

Town of Lakeville
Board of Health
November 2, 2022 6pm

Members present: Chairman Spratt, Member Maxim, Member Poillucci, and Health Agent Ed Cullen.
Chairman Spratt called the meeting to order at 6:00pm. LakeCam was present to record.

Lakeside Baking Co., LLC - New Food Establishment located at 12 Charles St, residential kitchen license, mobile food truck license, milk and cream license. Agent Cullen said this would not be a typical mobile food truck. The applicant would be cooking in her residential kitchen and selling from the trailer. Everything will be prepackaged and there wouldn't be any cooking in the trailer.

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

Voted: to approve the food establishment license for Lakeside Baking Co., LLC.

Unanimous approval.

Documents provided: food establishment inspection report, license application, workers comp affidavit, food safety manager certificate, allergen awareness certificate, well analysis, tight tank inspection, plan review packet, milk & cream application.

RCAP Solutions - Meet with Regional Manager, Jim Starbard to discuss the Lakeville results from RCAP Solutions Private Well Program. Jim Starbard and Madison Welland from RCAP were present for discussion. RCAP is part of a nation-wide non-profit that has recently completed a private well testing program in Lakeville. Out of the 40 well tests they did in Lakeville, 23 (57.5%) came back with either total coliform positive or some other health-based standard. Of the samples with contaminants, 11 were Coliform bacteria which were then screened for e-Coli. Only 1 came back positive for e-Coli. All homeowners were contacted by either email or phone. The homeowner whose well tested positive for e-Coli was contacted by phone and given more information. All others were contacted by email with instructions. One of the largest issues they did find in the sample wells was radon. There were 11 samples that came back with high radon, some exceedingly high. There was one sample with nitrate that was over the drinking water standard of 10mg/liter. They did contact the owner and found out he was on a cesspool, which was most likely the cause, and he probably needs to upgrade the septic system. There were 3 samples with manganese over the standard of 0.3mg. They will be using the data collected over the last 3 years to push for legislation that will give MassDEP the authority to write a minimum standard for private wells. There was a discussion on well testing. Mr. Welland said they started the Coalition for Safe Drinking Water to encourage the state to adopt the legislation that would empower DEP to set private well standards like they do for public wells. They would like to include the Lakeville Board of Health as a supporter on their website, along with other Boards of Health, before they push this legislation forward. Member Poillucci asked if they had been in contact with DEP. Mr. Welland said that DEP has played a big hand in helping this project get started, but they can't be part of anything to do with the legislation.

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

Voted: to support RCAP's initiative and let them use the town seal to back it on their website.

Unanimous approval.

Mr. Starbard mentioned their new program that offers well and septic loans up to \$15,000.00 at a 1% interest rate with a maximum income of \$120,000.00. Member Poillucci explained that the town had a betterment program for septic, but it didn't cover wells, so this would come in handy. Chairman Spratt asked if this was a partnership with the USDA. Mr. Starbard said it was using USDA money. Information regarding loans will be on the Board of Health's website.

Documents provided: email.

6 Taunton St. - Meet with Zenith Consulting Engineers, LLC to discuss requested local upgrade approvals. Jamie Bissonnette from Zenith was present for discussion. This is a septic repair with local upgrade approval requests: a reduction to ground water from 5 to 4+, a reduction in the number of holes from 2 to 1, and a reduction in the separation between the SAS and the foundation. They are proposing a 40ml rubber liner between the edge of the over dig and the foundation. They did consider the front left corner of the property, but that would have required a pump system and would require crossing the water line and cutting the driveway.

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

Voted: to approve the septic repair at 6 Taunton Street with the 3 local upgrade approval requests.

Unanimous.

Documents provided: approval request letter, proposed plan, application.

7 Azalea St. - continued discussion from October 19, 2022, regarding nitrogen loading with Zenith Consulting Engineers, LLC.

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

Voted: to continue to November 16th.

Unanimous approval.

Documents provided: proposed plan.

Approve meeting minutes as typed:

- August 17, 2022
- September 7, 2022

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

Voted: to approve minutes as typed for the August 17, 2022 Board of Health meeting.

Unanimous approval.

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

Voted: to approve the meeting minutes as typed for the September 7, 2022 Board of Health meeting.

Unanimous approval.

Documents provided: meeting minutes.

43 Main Street - Member Maxim said he had gone to the meeting last week which was informative. Chairman Spratt said it was mostly out of the Board of Health's hands. When it comes to the waste, it's a pretty easy answer. Member Maxim said the contamination in the building needs to get addressed and the building needs to come down. Agent Cullen said it's expensive to take down a building, but it's a lot more expensive to take down a building with asbestos. He said there was an abutter that sent comments about noise requirements that he would like to see for new developments. Member Poillucci said with the old plan, the town hired an engineer to do a sound study. The study said the old plan would conform. No matter what goes there, there will be noise calls that come into the office. There should be some money allocated to hire a company to go out and see if it's a legitimate complaint, and if it is, to figure out how to fix it.

Covid-19 Update - Agent Cullen said cases have leveled off. There are new variants out there so we're not sure if it will hold or not. Most of the new variants are omicron-based which is good because it's not as deadly as delta or alpha. There's also a vaccine that specifically targets omicron. Member Maxim asked about EEE. Agent Cullen said there were 4 cases of West Nile, but we haven't had anything in over a month and with the temperatures the last few nights, we're at really low risk for West Nile.

New/Old Business - Member Poillucci said they had talked about scheduling a public hearing to discuss lot size, to see if they wanted to make a minimum lot size for new construction. He provided copies of Middleboro's regulation to review. If there is a municipal water supply, 15,000sf is needed, if you have on site water and septic, 30,000sf is needed. Member Maxim said this would have to be an advertised posted public hearing. Someone could always ask for a variance. He thought this could eliminate the argument over a nitrogen sensitive area that's not mapped. This would address the nitrogen loading for 10,000 per bedroom. He wasn't 100% on 30, but they could discuss it at the public hearing. There was continued discussion. Agent Cullen said if you have a 40,000sf lot, you're limited to 4-bedrooms but a denitrification system allows you a fifth bedroom, even though your lot is 40,000sf. Member Maxim said he thought the whole town of Wareham you had to put treatment systems in. Agent Cullen added that Marion is the same way, on any construction. He said DEP is trying to change their regulations to include denitrification on all new construction no matter what the lot size is. In some areas, they are saying you have to retrofit, if you already have a system. A lot of towns are having a problem with too much nitrates in the ground, and this is the way DEP is addressing it. Member Poillucci added that some towns aren't even doing this on transfers, they're telling people they have 5-years to put a new system in. Member Maxim said the DEP is looking to redo Title 5. Agent Cullen said a lot of the changes are for around the Cape.

Adjournment - (6:50pm)

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

Voted: to adjourn.

Unanimous approval.