

Town of Lakeville
Board of Health
May 5, 2021

Present were: Chairman Maxim, Member Spratt, Member Poillucci, and Agent Ed Cullen.
Chairman Maxim called the meeting to order at 6:00pm. This was a remote meeting and was recorded by LakeCam.

Boston Tavern - New Food Establishment (events at Loon Pond Lodge) - Agent Cullen said there was a partial inspection, the kitchen has not been fully renovated and they still need to do some work. They are approved to do catering only, where they cook the food elsewhere and reheat it there. Member Poillucci said he thought the kitchen had been renovated when they did the whole place over. Agent Cullen said that the renovation wasn't complete. The fan and stove need some work as well as the hand washing sink. Member Spratt said previously it was all reheating but he thought Boston Tavern's idea is to do more and upgrade some of the equipment.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve Boston Tavern at the Loon Pond Lodge at Ted Williams Camp to bring food cooked elsewhere and serve until they get their final sign off from Agent Cullen.

Unanimous approval.

72 Lakeside Ave - Meet with Silva Engineering Associates to discuss requested waivers. Larry Silva was present for discussion. Mr. Silva said they are trying to get this septic system repaired and upgraded because it's in failure right now and it's costing a lot to be pumping it on a weekly basis. They submitted the plan but there was an additional waiver requested for the distance from the pond. The required distance to the pond should be 100-feet but the request is for 60 to 70-feet. Chairman Maxim asked if there were any abutters, or if they notified Taunton and New Bedford water departments. Both were notified, but the green cards have not been returned yet. Agent Cullen said the tanks have to be where they are and have to be close to the house and he's pumping up the hill. The field is actually close to 800-feet away, so it's about as far away as you can get. It's well outside the 400-foot, so they are making every effort to keep it as far away as possible. Member Poillucci said the tanks are in the ground water and wanted to know if they were monolithic. Mr. Silva said they were. He said there were tiers in the yard that have to be negotiated in order to pump it all the way up the length of the driveway. They will also be preparing for a new well to go in at the same time. Chairman Maxim asked if it was in the same location, or was there a proposed well on this plan. Mr. Silva said it was shown on the plan and would be at the base of the driveway. Chairman Maxim asked what the sequence of events would be for installation. Mr. Silva said they would bring the line up for the well, and the well may happen after, but the septic system will happen immediately. Chairman Maxim asked if they had the distances from the existing well to the tanks, were they over 50-feet. Mr. Silva said the distance would be what it is now and then they will be increasing the distance by replacing the well, 150' minimum to the tanks and more than that to the field itself. Agent Cullen said the normal procedure is to get the well in and then do the septic. The homeowner said the plan was to install the well first, she had contacted Jeff Hadrose and got a quote, but they are waiting for approval before moving forward and scheduling. Member Spratt measured the distance and said that the pump chamber is 30' and the tank is 35'. Chairman Maxim

asked Agent Cullen if they were allowed to grant a temporary variance if they wanted to do septic first, if they ran into a problem. Agent Cullen said since she plans to do the well first, and if they get the well away, there's no need for a variance. Mr. Silva said this is an emergency and they were asking the Board's indulgence and if they need to condition it on something related to the situation that they are in, that would be appropriate. But this is a significant failure right now. Member Poillucci said he would be okay with making the compliance subject to having the well in if everybody is. If they're pumping it every week, it's costing them a fortune and he would just like to get it in. Chairman Maxim asked Agent Cullen if they go on an emergency, can they approve. Agent Cullen said that was allowed. The abutting neighbors asked if the homeowner could utilize water from their property. Chairman Maxim said he was fine with allowing them to install with this well, it's something they need to address on the approval. He asked Agent Cullen's recommendation on approving with the well at 33'. Agent Cullen said they'd include it in the waiver, say it's for emergency use only. Chairman Maxim asked if they needed to put a time frame on. Agent Cullen replied that if he could pick an accurate time frame, that would work too. Member Poillucci said they can pick a time and if they can't get it in by that date, they can come back and ask to extend it. If they're pumping it every week, he wanted them to change the septic system and get the well in as fast as they can. Mr. Silva asked if the Board could make it between three to six months that they wouldn't have to come back for re-approval for temporary use.

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to approve the septic repair at 72 Lakeside Ave. with the three variances and also under emergency order, they are allowed to do the septic before the well because of scheduling issues and trying to get a well person. They have up to six-months to get the well in before having to contact the Board if there are any changes.

Unanimous approval.

Domino's Pizza - new food establishment located at 56 Main St. (pending Health Agent inspections)- Member Poillucci asked if they would be utilizing both spaces in the building. The representative from Domino's said they will be only utilizing one space, about 1500 square-feet at the end of the building. They intend to have a drive-up window or drive-around where the cars will come from the back of the Dollar Tree and come up the side of the building. There is no menu board like a drive-through would have. All of the orders are done in advance, they are strictly coming in to pick up their order that's already been placed and paid for. Member Poillucci said they were just doing curbside at a window. The representative said about 90% of Domino's business is delivery. It is very few people actually coming to the store to pick up an order or place an order. This is the second franchise for S&L Pizza Inc. with their first franchise in Auburn. Agent Cullen said they are approved for 25 seats, they have a grease trap that was planned ahead of time when they put in the septic system and building itself. They had planned for a restaurant with a drive-through. The representative said they have no intention of using the grease trap for the building because they have an internal grease trap in the store. They clean out the grease trap every three months by contract. In three months, they are expected to create approximately 150 pounds of grease and the internal grease trap will hold 250 pounds. The back up is there and they will connect to it if for any reason the internal grease trap shuts down, they have the external grease trap. Chairman Maxim said they have a stipulation for a trash barrel at all drive-ups. The representative said they have plans for one at the corner of the building.

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to approve the food establishment license for Domino's Pizza at 56 Main St. contingent on final inspection. With the number of seats up to 25.

Unanimous approval.

76 Lakeside Ave - Meet with Spink Design to discuss proposed septic design. Tom Roux was present for discussion. This lot is only 50' wide so it was tough to get everything to fit. The proposed system is at a 45-degree angle with part of it being under the driveway. Both the existing septic tank and pump chamber are closer to the pond. The proposed system will utilize plastic tanks with a concrete ballast. The concrete tanks that are there now will be abandoned. They will be pumped, a hole punched in the bottom of the tanks, fill them full of sand and leave them there. Chairman Maxim asked if Agent Cullen was familiar with Cultec C4's and the h20 loading on them. Agent Cullen responded that the C4 is one of the few plastic chambers that can have an h20 loading. Cultec can say you can have stone or you can have sand. They are used as drainage and in drainage situations they do use stone underneath but Title 5 requires that sand is underneath. You can put the stone to the side, it does reinforce it, but it Title 5 to get the reduction in area, you need sand, not stone. For a septic situation you do need sand, you could switch to all stone and just get rid of the chambers, go with an old pipe and stone and still fulfill the requirement. But when using these chambers, you do need sand underneath. There is a proposed geo grid that helps with support, but Title 5 requires sand underneath chambers. Chairman Maxim asked if in the installation manual for these chambers, it does allow geo grid for h20 loading. He said he was told these chambers weren't h20 loading unless they were set on stone and you lose that reduction. Agent Cullen said in this situation, he has oversized them so he doesn't need the reduction. Normally you need the sand to get the reduction, but in this situation, he doesn't need it, he has 1,000 square feet, each of those fields is over 500. If you wanted to you could put stone underneath it but it would be more like a pipe and stone trench. There was a discussion about the tank manufacturer and retaining wall details. Member Spratt asked about wells. Mr. Roux said there's no well within 100-feet of the system. Chairman Maxim asked if Taunton and New Bedford water departments were notified. Mr. Roux said they were notified but he hasn't gotten the green cards back. Agent Cullen said he hasn't heard anything from Taunton or New Bedford and the notifications were sent out early enough, more than 10 days prior to the meeting.

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to approve the septic repair at 76 Lakeside Avenue with four variances with contingencies that the Agent get the brand of tank to be used ahead of time and a certificate for the structural integrity of the wall.

Unanimous approval.

Betterment approvals -

- 16 Galfre Rd. \$27,924.00.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve the betterment at 16 Galfre Rd. in the amount of \$27,924.00.

Unanimous approval

- 4 Surrey Drive

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve the betterment for 4 Surrey Drive in Lakeville for the amount of \$20,904.00.

Unanimous approval.

Continued discussion regarding water test regulations for septic repair or upgrade - Chairman Maxim said that a public hearing will need to be set up and he would like to wait to see if they can have an in-person meeting. Member Poillucci said as long as the Board continues to waive the well testing for anyone who asks for it until the public hearing, he was okay. Member Poillucci also mentioned the federal tax credit available for septic systems, up to \$6,000 over four years. To be eligible a form needs to be filled out, proof of payment to the installer, and a Certificate of Compliance. Currently, if there is no water test the homeowner doesn't get a Certificate of Compliance. He said as long as people ask for a compliance, except for transfers, until they have the public hearing he was okay with it. Agent Cullen also brought up the fact that the Board of Health office is moving and will no longer be able to hold meetings in the office so they will need to find a new location for meetings. There was a brief discussion about meeting space.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to continue the water discussion under the same conditions we have until a time we can have a public hearing in person.

Unanimous approval.

Review and approve meeting minutes as typed -

- 43D Public Hearing minutes - December 3, 2020

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve the December 3, 2020 Public Hearing minutes from the 43D Committee as typed.

Unanimous approval.

- 43D Public Hearing minutes - February 18, 2021

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to continue the 43D Public Hearing minutes from February 18th to the next meeting until they have time to make corrections.

Unanimous approval.

- BOH minutes January 6, 2021

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to continue the Board of Health minutes from January 6, 2021 until the next meeting so corrections can be made.

Unanimous approval.

- BOH minutes January 20, 2021

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve the Board of Health minutes from January 20th, 2021 as typed.

Unanimous approval.

COVID-19 - Agent Cullen said overall the number of cases are going down. This is mainly due to the vaccines and residents should know there are a lot of vaccines available. If residents have trouble getting a vaccine, they can call the Board of Health and we can assist you in getting an appointment somewhere. Member Poillucci said he heard that in about a month they will be shutting down all the mass vaccination sites. Appointments are transitioning to CVS and Walgreen's and they have walk-in appointments now. Agent Cullen said the CVS in Lakeville is still tough, they aren't doing walk-ins right now and most of the appointments are booked. In another week or two, it may be different. Member Poillucci said that there have been over 600,000 deaths in the United States from COVID alone, but no deaths from the vaccine yet. Member Spratt said the long-term side effects from COVID are much worse than any side effect from the vaccine. Agent Cullen said that with the variants a lot of people think because they had COVID in the past, they're immune to it. The immunity lasts about 5-months, you usually get a minimum of three months of immunity, but with the variants you don't even get that.

EEE - Agent Cullen said they will be doing some spraying. They cancelled a lot of it due to the bad weather. Controlling the mosquito population now will help with EEE later, so anything you can do about standing water, getting rid of it, it will be helpful. Member Spratt said Plymouth County Mosquito Control usually offers if you want your yard sprayed. Agent Cullen said they will do that, but it hasn't been offered yet. Member Poillucci said if you can get a group of neighbors together and have your yards sprayed together, it's much more effective.

Adjournment - (7:26pm)

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to adjourn

Unanimous approval.