH MEETING MINUTES JUNE 23, 2008**

The Meeting of the Kingston Board of Health was called to order by : Chairman, William Watson, In attendance were: Vice- Chairman, Dan Sapir, Jack Breen, Joe Casna, Bill Kavol

**7:00** Meeting called to order by Chairman, Bill Watson

**John Veracka - 147 Lake Street - 3 Variances - 08-02, A, B**

Mr. Veracka explained to the Board the reason for the variances. The Health Agent has recommended to approve all 3.

Motion: Joe Casna to approve 08-02, A, & B

Second: Jack Breen

Vote 5-0-0, unanimous

**Departmental Bills Reviewed**

**Correspondence Reviewed**

A copy of Town of Kingston, Professional Conduct Policy was passed out to each member of the Board.

**Old/New Business**

The Board discussed a memo that was received from Sewer Commissioners pertaining to 16 Center Hill Rd. Dan Sapir said he spoke with the Sewer Department about this property and was told that sewer became available on April 2007, the property is not used as a private residence Dan said, it is used as a group home. The idea is to add an extra bedroom to increase the serviceability of the system. The property was purchased on February of 2006. Dan said, I haven't formed an opinion on this yet, there are some things that bother me about this that makes it an unusual situation. It has been determined as a 3 bedroom. They have not hooked up to the sewer and it has been over a year.

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Dan said, I don't think it will be long before residential people will be coming in to the Board. Bill Watson stated that there is also an opinion back from (DEP) Department of Environmental Protection that stated that the restaurant that wanted to expand, they have no problem with them doing that. Dan said he doesn't agree with that they (DEP) didn't site any regulations or any laws. Dan said there is something that bothers me about restaurants on a waiting list to begin as a restaurant and then having restaurants that are increasing their capacity by passing a waiver and getting what they wanted and other places waiting to become established as a business. You have established businesses that are creating larger seating capacity for themselves and getting what they want and then you have other places waiting to increase their capacity and other restaurants waiting to become a business. The only way you can make it equitable is to tell anyone on the waiting list you can come in and apply for a septic rather than be a restaurant if you can pass the requirements of Title 5, and take yourself off the waiting list. Bill Watson said what if a restaurant was not on the sewer line, they wanted to expand their system, they have a right to do that, but if someone is on the sewer line we are going to restrict them, we are penalizing the people on the sewer line. A new system for the Center Street was installed in July of 1998, and designed for 4 bedrooms. Dan said, I would think that the Sewer Department would have to give it to him, they don't have a choice. The Board agreed that it is the Sewer Department's issue. Dan asked why would the field card be at odds with the actuality of the system in place? His expansion was done 10 years ago. Bill Watson asked what is the Board's pleasure for this now and in the future when someone comes in for expansions. Dan said I think we have to develop a regulation. Dan said I think the simplest way to do it is one system on a property. Bill Watson said what if someone comes in and wants to do a shared system in the future? What happens outside the sewer area? Joe Casna said the same as any other regulation under special circumstances they could come in and discuss it. Bill Watson said we have a by-law that was voted at Town Meeting that states you have to connect to sewer. Dan said he would like the Health Agent to look into language on a by-law, and create language for a regulation for next meeting. Bill Watson said this guy has a pretty good argument. He has an existing system in the ground that would take care of 5 bedrooms.

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Bill Watson said he has a letter of complaint about Joe Casna, there was some discussion.

7:45      Motion: Dan Sapir to adjourn  
              Second: Joe Casna  
              Vote 5-0-0, unanimous

Adjourn,

Respectfully submitted,  
Linda G. Randall, Clerk

*Linda G. Randall*

Kingston Board of Health