

**Board of Health Meeting Minutes
October 29, 2014**

The Lakeville Board of Health held a meeting on **October 29, 2014** in the Lakeville Town Office Building. Present at this meeting were Board Members, Robert Poillucci, Terrence Flynn and Derek Maxim. Health Agent Lawrence Perry was also present.

Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by LakeCAM, to be televised at a later date.

15 Mayflower Road

(040-002-005)

Donna Haworth

Engineer David Davignon from N. Douglas Schneider & Associates, Inc. was present for discussion representing the homeowner. He was requesting multiple variances for multiple dwellings under common ownership, (15 Mayflower Road, 13 Mayflower Road (040-002-004) which is vacant, and 16 Pilgrim Road (040-002-006). Board Members reviewed the revised plan dated October 17, 2014. Engineer Davignon began the discussion by saying that the homeowner resides at 15 Mayflower which is the system he will be upgrading. He said the secondary property is a rental and is at 16 Pilgrim Road. He said when they began this process it was a voluntary upgrade for 15 Mayflower Road but it has now evolved where the best solution for the property as a whole, is to upgrade the cesspool which serves the cottage at 16 Pilgrim Road. He said with the combined system he will be eliminating two failing septic systems. He will be bypassing the existing 1000 gallon tank and installing a new 2000 gallon monolithic tank which will serve both homes. A pump chamber and a five bedroom leach field are also being installed. He said the neighborhood is very congested and where the septic is going, is the only place he can put it. The abutter from 12 Pilgrim Road was present and questioned the variance listed as #3 on the October 20, 2014 request letter to the Board. Engineer Davignon stated that the abutter notification letter that was mailed to them had gone out prior to making the change on the distance to install the leaching area from the private well servicing their property. He explained that it changed from 84' to 89' because they increased the setback to the septic. There appeared to be no issues with that change.

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

VOTED: To approve the seven variances requests on the letter dated October 20, 2014. Unanimous vote in favor.

19 Staples Shore Road

(058-008-001G)

Leo Bisio

Builder Leo Bisio from Bisio & Son Construction was present for discussion. He said he had a well drilled in December 2014 on this property and had a water analysis which showed some iron and manganese. He had applied for a building permit which was approved by all departments. Because the owners of the property wanted to change the footprint of the house, Mr. Bisio said that Building Inspector Nate Darling said he would void the previous permit and give him a another which required a sign off from each department. He said when he came to the Board of Health, Health Agent Perry said he would sign off, but only if Mr. Bisio did additional testing because there was a new policy in place since January that requires new wells be tested for Gross Alpha. Mr. Bisio said, as a builder, how do you draw up a contract on a house when you don't know beforehand if there is going to be an issue with the well water. Chairman Poillucci explained that the Board of Health has been going back and forth with DEP and is getting conflicting answers. Agent Perry said he is working with Engineer Jamie Bissonnette from Prime Engineering to come up with a guidance document that can be

given out when well permits are issued. Chairman Poillucci said because Bisio was putting a treatment/filtration system and retesting, the fact that the water was tested in December 2013 and the policy was voted in January 2014 this was not an issue.

6 Roberts Road

(055-005-007/02)

Robert Poillucci

Chairman Poillucci stepped down. He is applying for a five foot variance from his own property line and was applying for six horses. Abutter cards were received. Currently there is no stable there, but the existing garage on the property could be used. A letter was submitted from the Inspector of Animals Jared Darling who did an on-site review who recommended that the permit be approved for six horses. He stated although there may be less than that on the property, the paddock area will be adequate for less than that. He also stated that a manure plan and location is not on the plan, but Mr. Poillucci intends to meet the stable regulations with its location and use.

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

VOTED: To approve the variance request for the property line and the stable permit for six horses. Two in favor, one abstention, (Robert Poillucci).

Memo from Town Administrator Garbitt regarding the need for new representative from BOH to serve on the Lakeville Emergency Planning Committee

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

VOTED: To appoint Member Flynn to the Lakeville Emergency Planning Committee. Unanimous vote in favor.

Memo from Town Administrator Garbitt regarding Warrant Review – Board Members were given a copy of the warrant review.

Chairman Poillucci brought up some issues that came up with regard to variance approval letters that are prepared usually the day after Board of Health meetings. He said that the variance letters when reviewed by the Health Agent should be accurate so there is no confusion with the approval letters when they are prepared by Administrative Assistant Jo Lima. If something is not voted on that particular property, it should not be included in the letter unless it is mandated by Title V.

There was also a lengthy discussion with regard to deed restrictions. Member Flynn said he was always against deed restrictions if it was just something that Title V mandated even though it's already a restriction. Chairman Poillucci agreed. He said it should only be put in the letter if it's voted by the board that there should be a deed restriction. He said if Agent Perry feels a property should have one, it can be discussed. It is Agent Perry's feeling that it all about disclosure i.e. Variances and nitrogen loading, etc. It's for the people that are buying houses that don't do the research. He said it's up to the board to determine maximum feasible compliance. Chairman Poillucci reiterated that if Agent Perry feels a property should have a deed restriction, it will be made part of the discussion and the board will make the decision.

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

VOTED: To adjourn the meeting at 6:57 p.m. Unanimous vote in favor.

ACCEPTED AS TYPED 11-19-14JL
