

Board of Health Meeting Minutes  
March 24, 2010

The Board of Health held a meeting on March 24, 2010 in the Lakeville Town Office Building. The meeting was called to order by Board Member Panettieri at 6:00 p.m. Members present were Terrence Flynn and Pietro Panettieri. Health Agent Lawrence Perry and Board of Health Supervisor Nancy Teser, as recording secretary, were also present. Board of Health Chairman William Garvey was absent with prior notice.

**1 Andrea Avenue**                      **036-002-001**                      **Neil & Kathleen England**

Darren Michaelis, Design Engineer of Foresight Engineering, Inc. was present for discussion. According to Michaelis, they were proposing to upgrade the septic system and were requesting (2) two Title V – Local Upgrade Approval Variances for this repair, and they meet all the setbacks for the wells; none of them are within 100'. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED:            To approve the plans and the (2) two requested Local Upgrade Approval Variances subject to a deed restriction (Restrictive Covenant) being recorded at the Plymouth County Registry of Deeds; stating that this dwelling will remain a (3) three-bedroom dwelling with no increase in flow to the septic system and no further expansion of use. Unanimous vote.

**28 Heritage Hill Drive**                      **030-003-010**                      **Timothy & Susan Geppner**

Darren Michaelis, Design Engineer of Foresight Engineering, Inc. was present for discussion. According to Michaelis, they were proposing to upgrade the septic system and were requesting (2) two Title V – Local Upgrade Approval Variances for this repair. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED:            To approve the plans and the (2) two requested Title V – Local Upgrade Approval Variances subject to a deed restriction being recorded at the Plymouth County Registry of Deeds; stating that this dwelling will remain a (3) three-bedroom dwelling with no increase in flow to the septic system and no further expansion of use. Unanimous vote.

**50 Freetown Street**                      **013-001-010**                      **Noble Properties, Inc.**

George R. Collins, P.E. of Collins Civil Engineering Group, Inc. was present for discussion. Collins stated they were proposing to upgrade and repair the septic system at 50 Freetown Street and were requesting a Title V – Local Upgrade Approval Variance (sieve analysis). Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED:            To approve the plans and sieve analysis variance requested subject to a deed restriction (Restrictive Covenant) being recorded at the Plymouth

County Registry of Deeds; stating that this dwelling will remain a (4) four-Bedroom dwelling with no increase in flow to the septic system and no further expansion of use. Unanimous vote.

**Not on Agenda**      **328 Bedford Street**      **057-001-014**      **Lewis Gammons**

Lewis Gammons (Owner of property) and Darren Michaelis of Foresight Engineering, Inc. were present for discussion. Discussion arose relative to the fines issued because of the change of use of the property and non-compliance of the existing septic system. A \$100.00 fine was issued on February 4, 2010 (paid by owner) and another fine of \$200.00 was issued on March 11, 2010 (has not been paid by owner). Michaelis told the Board that a proposed plan would be submitted for the next meeting and asked if the \$200.00 fine could be waived until the system was started. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED:            To waive the fine of \$200.00 (#258) until May 1, 2010, subject to receiving a proposed plan for the septic system. Unanimous vote.

**103 Hackett Avenue**      **051-003-019**      **Lawrence L. Kenney**

The Board reviewed a Zoning Board of Appeals (ZBA) petition for 103 Hackett Avenue. According to the Petition, the Applicant is seeking a “Special Permit to extend a pre-existing non-conforming structure, and a Variance to sideline setback and percentage of lot covered by structures, parking and paved areas.” Upon reviewing the Board of Health records, it was determined this was an existing (2) two-bedroom dwelling, and it was non-conforming because they have a septic tank too close to an existing well without the proper State variance. The Board stated that the applicant should submit an after-the-fact (State) variance request for the septic tank to be closer than 50’ to the well before any work is started. It was also noted that this property has a deed restriction on it limiting the structure to (2) two-bedrooms with no increase in flow to the septic system. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED:            To send a letter to the Board of Appeals stating that the Applicant should file for an After-The-Fact (State) Variance for the septic tank to be closer than 50’ to the well. Unanimous vote.

**6 Lakeside Avenue**      **066-002-006**      **Todd W. Kenn**

The Board reviewed a Zoning Board of Appeals (ZBA) petition for 6 Lakeside Avenue. According to the Petition, the Applicant is seeking to “Remove the second floor hip style roof and install a cape style roof with dormers and install new windows, roof and siding.” Upon reviewing the Board of Health records, it was found that the applicant has submitted an “As-Built” for the septic system that has erroneous information on it. The plan mistakenly depicts the lot as over an acre; when it is actually only just over a half acre. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To send a letter to the Board of Appeals stating that the Applicant should submit a revised (detailed plan) and corrected As-Built plan with confirmation of the exact square footage size of the property. Unanimous vote.

#### **Nomination of Inspector of Animals**

Board members received a communication and a nomination form from the Commonwealth of Massachusetts, Department of Agricultural Resources, Division of Animal Health relative to the Inspector of Animals; this nomination would cover the year starting May 1, 2010 and run until April 30, 2011. Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To nominate Jared Darling as the Inspector of Animals until April 30, 2011.

#### **2010 Rabies Clinic**

Supervisor Teser told the Board that she has scheduled the 2010 Rabies Clinic for Saturday, April 24, 2010 from 1:00 p.m. to 4:00 p.m. at the Highway Barn on Montgomery Street. This date has been confirmed with Dr. Wolfthal of the Lakeville Animal Hospital who will be administering the shots; Christopher Peck, Supt. of Streets; Town Clerk Jan Tracy, and Dog Officer David Frates. A flyer will be posted at various locations throughout town.

#### **Year 2010 Board of Health License and Permit Renewals**

Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To approve the Common Victualler, Food Establishment and Stable Permit (Personal Use) (Attachment #1) as detailed in a letter dated March 24, 2010, as prepared by Nancy Teser, Board of Health Supervisor. Unanimous vote.

#### **MA Soil Evaluator Approval Renewal Notice**

Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To approve the MA Soil Evaluator Approval for Health Agent Lawrence Perry and pay the \$60.00 fee. Unanimous vote.

#### **MA Title V Inspector Approval Renewal Notice**

Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To approve the MA Title V Inspector Approval for Health Agent Lawrence Perry and pay the \$60.00 fee. Unanimous vote.

## **Meeting Minutes**

Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To approve the minutes of the meetings of December 9, 2009, December 15, 2009, and February 2, 2010 as typed. Unanimous vote.

### **57 Long Point Road**

### **071-001-002**

### **Island Terrace Nursing Home**

Board members received the February 2010 Monthly Status Report for the wastewater remediation project at the Island Terrace Nursing Home. This report was placed on file.

Vendor warrants were signed by the Board.

Upon motion made by Member Flynn and seconded by Member Panettieri, the Board

VOTED: To adjourn the meeting at 7:16 p.m. Unanimous vote.