

Town of Lakeville
Board of Health
July 20, 2022 6pm

Members present: Chairman Spratt, Member Maxim, Member Poillucci, and Health Agent Ed Cullen.
Chairman Spratt called the meeting to order at 6pm. The meeting was recorded by LakeCam.

Millennium Fitness Corp - 155 Millennium Circle, Unit 106 - The owner will be selling PlanIt Eats and make and serve smoothies. Agent Cullen said they were originally operating without a license. They weren't aware they needed a license. They have done everything they needed to do to get a license and now they are in compliance. All inspections are complete. Member Poillucci asked if the license would be for Millennium Fitness Corp or is someone else in there selling. Agent Cullen said it would be PlanIt Eats that will have the license. They do plan to sell shakes at some point, but right now, they aren't set up to do that. They will need another ServSafe and a few other things. As of right now, they are only selling the pre-packaged food.

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

Voted: to approve the food establishment license for Millennium Fitness Corp, d/b/a PlanIt Eats at 155 Millennium Circle.

Unanimous approval.

19 Fourth Ave - continued from July 6. Meet with Foresight Engineering to discuss Local Upgrade Requests and Local Board of Health Variances. Darren Michaelis from Foresight Engineering was present for discussion. Mr. Michaelis said as discussed at the last meeting, he was able to turn the leach system the long way and get more than 90 feet from the abutters' well. They were previously at 75 and now are at 93. He is asking for a variance to 90. There are no property line variances needed. He also researched the septic and well for 26 Third Ave. which are now shown on the plan. The septic is approximate because there isn't really a solid plan for it. If they were to repair the system, it would go down to where the graphic scale is on the plan because that's where most of their property is, or on the other side of the dwelling. Their well is also at the bottom near the graphic scale. The proposed well for this property is not within 100 feet of any existing septic or takes up any space of any proposed septic for immediate repair. The owners have no problem putting the wording in the deed restriction that within 1-year of the water service being connected, the well will be disconnected from the dwelling. Chairman Spratt said this wasn't as close as the one in the past that was approved contingent. He felt they needed less square footage than this one does. Since that time, numerous people have come in trying to do the same thing. He said he's not for the new well on this lot. He was good with the septic, but not the well. Member Maxim said as far as the septic, everything looks good. They went back and looked at the meeting minutes on the other well, and they went with the road, they were over 20,000. The lot wasn't, but it was on a corner with three roads and that put them over 20,000. With this one, with the road is 18,500. He said they needed to draw a line and be very consistent because other properties are looking for the same thing. This is a three-bedroom that you're putting on an 18,000sf lot, so you're already over the nitrogen loading, and then asking to put a well on it. Water is coming, and they have paid to tie in. Member Poillucci said they were just too far away from the 20,000. Member Maxim said they have a deed restriction for the tight tank. At that time a tight tank wasn't allowed for year-round, so they made them put a deed restriction on. He said he would be okay

removing that because now they're putting in a system. It would still be seasonal since they didn't have the water. Member Poillucci asked if it should be removed when they hook up to the year-round water. Agent Cullen added that would be better because it's misleading when people buy. There was a brief discussion about the deed restriction.

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

Voted: to approve the septic repair as drawn on 19 Fourth Ave, but do not approve the well due to being under the 20,000sf Lakeville By-Law (2)(2.0). The deed restriction for seasonal property is to be removed once tied into the private water supply of Clark Shores, when it comes down the road. The seasonal deed restriction can be removed at that time.

Unanimous approval.

Betterment Loan - review and approve betterment loan for 32 Fuller Shores in the amount of \$58,304.00.

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

Voted: to approve the betterment loan in the amount of \$58,304.00 for the property located at 34 Fuller Shore Rd.

Unanimous approval.

Discuss recent BOH Agent pending items -

Ticks - Agent Cullen made the announcement that there have been a number of tick bites this season, particularly Lyme Disease. There have been 52 this year so far between Lyme, Anaplasmosis, and Babesiosis. This is a bad year for ticks, but it's been very good for EEE. So far this year, we haven't had any human cases. Residents should take precautions when hiking or walking in the woods.

Open Space Redevelopment District (ORSRD)- Chairman Spratt said the Planning Board met last week and discussed some of what was said at the last Board of Health meeting. Some of the discussion proved a lot of Member Poillucci's objections from the last meeting. Going through the proper process to put together the ORSD by-law would have answered all the questions and solved all the problems and taken care of any misunderstandings. The Board of Health has a say over public health in town and there's a lot of public health components involved in this by-law. We just need to have a back and forth together where it's all hashed out and then a good by-law can be put before the town. He asked Agent Cullen to put together a draft letter to send to the Planning Board. If it's not a Zoning By-Law Review Advisory Committee (ZBRAC) that's set up, at the very least we should have the Planning Board, Board of Health and Conservation Commission joint meeting. There was continued discussion regarding cluster zoning. Member Maxim said the only way he'd be in favor of OSRD is with town water, a public well, or public septic. The nitrogen loading doesn't work on 30,000sf lots. Chairman Spratt was leaning the same way. If they had water, maybe, or two-bedroom with a smaller system. Member Poillucci said that if they didn't have an approval until you put all the wells in and all the septic systems are designed and approved. There would have to be deed restrictions to do it that way. That's the only way to do it without town water. Aside from getting some land for free, there's no upside to the town for doing this. He thought this just needed a lot of time, a lot of work, and everyone needs to be on the same page. Agent Cullen commented that when you do a public well, it's separated from everything else, and public wells are heavily regulated. They're constantly tested and you have an operator doing it. The risk with

private wells is there's no regulation. You test it once when they drill the well, and if you don't sell the house for 30 years, that well may not get tested for 30 years. You don't taste nitrate when it starts to contaminate your well. It's not something you can taste or smell. Nitrates don't get treated, even with a good septic system. They don't get treated, you dilute them and that's why you need area. A bigger lot often gets a safer well, that's why the Board is making this argument.

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

Voted: that Agent Cullen and Chairman Spratt will write a letter and send it off to Mark Knox for Planning Board, and Conservation, and maybe other people they feel should be included.

Unanimous approval.

Covid-19 Update - Agent Cullen said there are about 15 cases a week, but we know it's a lot worse. People are testing at home and it's not getting recorded. The BA5 variant seems to be a lot more transmissible so there are a lot more cases out there. With the BA5, it doesn't really matter if you've had Covid, you are still susceptible to this. It's also able to evade vaccines as well. Residents are urged to take precautions and be aware. If you know someone who is at high risk, make sure if they start to show symptoms, that they call their doctor right away. There are a lot of better treatments out there now. Residents are also urged to test more than once. If you have symptoms and test negative with an at-home test, it is recommended to test several days in a row. If you go to a lab and have a PCR test, that is more accurate.

RCAP Solutions - This is a well testing program that they were doing in May and June. There are a couple of spots left, so we just wanted to let people know. Lakeville was designated as a rural community and what they're trying to find is how contaminated wells are. They are finding that about 27% of the wells they're testing are contaminated with something. The Board of Health does not get a copy, but if there is something contaminating a well, they will contact you and give you information about getting a treatment system. Chairman Spratt said the information is on the town website. Residents can sign up to receive emails from the town for specific Boards or Committees.

Adjournment - (6:54pm)

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

Voted: to adjourn.

Unanimous approval.