

TOWN OF LAKEVILLE
Board of Health Meeting Minutes
October 4, 2016

The Lakeville Board of Health held a meeting on Tuesday, October 4, 2016 at the Lakeville Town Office Building. Board of Health Members present: Robert Poillucci, Derek Maxim and Christopher Spratt. Also present: Health Agent Lawrence Perry.

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

3 Hollis Ave. / 042-007-002

Members met with Jeff Youngquist from Outback Engineering to discuss a proposed new well on an existing undersized seasonal lot. Youngquist presented members with abutter cards. There were no abutters present. Youngquist said he was requesting two state variances to site a well within 100 feet of the onsite leaching system and one abutting leaching system. He was also requesting two local variances; one to have both a septic system and well on a lot less than 20,000 sq. ft. and the other for a proposed well to be less than 20 feet to a road layout. A variance request letter dated September 27, 2016 and associated plans dated September 26, 2016 were reviewed. A discussion was held as follows: Youngquist said the proposed well will have no impact on the abutters and will allow the applicant to utilize a cleaner more reliable water source at his home. Member Maxim said that it would make the abutters septic systems more non-conforming. Maxim went on to say that if there were no septic systems within 100 feet of this proposed well he would have considered it, but that's not the case here, and you would be affecting the abutters with a new well here. Member Spratt said he agreed and if board approved it would be creating additional hardships for those abutters. Member Maxim asked about the previous ZBA petition and restriction. Agent Perry said there had been a ZBA special permit in 2010 at which time a seasonal 2 bedroom deed restriction was recorded since they only had seasonal water and never had a well on that lot. Perry added that most existing wells in that area were typically high in nitrate nitrogen. Chairman said we are not against making properties year round and when the new water lines go in, the board could setup something with a title V test so that everyone would not have to come in individually, but we cannot just let everyone put in wells on these undersized lots. Member Spratt said we can't allow wells to be poked in just anywhere pulling water where it should not be pulled from. Member Maxim said that most of those existing lots, including this one, do not meet nitrogen loading. Member Spratt said that we had people in here last meeting requesting a well on a similar size lot and we denied them. Member Maxim made a motion to deny due to lot size and surrounding septic systems. Motion was seconded by Member Spratt. Chairman asked if there was any more discussion, but there was none, and the board **voted unanimously to deny the proposed well permit for 3 Hollis Avenue.**

24 Leonard St. / 025-002-003

Members reviewed a request letter dated September 14, 2016 and associated sketch for a proposed stable to house four horses on a 2.5 acre lot. Chairman Poillucci said that Animal Inspector Jared Darling had been out to the property to do his inspection and stated he saw no concerns and recommended approval if the stable is built to plan. Members had a short discussion with Madelyn Maksy, a friend of the homeowner until Michelle Dwyer (homeowner) arrived. Member Maxim advised them that the animal

inspector would need to conduct an inspection once the barn/stable is built to ensure adequacy for number of horses. Abutter letters (previously mailed) stated this meeting was to be held on Wednesday, October 5, 2016, but because of a scheduling conflict, Chairman Poillucci changed the meeting to Tuesday, October 4, 2016. Ms. Dwyer stated that she went door to door notifying each abutter of this change or leaving a letter in their door. Abutters from 17 and 23 Leonard street were present with no objections. Chairman Poillucci suggested making the approval effective October 7, 2016 should any abutters come into the office within the next 2 days with any objections.

Upon a motion made by Member Maxim and seconded by Member Spratt, the board:

VOTED: To approve the stable permit effective October 7, 2016 for 24 Leonard St. for four animals. Unanimous in favor.

Chairman Poillucci wanted to discuss the one year \$200 septic extension fee listed on the Board of Health Fee schedule which he thought was kind of extreme considering there is no review. Agent Perry said there is a \$75 review fee if the plans were already approved, then get revised and resubmitted, and there is a \$25 review fee if the plans have already been reviewed (but not approved) but needed revisions. He said there are usually no new plans submitted for an extension. Board Members agreed to reduce the fee from \$200 to \$50 and allow Agent Perry to grant these extensions.

Upon a motion made by Member Maxim and seconded by Member Spratt, the board,

VOTED: To change the fee for the extension of a septic permit from \$200 to \$50 and allow the Health Agent to approve them without coming to the board for the extension of the permit. Unanimous in favor.

Chairman Poillucci asked Member Spratt to update members on the Mass DEP meeting that he attended on September 29, 2016 with Superintendent of Streets Jeremy Peck with regard to private hauler regulations and recycling. Member Spratt said the waste ban is a law. Chairman Poillucci asked him to explain what the waste ban is and Member Spratt stated that any place that accepts waste is not supposed to accept if it is "comingled". DEP tries to police but with very limited inspections (like weekly or monthly) but not enough so they want the towns and landfills to police by creating regulations for haulers and residents, that DEP believes will create a "level playing field" for haulers. The problem seems to be that despite this new State law, some towns have created regs and some have not, some haulers have recycling capabilities and some don't, and some residents sort and some don't, so DEP is trying to enlist all the Towns and Boards of Health to help them enforce by using their authority under MGL to create local regs. to better allow/motivate the haulers and residents to comply with the State regulation 310 CMR 19.017. After about a 15 minute discussion among members, Member Spratt suggested they give haulers a timeline to comply but Chairman said he did not want to do it until all the other towns do it, and suggested they revisit this in a year or if/when Jeremy Peck brings the request back to them.

Upon a motion made by Member Maxim and seconded by Member Spratt, the board

VOTED: To adjourn the meeting at 6:45 pm. Unanimous in favor.

Accepted as Typed
12/20/16LP

October 4, 2016

Board of Health