

Town of Lakeville
Board of Health
July 19, 2023 6:00pm

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

32 Heritage Hill Drive - Meet with Foresight Engineering to discuss requested local upgrades. Darren Michaelis was present for discussion. Mr. Michaelis said they didn't call the water table originally but its about 4-feet in most areas with tight soils. They had to do a sieve analysis. He is asking for a variance for the sieve and the groundwater. With the grading, he can connect to the grading behind the deck and make a flat backyard. If he pushes it up another foot, he would create a hump in the backyard. They are already using a pump, so more for aesthetics and drainage flow to prevent puddling in the back yard. Member Maxim said the original system was installed in 1973, and it was repaired in 1989 where they added another two rows of flow diffusers and capped off the other one. This was a 3-bedroom house on a 31,000sf lot. Mr. Michaelis said it was a 4-bedroom house. He wasn't trying to increase flow, that's what was there. It's being sold as a 4-bedroom, there wasn't any construction. Agent Cullen said the Assessor's have it as a 4-bedroom. He explained that some were proposed a 3-bedroom on the plan, and then the builders just built a 4-bedroom. It's not in compliance, it's a 30,000sf lot with a 4-bedroom, but it happened long ago. If it was happening now, he would call it out. There was continued discussion about the bedroom count. Member Maxim reviewed the grading and water table. Mr. Michaelis said at 104 it would be the corner of the system and they called mottles at 100. There was more discussion regarding the site grading. Member Maxim said he worries about the water when you've got a whole hill coming down there. Mr. Michaelis said the original system was 1973, so that's 50-years it was completely in the water table. He said he was allowed to ask for the variance because there's a financial hardship and a grading hardship. He didn't propose the new system anywhere near the old system because that's where all the water sits. He doesn't want to trap more water behind the house when they've already trapped a lot in the backyard with the system that was put in a few years ago. There was continued discussion about the site. Member Maxim asked Agent Cullen about the nitrogen loading, a 4-bedroom on an undersized lot. Agent Cullen said it was currently non-compliant. A denitrification system would solve a lot of the problems because they could do a 50% reduction. Mr. Michaelis said the owners are selling so they wouldn't be interested. Member Maxim said he would be ok with the system being turned a little. Mr. Michaelis said he would try and twist it a little bit and make the grade work a little better. The yard is uniform now, and by twisting it to the side would be graded out further and it won't look uniform like it does now. They also have their privacy from the golf course and he didn't want to take that away either. Member Maxim asked if he was going to try to go with a swale between the tanks and the field. Member Maxim reminded Mr. Michaelis that since there were only two members present he had the right to ask for a continuance.

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

Voted: to deny the request for the 1' waiver on 32 Heritage Hill Drive, to the water table, but approve the number two waiver for the variance for just one perc hole and sieve.

Unanimous approval.

11 Apple House Rd. - continued discussion from July 6, 2023 regarding a complaint from a resident regarding a sewage pumping company. Agent Cullen explained that a resident made a complaint that Bay State Sewage went out to pump their septic, which they're regular customers of. Bay State asked for a check on the door, but there was no check. They tried to call the owners and couldn't get them. Apparently, they pumped it and once they found out there wasn't a check and they couldn't get in touch with the owners, they decided to pump it back into the tank. That is actually illegal. When you pump out, it has to be at a licensed facility, you can not pump it back into a tank. Agent Cullen spoke with the owner of Bay State, along with one of the supervisors. They said it was a new guy who just made a mistake. The homeowner came in and had a voicemail on their phone from the secretary saying they were looking for him. About 20-minutes later, there was another voicemail saying they had waited 15-minutes and they weren't there so they would have to reschedule. The office was aware that they pumped it back in, which we didn't know at first. We thought it was just a mistake of one individual, but obviously, if the office is saying reschedule it was because they were aware that it was pumped back in. Chairman Spratt said that part of keeping this on the agenda was to get that out to the public. If anyone else has experienced something similar, we would be interested in hearing about it. He didn't think they were going to decide tonight about what to do going forward without Member Poillucci.

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

Voted: to continue the 11 Apple House Rd discussion until the August 2nd meeting 2023.

Unanimous approval.

Lakeville Board of Health Regulations pertaining to subsurface disposal systems and water - continued from 7/6/23. Member Maxim explained that the Board was trying to do something about nitrogen loading on undersized lots and wells. Should they require a denitrification system when there are wells less than 100' away, or on 20,000sf lots, or anything under 440. Mr. Michaelis said his thought would be anything nitrogen loading, like a 4-bedroom house on a 3-bedroom system. Other towns in the area are doing 100' from wetlands. Agent Cullen thought Lakeville's priority is protecting wells. Chairman Spratt said one thing that was proposed was not restricting, it was proving that you don't need it. Mr. Michaelis said he agreed with the denitrification on undersized lots. Agent Cullen added that with denitrification the system would last a lot longer. There was some continue discussion. Agent Cullen said in the long term, you want to keep the pond healthy. It's a huge resource for this town and if Long Pond becomes all algae, that will be a huge hit to the town. The primary concern would be the wells, but secondary would be the pond. Chairman Spratt said it's the unseen thing that people take for granted and don't notice. Nitrogen gets into the pond and the algae and cyanobacteria and other things that could eventually be detrimental to our health. Then that nitrogen gets fed on by all the algae and it eats up all the oxygen in the water, then the fish start dying and you have dead zones. Eventually, it's a big lake and it would take a while, but the whole lake could die. Member Maxim said since Mr. Michaelis deals with other towns, they were looking for input from engineers. Mr. Michaelis said that in Middleboro, you have the opportunity to prove that you don't need denitrification if you are within 150' of a well. Member Maxim said he wanted to have the public aware that this is a \$10,000 increase in the price of a septic system if they put this into effect.

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

Voted: to continue the discussion on nitrogen loading, the Lakeville Board of Health Regulations Pertaining to Subsurface Disposal Systems and water discussion until August 2, 2023.

Unanimous approval.

Approval of meeting minutes for May 3rd, 2023 and May 17, 2023-

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

Voted: to continue the meeting minutes from May 3rd and the May 17th meeting minutes until Bob Poillucci is present.

Unanimous approval.

Discuss recent Board of Health Agent pending items - Agent Cullen said an issue came up today. The town is doing work on the DPW building on Montgomery Street. They have an existing septic and they're adding some tanks. The plan was to pump to the original septic tank. The person doing the work wanted to know if they could have a second septic field that would be in a Zone-A. The idea is, if it is in the Zone-A, they could go with a gravity system. If they pump to the existing one, which has the capacity, it's outside the Zone-A. There is already an existing pump, so they could just relocate it. The lot size is about 6-7 acres with only about 10% in the Zone-A. Member Maxim said there was no reasoning to allowing them to put it in a Zone-A; it's a 6-acre lot, it's new construction. Agent Cullen said they want to put it in front of the building. Member Maxim said where the water table is at 89, he thought it would be a pump system anyway. The system there is already big enough, it's over 400 gallons per day. Agent Cullen said it was sized for 26 employees and they probably have about 15. There was a brief discussion. Agent Cullen wanted the Board's feedback so he would talk with the engineer. Both Board members agreed it would be denied due to the Zone-A.

Agent Cullen said the first two mosquitos with West Nile were found in Brookline and Worcester. There has been no detection of EEE. There has been an increase in Lyme disease from year to year. In June, Lakeville had 9 cases of Lyme. What is unusual is there are 7 cases of anaplasmosis which is comparable to Lyme, but Lyme is usually the dominant one. There are also 3 cases of Babesiosis, which is another tick-borne disease.

Adjournment - (6:58pm)

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

Voted: to adjourn.

Unanimous approval.