

**Board of Health Meeting Minutes  
December 10, 2014**

The Lakeville Board of Health held a meeting on **December 10, 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 present as recording secretary.

Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by the Board of Health.

**2 Morrison Way**

**(040-004-008)**

**Coffin/Scales**

Engineer Rick Charon from Charon Associates, Inc. was present for discussion tabled from the November 19<sup>th</sup> BOH meeting. It was noted that a water analysis should have been done in time for this meeting and a walk through needed to be done to determine the actual number of bedrooms, whereas the town assessor's information states the dwelling is an existing two bedroom. Neither has been done yet. Board Members reviewed the revised plan dated December 10, 2014.

- 1) 310 CMR 15.211, Minimum Setback Distances: Allowable per 310 CMR 15.405 (1) (g) Divergence for the leaching area to be 70 ft. from the private onsite well (100 ft.req.)
- 2) 310 CMR 15.211, Minimum Setback Distances: Allowable per 310 CMR 15.405 (1) (g) Divergence for leaching area to be 75 ft. from a private abutting well (100 ft. req.)
- 3) 310 CMR 15.211, Minimum Setback Distances: Allowable per 310 CMR 15.405 (1)g Variance to install the leaching area 97 ft. from a private (across street) well (100' req.)
- 4) 310 CMR 15.255 (5), overdig extension of 5' min. State requirement Variance to extend overdig only 2' beyond leaching perimeter in all directions
- 5) 310 CMR 15.227 (5), Septic Tank Inverts: inverts must be 12" above GW Variance for tank inlet invert to be 7" *below* groundwater
- 6) 310 CMR 15.227 (5), Septic Tank Inverts: inverts must be 12" above GW Variance for pump chamber outlet invert to be 9" *below* groundwater
- 7) 310 CMR 15.211 (1), SWS to Septic tank: Allowable per 310 CMR 15.405 (1) (g) Variance for tank/pump chamber to be only 140 feet from the SWS vs. 400' state req.
- 8) 310 CMR 15.211 (1), SWS to leaching: Allowable per 310 CMR 15.405 (1) (g) Variance for leaching to be only 165 feet from the SWS vs. 400' State req.
- 9) 310 CMR 15.211 (1), property line to leaching: Allowable per 310 CMR 15.405(1)a Variance for leaching to be only 9 feet from the property line
- 10) Local BOH reg. 3.0 requiring a RLS stamp on proposed plans with variances on non-conforming undersized lots. (\*Board stipulated the RLS stamp needed on as-built plan)
- 11) 310 CMR 15.405 (2) Variance for leaching to be only 9 feet from the property line
- 12) 310 CMR 15.212 Variance for leaching to be 3' vert. separation to GW (5' req.)
- 13) 310 CMR 15.405(1)k to perform only 1 deep test hole soil evaluation (2 min. req.)
- 14) 310 CMR 15.405 (1i) sieve analysis performed in lieu of percolation test.

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

**VOTED:** To grant the above variances with the stipulation that this approval is based upon a passing analytical report on the existing well for all BOH required parameters and a site visit/walk-thru is done by an agent of the board, to verify that 3 bedrooms currently exist. Unanimous vote in favor.

**4 Morrison Way**

**(040-004-007)**

**Frechette**

Engineer Rick Charon from Charon Associates, Inc. was present for discussion tabled from the November 19<sup>th</sup> BOH meeting. Board Members reviewed the revised plan dated December 10, 2014.

- 1) 310 CMR 15.211, Minimum Setback Distances: Allowable per 310 CMR 15.405 (1) (g)  
Divergence for the **leaching** area to be **60 ft. from** the private **onsite well** (100 ft.req.)
- 2) 310 CMR 15.211, Minimum Setback Distances: Allowable per 310 CMR 15.405 (1) (g)  
Divergence for **leaching** area to be **81 ft. from** the private **abutting well** (100 ft. req.)
- 3) 310 CMR 15.211, Minimum Setback Distances: State setback 50' minimum  
Variance to install the septic **tank/pump** chamber **45 ft. from** the private **onsite well**
- 4) 310 CMR 15.227 (5), Septic Tank Inverts: Allowable per 310 CMR 15.405 (1) (j)  
Variance for tank **inlet** invert 10" above groundwater vs. 12" min. requirement
- 5) 310 CMR 15.227 (5), Septic Tank Inverts: Allowable per 310 CMR 15.405 (1) (j)  
Variance for pump chamber **outlet** invert 2" above groundwater vs. 12" min. requirement
- 6) 310 CMR 15.255 (5), overdig extension of 5' min. State requirement  
Variance to extend overdig only 2' beyond leaching perimeter in all directions
- 7) 310 CMR 15.211 (1), SWS to Septic tank: Allowable per 310 CMR 15.405 (1) (g)  
Variance for tank/pump chamber to be only 143 feet from the SWS vs. 400' state req.
- 8) 310 CMR 15.211 (1), SWS to leaching: Allowable per 310 CMR 15.405 (1) (g)  
Variance for leaching to be only 165 feet from the SWS vs. 400' State req.
- 9) 310 CMR 15.211 (1), property line to leaching: Allowable per 310 CMR 15.405(1)a  
Variance for leaching to be only 4 feet from the property line (\*RLS on as-built)
- 10) Local BOH regulation 3.0 requiring a registered land surveyor stamp on plans with proposed variances on non-conforming undersized lots. Variance for leaching to be only 4 feet from the property line (\*Board stipulated the RLS stamp needed on as-built plan)
- 11) 310 CMR 15.405 (2) Variance for leaching to be only 4 feet from property line (10' req.)
- 12) 310 CMR 15.212 Variance for leaching to be 3' vert. separation to GW (5' req.)
- 13) 310 CMR 15.405(1)k to perform only 1 deep test hole soil evaluation (2 min. req.)
- 14) 310 CMR 15.405 (1i) sieve analysis performed in lieu of percolation test.

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

**VOTED:** To grant the above variances. Unanimous vote in favor.

### **201 Main St.**

**(058-003-005)**

**Michelle Barengo**

A letter from the homeowner was received to the Board of Health on December 8, 2014. The homeowner was present for discussion. Board Members had voted at a previous meeting to grant her 30 days (to December 19, 2014) to remove an additional horse from the property due to insufficient lot size. She was present to ask the board for an extension until April 8, 2015. After some discussion, and due to the fact that there appeared to be no objections from their neighbors members agreed to grant the extension.

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

**VOTED:** To grant the extension to remove the additional horse by April 8, 2015.  
Unanimous vote in favor.

### **Acceptance of Meeting Minutes**

Board Members reviewed the Board of Health meeting minutes from November 19, 2014.

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

**VOTED:** To approve the Board of Health meeting minutes from November 19, 2014 as typed. Two in favor, one abstention Terrence Flynn.

## **2015 Various License & Permit Renewals**

Board Members reviewed a memo dated December 10, 2014 from Clerk Fran Lawrence.

### **Common Victuallers**

The Back Nine Club LLC

Lakeville Virtual Entertainment Group, Inc. **d/b/a The Broken Tee**

Cisco Corporation, Inc.

MFH Acquisition of Lakeville LLC **d/b/a Dunkin Donuts**

Kool Moose Café, Inc.

Lakeville Aerie #3994 Fraternal Order of Eagles, Inc.

Lakeville Golf Club, Inc.

Assawompset Golf Co., LLC **d/b/a LeBaron Hills Country Club**

Hawaii Corporation d/b/a/ Orchid of Hawaii Restaurant, Inc.

Nako Corporation, Inc. **d/b/a The Sunshine Cafe**

Royal Pizza

Tand, Inc. **d/b/a Subway**

### **Food Establishments**

The Back Nine Club LLC

Lakeville Virtual Entertainment Group, Inc. **d/b/a The Broken Tee**

Cisco Corporation, Inc. **d/b/a Cisco's Pizza**

CVS/ Pharmacy, Inc. #5407

MFH Acquisition of Lakeville LLC **d/b/a Dunkin Donuts**

Kool Moose Café, Inc.

Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.

Lakeville Golf Club, Inc.

Assawompset Golf Co.LLC **d/b/a/ LeBaron Hills Country Club**

BBP, Inc. **d/b/a Muckey's Liquors**

Hawaii Corporation **d/b/a Orchid of Hawaii Restaurant, Inc.**

Royal Pizza

Joseph R. Starr **d/b/a Starrs Country Market**

Nako Corporation, Inc **d/b/a The Sunshine Cafe**

Tand, Inc. **d/b/a Subway**

Tamarack Wine & Spirits, Inc.

### **Septage Pumpers**

Bay State Sewage Disposal, Inc.

Middleboro/Lakeville Cesspool, Inc.

Patriot Services, Inc.

Russell Frade **d/b/a Russ Frade Enterprise**

Soares Sanitation Pumping, Inc.

United Site Services Northeast, Inc. (Portable Toilet)

**Stables** (in order by address)

Private

127 Bedford Street  
113 Bedford Street  
11 Clark Road  
20 Clear Pond Road  
1 Coach Lane  
165 County Road  
117 Crooked Lane  
6 Fieldstone Drive  
11 Freetown Street  
12 Galfre Road  
23 Galfre Road  
28 Highland Road  
74 Highland Road  
12 Hill Street  
35 Hill Street  
87 Kingman Street  
45 Lakeside Ave & Lot 13A  
14 Margeaux Drive  
30 Montgomery Street  
2 Old Stonewall Road  
1 Patrick Thomas Ct.  
7 Quail Run  
8 Race Course Road  
202 Rhode Island Road  
29 Staples Shore Road  
66 Vaughan Street

**Boarding** (in order by address)

138 Bedford Street  
17 Montgomery Street  
50 Montgomery Street  
33 Southworth Street

**Tobacco**

BBP, Inc. **d/b/a Muckey's Liquors**  
Joseph R. Starr **d/b/a Starrs Country Market**  
Tamarack Wine & Spirits, Inc.

**Trash Haulers**

ABC Disposal Service, Inc.  
CJ Rubbish Removal, Inc.  
E.L. Harvey & Sons, Inc.  
Frade's Disposal Inc.

Gorden Rubbish Removal, Inc.  
Debra K. Cavicchi, **d/b/a Lakeville Disposal Service**  
Mass Waste Systems, Inc.  
New England Recycling Company, Inc.  
Plymouth Rock Rubbish Removal

**Misc.**

JNL Dry Cleaners, Inc.	Dry Cleaning License
Studio 54 Spa, LLC	Sun Tanning Booth

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

**VOTED:** To approve the licenses / permits as listed on the December 10, 2014 memo. Unanimous vote in favor.

**Other Business:**

**Discussion on 1 Hollis Ave/ 37 Clark Road**

Jon Pink from AZOR Land Sciences, Inc. and Louis Vermette was present to discuss a preliminary septic system and well plan dated December 8, 2014. They discussed with the board the properties being razed and combining the two lots to construct a single dwelling. Nitrogen loading and bedrooms were discussed. The board agreed with the proposal in concept.

**Discussion regarding Loon Pond Lodge Licensing**

Dan Hopkins Chairman of the Parks Dept. and Bill Fuller from the Bartending Service of New England LLC came into the Board of Health Office just prior to the meeting. They submitted some of the necessary documents required to apply for a food establishment license with the town. Board members and Agent Perry discussed the licensing and the fact that the allergen awareness and the anti choking certifications still need to be submitted and that the ServSafe Certification is not under Mr. Fuller's name as previously stated. Discussion tabled to next meeting.

**Food Handler Certifications Discussion**

Administrative Assistant Jo Lima provided board members and Agent Perry with information from Middleborough Health Dept. in regard to the food handler's certifications and how they administer them. Some discussion was held and Board Members agreed on the timeframe for a new employee to obtain a food handlers certification.

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

**VOTED:** To require the food handler's certification for new employees to be within two weeks of employment. Unanimous vote in favor.

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

**VOTED:** To adjourn the meeting at 6:55 p.m. Unanimous vote in favor.

Accepted as typed February 4, 2015JL
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