

**Board of Health Meeting Minutes  
December 12, 2007**

The Board of Health held a meeting on December 12, 2007 in the Lakeville Town Office Building. The meeting was called to order by William Garvey at 7:01 p.m. Members present were Terrence Flynn, William Garvey and Jennifer Turcotte. Larry Perry, Health Agent and Jennifer Jewell, recording secretary, were also present.

**16 2<sup>nd</sup> Avenue**

**41-13-04**

**Babineau**

Arthur Bloomquist, from Webby Engineering was present for the discussion. There was a review of the plans. Mr. Bloomquist stated that a tight tank was proposed for financial reasons and because the site is located in the Zone 1 of a public water supply. It was stated that as other alternatives to a tight tank are available the Board was not inclined to approve the plans. Perc test results were discussed. The proposal was withdrawn by Mr. Bloomquist.

**173 Bedford Street**

**26-4-20**

**Dixon**

Jon Pink, from AZOR Land Sciences was present for the discussion. There was a review of the plans and the local variance request. The location of the proposed septic system was dictated by site elevations. There was discussion regarding the number of bedrooms in the dwelling. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the plan and the requested local variance as detailed in the letter dated November 14, 2007 *subject to* the installation of a new well and the submission of a well analysis to the Board of Health for the approval of a fourth bedroom in the dwelling. Unanimous vote.

**17 Brookstone Drive**

**13-1-6**

**Higgins**

Mark Higgins was present for the discussion. Mr. Higgins stated that the retaining walls, as proposed on the plan, might be removed depending on the outcome of the January meeting of the Conservation Commission. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the use of the soil logs and perc tests as performed by Outback Engineering. Unanimous vote.

**136 Rhode Island Road**

**25-4-5**

**Wells**

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans, the letter detailing the changes and the requested waiver from Local Upgrade Approvals. There was discussion regarding tree removal and site elevations. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the plan and the requested variance from Local Upgrade Approvals as detailed in the letter dated November 9, 2007. Unanimous vote.

**125 Staples Shore Road**

**64-3-15**

**Corsini**

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans. It was noted that the system location was revised. There was discussion regarding the construction of the retaining wall. It was stated that the water line location is unknown but if it is in close proximity to the system the water line will be sleeved. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the revised plan and the State Variance Requests, variances from Local Upgrade Approvals and the variances from the Local Board of Health Regulations as detailed in the letter dated December 6, 2007 *subject to* a three bedroom deed restriction and receipt of a copy of the

Operation and Maintenance contract. The retaining wall construction shall be outside the Staples Shore Right of Way. Unanimous vote.

**13 Kenneth Street**

**59-4-9**

**Rubicine**

Robert Rubicine was present for the discussion. An emergency permit was issued for the well installation. Mr. Rubicine reviewed the problems with the previous well. The new well location was discussed. The Board will require Mr. Rubicine to provide an engineered plan locating the well on the property.

**5 Elder's Pond Road**

**27-1-6**

**Fortunato**

Lucille Fortunato and Paul Carchidi, attorney, were present for the discussion. Mr. Carchidi reviewed verbal discussions with the City of Taunton. It was stated that no written correspondence has been received from the City of Taunton on this matter. It was stated that the Board of Health originally upheld the setback requested by the City of Taunton and any modifications to the original request must be in writing. This proposal was tabled until the January Board of Health meeting.

**12 Galfre Road**

**18-1-39**

**Mastrodomenico**

Andrew Mastrodomenico and Jarred Darling, Stable Inspector, were present for the discussion. Member Turcotte reviewed the discussion from the November meeting. Chairman Garvey noted that stalls used for storage were not to be charged and that individual stall doors could be removed, resulting in a lower fee. Mr. Mastrodomenico maintained that door removal was not always an option and the fees should be based on the number of horses in residence. Chairman Garvey reviewed the budgeting process and noted that had been no fee increase in a number of years. It was stated that cost alternatives for 2009 will be figured upon receipt of the 2008 tallies and accounting. There was a review of the public notification for Board of Health meetings. It was suggested that email be utilized. The possibility of a subcommittee was discussed. The subcommittee could review the fees and regulations and advise the Board of Health of their findings.

**19 Precinct Street**

**30-1-8C**

**Moura**

Darren Michaelis, from Outback Engineering and David Moura were present for the discussion. There was a review of the revised plans and the ongoing issues with the Zoning Board of Appeals (ZBA). There was discussion regarding the use of a split tank. Mr. Moura voiced concern regarding possible limitations of a split tank in relation to a future addition to the existing house. A possible deed restriction was discussed. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and draft a letter to the Zoning Board of Appeals stating that the Board of Health approval should in no way influence the ZBA decision and that the homeowner has a right to install a bathroom in an accessory building per the Board of Health. Unanimous vote.

**11 Birch Street**

**42-12-6**

**Tassinari**

Eunice Gagne and Deb McGrath from Century 21 Real Estate were present for the discussion. The results of the water analysis were reviewed. It was noted that this property failed Title V because of the water quality. It was requested that the homeowner be allowed to install a water treatment system and provide annual monitoring reports to the Board. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the installation of a reverse osmosis system to treat the well water at 11 Birch Street *subject to* the receipt of annual monitoring reports and an Operation and Maintenance contract. Unanimous vote.

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

VOTED: To approve the request for a stable license as requested in the application dated October 22, 2007. Unanimous vote.

**237 Main Street****57-2-5****Donnelly**

There was a review of the Zoning Board of Appeals Petition for Hearing. It was stated that the Title V inspection was done in July 2007. There was question as to whether the proposal indicated a change in use of the property. The capacity of the septic system was discussed. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To draft a letter to the Zoning Board of Appeals stating that although there appears to be no health reasons to deny the permit there is not enough information to determine if the existing septic system could accommodate a change in use. Unanimous vote.

**105 Nelson's Grove Road****57-5-13****Ducharme**

There was a review of the Zoning Board of Appeals Petition for Hearing. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To draft a letter to the Zoning Board of Appeals stating that, according to the information submitted, there was no Board of Health reason to approve or deny the permit.

Mr. Perry voiced concern regarding the depth of the water table. Chairman Garvey stated that monolithic tanks should be used on this project. It was noted that a complete Title V has not been performed on this property. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To require the use of 1500 gallon monolithic tanks and a 1000 gallon pump chamber tank and revise the plans for 105 Nelson's Grove Road to reflect these requirements. Unanimous vote.

**Food Establishment Licenses**

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

VOTED: To approve the food establishment licenses, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

**Common Victualler Licenses**

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

VOTED: To approve the common victualler licenses, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

**Hog Farm Licenses**

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

VOTED: To approve the hog farm licenses, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Transport of Garbage over Town Ways**

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

VOTED: To approve the transport of garbage over town ways license, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Massage Therapy Special Needs**

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

VOTED: To approve the massage therapy special needs license, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Massage Therapy**

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

VOTED: To approve the massage therapy licenses, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Operation of a Semi-Public Pool**

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

VOTED: To approve the license to operate a semi public pool, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Mobile Home Park**

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

VOTED: To approve the mobile home park license, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Septage Pumper**

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

VOTED: To approve the septage pumper licenses, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Tobacco Vendor Permit**

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

VOTED: To approve the tobacco vendor permits, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Residential Trash Collection Permit**

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

VOTED: To approve the residential trash collection permits, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **Commercial Trash Collection Permit**

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

VOTED: To approve the commercial trash collection permits, detailed in a letter dated December 12, 2007 as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

### **57 Long Point Road**

### **71-1-2**

### **Island Terrace Nursing Home**

There was a review of the Norfolk-Ram and Clivus reports in reference to Island Terrace Nursing Home.

### **4 Cedar Pond**

It was stated that the installer raised the system approximately four feet instead of the previously approved twenty three inches and the plan now requires a local variance. It was stated that no occupancy permit has been issued. The engineer requested approval of the plan pending submittal of the written request. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the variance request, after the fact, for the top of the pea stone being greater than two feet out of the ground. Unanimous vote.

### **Old Back Road Estates**

There was discussion regarding possible drainage issues on the site. It was stated that perc tests were done after the design.

### **Next Meeting**

The next meeting of the Lakeville Board of Health will be held in January 2008 in the Town Office Building. The meeting adjourned at 8:58 p.m.