

Town of Lakeville
Board of Health
September 20, 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.

8 Keith Avenue - Meet with Outback Engineering to discuss requested Local Upgrades. Jeff Youngquist from Outback was present for discussion. Mr. Youngquist said this was a septic upgrade and they were asking for a reduction in separation to high groundwater down to 4.1'. There was a brief discussion.

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

Voted: to approve the one local upgrade for 8 Keith Avenue.

Unanimous approval.

20 Second Avenue - Meet with Zenith Consulting Engineers to discuss requested variances. Jamie Bissonnette from Zenith was present for discussion. This is a proposed tight tank with three variances. They are asking for a reduction to the distance to the pond, a reduction to the public water supply well, and a reduction in the invert elevation to high ground water. Chairman Spratt said it appears they would have room to put in a system in the future, if they decide to. Member Maxim asked if they were going to demo the house. Mr. Bissonnette said they had been to the Zoning Board and got a special permit to take down the existing house. They are going to build a new dwelling, with the same number of bedrooms. They are also taking down part of the garage, so they will meet the setback on that. Member Maxim said there was a local regulation for deck footings or sonotubes. He thought it looked tight. The deck scale is 8' and there's only 12' to the tank, so you only have 4. The regulation is 5. Agent Cullen said that it's 4 to the edge, but a lot of times they do put the columns 1' in. It's possible to do. They will make a notation on the plan. Member Maxim said another thing was the groundwater to the top of tank, would the risers be poured in. Mr. Bissonnette said they would be, it was in the specs.

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

Voted to approve the three variances for 20 Second Ave.

Unanimous approval.

16 Violet Street - Meet with SFG Associates, Inc to discuss requested Local Upgrades. Steve Gilbert from SFG was present for discussion. Mr. Gilbert said they were looking to repair a septic system on a 5,000sf lot. They are asking for local upgrades to property line setbacks. There are no wells to deal with, just property lines. He explained the lot was only 50x100, so there was limited room. They are requesting to be 5' from the septic tank to the abutting property line, and 5' from the leaching field to the abutting property line. The abutting property is vacant land. The property currently has a cesspool that is less than 5' to the abutting property right now. They are also asking for an upgrade to keep the septic tank 5' from the dwelling and the leaching area 14' from the dwelling. The last requested upgrade is for 1 deep hole instead of the required 2. Member Maxim said there is no room for error on this one. It doesn't meet nitrogen loading, with a 5,000sf lot and two-bedrooms.

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

Voted: to approve the 5 variances for 16 Violet Street, AA, BB, and K.

Unanimous approval.

7 Hollis Ave - Discuss removal of “seasonal” deed restriction. Attorney Nicholas Combs and Chris Chapin were present for discussion. Mr. Combs said this was approximately a 200’ water line extension in Clark Shores. They are requesting the seasonal deed restriction be lifted to allow for full year-round use. The water has been turned on with no issues, and an as-built done by Zenith. Mr. Combs had copies of the construction report for the Board. Agent Cullen said the as-built had been submitted and they did get confirmation from Clark Shores Water that the property was connected. Member Maxim asked if the old well had been decommissioned. Agent Cullen said they did.

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

Voted: to approve the removal of the seasonal deed restriction at 7 Hollis Ave.

Unanimous approval.

Lawrence Waste Services - new commercial trash hauler. Agent Cullen explained that Waste Management Services had subbed out to Lawrence Waste Services due to some staffing issues. All the appropriate paperwork had been submitted.

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

Voted: to approve Lawrence Waste Services to be a commercial trash hauler in the town of Lakeville.

Unanimous approval.

E’s Ice Cream and More - temporary one-day event at Angers Conway Farm Festival, 33 Southworth Street on September 23, 2023 (pending inspection). Agent Cullen said he did have a scheduled inspection. We usually don’t inspect ice cream trucks, but this one is serving hot dogs. Member Maxim asked if there were any other vendors that didn’t get paperwork in on time. Agent Cullen said there were a couple of fall festivals coming up and people are calling at the last minute. There is also the Arts Festival on the 30th where people want to do a one-day event but there won’t be another Board meeting in time. He asked the Board if he could approve some of these one-day permits since they’re coming in too late. The Board members agreed that if it could be coordinated and inspected in time, Agent Cullen could approve the permits.

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

Voted: to allow Agent Cullen to approve food establishment permits for one-day events as long as they’ve given him enough time to do an inspection, and make sure they have all their current licenses and insurance.

Unanimous approval.

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

Voted: to approve E’s Ice Cream for a one-day event at Conway Farms on September 23, 2023, pending inspection.

Unanimous approval.

Review and approve meeting minutes July 19, 2023 -

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

Voted: to approve the meeting minutes for July 19, 2023 as typed.

Two in favor, 1 abstain (Poillucci).

Continued discussion from September 6, 2023 regarding changes to the Lakeville Board of Health

Regulations pertaining to subsurface disposal systems and water - Agent Cullen said in regulation 20 in the septic regulations, if there were 3 abutting wells, you had to do denitrification. He changed it to say if it didn't meet the 440 gallons per day, and there was one well, then you would have to do denitrification. He did leave the wording that all the information you are supposed to provide if you don't want to adhere to this regulation, can be submitted to the board and a waiver granted. The regulation will also state that submitted plans without sufficient information, will most likely not be granted, but each situation is under the discretion of the Board of Health. There was a brief discussion about new denitrification systems. Jamie Bissonnette from Zenith said there were still three main systems for pre-treatment: Fast, Singlair, and Orenco. He thought with what was happening on the Cape, there would be more technology coming. He said there were two things that gave him a little bit of pause. First, because of the Cape situation, the cost is going to go up due to demand. Second, he asked if the town was going to get involved in a tracking program for operation and maintenance. Agent Cullen said they were looking into it, but there was no definite answer. Mr. Bissonnette said with the Fast systems, the blowers can be unplugged. If there is an O&M, you're getting the purpose that you want and you're not burdening the Board of Health with chasing people. There was some continued discussion.

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

Voted: to send the changes to Kopelman & Paige with the only change being abutter's well, and continue to the next meeting after we receive the draft back from them.

Unanimous approval.

Board of Health Agent pending items - Agent Cullen said there will be a flu clinic at the Council on Aging on September 29th from 10am-1pm. Residents can sign up at the Council on Aging and there is also a link on the Board of Health website. There have been 12 mosquito samples that have tested positive for EEE. There are still no human cases here, there are some in Southern Worcester County. For West Nile, there have been 138 mosquitos test positive, but only 3 humans. A West Nile positive mosquito was detected in Freetown yesterday. The government announced that on September 25th you will be able to get 4 free Covid tests. Residents can order them online and they will be shipped to their home. Test kits can be ordered at covid.gov/tests. The link is on the Board of Health's website. There are also new Covid vaccines available now.

Member Poillucci recused himself from the remainder of the meeting.

The Back Nine Club - 17 Heritage Hill - change of ownership for an existing Food Establishment and Milk and Cream License. Agent Cullen said that usually with a change of ownership, it's easier since it's the same staff with all the certifications. There was an inspection done in May and no issues were found. This is basically getting the new owner's paperwork in order. Once the Board gives the approval, the license would go automatically to the new owner after the sale.

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

Voted: to approve the food establishment and milk and cream licenses for the change of ownership at the Back Nine Club at 17 Heritage Hill Drive, Lakeville.

Unanimous approval.

A resident asked if there was any update on the failed septic systems that were past the 2-year limit. Agent Cullen said new letters were sent out with the wording that if the system wasn't upgraded, they were at risk of the home being condemned. He said there were two properties that were considered a health risk. Letters were sent out via certified mail. One of the properties is seasonal, but they probably did use it this summer. There is a porta potty on site, so they know it's failed.

Adjournment - (6:50pm)

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

Voted: to adjourn.

Unanimous approval.