

BOH Meeting Minutes 7/19/17

Members present: Members Maxim & Spratt, & Chairman Poillucci. Chairman called the meeting to order at 6:00pm.

4 Emerson Rd – Outback Engineering was present to discuss an after-the-fact variance. A septic repair was done with no increase in flow. It met all the requirements; separation of ground water was tight but made it work. When they went to install they ran into issues with ledge and had to move the tank and put it a little further away from the house, adjust the elevations- now it's deeper. Now there is a 3.6 separation of ground water instead of the 4'. All other setbacks and requirements have been met. Chairman Poillucci asked who installed the system. Dankate Excavating (Marcus Ambrose) was the septic installer. Chairman Poillucci asked if the installer decided lower it on his own. Marcus contacted Outback and discussed the issue and it was determined that based on the issues he had putting in the tank, and the fact that it was a repair, the best bet would be to come before the Board and ask for the waiver. Member Spratt asked if it was a finished basement, if they were able to raise the plumbing. Outback said they were not. Chairman Poillucci said that the Board was starting to get these issues, installers running into problems and not calling the Board saying they had a problem and asking them to come and witness. People would rather ask for forgiveness rather than permission. He said he would rather not issue these anymore. Outback said that this was during the time Lakeville was between Health Agents, where they would normally call Larry. There was a brief discussion regarding protocol and how inspections were handled between Health Agents. Chairman Poillucci said this one was pre-thought out and left the BOH intentionally left out of the loop.

Upon a motion made by Member Maxim, seconded by Member Spratt it was:

Voted: to approve the after-the-fact variance for 4 Emerson Rd. for a water table separation from 4' to 3.6' as per installed.

Unanimous approval.

New License Application -

Upon a motion made by Member Spratt, seconded by Member Maxim it was:

Voted: to approve the Food Establishment license for Cranberry Café by Nextdine, LLC at Ocean Spray pending additional paperwork for the year 2017-2018.

Unanimous approval.

Upon a motion made by Member Spratt, seconded by Member Maxim it was:

Voted: to approve a Milk and Cream License for Cranberry Café by Nexdine, LLC at Ocean Spray pending additional paperwork for the year 2017-2018.

Unanimous approval.

LeBaron Hills Country Club/Rooney's Golf Shop - Applying for Tobacco License. Chairman Poillucci said that they just started selling tobacco, they didn't realize they didn't have a license. Health Agent Bernardo said when he went in to do the health inspection he took a tour of the facility and there was an individual selling cigars. He did have the Mass. Department of Revenue portion he thought that was enough. The only other thing they have to do is when their insurance runs out; they will need to show the renewal.

Upon a motion made by Member Spratt, seconded by Member Maxim it was:

Voted: to approve the Tobacco License for Rooney's Golf Shop for 2017-2018.

Unanimous approval.

Approve meeting minutes from June 21, 2017 as typed -

Upon a motion made by Member Maxim, seconded by Member Spratt it was:

Voted: to approve the meeting minutes for June 21, 2017 as typed.

Unanimous approval.

Approve meeting minutes from July 5, 2017 as typed –

Upon a motion made by Member Maxim, seconded by Chairman Poillucci it was:

Voted: to approve the meeting minutes from July 5, 2017 as typed.

Unanimous approval. (Member Spratt not voting since he was not present for the July 5th meeting)

Discussion regarding Tight Tank Inspections - Member Spratt said that in the regulations there is no difference between a regular Tight Tank and a hair dye tank. Does the Board need to clarify between the two? Someone came in who had her Tight Tank inspection and wanted to know if she was good with the yearly inspection. She has a contract with DuBord to inspect four times yearly, and if she can do yearly it would save money. She has an alarm on the tank and they pump no matter what is in it when they inspect and it's a flat fee so she is losing money. Agent Bernardo asked if the plumbing inspector was more involved in that one. Chairman Poillucci said we don't permit hair salons, that's through the state. Agent Bernardo said what we do require when someone wants to open a home business and they ask what is needed, we would say you can't discharge into a septic tank; you need to put it into a separate tank. Then the plumber is involved, and they take it from there. He thought the pumping should be as needed. Member Maxim said when the high water mark goes off you pump. But we sent the hair salons that same letter for the Tight Tanks. The question is should we have not sent that letter to the hair salons. Member Spratt said our regs don't differentiate between Tight Tanks for a house and Tight Tanks for a salon. There was a brief discussion regarding the

permitting of hair salons and what fell under the Board of Health's jurisdiction. Agent Bernardo said he would check with the Board of Cosmetology and the Plumbing Inspector as to who regulates the tank. Chairman Poillucci said that if we permitted the tight tank, we would be responsible for it. Agent Bernardo said he would find out if during the Board of Cosmetology inspections if they are asking that question – how this is plumbed. Chairman Poillucci said the initial inspections are very thorough. But if we permitted the tight tank to go into the ground then we would have some jurisdiction. But if they didn't have to come to us to permit it, then someone else may do it. There was a discussion about how many hair salons are in town and this would not apply to barber shops, since they didn't work with hair dye. This will be continued on the next meeting.

Temporary Trailers - Chairman Poillucci said that Building Inspector Nate Darling had brought up temporary trailers with him. Since this item is not on the agenda, nothing can really be done about it, but the Board of Health has their own regs, the Board of Selectmen has their own regs. He will bring it up at the Zoning Advisory meeting; we shouldn't have people going to two different places to get two different answers for the same exact thing. Right now, they're only permitted if your house burns down and you have a temporary place to live while you're rebuilding it. Agent Bernardo said our regulation says a mobile home may be used as a temporary residence only for a period of 6 months while a permanent home is being built. The Selectmen have almost the same thing, but the Board of Selectmen adds something saying the Board of Selectmen can issue one for a temporary residence of a transient non-paying guest for a period not to exceed 3 months. It was just brought up that there shouldn't be two different regs regarding trailers. Agent Bernardo said someone called and asked if someone could reside in a trailer. When it comes to State sanitary code, they don't meet it sometimes. He said he would like to see the reg changed to one like Freetown has, not to exceed a period of 3 weeks, but then they can grant them another 3 weeks for recreational purposes. But they would still have to be inspected. Member Spratt wasn't sure if we could have just one regulation for temporary trailers since the BOH has the health component that is separate. There was a discussion regarding which entity should enforce the regulation.

121 Crooked Lane - Agent Bernardo said that he went to the site, and they changed the proposed plan to not do the driveway. A letter was sent to the Zoning Board of Appeals that the BOH has no issues with it, but if they decide to put the driveway back in, they would have to come back to see the Board.

Challenger Sport Day Camp - Just to inform the Board, Challenger Sports is running a day camp all week. Agent Bernardo signed the temporary permit. They showed up last minute, they didn't fill out the application right (no dates were provided). Just to let the Board know, there is a soccer camp at Ted Williams Camp. We will continue to do inspection. They will need to provide water, the employees need to be CORI checked, we verify who is there, and check all their records and immunizations. Chairman Poillucci asked if this would fall under the Parks Department's responsibility. When we do our inspection, we make sure that the kids are safe. Agent Bernardo said it's a regular camp inspection. Making sure they have water. Chairman Poillucci asked if it was a sports camp where they come for 4 hours a day, or if they are staying

overnight. Agent Bernardo said there was one 4-hour session and one 8-hour session. So we are just verifying records, making sure there is extra sunscreen available, make sure there is disposable cups and water, and bathrooms. Chairman Poillucci asked if we do that for anyone that goes and uses the fields. Agent Bernardo said only the camps. It's a State regulation. There are recreational camps, and then there are campgrounds. The regulation comes into effect when you are supervising children. There was a discussion regarding summer camps. Agent Bernardo said he thought in the future the fee should change. It is \$10 for the permit, it's not cost effective for the Agent to do inspections.

Adjournment –

Upon a motion made by Member Maxim, it was:
Voted to adjourn the meeting
Unanimous approval