

**Board of Health Meeting Minutes
November 19, 2014**

The Lakeville Board of Health held a meeting on **November 19, 2014** in the Lakeville Town Office Building. Present at this meeting were Board Members, Robert Poillucci and Derek Maxim. Health Agent Lawrence Perry and Administrative Assistant Jo Lima were also present. Board Member Terrence Flynn was absent with prior notice.

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.

201 Main St.

(058-003-005)

Michelle Barengo

A letter from the homeowner was received to the Board of Health on November 7, 2014. She was requesting a new stable permit for two horses and a variance from the Stable Regulations due to insufficient lot size. Abutter cards were received. Two horses and two sheds are already on the property. Chairman Poillucci began the discussion by asking if building permits were pulled for the sheds. Joe Bertrand spoke on behalf of the homeowner and said yes. He explained that they weren't aware they needed a permit to have horses and that Ms. Barengo was misinformed when she purchased the property. Chairman Poillucci said to request a variance they have to prove a hardship and they barely meet the regulations for one horse. He said none of the neighbors are present in opposition and that he would be willing to approve the one horse, but he is not in favor of the two. Member Maxim agreed. Board Members gave her 30 days to remove the additional horse from the property.

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

VOTED: To approve the variance for a new stable permit for one horse at 201 Main St. with the conditions that the manure plan is followed and building permits are followed through on. Unanimous vote in favor.

2 Morrison Way

(040-004-008)

Coffin/Scales

Engineer Rick Charon from Charon Associates, Inc. was present for discussion. He was requesting multiple variances for an existing three bedroom dwelling. Abutter cards were submitted. Janet Callier, Treasurer for The Churchill Shores Association was present and stated that she had not received notice for either property. Engineer Charon said he made an error on that when he researched the abutter's addresses for the notices. Chairman Poillucci said that because she was present an abutter card is not needed because she obviously was aware of the meeting. Board Members reviewed the revised plan dated November 4, 2014. Property has a leach pit that is in the water table. After a long discussion it was agreed that the variances could not be granted with the type of system that was being proposed and a redesign with advanced treatment would be submitted. It was also noted that a water analysis should be done as soon as possible in time for the next meeting and a walk through needs to be done to determine the actual number of bedrooms. Discussion tabled.

4 Morrison Way

(040-004-007)

Frechette

Engineer Rick Charon from Charon Associates, Inc. was present for discussion. He was requesting multiple variances for an existing two bedroom dwelling. Abutter cards were submitted. Board Members reviewed the revised plan dated October 23, 2014. Property has a leach pit that is in the water table. After a long discussion it was agreed

that the variances could not be granted with the type of system that was being proposed and a redesign with advanced treatment would be submitted. Discussion tabled.

2015 Various License & Permit Renewals

Board Members reviewed a list dated November 19, 2014 from Clerk Fran Lawrence.

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

VOTED: To approve the licenses / permits as listed on the November 19, 2014 memo. Unanimous vote in favor.

MEHA Education Seminar

MEHA is holding a Seminar on various topics on Wednesday, December 3, 2014. Board Members felt with the topics being discussed, it was not critical that members or staff attend.

Discussion on Electrical & Plumbing permits from Building Dept. pertaining to Septic Installations and the Issuance of the Certificate of Compliance

Chairman Poillucci began the discussion by saying that some septic systems need electrical permits pulled for wiring a new pump or plumbing permits if they have to raise the pipes in the house and have to change the elevation of the pipes going out. He said he spoke to Building Inspector Nate Darling about this. Certificates of Compliance were being not being issued until the Board of Health Office had confirmation that there was an electrical or plumbing permit issued or inspections were done. He said Health Agent Perry is not the plumbing or electrical inspector and asked Nate how he would like to handle this. It was decided that when a plan came in that required either an electrical or plumbing permit, an email will be sent to the building dept. by Agent Perry once he reviews the plan and state what the permit is for so they can be made aware and follow up. The plans and the permit are also stamped accordingly. Chairman Poillucci recommended that the Board of Health continue to hand out the electrical specs sheet for the wiring of the pump chambers to the installers along with the plan and permit. He also felt that this information should not be in the regulations as it does not pertain to the Board of Health.

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

VOTED: To remove section 3.2 and 3.3 from the Board of Health Septic and Well Regulations. Unanimous vote in favor.

Discussion on Abutters Lists (Septic Installations / Stables)

After a lengthy discussion Board Members agreed that for septic systems installations, abutters definition is: direct, (anyone who abuts the property or is across the street), and affected, (anyone that the engineer is asking for a variance from) which is anyone with a well within 100' of a septic component. For stables permits the abutter's definition is: direct and/or across the street. The abutter addresses for stable applicants can be obtained from the assessors maps or Vision and a list be given to the applicant for notifications. Member Maxim said that the stables are more complex and should be reviewed and approved on a case by case basis. Board Members would still like Health

Agent Perry to be involved in the stable plan review and if there something is questionable, he can do a site visit.

VOTED: For septic systems installations, abutters definition is: direct, (anyone who abuts the property or is across the street), and affected, (anyone that the engineer is asking for a variance from) which is anyone with a well within 100' of a septic component. For stables permits the abutter's definition is: direct and/or across the street. Unanimous vote in favor.

Discussion regarding Loon Pond Lodge Licensing

Chairman Poillucci briefly discussed the operation of the Loon Pond Lodge without the required food establishment licensing. He said letters had previously been sent to the Parks Dept. and Board of Selectmen on June 26, 2014 and December 28, 2012. He said several liquor licenses have been given out and dates are being for Christmas parties. He knows the town owns it and that people are volunteers are trying to help but if that was any other hall in this town it would have been shut down. He feels that the hall will literally have to be shut down for them to take the Board of Health seriously, and it's unfair that they put us in this position. It's state law. He said the Board of Health has been trying to get them licensed and it's not fair to local businesses to let them continue to run without one. He said they need to hire one catering company to work there and hold the license, but that the Park Dept. is against doing that. He then filled new board member Derek Maxim in on the history and how the town does not want to allow an employee to be responsible due to liability. The goal is to help assist them in bring the facility into compliance with State and Local Regulations. He said if necessary, a limited permit could be issued until all the equipment is functioning properly. Chairman Poillucci asked Health Agent Perry to send the Park Dept and copy the Selectmen a letter and request all associated documents by December 3, 2014 in time for the next meeting.

Discussion regarding Conservation Dept and Septic Plans submitted to BOH

At the Board of Health Meeting held October 15, 2014, members discussed no longer sending a sign off sheet to Conservation before the release of a septic/well permit. They said it was the engineer's responsibility to have their plans approved by the Conservation Dept. and that the Board of Health should not have to wait for their approval. They agreed that a plan could still be sent to them to make them aware that work will be done at that particular property. Chairman Poillucci's said that plans or forms should not be sent to ConCom. He feels extra work is unnecessarily being generated. He said they are welcome to come into the Board of Health Office and review any plans that get submitted. Member Maxim recommended that we make a notation on the septic permit before it's released to the installer that states: "Issuance of the septic or well permit does not constitute approval from other depts." or something to that effect. Board Members agreed.

Acceptance of Meeting Minutes

Board Members reviewed the Board of Health meeting minutes from October 15, 2014.

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

VOTED: To approve the Board of Health meeting minutes from October 15, 2014 as typed. Unanimous vote in favor.

Board Members reviewed the Board of Health meeting minutes from October 29, 2014.

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

VOTED: To approve the Board of Health meeting minutes from October 29, 2014 as typed. Unanimous vote in favor.

Other Business:

Food Handler Certifications

Board members received a memo dated November 19, 2014 from Administrative Assistant Lima regarding Food Handler Certifications. It stated that a few food establishments who have a high turnover of employees were inquiring whether they have a certain amount of time after which an employee is hired, to get them certified in food handling. Agent Perry gave Member Maxim some background on this requirement which was voted on May 14, 2014. He said there are a lot of different companies that offer this training. He said the more people that have the knowledge on food safety, the fewer violations the establishments should have. Members asked Agent Perry to look into how the Middleborough Board of Health handles this matter and to get information on their schedules of these classes.

Unpermitted Piggery - 140 County St.

An email dated November 18, 2014 from Inspector of Animals Jared Darling was received to Administrative Assistant Lima. It was brought to his attention that several pigs were being housed again on the property at 140 County St. Per the Lakeville Board of Health Piggery Regulations, only two (2) pigs and a litter are allowed without the requirement of a hog farm permit. Apparently this was the second time in roughly one week that the pigs had been loose. Administrative Assistant Lima drafted up a letter for board members to review to be mailed to owner of the pigs that advises him he has until Monday, November 24, 2014 to remove all but two pigs from the property or come into the Board of Health Office and apply for a hog farm permit. Inspector Darling had already advised the owner of the pigs in person so he is aware and did say he would remove the excess pigs.

Policy Clarification

Health Agent Perry asked the Board to clarify a policy that went into effect on January 1, 2014. The Board had extended the 100' distance of onsite well testing requirements. The question was whether or not that would be a failure criteria when conducting a property transfer inspection as is the case for any well within 100'. Chairman Poillucci asked Health Agent Perry to contact DEP for this clarification. There was also some discussion regarding how the new homeowners would be made aware of their well being contaminated, which was Chairman Poillucci's main concern. Agent Perry stated that the homeowner receives a copy of the Title V Report with which the water analysis should be attached.

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

VOTED: To adjourn the meeting at 8:05 p.m. Unanimous vote in favor.

ACCEPTED AS TYPED 11-20-14JL
