

PITKIN BOARD of HEALTH MEETING

April 2nd 2025 at 7:00 (immediately following Special Meeting)

Newcomb Community Center

Remote participation via ZOOM please use: <https://us06web.zoom.us/j/3732819188>

Meeting ID: 373 281 9188

MINUTES

1. Call to Order: Mayor pro tem Tom Gibb called the meeting to order at 7:53 pm. Board of Health members Ed Pianalto, Jerra Garetson, and Ramon Reed were present. Minutes taken by Clerk Sara Gibb.

2. For Board of Health Action:**

1. Discuss with possible action: Approving an OWTS permit application for 10 Main Street

Mayor pro tem Tom Gibb reminded that Board of Health that the State mandated the adoption of and compliance with Regulation 43. The Town's local Environmental Health Agent has retired, therefore the Board of Health must know what to do with regard to approving OWTS applications. He had imagined that as long as Mr. Schellenberg has spent on this application that everything should be in line. He spent quite a bit of time on this today and discovered that this may not be the case.

Regulation 43 in 43.5(g)2 says that the design documents must include a brief description of the facility and the proposed use. It is this brief description of the facility and proposed use that leads to the basis and calculations of the design flow. The holding time in the tank, the size of the tank, and the size of the soil treatment area are dependent on the use. Nowhere in the permit application is this building described as anything other than proposed. It says 8 bedrooms. He does not know the conversation between MR. Schellenberg and his engineer. Engineering was done for the proposed building.

The next thing in the engineering is that the loading is for an 8-bedroom residence. The design criteria was for an 8-bedroom residence with design flows based on table 6.1. Table 6.1 states that in a residence, bedrooms 1-3 are calculated as double-person occupancy and all bedrooms after that are counted as single-person occupancy. The total load is for 11 people. There was an addition of two bathrooms in two auxiliary buildings, which pushes the design flow up to gal/day. If two people were in each bedroom, the system would be overloaded by a couple of people. The tank design is marginal for that load and the number of A2 Elgin models being designed and sized under residential use parameters is 1,XXX square feet and given the long-term acceptance rate that the engineer used on the Elgin modules we wind up with a soil-treatment area that is undersized for anything other than this application – a residential permit. You can't go with 8 tiny homes, or a motel, or anything else. It's got to be residential to meet the criteria standards set forth by the engineer. Nowhere in the engineering does it specify what this building will be used for or what it is. Reg 43 requires this.

Mr. Schellenberg asked which building was being referred to when “this building” is used. Mayor pro tem Tom Gibb stated that it is the 8-bedroom residence.

Mr. Schellenberg stated that the Board of Health has approved many permits where the exact design isn’t known. You’re putting a system in for these parameters. A system has to meet the current needs. The needs over the next couple of months is a bathroom in a garage. When you go to an engineer to design a house, the design of the septic is reviewed at that time. He doesn’t know what may be done down the road. Why not take advantage of putting in the largest system possible.

The largest system possible for residential was designed. Why does it not say, “proposed residential housing?” Mr. Schellenberg asked if all the other ones that were approved say that. The engineer wrote in the design criteria 8-bedroom residence, and she includes the bathroom going into the garage.

Mayor pro tem Tom Gibb asked for confirmation that the proposed building is an 8-bedroom residence. Mr. Schellenberg stated “yeah.”

There was discussion about whether “8-bedroom residence” was included in the permit. Board of Health member Ed Pianalto stated that the design document on page 2 states that it is for an 8-bedroom residence. The proposed garage and existing garage is what the OWTS has to be designed for now. If he designs a building down the road, he will have to conform that building to the OWTS. Board of Health member Ed Pianalto stated that the Board of Health member Ramon Reed asked where it says in the document “proposed use.” Mr. Schellenberg stated that in the design criteria, it says what the system is designed for. Mayor pro tem Tom Gibb stated that Mr. Schellenberg has confirmed that the proposed use for this system is a residence with 8 bedrooms at most.

Mr. Schellenberg confirmed that if the proposed building was built, it would be an 8-bedroom residence.

Motion by Trustee Ramon Reed: Table this item. No second. Motion died.

Board of Health member Ramon Reed stated that this is the first time the current Board of Health members have been requested to review any OWTS application. He is unsure if the Board is qualified at this time to do this job without some criteria spelled out. The whole thing has come to them fairly suddenly due to the resignation of the Environmental Health Agent. He is simply not ready. As the Board of Health, there needs to be some discussion on the procedure and how these should be reviewed since they don’t have the qualifications of the Environmental Health Agent. He would like the Board to consider hiring a consultant that has the qualifications to advise the Board. There is nothing in the Town’s ordinances or State regulations that require an OWTS to be tied to a specific building project. He thinks there should be. The only time a system was approved without a building approved to go along with it was the other property that Mr. Schellenberg owns next to this. As the Health Board, we are unprepared. It should be tabled until the Board can deal with it and have the ability to meet the Board’s needs as well as the public and the applications.

Board of Health member Ed Pianalto stated that there are 3 systems in town where the system was put in without any engineering for the building that is being put on the property. Brad Wick is one. He disagrees that the Board of Health is not capable

The installer must be licensed. The engineer must complete testing, draw as-builts for the system and make sure the system is operating as required. The Environmental Health Agent ensures that a professional engineer has stamped the engineering and that there is a description of the use and that a licensed installer has installed the system.

The requirements for the State have been met.

Mayor pro tem Tom Gibb stated that Sara Bergstrom designed this system, then took it to Bill Barvitski, who reviewed her design. That design was all predicated on this being an 8-bedroom residence. What he wanted tonight, which Mr. Schellenberg has stated multiple times, is that this proposed building will be a residence. You can't change the plan. If you change the plan you have to go for re-engineering. He wanted total and complete verification that what is written in this document is your intention. This building is for a proposed residence. On that basis, he agrees with Board of Health member Ed Pianalto. Board of Health member Ramon Reed asked about the Surface Site Evaluation, which was not completed due to frozen ground.

Mayor pro tem Tom Gibb stated that an addendum will be made to the design criteria once the soil is fully evaluated.

There was discussion about the Surface Site Evaluation.

Board of Health member Jerra Garetson stated that she felt comfortable with the report.

Motion by Board of Health member Ed Pianalto: Approve the OWTS permit application.

Seconded by Board of Health member Jerra Garetson. Motion carried 3-1.

Roll call vote requested by Board of Health member Ramon Reed

Ramon Reed – no

Tom Gibb – yes

Jerra Garetson – yes

Ed Pianalto - yes

Public comments: Chad Varnell, Sara Gibb

3. Adjourn: Motion by Board of Health member Ed Pianalto: Adjourn. Seconded by Board of Health member Jerra Garetson. Motion carried 4-0. Meeting adjourned at 8:40pm.