

**Board of Health Meeting Minutes  
February 12, 2014**

The Lakeville Board of Health held a meeting on **February 12, 2014** in the Lakeville Town Office Building. Present at this meeting were Board Members Robert Poillucci and Terrence Flynn. Health Agent Lawrence Perry was present, as well as Administrative Assistant Jo Lima as Recording Secretary. Chairman William Garvey was absent with prior notice.

Vice-Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by Administrative Assistant Jo Lima and LakeCAM, to be televised at a later date.

**2014 Board of Health License / Permit Renewals**

**Stables – Private**

101	Precinct St.
12	Hill St.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To approve the Private Stables submitted on the memo from Board of Health Administrative Assistant Jo Lima dated February 12, 2014. Unanimous vote in favor.

**Food Establishment License – Sunshine Café Change of Ownership**

Nako Corporation d/b/a Sunshine Café

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To approve the Food Establishment License for Nako Corporation d/b/a Sunshine Café. Unanimous vote in favor.

**Common Victualler License – Sunshine Café Change of Ownership**

Nako Corporation d/b/a Sunshine Café

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To approve the Common Victualler License for Nako Corporation d/b/a Sunshine Café. Unanimous vote in favor.

**Acceptance of Meeting Minutes**

Board Members reviewed the Board of Health meeting minutes from the January 15, 2014 meeting.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To approve the Board of Health meeting minutes from the January 15, 2014 meeting as typed. Unanimous vote in favor.

Board Members reviewed the Board of Health Executive Session meeting minutes from January 15, 2014.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To approve the Board of Health Executive Session meeting minutes from January 15, 2014 as typed. Unanimous vote in favor.

### **Board of Appeals Petition**

#### **Thomas Riley – 81 Highland Road, (014-006-005)**

Vice-Chairman Poillucci began the discussion stating that the house on this property had burned down several years ago and the owners are ready to begin rebuilding. He said he didn't want to hold up the process but would like the owners to prove that the well and septic is functioning properly by submitting a passing Title V Report and a passing water analysis prior to the release of the occupancy permit.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and back up to vote, the Board:

**VOTED:** To send the Board of Appeals a letter recommending the occupancy permit not be released by the Building Dept. until the owners prove that the well and septic is functioning properly by submitting a passing Title V Report and a passing water analysis. Unanimous vote in favor.

### **42 LeBaron Blvd (The Fairways) – Air Quality Complaint**

Vice-Chairman Poillucci said that Health Agent Perry received some complaints in regards to the air quality at 42 LeBaron Blvd. He said Health Agent Perry has had some discussion with the DEP, but he felt that the Board of Health shouldn't get involved too deeply until proper testing is done there. Member Flynn asked if the only way for air to come in from the outside is through the windows. Agent Perry said there is no central A/C, no heating intakes or ventilation system. He said there was an exhaust vent in the bathroom but he didn't feel it was a path for air to come in. He said windows in the units he had visited had windows open. He said they have forced hot water baseboard heat and each unit has its own air conditioner built into the wall. Member Flynn asked who should be petitioned if the DEP won't help them. Vice-Chairman Poillucci said he thought it would be their landlord and that it would be premature for the Board of Health to get involved when it's not even determined yet whether or not the air quality is due to an outside source. He felt it would be the landlords' responsibility to conduct some type of testing first. Board Members recommended that Agent Perry speak to the complainant and recommend that the residents send a letter to their landlord or it could come from the Board of Health Office.

### **Appointment of 2014 Arbovirus Coordinator and Back-up Coordinator**

A questionnaire was received from the MDPH asking that cities and towns appoint a

Primary and Back-up Coordinator to receive notification about any WNV or EEE positive specimens within the town.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and back up to vote, the Board:

**VOTED:** To re-appoint Health Agent Perry as Arbovirus Coordinator and Administrative Assistant Jo Ann Lima as back-up coordinator. Unanimous vote in favor.

### **Annual Town Meeting Warrant Articles**

Board Members stated they have no Annual Town Meeting Warrant Articles.

### **Other Business**

#### **Joshua Estates-Perc Tests**

John Pink from Azor Land Sciences was present for discussion. Pink submitted a letter on behalf of AGS Development requesting that Board Members grant extensions to the perc/soil evaluations performed at a proposed "Joshua Estates" subdivision on April 7, 2004 and May 19, 2004. These tests were witnessed by Health Agent Perry, but due to the economic downturn, the subdivision was never constructed. Roadway construction has now begun. Vice-Chairman Poillucci began by saying that back on September 29, 2004 the board at that time voted to rescind their vote for perc tests to be good for a period of two (2) years. He said that in this particular case, the lot lines have changed so they will have to go out and do more anyway but they just don't know if they need to redo everyone one or just go out and do a sample. Health Agent Perry noted that the Board of Health does not have a plan that documents where all the holes were done to correlate to specific lots, nor were the required State Form 11's for the soil testing submitted. He recommended confirmatory holes and/or percs be performed to demonstrate the minimum amount was performed on each lot requested. Discussion on amending the expiration of perc dates will be discussed at the next Board of Health meeting.

#### **90 Precinct St. / 1 Fern Ave. (027-002-003 & 028-001-001) Ken Wetherell**

Ken Wetherell, owner of Affordable Auto Repair was present for discussion. A letter dated February 4, 2014 was received to the Board of Health Office requesting a six month extension on the septic permit. Vice-Chairman asked why Mr. Wetherell is requesting an extension. To which he replied that he has to add on to the building to put a bathroom in. A septic permit was approved June 14, 2012. Although the septic system has been installed on the property, the system is not connected to the garage which does not have functioning sanitary facilities or a documented potable water supply. Health Agent Perry signed off on a building permit on January 28, 2014. Mr. Wetherell said that because the building is commercial, he has to pull a commercial building permit, and cannot pull the permit as a homeowner. He said because of the weather and the ground being frozen, it has delayed the building process. Member Flynn asked Agent Perry is the septic all installed and just not hooked up to anything. Agent Perry said there is no sewer pipe from the building to the recently installed septic components. Vice-Chairman Poillucci said the septic got hooked up to the existing house, they ran a water line from the house to the commercial building and they just need to hook it up to the bathroom. Agent Perry explained it is going to be a shared

system between a residential house and a commercial garage. Member Flynn just wanted to ensure the house wasn't on a failed system.

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To grant the six month extension to August 14, 2014 and if not completed by such time, fines of \$300 a day will be instituted. Unanimous vote in favor

Upon motion made by Member Flynn with Vice-Chairman Poillucci stepping down to second and stepping back up to vote, the Board:

**VOTED:** To adjourn the meeting at 6:27 p.m. Unanimous vote in favor.

Accepted as Typed 3-19-14 JL
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