

***Town of York ~ Planning Board
Septic System Inspection Ordinance Subcommittee
Meeting Minutes ~ March 20, 2014
York Public Library***

Present: Lew Stowe (Chair), Peter Smith (Secretary), Wes Cook, Leslie Hinz, Rob Rockwell, Mike Kleist, Helen Rollins

Absent: Priscilla Cookson

1. Chairman Lew Stowe called the meeting to order at 10:16am. There were no members of the public in attendance.
2. Lew noted that Priscilla (who could not attend) wanted to be sure that “grey water” would be included in our discussions.
3. Lew also noted that due to the short duration of our sub-committee’s tenure, anyone who can’t attend a meeting should do their best to find an alternate representing their interest to attend.
4. Although it was stated at our last meeting that our subcommittee was appointed to do research and to draft an ordinance amendment that mandates a septic inspection at the time of property transfer, the overall objective is the elimination of effluent in our waterways. Implementation of this ordinance is simply a tool for meeting this overall goal.
5. Leslie pointed out that although an ordinance exists that requires every septic system to be pumped every five years or sooner, some pumping companies are reluctant to provide reports to the town of their pumping activities. Even if there is concern that a given system has failed, the town can’t enter a property to do an inspection without the owner’s permission.
6. Wes noted that every buyer currently will insist on a septic inspection before entering into a purchase agreement. Pete countered that the only problem with that situation is that the inspection is optional and there’s no control over the qualifications of the inspector.
7. Lew noted that he has been trying to get a licensed inspector to attend one of our meetings without any success so far. Mike pointed out that, if it’s that difficult to get an inspector to attend a meeting for one hour during the winter months, it’s likely to be just as difficult to get them out to do a septic inspection on short notice when a property transfer is dependent upon it.
8. Pete proposed that in order to move forward with our meeting, we should consider identifying some other process for the town to “certify” septic inspectors that could be used instead of, or in addition to Licensed Site Evaluators.
9. Mike commented about existing MS4 studies which suggest that over 70% of the Cape Neddick and beach pollution problems occur as a result of failing septic systems south of the Cape Neddick River. He suggested that installing town sewers in that area would be a better idea than implementing the proposed ordinance. Rob pointed out that such a plan would cost over 16 million dollars and it’s not likely to happen very soon. It was also pointed out that the pollution problems exist all over the town, not just in the Cape Neddick watershed areas.

10. The group reviewed Article 5.5 and 5.6 of the proposed amendment which provide definitions of “*property transfer*” and “*corrective action.*” There were no suggested changes to either article.
11. A partial review of Article 13-A provided the following results:
 - 13-A.1 *Purpose* – no change
 - 13-A.2 *Applicability* – no change
 - 13-A.3 *Requirements*
 - Section A. *Inspection*
 - 1) ...has been pumped at least once ~~per year during~~ following the inspection....
 - 3) ...inspection shall be completed within **6 months** of the date of transfer.
12. The situations described by Article 13-A.3, Section A.3 raised a question of “who should pay for the inspection in a case of foreclosure, inheritance or tax taking?”
13. Our next meeting will be at 10:00am on Thursday, March 27th at the York public Library.

Meeting adjourned at 11:59am

Respectfully submitted,

Peter Smith, Secretary