

BOH Meeting Minutes 5/3/2017

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

9 Hiltz Ave - There was a discussion for after the fact variances. The field was installed at 58' instead of 100', while a new 2 compartment tank was installed at 46.5' rather than 50. The existing well was located in the basement which made it difficult to measure. Member Maxim made a motion to approve two variances: 1) allow the installed septic tank to be 46.5' from the existing well rather than 50, 2) to allow the installed S.A.S. to be 58' from the existing well rather than 100. Member Spratt seconded. Unanimous approval.

169 Main St – Member Maxim recused himself from the discussion. Darren Michaelis was present from Foresight Engineering. Darren stated that he had met with the abutter (Mr. Dellarocco) regarding the setback for the well at his office to discuss the options with him. He seems more than satisfied with the location of the system and understands this is an improvement to the situation. The concern right now is fixing the septic system, not the rights to the well. Mr. Dellarocco has no issue with that. Mr. Mather has done research on the well itself, so he can answer questions about that. Right now, everyone is in agreement with the system and the well has become a personal issue between the two owners. Chairman Poillucci stated that he spoke to Mr. Dellarocco and they would not be attending the meeting, they were ok with the septic but still had concerns about the well. Mr. Mather said he was still working on the well and would put together something in writing. It's a problem for both parties because they don't really know where the well is. Mr. Mather's recommendation is that they enter into a written agreement regarding the shared use of the well so that neither party has a problem nor he thinks they are going to do that. Mr. Michaelis said that both existing cesspools were 50' from the well. It's the same all the way down, and the wells are shared. Mr. Michaelis showed on his plans where abutters could put systems. If something happens to the well and you didn't put it in the same location a well could be placed 100' from the system. Jana Pfeiffer (one of the heirs of 169 Main St) was present. She wanted to be present so she would be aware of what needed to be done next. Chairman Poillucci said they Board was going to approve the plan, but dealing with the well was a civil matter and Atty. Mather was probably correct that this is a good time to get something drafted with the new buyer. Member Spratt

made a motion to approve the upgrade of the SDS at 169 Main St. on the plan dated 3/27/17 showing no revisions. Chairman Poillucci Seconded. Unanimous approval.

4 Alberta Lane - Continuation for stable permit. Member Maxim stated this was continued from the last meeting because one of the abutters wasn't notified (18 Lang St). They were notified and present. All abutters have been notified. There was an issue with Conservation, Nancy Yeatts went out to the site and meet with the homeowner. She wanted the wetlands flagged by a botanist. Outback Engineering was hired, they cannot get there until Monday (5/8). Nate Darling gave a permit for the horse barn subject to Conservation approval on the location. Jared Darling went out as well for a site visit. Member Spratt said he spoke with Nancy Yeatts, there had been 2 days of rain so it was hard to tell. It would be totally up to Conservation. An abutter asked if a plot plan had been submitted. The submitted plan was shown. Twenty-five feet off the back stone wall is where the homeowners would like to place the stable but wetlands are in question. Member Maxim stated he went to the property and that the elevation is 2 feet higher than the stone wall and then it drops down. Chairman Poillucci said that it would be subject to Conservation if they deem it wetlands and how far away they want the stable to be. Member Maxim had a question about the stable regs- are corrals allowed to go through wetlands? Chairman Poillucci though that would be a Conservation issue. Member Maxim said that the property would be flagged on Monday and that the surveyors would be on the abutter's property and asked if she was ok with that. Carol Lewis said it was her property that the stumps were thrown on and she wasn't happy with that. Member Maxim asked if they had been removed (at the previous meeting the homeowner stated that they had removed the stumps). She claimed the land was too wet to go back to check. She said her concern was with the bog behind her property. Chairman Poillucci said the manure was going to be hauled off site weekly. Member Spratt stated that if the abutter was worried about flow even a little manure with a torrential down pour there wouldn't be flow going that way unless it went into the ground water and then it would be filtrating through soil so it wouldn't be a huge contamination issue. Ms. Lewis said when she spoke with Nancy her concern was that they had taken a lot of trees and they also took the stumps out in the wetland which normally shouldn't be done since you need the stumps to absorb. They want to put a paddock in for the horses, but Nancy doesn't want any big equipment back there since it is wetlands. Chairman Poillucci reiterated that whatever the Board does is subject to what Conservations recommendations are. If Conservation puts restrictions on the homeowners will have to follow those. One abutter asked if the stable was for the homeowners horses or if this is a business. Maureen Connor stated that Mrs. Hartman has 4 horses, 3 of them over 30 years old, she has had them for a number of years and does not want to put them out to pasture, she wants to bring them home.

They are all her horses. Only 1 horse is able to be ridden. Member Maxim said they were not asking for a boarding permit, this is just a stable permit for residents to have their own horse. Boarding is a separate permit. Abutters asked if when these horses pass away, the opportunity will be there to apply for a boarding permit. Chairman Poillucci said anyone can apply for anything at any time. Different stipulations would apply and they may not even qualify for a boarding permit. Another abutter asked if these horses pass away, would they be required to reapply for any new horses they might buy. Chairman Poillucci said if they get a permit for 4 horses, they can have 4 horses. The permit is renewed every year with a yearly inspection. One abutter said he was concerned about the water that runs behind Ms. Lewis's land runs all the way down to his land. He was concerned about nitrates and urine going into the ground. Chairman Poillucci said that if they are hauling the manure out weekly and the amount of urine produced by 4 horses isn't even near what a 1 bedroom house would do on a lot. It's not a large amount of nitrates. There isn't a lot of concern with it. There are deer and other animals out there as well. Member Maxim questioned the distance to the bog, at about 1000 feet (Beaton's Bog). The bog mentioned by Ms. Lewis is over the wall and is not a working bog. Chairman Poillucci said the contamination and wetlands aren't BOH, we are going to require the minimum setbacks with 4 of their own horses and subject to any conditions Conservation puts on it. There was a discussion regarding the corral and stable. The stable will still need to be inspected prior to the horses going there and Conservation will make a site visit. From here on it will be all through Conservation. Member Maxim made a motion to approve the stable permit for 4 Alberta Lane with 4 horses with a stipulation of Conservation approval on location of paddock and stable. Seconded by Spratt. Unanimous approval.

19 Carriage House - discussion regarding proposed plans. The existing tank (a 30 year old tank) will be reused and a second 1500 gallon tank is to be added (so that they wouldn't have to file with ConComm). The system will be moved out of the hill to give it 4 feet of coverage over the field rather than 6. They are requesting a variance for 4 feet of cover over the system. Member Spratt made a motion to approve the plans for 19 Carriage House dated 3/20/17 and revised date of 5/1/17 with 1 variance of 4 feet of cover over the field and H2O loading chambers. Seconded by Member Maxim. Unanimous approval.

Body Art Non-compliance - Member Spratt stated that he had read through the file and read through our regulations, he felt that some kind of warning is probably the limit of what can be done right now, non-criminal dispositions a warning can be done. There is currently no concrete proof. It was decided by the complainant not to press harassment charges after they stated owner of the Body Art shop was calling them. The owner also claims to not have

paperwork on the incident. Chairman Poillucci said a letter should be sent to the Body Art shop owner reminding him of the regulations, and that clients must show an ID and those under 18 must be accompanied by a parent or guardian. A copy of the client's driver's license should be taken.

149 Staples Shore Rd - septic system was installed without inspections and the homeowner is looking for a Certificate of Compliance. The homeowner stated he had emails from the Health Agent saying it was ok for him to do his own inspections. He sent some pictures, but was unable to produce any emails. The homeowner claimed that when he came in with his plans and to pick up his permit, he was told that since he was an engineer, he could do his own inspections. That was untrue, no one in the Board of Health told him he could do his own inspections. Chairman Poillucci had reached out to Larry Perry who said he told the homeowner he could do his own open hole inspection, but the other inspections he needed to call for. The homeowner was told he should come to the meeting, but it was the homeowner's brother who is the engineer and pulled the permit as the installer and he is the one that should be at the meeting. The Certificate of Compliance won't be signed until the engineer is present at a Board of Health meeting to discuss the installation. There currently is no maintenance contract in place for the system.

19 Beechtree Drive – review Board of Appeals Petition. The Petitioner is requesting an addition of dormers to an existing garage to make space for storage, with insulation and sheetrock. It was decided to send a letter back to the ZBA stating that the BOH has no issues with the petition unless the ZBA determines the space could be used for a bedroom, if the ZBA makes that determination the petition would need to come back to the BOH.

Meeting minutes for March 30 , 2017 - Member Maxim made a motion to approve the meeting minutes from 3/30/17 as typed. Seconded by Member Spratt. Unanimous approval.

Meeting minutes for April 5, 2017 - Member Maxim made a motion to approve the meeting minutes from 4/5/17 as typed. Member Spratt did not vote at the April 5th meeting since he hadn't been appointed, so he stepped down from this vote. Unanimous approval.

Meeting minutes for April 19, 2017 - Member Maxim made a motion to approve the meeting minutes from 4/19/17 as typed. Member Spratt seconded. Unanimous approval.

Appointment of Jared Darling as Inspector of Animals – Member Maxim made a motion to appoint Jared Darling as Inspector of Animals for the term of May 1, 2017 through April 30, 2018. His Certificate of Appointment was received from the State Department of Agricultural Resources. Member Spratt seconded. Unanimous approval.

Tabled – discussion regarding existing non-compliances.

Member Maxim made a motion to adjourn, seconded by Member Spratt. Unanimous approval.

Approved as typed 6/7/17 lc
