

**Board of Health Meeting Minutes  
November 14, 2007**

The Conservation Commission held a meeting on November 14, 2007 in the Lakeville Town Office Building. The meeting was called to order by Jennifer Turcotte at 7:00 p.m. Members present were Jennifer Turcotte and Terry Flynn. Bill Garvey was absent with prior notice Jennifer Jewell, recording secretary was also present.

**99 Lakeside Avenue**

**49-2-6**

**Renaud**

Steve Rhumba from Collins Engineering was present for the discussion. There was a review of the plans and the requested waivers from Local Upgrade Approvals. There was discussion regarding depth to ground water. The impacts of the required 4 foot vertical separation were noted. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan as submitted and approve the requested waivers under Local Upgrade Approvals as detailed in the letter dated October 23, 2007. This property shall also be subject to a three bedroom deed restriction. Unanimous vote.

**1 Sandy Point**

**40-7-11**

**DeLoi**

Steve Rhumba from Collins Engineering, was present for the discussion. There was a review of the plans and the requested waivers from Local Upgrade Approvals. It was stated that there were discrepancies regarding the number of bedrooms in this dwelling. It was noted that an a deed restriction limiting the dwelling to two bedrooms is already on file but that, if during a walk-through the dwelling is found to have three bedrooms, this property would be subject to a three bedroom deed restriction. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan as submitted and approve the requested waivers under Local Upgrade Approvals as detailed in the letter dated October 25, 2007 *pending* a walk-through to verify the number of bedrooms in the dwelling. Unanimous vote.

**28 Staples Shore Road**

**58-7-2J**

**Patota**

Arthur Bloomquist, from Webby Engineering, was present for the discussion. There was a review of the plans and the requested waivers from Local Upgrade Approvals. There was question regarding the age of the existing septic system. Member Turcotte stated that the use of the existing 1000 gallon septic tank will not be allowed. There was discussion regarding the amount of fill to be used on the site. It was stated that a revised plan, showing the installation of a new 1,500 gallon tank is required. Upon motion made by Member Flynn and seconded by Member Turcotte the Commission

VOTED: To approve #1 of the requested waivers under Local Upgrade Approvals as detailed in the letter dated October 4, 2007. Unanimous vote.

**24 Woodland Ridge**

**31-2-19/24**

**Olivieri**

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the revised plans, the letter detailing the changes and the requested variance from a Lakeville Board of Health Regulation. There was discussion regarding the current and final site elevations. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the variance request as detailed in the letter dated October 24, 2007. Unanimous vote.

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans and the requested waivers from Local Upgrade Approvals, Remedial Approvals and local Board of Health Regulations. It was noted that the location of the septic system was dictated by setbacks to nearby wells. There was discussion regarding the use of the Presby system and the ramifications of pump failure. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the waiver requests as detailed in the letter dated October 23, 2007 and require that this filing include an Operation and Maintenance Plan. This property shall be subject to a two bedroom deed restriction. Unanimous vote.

**7 Island View****50-3-5****Hamel**

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans and the requested State Variances and waivers from Local Upgrade Approvals. It was noted that the location of the system was dictated by the setback to the water supply and the well. Mr. Michaelis stated that Lawrence Perry, Health Agent, requested that the applicant apply for a waiver for the deep observation holes. The depth to groundwater was discussed. Mr. Michaelis will revise the plan to correct a discrepancy in the number of bedrooms in the dwelling. It was noted that the existing leach field is off the property. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the requested waivers under Local Upgrade Approvals and the requested State Variance as detailed in the letter dated November 13, 2007. This property shall also be subject to a two bedroom deed restriction. A revised plan reflecting the correct number of bedrooms must be submitted to the Board. Unanimous vote.

**151 Staples Shore Road****64-3-2****Donahue**

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans and existing conditions. It was noted that the location of the system was dictated by a request from the Department of Environmental Protection (DEP) to locate the system nearer to the tributary than the water supply. There was discussion regarding the distances to neighboring cesspool. The lot size was reviewed. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the requested waivers under Local Upgrade Approvals and the requested State & Local Board of Health Regulation variances as detailed in the letter dated November 13, 2007. This property shall also be subject to a two bedroom deed restriction and DEP approval. This filing requires an Operation and Maintenance Plan. Unanimous vote.

**21 Highland Road****31-4-4****The Trustees of Reservations**

Jon Pink, from AZOR Land Sciences was present for the discussion. There was a review of the plans and requested waiver from Local Upgrade Approvals. It was noted that a caretaker is currently living in a second dwelling on the property but the proposed system will not service that dwelling. It was decided that the water line would be removed when the dwelling is no longer occupied. The Board requested that an additional deep observation hole be dug at the time of construction. There was question as to the timeline for change of use for this property. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and requested waiver from Local Upgrade Approvals as detailed in the letter dated October 24, 2007 pending the digging of two deep observation holes during construction. The Certificate of Compliance will be withheld subject to a Board of Health inspection and verification that the water line was removed from the secondary dwelling. Unanimous vote.

**201 Hemlock Shore Road****45-2-8****Mastrangelo**

Jon Pink, from AZOR Land Sciences, was present for the discussion. There was a review of the plans and requested waivers from Local Upgrade Approvals. There was discussion regarding the number of bedrooms in the current dwelling. It was noted that the new dwelling could be built out to existing capacity. It was stated that the old well will be abandoned and a new well will be installed. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and requested waivers from Local Upgrade Approvals as detailed in the letter dated October 24, 2007. Unanimous vote.

**125 Staples Shore Road****64-3-15****Corsini**

Darren Michaelis, from Outback Engineering and Attorney John Rider were present for the discussion. There was question as to whether the Board would reconsider use of the right of way for the proposed septic system. The Board declined the right of way proposal. It was stated that the applicant would submit a revised plan reflecting a system to accommodate a three bedroom dwelling with a retaining wall to be constructed in the right of way. This proposal was tabled until the December 12, 2007 meeting.

**12 Galfre Road****Mastrodomenico**

Andrew Mastrodomenico and Chris Travis, Galfre Road, were present for the discussion. Mr. Mastrodomenico voiced concern regarding the increase in stable permit renewal fees. Member Flynn reviewed the reason for the increase. It was suggested that the Board use a different criteria to determine the stable permit fee, possibly charging per horse instead of per stall. It was noted that the current permits expire on December 31, 2007 and there was question as to whether the Board should proceed with renewals. This agenda item will be tabled until the December 12, 2007 meeting.

**5 Elder's Pond Road****27-1-6****Fortunato**

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To table this item until December 12, 2007. Unanimous vote.

**201 Hemlock Shore Road****45-2-8****Mastrangelo**

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To send a letter to the ZBA regarding this petition that states there are no health reasons to deny the application. Unanimous vote.

**101 Nelson's Grove Road****57-5-12****O'Connor**

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To send a letter to the ZBA regarding this petition stating that all Board of Health related issues were approved at the July 26, 2006 Board of Health meeting. Unanimous vote.

**1 Main Street****62-4-5**

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To send a letter to the ZBA regarding this petition stating that all Board of Health related issues were approved at the August 15, 2007 Board of Health meeting but that the proposal is still awaiting approval from the state. Unanimous vote.

## **66 Vaughan Street**

**Valente**

Darren Michaelis, from AZOR Land Sciences, was present for the discussion. There was a review of the plan and request for a variance from a Local Board of Health Regulation. The plan was revised to reflect the location of manure storage. It was noted that if there are any adjustments to the yearly fees the applicant will be notified. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the stable license application and the Local Board of Health Regulation variance request as detailed in the letter dated October 24, 2007. Unanimous vote.

## **8 Southworth Street**

**Burgeson**

There was a review of the stable license application and plan. It was noted that there is an existing barn on the site and a previous stable license was issued in 1982-1983. It was stated that the plan does not comply with the new regulations and is not grandfathered. It was decided that this application would be tabled until the December 12, 2007 meeting.

## **Correspondence Review**

- DEP memo regarding a conference on safe drinking water to be held on November 29, 2007.
- Capital Budget Plan request from Rita Garbitt, Town Administrator
- Norfolk Ram monthly status report on Island Terrace Nursing Home

## **Letter of Resignation**

The Board received a letter of resignation from Vicki Souza, Board of Health Clerk. There was a review of the letter. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To accept the letter of resignation from Vicki Souza from the position of Board of Health Clerk. Unanimous vote.

## **Meeting Minutes**

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the minutes for the meetings held on October 3, 2007 and October 17, 2007 as presented. Unanimous vote.

## **77 Lakeside Avenue (Not on Agenda)**

Darren Michaelis, from Foresight Engineering, was present for the discussion. There was a review of the plan. Mr. Michaelis stated that the Conservation Commission requested a Request for Determination of Applicability for this site but the proposed work is 140 feet from the Bordering Vegetated Wetlands. Mr. Michaelis requested that the Board release the permit. There was question as to how to ascertain the distance to the wetland line if it was not verified. It was stated that any work performed would be at risk of getting a cease and desist. The Board agreed to release the permit.

Mr. Michaelis left the meeting. It was noted that the cesspool, proposed to be filled, was located in the buffer zone. It was decided that the cesspool fill would not be allowed until the Conservation Commission issues a Determination of Applicability.

## **Next Meeting**

The next meeting of the Lakeville Board of Health will be held on December 12, 2007 at 7:00 p.m. in the Town Office Building – Board of Health Office. The meeting adjourned at 8:51 p.m.