

BOH Meeting Minutes 6/21/17

Members present: Members Maxim & Spratt, & Chairman Poillucci. Chairman called the meeting to order at 6:00pm.

106 Pierce Ave - Stephen Nelson from Clear water Recovery and Jerry Richmond from Richmond Sand and Gravel were present to discuss Certificate of Compliance. There was a discussion regarding a pipe that was installed but wasn't on the original design. There is a drain running between the field and the tank, it's a PVC pipe in dirt, 24" plastic. It was put in to pick up the water that was running in a channel in the yard so it wouldn't be causing problems with the work area. There is no water sheeting over the tank covers, the drain catches the water before it causes a problem. Member Spratt asked if there was any way to pipe the water elsewhere, not within 10 feet of the system. The plan showed a hand drawn pipe that according to Mr. Nelson was not drawn to scale, because they needed a plan that just showed the pipe on it. Chairman Poillucci said that if it was less than 10', they needed to do an after-the-fact variance and that's why they asked for. The new plan showing the pipe that was to scale was more than 10' from the tank. Member Maxim asked if there was currently any ponding on the leaching field. Mr. Nelson said that Health Agent Bernardo had come out and done a finish grade inspection a few weeks ago and everything was dry. There is plenty of slope across the top of the field. They did not remove any trees of significance, only a couple 6" cedars. They went out and verified the corners and verified the pipe, straight lined the pipe and checked it for 10'. Agent Bernardo said Mr. Richmond identified an issue with the water coming down, he mitigated it, and we just wanted to feel comfortable that it would have no impact to the field. There is no need to vote since the plan now says 10' and is stamped. The Certificate of Compliance can be picked up the following day.

15 Third Ave – Tom Morris from Outback Engineering was present to discuss a Title V variance. Member Maxim recused himself from the discussion. A Tight Tank is being installed for a seasonal house. The lot size is 5400 sq. ft, it is on seasonal water. They are asking for variances for 1) a reduction in the requirement of a 12" separation between the inlet tee and high groundwater, provided all boots or pipe joints are sealed with hydraulic cement or installed with watertight sleeves and the take is proven watertight per 310 CMR 15.405(1)(j), 2) a reduction of the required setback between the proposed Tight Tank and existing surface water supply from 400'-325+'. 3) to allow the use of a Tight Tank in lieu of a conventional septic system.

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

Voted: to approve the Tight Tank design plan for 15 Third Ave dated May 10, 2017 by Outback Engineering.

Two in favor, one abstention (Derek Maxim)

5 Gillian Drive - Jamie Bissonnette from Zenith Consulting was present to discuss a variance for a septic upgrade. Plans were submitted last week, Kevin and Jamie went out and dug a test hole in the new reserve area and found mottling, the previous soil evaluation didn't have, they had found weeping. The house is a four bedroom; the septic that was put in years ago was for a three bedroom stone and pipe field. They want to take out the stone and pipe field and construct an ARC36 bed that can handle the four bedrooms and pick it up one foot. They want to keep the tank and pump; they will put in a new d-box. Contaminated sand will be removed. They will test the pump. They found in using the 40 chambers, they were able to use a more conservative loading rate from .6 to .53 or from 10 minutes per inch to 20. This gives them the four bedrooms they need, but it also gives a factor of safety of doubling the perc rate. The only other thing that changed was they specified the pump float elevations so the installer (Bettencourt) can double check it. Jamie said the main reason he was present was because the town has a required 2 compartment tank policy, they are asking to waive that. There is a 1,500 gallon single compartment tank in place in a manicured lawn with irrigation; they would like to opt to go with a commercial style Zabel filter. Member Maxim asked how old the tanks were. Jamie said the tank was installed in 1999-2000, just under 20 years old. They have already done a Title V and it passed. Darren from Foresight did the Title V, the system passes and he said the tanks were in good shape. So this is an upgrade. Member Maxim asked if the covers were water tight. Jamie said they were not. There are concrete block risers that go around; they have concrete inside with a flat cesspool style cover. They will take the two that are to grade and cement and add a plastic gasket, so it will be an improvement. Member Maxim asked if the current system was in failure. Jamie said it was not, it passed Title V. It's the three bedrooms, the 20x30 capacity. He looked at putting in a little more stone and pipe, but the problem is when they built the system the d-box was designed to have 30' laterals, instead they are in 5 20' laterals. So he still would have to take the d-box out and re-do it. Jamie felt this was the best way to go for the new owners (the property is under agreement).

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

Voted: to approve a variance for 5 Gillian Drive to allow a single compartment 1,500 gallon preexisting tank to remain

Unanimous approval

8 Captain's Way- Tristan Wallace from Prime Engineering and Joe Bertrand from Bertrand Well Drilling were present to discuss placement of a new well. There is a currently a shared well, but there were some complications with that, so a well was designed to go on their property meeting all the setbacks of the Board of Health. The issue is how close the new well is to the original well. Joe Bertrand said it was within 12-13 feet of the existing well, and that in his

experience it usually will connect within the bedrock and silt will travel up and if enough there's a big enough volume of water, it could blow the pump out of the hole. The issue was their system was in the rear and it's a lot closer to their house than the newer systems next to it. A Title V inspection was done in 2011, and it passed so the system is in good standing. The problem is, if we move laterally to maintain the setbacks for the layout, the system now falls within 100' radius of the well. Tristan asked what the best approach would be, to ask for a variance for the reduction to 90' or a reduction of 13' from the road. Chairman Poillucci asked Agent Bernardo if they would have to notify abutters if they were to give that variance. Agent Bernardo said that if it affected the abutters well, they would have to be notified. He said it would be easier to go closer to the road. Mr. Bertrand said there were power lines, so they would like to keep it at 21'. The bedrock on the site is over 100' deep and between the bedrock and 30' is hard clay. Member Spratt asked where they were thinking about moving the well site. They would like to move the site to within 29' of the property line and about 90' from the septic. Agent Bernardo said they will be doing a well analysis. Member Maxim asked if this will no longer be a shared well. The homeowner said it was an existing shared well, but the repair cost to bring their well back up to service was comparable, about a third and for a future sale, it made sense to install their own well. The neighbor will have their own well; it is still working, with a jet pump in the basement. Member Maxim asked if there is something on their deed about a shared well. The homeowner said that was part of the purchase and sales agreement. Chairman Poillucci said with the well being on the neighbor's property, it would be on their property that he has an easement, which they won't need anymore. If it was the other way around, it would be an issue. It would be in the neighbor's best interest to come in and get the easement removed, or they could tell the Health Agent that it's ok to do that, and the Board of Health will release it. But that doesn't affect this homeowner at all. It would help the neighbor with their property value. The homeowner was fine with letting the easement go, since he will have his own well. The plan is to be revised and the property staked with the new location (with the variance of up to 90' with 21' from the road and 29' from the property line). A permit can be pulled the following day (June 22) and the well can be drilled.

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

Voted: to grant a variance for a new well at 8 Captains Way to be constructed 90' from the existing leeching field.

Discussion: the owner of 8 Captains Way relinquishes the easement to 10 Captains Way if there is one on record.

Unanimous approval.

37 Rhode Island Rd. - there was a discussion regarding the frontage of the lot and the owners releasing the rights to use the streets in Pine Ridge Estates where the lot has 300 feet of land adjacent to Haskell Circle. There is currently only 38' of frontage to put a driveway and there is supposed to be 65' from another intersection. It was refused by the Selectmen and the Highway Department. Chairman Poillucci said this is a Zoning Board issue and has nothing to do with Board of Health. There is enough square footage to do both a well and a septic. A letter will be sent to the Zoning Board stating that the Board of Health has no issue with the petition.

121 Crooked Lane – there was a discussion regarding an addition to the building to allow for more fabrication space. The proposed addition plan did not show a septic. The as-built plan that was given was not the same property as the proposed plan; none of the measurements are the same. No judgment can be made on this proposal at this time. The Board needs to be sure the proposed addition meets the requirements for the set back to the septic tank and leeching field and the asphalt driveway is not going to be paved over the septic area. Agent Bernardo will review and if it meets everything he can send a letter to the Zoning Board. If there are any concerns at all, it will need to be discussed at the next BOH meeting.

Milk and Cream license –

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

Voted: to approve for the year 2017-2018, the milk and cream license for Somethin's Brewing Book Café.

Unanimous approval

Pool License Renewals –

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

Voted: to approve for Assawompset Golf Club (LeBaron Hills Country Club) semi-public pool for the year 2017-2018.

Unanimous approval

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

Voted: to approve for May 21st Realty Corp (Lakeville Athletic Club) semi-public pool, wading pool, and Spa for the year 2017-2018.

Unanimous approval

Change Appointment of 2017 BOH Arbovirus Primary Coordinator to Kevin Bernardo –

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

Voted: to change the appointment of primary Arbovirus coordinator to Kevin Bernardo and the secondary coordinator to Kathleen Smith.

Unanimous approval

Re-appointment of Kathleen Smith RN as Lakeville Public Health Nurse –

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

Voted: to reappoint Kathleen Smith as the Lakeville Public Health Nurse from July 1, 2017 to June 30, 2018.

Unanimous approval

Approve BOH Meeting Minutes from June 7, 2017 as typed –

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

Voted: to approve the meeting minutes from June 7, 2017 as typed.

Unanimous approval

Discussion regarding staffing from June 26-June 30 - Perc test won't be scheduled during the Health Agent's vacation. Member Spratt is now a certified soil evaluator. He will be able to assist during the Health Agent's vacation. Water testing for Clear Pond needs to be done once weekly, usually on a Monday. Member Spratt will be available for water testing on June 26th.

Email dated June 5, 2017 regarding the Health Impacts of Natural Gas - there was a discussion regarding natural gas lines.

Discussion regarding existing Non-Compliances/Inspectors reports - There is a list of 101 non-compliance issues. Agent Bernardo said there are 16-18 non-compliance being worked on currently that could be as easy as a letter being sent. Chairman Poillucci said to work on current issues and move forward. There is a list with dates received, any follow up, and completion on any complaints. There was a discussion regarding the septic & well regulations and updates to be made and posting on the web-site.

Seasonal Deed Restrictions - Chairman Poillucci said he is on the Zoning Advisory Committee and that wells have been put in and it has been discussed that year round water will be available at Clark Shores. In the current regulations, "seasonal" references year round water and a septic system. By BOH definition if they get year round water, they could be considered year round residences; we have no mechanism to check for Title V. Since there are cesspools in the ground water, we're adding more contamination into the lake. Also, buildings were put up, not within code. It used to be the Zoning Board that could make something seasonal, but by the BOH if they had year round water they could be year round houses. Now if there is year round water, how are we going to monitor people living there year round and not contaminating the lake? Member Spratt said if they have to pull a plumbing permit to tie into the water. Then you could ask about seasonal, what there is for septic. Chairman Poillucci said a lot of the properties there did not have deed restrictions because at the time they weren't needed because it was seasonal water and they were seasonal houses. The only thing the BOH can go back to is the housing code. Right now the regs say that if there's year round water and a septic it can be a year round home. Board of Health could deem that as an increase in flow since when it was designed, that was the flow. Chairman Poillucci said he wants everything in

writing and all Boards on the same page. What has to do with the BOH is what makes a seasonal house we need to decide how we're going to do it and make the houses are safe and habitable and we're not contaminating the lake any worse than it is. We all need to be on the same page that this will be the safest way for the people, the safest way to keep the lake, and the most inexpensive way. This just needs to be done properly. Chairman Poillucci said after talking with Nate Darling, they wanted to recommend that we appropriate some money for Charlie Kaniecki to do a study and let him make a recommendation to us since we have the regulations for enforcement. There was a discussion regarding seasonal water lines and year round water lines and complications that could arise.

Deed Restrictions for Gross Alpha - there was a brief discussion regarding deed restrictions and Gross Alpha.

Perc tests – there was a discussion about scheduling perc tests.

Adjournment –

Upon a motion made by Member Maxim, seconded by Member Spratt, it was:
Voted to adjourn the meeting
Unanimous approval

Accepted as typed 7/19/17 lc
