

Board of Health Meeting Minutes
March 18, 2015

The Lakeville Board of Health held a meeting on **March 18, 2015** in the Lakeville Town Office Building. Present at this meeting were Board Members, Robert Poillucci, Terrence Flynn and Derek Maxim. Health Agent Lawrence Perry, Health Inspector Kevin Bernardo and Administrative Assistant Jo Lima were also present.

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

53 Nelson Shore Road (055-001-014)

Engineer Jamie Bissonnette was present on behalf of his clients Carl and Carol Huerth requesting two variances from the Board of Health in a revised letter dated February 25, 2015 and associated plans dated February 23, 2015. Abutter cards were submitted. Engineer Bissonnette was present to discuss the replacement/relocation of a tank and pump chamber in conjunction with a total rebuild and expansion of this existing cottage which had been designed for a three bedroom system. Board Members reviewed the documents. Jamie stated there was a three bedroom deed restriction that has been in place since the original system went in, but the dwelling is currently a one bedroom. Tim Andrews, an abutter was present asking if the septic was going to be closer to his well. Jamie reviewed the plan with him and explained how his well should not be affected. He said he could also put in a UV light to kill any bacteria. After some discussion board members agreed to approve the following two variances with the stipulation that the proposed conventional septic tank (specified on plan pages D1 & G1) is replaced with an advanced treatment tank to be specified on revised plans to be submitted and reviewed/approved by the Health Agent.

1. A variance / local upgrade approval from section 310 CMR 15.211 or Title V which requires the septic tank to be at least 400' from a surface water supply or tributary thereto. A reduction from 400' to 80'+ is requested in accordance with 310 CMR 15.405(1)(g).
2. A variance / local upgrade approval from section 310 CMR 15.211 or Title V which requires the pump chamber to be at least 400' from a surface water supply or tributary thereto. A reduction from 400' to 80'+ is requested in accordance with 310 CMR 15.405(1)(g).

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the two variances on the request letter dated February 25, 2015 with the stipulation that the proposed conventional septic tank is resubmitted with an advanced treatment tank and reviewed by the Health Agent. Unanimous vote in favor.

53 Nelson Shore Road (055-001-014)

Abutter Kerry Bennett from 16 Priscilla Dr. arrived after the discussion on 53 Nelson Shore was over. Engineer Jamie Bissonnette explained to her what was being done and answered various questions that she had. Agent Perry stated that two wells should have been tested as part of the Title V back in July 2014 because they were within 100' of the septic components and that he was going to contact the Title V inspector.

Discussion regarding Loon Pond Lodge Licensing

Chairman Poillucci said Park Committee Members Darryl Bernier was in stating that their committee wasn't being included in some of the decisions that were happening at the Loon Pond Lodge. He said that he explained to Darryl that the bartending company did not want to be the primary responsible person and that Park Dept. Chairman Hopkins asked if the kitchen could be locked and the Board of Health allow the caterer's to bring in their food on one day permits. He said Darryl stated their committee was meeting that Saturday to discuss. Mr. Hopkins said the bartending company is not going to be the manager because of time restraints and insurance reasons. He said the town is still looking into the insurance aspect of this arrangement. In the meantime, he asked if he could send his people to the ServSafe training and have the caterer's come in and get a permit from the Board of Health. He said the kitchen would not be utilized and he would put locks on the doors. He said he is trying to do things the right way, but that this is all new to them. He said for now he thinks this would be best way if it's acceptable to the board. Chairman Poillucci asked Health Agent Perry if the Board of Health would have to go in and inspect after every function so the condition of the establishment is known before the next caterer comes in. Agent Perry said other towns do not inspect after every function. He said there are three different options. He said it all depends on who is going to be made responsible, the caterers, the Park Dept or whether the Board of Health is going to be keeping logs of all the functions. He said the Board of Health would have to permit the caterer for every function, giving dates and a menu of everything being served. He said the bartender would just be liable for the bartending area and the Board of Health would conduct inspections at the Loon Pond Lodge twice a year. Inspector Bernardo said that in the bartending area a sink needs to be plumbed in. Mr. Hopkins said the town has a new plumber and that it was being addressed as well as the locks on the kitchen doors. Mr. Bernardo said if that was the route they were choosing to go, copies of all the certifications and other documents would need to be submitted. Mr. Hopkins said he would like to do it this way, for now. Member Maxim had questions about exits and access to electrical panels if necessary to which Mr. Hopkins said there were plenty of exits and access to the panels. Park Dept. Vice-Chairman Barry Evans spoke and asked if in the future the caterer's can use the kitchen to set up, but not cook in it. Chairman Poillucci explained that once you go into that kitchen the problem arises when more than one caterer has worked out of the kitchen and an inspection gets conducted, if there is an issue, which caterer is held responsible? He used Poquoy Brook as an example. He explained that that establishment holds the license so he can have whatever caterer he wants work out of it, but ultimately Poquoy Brook is held responsible should there be an issue. He said it would be very costly to have the Board of Health do an inspection after every catered function. Mr. Evans asked if once the Park Dept has their people certified in food safety, if they can use the kitchen. Chairman Poillucci said as long as they submit all the required certifications and insurance and the Park Dept was willing to take on the responsibility that could be done. He said they would have to have one of their certified managers at every function. Parks Chairman Hopkins said he planned on having more than one person certified so they have sufficient coverage. Inspector Bernardo asked him what their function schedule is currently but he didn't have the information, but said he would look into it and make sure whatever caterer is on, that they have all the proper documentation and certifications. Inspector Bernardo also requested a copy of the caterer's last inspection from the town they are licensed out of. Administrative Assistant Jo Lima provided Hopkins with a list of required documents for each caterer. Member

Maxim asked what type of time frame should be given to get his people trained. Hopkins asked for three months. Board Member agreed. Inspector Bernardo recommended they be free to conduct functions for the next three months using the caterer's with all the required certifications, payment and anti-choking certs for parties over 25. The kitchen will remain closed/locked during each function. He said that a hand wash sink needs to be installed in the bar area supplied with hot/warm water, paper towels and soap which is to be inspected once completed. He said once the people from the Park Dept are certified, they can use the kitchen and a routine inspection will be conducted twice a year.

Not on Agenda

The following plans were submitted for comments for an upcoming Planning Board Meeting:

➤ **12 Main St.**

A site development plan dated March 10, 2015 was submitted. Board Members reviewed and discussed the plans. Engineer Jamie Bissonnette was present for discussion.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To send a letter to the Planning Board stating that they saw no health issues involved with the limited information they were given. Unanimous in favor.

➤ **Justine's Way**

A Definitive Plan for a Residential Subdivision dated March 10, 2015 was submitted. Chairman Poillucci recused himself. Board Members reviewed and discussed the plans. Engineer Jamie Bissonnette was present for discussion.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To send a letter to the Planning Board stating that they saw no health issues involved with the limited information they were given. Unanimous in favor.

Nomination of Inspector of Animals

In accordance with the Massachusetts General Laws Chapter 129, sections 15 and 16, nominating authorities of each city and town are required to nominate one or more inspectors to the Director of the Division of Animal Health, Dept. of Agricultural Resources.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the nomination of Jared Darling as the Inspector of Animals and the nomination of Laurice Hedges as Alternate Inspector of Animals. Unanimous vote in favor.

2015 Board of Health License & Permit Renewals

Board Members reviewed a memo dated March 18, 2015 from Clerk Fran Lawrence listing the renewal of the Common Victualler and Food Establishment License for J & J's

Seafood Drive-in and private stable permits for 91 Kingman St., 1 Lang St., 54 Montgomery, 204 Rhode Island Road and 51 Montgomery.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the Common Victuallers License, Food Establishment License and Stables listed on memo dated March 18, 2015 pending inspections. Unanimous vote in favor.

Announcement of Rabies Clinic

Chairman Poillucci announced the Rabies Clinic will be on Saturday, March 28, 2015 at the highway barn, from 1:30 – 3:00 for dogs, and 3:00 – 3:30 for cats and the fee is \$10.

Acceptance of Meeting Minutes

Board Members reviewed the Board of Health meeting minutes from February 4, 2015, February 25, 2015 and March 12, 2015.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To approve the Board of Health meeting minutes from February 4, 2015, February 25, 2015 and March 12, 2015 as typed. Unanimous vote in favor.

Zoning By-Law Advisory Committee

Board Members reviewed a memo from Town Administrator Garbitt asking them to designate a representative from the Board of Health to serve on this committee.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To appoint Chairman Robert Poillucci to serve on this committee. Two in favor, one abstention.

Annual Town Meeting

Board Members reviewed a memo from Town Administrator Garbitt asking for submission of warrant articles and postponement of the Annual Town Meeting to June 15, 2015. Board members stated they had no warrant articles.

Correspondence - Plymouth County Mosquito Control

Board Members reviewed a Memo from Plymouth County Mosquito Control - RE: Public Notice of Proposed Aerial Pesticide Applications during the 2015 Season.

Not on Agenda

The following plan was submitted for comments for an upcoming Planning Board Meeting:

➤ 44 Clear Pond Road

A proposed Pavilion Building Location Plan dated February 3, 2015 was submitted. Board Members reviewed and discussed the plans. Health Agent Perry said that the plan didn't show any septic components.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To send a letter to the Planning Board stating that with the limited information they were given, they saw no health issues, as long as the new structure meets the 5' setback to the existing septic tanks. Unanimous in favor.

Upon motion made by Member Flynn and seconded by Member Maxim, the Board:

VOTED: To adjourn the meeting at 7.37p.m. Unanimous vote in favor.