

Board of Health Meeting Minutes
October 21, 2015

The Lakeville Board of Health held a meeting on October 21, 2015 in the Lakeville Town Office Building. Present at this meeting were Board Members, Robert Poillucci, Terrence Flynn and Derek Maxim. Recording secretary Jo Lima was present. Health Agent Perry was absent with prior notice.

Chairman Poillucci called the meeting to order at 6:05 p.m. and noted that this meeting was being recorded by the Board of Health and LakeCAM.

7 Laurel St. – A request letter dated September 28, 2015 and associated proposed well plan dated October 6, 2015 was submitted by Engineer Jason Youngquist from Outback Engineering, Inc. who was present to discuss variance requests for a new well. Owners Mr. Machado and his wife were also present. They were requesting a variance from the Lakeville Board of Health Regulation 12.1 stating that a new well shall be located ten feet from a property line and from Section 2.0 stating that a well and septic system shall not be allowed on lots smaller than 20,000 sq. ft. Mr. Machado would like to place a drilled well on his property in place of the community water service he is currently tied into. Jason stated the proposed well will have no impact on the abutters and will allow his clients to utilize a cleaner more reliable water source for their home. Members informed Mr. Machado that water mains may be coming soon and that he could tie into it. He said he is not opposed to doing that, but that right now he would still like to have a new well because his wife has health issues and they would feel more comfortable with well water.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To grant the local variance for the setback to the property line and for a septic and well on a lot less than 20,000 sq. ft. for 7 Laurel St. Unanimous vote in favor.

Pierce Ave., Lots 5, 8 & 9 – Engineer Jason Youngquist from Outback Engineering, Inc. was present for discussion, as well as owner Paul Turner. Board members reviewed a letter dated October 16, 2015 requesting out of season soil evaluation and percolation testing. They also reviewed a grading sheet stamped in on October 21, 2015 presented at the meeting. It was discussed that the property lines had to be modified and in doing so it was found that some of the previous percs were no longer within the lot lines. Because passing perc and soil evaluation testing was performed previously on other parts of these new lots, members voted to grant this request.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the variance requests for new observation holes and percs on lots 5, 8 & 9 LedgeWood Drive. Unanimous vote in favor.

26 Dunbar Road – Member Maxim recused himself from this discussion as he may be installing the system. This discussion was tabled from the October 7, 2015 Board of Health Meeting to allow the building department time to review and investigate documents in their file. Board Members wanted a better understanding of what was (or wasn't) permitted with respect to the multiple buildings and uses on the lot(s) in question. A memo dated October 20, 2015 was submitted by Building Commissioner Nate Darling listing his findings. Board Members reviewed the documents and the

request letter dated September 8, 2015 and associated plan dated August 28, 2015 submitted by Darren Michaelis from Foresight Engineering.

Upon motion made by Member Flynn and seconded by Chairman Poillucci, the Board:

VOTED: To approve the eight requested local upgrade approvals as listed on the August 28, 2015 plan for five bedrooms for the apartment and house with no occupancy for the office. Two votes in favor. (One recusal).

260 Kenneth Welch Blvd – Engineer Jamie Bissonnette was present for discussion. Board members reviewed a request letter dated October 19, 2015 requesting an out of season perc for an increase in flow to an industrial site.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To grant the request for an out of season perc. Unanimous vote in favor.

Board of Appeals Petition - 5 Deneise St. – Board members reviewed the petition requesting to demolish and remove an existing structure and build new home. Member Flynn said they were taking down a three bedroom and putting up a three bedroom. He said he didn't feel the need to have a water test done. Board Members agreed.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To send a letter to the Zoning Board of Appeals stating that they saw no health issues involved. Unanimous vote in favor.

78 Main St. – “New” License/Permit Approvals

AARAV Liquors, Inc. dba Star Liquor Market - Board Members reviewed applications for a Retail Food Establishment License, Milk & Cream License and a Tobacco Vendor Permit. In an email dated October 21, 2015 Health Inspector Kevin Bernardo stated that he conducted an inspection at the establishment on October 16, 2015 and did observe some non-critical violations and that he would be returning in a week to verify progress.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the licenses/permits as requested for 78 Main St. Unanimous vote in favor.

Memo from Town Administrator Garbitt regarding Special Town Meeting Articles

Board Members reviewed the memo. Members stated there were none at this time.

Discussion regarding Percolation Test Season

Chairman Poillucci began the discussion by saying that they have had preliminary discussions regarding the elimination of new construction perc season. He said it seems like all the engineers are in favor of this because most of the surrounding towns go by mottles and water table. Engineer Jamie Bissonnette was present for discussion and said that having a season to determine water table based on the way that they do it now is typically unneeded. He said when it comes time for perc season as far as planning is concerned, they deal with weather conditions. He said in the winter you have to be concerned with water freezing and how to get water into the containers the morning of the perc. He said if there is a true ground water height concern, there are

methods that can be used to come up with some kind of an agreement. He said in the towns he works in he can't remember a single time that he's had a problem at the end of the day agreeing with the health agent on a water table, finding some common ground. Further discussion ensued. Board members agreed they didn't feel there was a need for new construction perc season. Chairman Poillucci said if the Board of Health did move forward with this, it would have to be advertised and proper procedure would have to be followed. Administrative Assistant Jo Lima asked if this was a Board of Health Regulation they would be rescinding. Chairman Poillucci answered yes and asked to put this topic on the next meeting for Board Members to decide on a hearing date and move forward with the process.

Justine's Way – Chairman Poillucci recused himself as this is his project. Engineer Jamie Bissonnette from Prime Engineering was present to discuss a waiver to allow additional (supplemental) percs and test holes for the Justine's Way subdivision, specifically lots 8, 9 & 10. Board members reviewed the request dated October 19, 2015 for variances from local regulation 4.0.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the request for supplemental percs on lots 8, 9 and 10. Two in favor. One recusal.

Not on Agenda – 9 Charbonneau Ave.

Homeowner Lyman Lokken was present to request some guidance on his proposed septic system plans. After some discussion, members recommended he come back to next meeting with detailed plans which may or may not need additional variances and State (DEP) approval and may also require modification of the order of conditions from the Conservation Commission.

Clarification of Horse Manure Advisory

Chairman Poillucci wanted to clarify an advisory that was mailed out with the stable permit renewal applications. He said the advisory does not apply to horses on trails or in woods. He said the Board of Health received complaints that horses had defecated in subdivisions and/or neighborhoods, or in front of resident homes. The quoted 520CMR13 was intended for anyone that had a commercial carriage. He said the rest of it can be covered under a health nuisance whether or not there is a by-law for it. He said this subject would be on the next agenda and he invited anyone watching who would like to discuss it further to come to the next meeting. Member Maxim said he had several phone calls and had numerous discussions with Animal Inspector Darling who said some people were upset because they thought a permit was needed to ride on the streets. Member Flynn stated that was just for businesses. Member Maxim said Animal Inspector Darling would be at the next meeting to discuss some feedback that he had received from stable owners.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To adjourn the meeting at 7:03 p.m. Unanimous vote in favor.

Accepted as Typed 11-18-15
