

## BOH Meeting Minutes 3/15/2017

Present were: Agent Perry, Members Maxim & Spratt, & Chairman Poillucci. Chairman called the meeting to order at 6:00 pm. LakeCAM was present to record meeting.

**15 Fourth Ave:** Brad Fitzgerald from SFG was present. There were no abutters present. Brad explained to the Board that they wanted to renovate the existing 3 bedroom dwelling to only 2 bedrooms and therefore the proposed septic design with multiple variances will be for only a 2 bedroom flow. Under Title V this would then need a 2 bedroom deed restriction to which. After a brief discussion with the Board, member Maxim made a motion to approve the multiple variances (as documented on proposed septic plans by SFG dated 2/27/17) with the 3 following stipulations:

- 1) Both the septic and pump chamber must be monolithic.
- 2) The onsite shallow well must be tested and results submitted to the BOH prior to COC.
- 3) If/When year round water main is installed on Fourth Ave; the owner must abandon the onsite well and tie into said water main within 1 year of its installation.

Seconded by Spratt, unanimous to approve.

**6 Court Circle:** Dan Foye was present to discuss clarification for a new proposed master bedroom addition to be built, and the existing basement bedroom will no longer be used as a bedroom once the new space is completed. After a brief discussion, Member Maxim made a motion to approve the new master bedroom addition with the stipulation that the basement can no longer be a bedroom and therefore the total number of bedrooms will remain 3 which is the current capacity of the existing septic system. Seconded by Spratt, unanimous vote to approve.

**Review and comment on Board of Appeals Petition for Back Nine:** It was discussed that there is a sewer line running from the maintenance barn and apartment within the proposed fencing area and precautions need to be taken to protect which. It was also discussed that there is a public water supply well and the proposed work will be within that protected radius and DEP (drinking water section) has the oversight and jurisdiction for which. The Board directed Agent Perry to send a letter to the ZBA regarding these above mentioned concerns.

**Review and comment on Board of Appeals Petition for 7 Cottage Lane:** The plan accompanying the petition showed an existing well (that was proposed to be abandoned) that was referenced in the brief to the ZBA for location purposes "at least 10 feet away from old well". However, the BOH had received an as-built plan in 2005 which no longer showed the existing well, or "which should have been removed or properly abandoned at that time". The Board saw no issues with the proposed shed but the BOH would like clarification if that "old well" is still there or if it was mistakenly referenced because applicant utilized a proposed plan rather than an as-built plan. The Board then asked Agent Perry to relay this information to the ZBA in the form of a letter and to check with the owner or visit the site to verify existing conditions with respect to that well.

**Minutes from 2/15/17 meeting:** Member Maxim made a motion to table the minutes, seconded by Spratt. Unanimous vote.

**Discussion regarding Deed Restrictions:** In 2014 it was voted to stop deed restrictions, if the Agent felt a deed restriction was needed it would be made part of the discussion and the Board would make that decision, unless it's required by Title V. To reiterate, unless it's required a deed should not be added. Member Maxim stated he agreed with that, he is not for deed restrictions unless required by Title V. Agent Perry said that DEP recommended that any time there was a variance granted, there should be a deed restriction. Agent Perry asked if he is doing a local upgrade approval with variances under his authority should he not put on a deed restriction. He said he has been asking people if they are ok with a deed restriction, and if they are he just does it, if they're not ok with it, he would put it on a meeting and the Board can discuss. Chairman Poillucci said he felt unless it was required by Title V, it's pretty clear we shouldn't be adding them. Member Maxim said unless it's called out on the Title V, he didn't think we should be asking people if they wanted a deed restriction. There was a discussion about deed restrictions and the number of bedrooms. Chairman Poillucci said Title V is pretty clear if something is not voted on on a particular property it should not be included with the letter, unless it is mandated by Title V. It was agreed that the Agent shouldn't put a restriction on unless it was part of the discussion and voted on. There was a discussion about what constitutes a bedroom, and variances being brought to the Board. Agent Perry said he would bring variances to the Board for approval

**Announcement of the Rabies Clinic:** an announcement was made for the Rabies Clinic held on Saturday, March 25<sup>th</sup>.

**Discussion regarding As-built plans:** there was a discussion about professional stamps on plans with respect to a septic designers stamp as opposed to a land surveyors stamps and when or both is required (land surveyors stamp is sometimes required under local regulations).

**Discussion regarding the town nurse:** Agent Perry stated that the insurance issue with the nurse has been worked out and they will allow what she has to be utilized. The contract will be modified for the lesser amount.

**Tight Tanks discussion:** tabled to next meeting

**DEP well regulations:** Agent Perry stated the DEP has new model recommended regulations for wells, which he could email to the Board members. Since the DEP doesn't regulate wells, the BOH does, they are only recommendations. Gross Alpha and Radon are still recommended for private wells, initially and every 10 years.

**Meeting with Charlie Kaniecki:** March 30<sup>th</sup> 9:00-4:30. Agent Perry has been working on a list of failed septs to be discussed.

**Approval of 3 plans for Justine's Way:** Chairman Poilluci recused himself from the remainder of the meeting. The Board approved 3 plans for Justine's Way LLC (Bob Poillucci is the owner), they checked with Town Counsel and they are doing a disclosure of appearance of conflict of interest on a 23B form and they will sign it and put it up in the Town Clerk's office.

Member Maxim made a motion to adjourn the meeting, seconded by Member Spratt, unanimous vote.

Approved as typed

4/5/17 LC