

Town of Lakeville  
Board of Health  
June 7, 2023 6:00pm

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.

**311 Pond Lane** - Meet with Foresight Engineering, Inc. to discuss requested local upgrades. Darren Michaelis from Foresight was present for discussion. Mr. Michaelis said this property currently has a cesspool. The new system will be outside the 100' buffer zone and will go where the current system is located. They are proposing a Fast system with a ground water variance. This property has a steep slope so the variance will be for about 10% of the system with the remainder of the system meeting the ground water set back. The owners are proposing an addition with no additional bedrooms, a sunroom and garage on the first floor with an expanded master suite on the second floor. Agent Cullen said the Fast system was great for that area, and they would get the 50% reduction which is great too. There was a discussion about a ground water variance. Mr. Michaelis said if he had to raise the system, he would probably have to tier the wall instead of having a single wall. The system that's there has been in the water table for 40-50 years within 100' of the pond. He didn't feel the Board would be setting a precedent, and the Board could do a deed restriction. He didn't think the system would prematurely fail because it's only 2' from the water table for only 10% of the system. Agent Cullen asked if Mr. Michaelis had thought about going parallel to the contour. Mr. Michaelis said he couldn't get the driveway in. Member Maxim said he agreed with Agent Cullen on the 2' variance, even with the treatment system. There was a discussion about the soils on the site. Mr. Michaelis explained that at the bottom of the wall he was at contour 65 and at the top he was at 69. It's already a 4' wall. Member Maxim said his other concern was that he called 48" water table from the 69 contour, which is one corner. But it should be called from where the contour of the over dig is. Up in that corner it's definitely 69 ½. So, it's 1 ½' to the water table, where that water is coming in at the top of the slope and flows into the sand. Mr. Michaelis said they had a liner on all sides so it won't flow into the sand, it will be pushed down underneath it. He didn't want to go any higher than 4' with the wall, so he will terrace it. Member Maxim said the water elevation at the tank shows 54.5, but the pond elevation is 55 and flood is 57. That's probably the elevation of the inlet of the septic tank. The outlet of the pump tank is at 59 ½, 4' from that. Mr. Michaelis said they can put in a stipulation that it be rubber booted. Member Maxim said it was H-20 so it would be rubber booted anyway. Mr. Michaelis said he would revise the plan and change the variance to 3' on the plan, and add rubber boots, then figure out the wall situation.

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

Voted: to approve the septic repair at 311 Pond Lane with the nine local upgrade requests and allow the reduction of separation to leaching field from high ground water from 4' to 3' and submit a new plan, adding a 10<sup>th</sup> variance requesting ground water elevation to the pump tank.  
Unanimous approval.

**24 Beechwood Avenue** - Meet with SFG Associates, Inc. to discuss requested local upgrades. Brad Fitzgerald from SFG was present for discussion. The proposed plan is for a Presby system which would reduce the footprint. They are requesting five local upgrades. The requests are: to allow the septic tank

to be 3' from the crawlspace instead of 10; to allow the SAS to be 5' from the crawlspace instead of 20; to allow the SAS to be 53' from the northly abutting well instead of the 100'; to allow the SAS to be 386' from a public water supply instead of the required 400'; to allow for one deep hole instead of two. This lot is 50x100 and by using this system they are able to keep the system as a gravity feed system. Chairman Spratt asked if the Certified mail cards came back. The cards for New Bedford and Taunton Water were returned, but not the abutter. There was a discussion regarding the abutting well. Member Maxim said the only thing in the Board of Health files for this well is an inspection in 1999. On November 23, the inspector wrote, it appears to be a dug well. So that means it's probably only 30' deep. There was a discussion about nitrates. Agent Cullen said only about a third of Clark Shores are hooking into the water line. Member Maxim said he would like to see the two-compartment tank on the drawing. It is mentioned on the notes that a two-compartment tank is to be installed, but it doesn't show it. Mr. Fitzgerald said if they go with a denitrification system like MicroFast, and they go to a pipe and stone field at 50%, he would only be picking up 3' more on that well. Member Maxim said if they go with the proposed plan, they should make it 5' to the property line and that would make it 57' from the abutting well. That would be the furthest you could ask for on that variance. Chairman Spratt said he would want to move it the 5'. There was more discussion about denitrification.

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

Voted: to approve 24 Beechwood Ave with the 5 variances requested, adding a sixth variance to the property line from 11' down to 5'. A new plan will be drawn showing the two-compartment tank, remove the valve on the plan, and show the correct length from the tank to d-box for the added length.

Unanimous approval.

**ECCO, Inc d/b/a Muckey's Liquors** - new ownership. Tobacco Permit and Food Service (retail pre-packaged only). Agent Cullen explained that the ownership is going from father to son, but really no other changes.

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

Voted: to approve the tobacco permit and food service, retail pre-packaged food only permit and transfer them to ECCO Inc. d/b/a Muckey's Liquors.

Unanimous approval.

**Re-Appointments of Assistant Board of Health Agents** - for the period of July 1, 2023 through June 30, 2024.

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

Voted: to appoint Chris Spratt as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Spratt).

Chairman Spratt stepped down to make a motion, seconded by Member Poillucci, it was:

Voted: to appoint Derek Maxim as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Maxim).

Upon a motion made by Member Maxim, Chairman Spratt stepped down to second, it was:

Voted: to appoint Robert Poillucci as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Poillucci).

**Recommend to the Select Board to appoint Edward Cullen as the Inspector of Milk** - for the period of July 1, 2023 through June 30, 2024.

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

Voted: to recommend to the Select Board to appoint Ed Cullen as the Inspector of Milk from July 1, 2023 through June 30, 2024.

Unanimous approval.

**Approve meeting minutes - April 5, 2023, and April 19, 2023** -

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

Voted to approve the April 5, 2023 meeting minutes as typed.

Unanimous approval.

Chairman Spratt stepped down to make a motion, seconded by Member Poillucci, it was:

Voted: to approve the Board of Health meeting minutes dated April 19, 2023 as typed.

Two in favor, one abstains (Maxim).

**Discuss recent Board of Health Agent pending items:** Agent Cullen wanted to discuss the noise regulations. He said there was an issue on whether or not the Board would be issuing them for private parties. The current regulations were mainly used for construction purposes, but the Board would have the right not to approve a private party. If they did, it could cause some problems since they would be unable to enforce the regulations. Chairman Spratt said the police would have a more efficient and effective way of handling it than the Board would.

Member Maxim said if they wanted to discuss treatment systems for nitrogen loading, should they reach out to town council or just research it more. Agent Cullen said there are a number of towns that have regulations. Small lot size is where we have problems. Member Maxim added that the small lot sizes and a well within 100' go hand in hand. There was continued discussion.

**Covid 19** - Agent Cullen said no one is really reporting it now and hospitalizations are low.

**Adjournment** - (6:47pm)

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

Voted: to adjourn

Unanimous approval.