

TOWN OF LAKEVILLE
Board of Health Meeting Minutes
June 1, 2016

The Lakeville Board of Health held a meeting on June 1, 2016 at the Lakeville Town Office Building. Board of Health Members present: Robert Poillucci, Derek Maxim and Christopher Spratt. Also present: Health Agent Lawrence Perry.

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

Zoning Board of Appeals Petitions - Review & Comment

1. 33 Bedford St. (Joe's Gas), Petitioner: NH Signs – Board Members reviewed and discussed a ZBA Petition for Hearing dated May 4, 2016 with regard to signage. Chairman Poillucci said this had nothing to do with the Board of Health and saw no issues. Members agreed. Chairman Poillucci asked Agent Perry to send a standard letter to the Board of Appeals.

2. 18 Beechwood Ave., Petitioner: David Prescott – Board Members reviewed and discussed a ZBA Petition for Hearing dated May 16, 2016 requesting to construct an addition within setback on a non-conforming lot. Members discussed Agent Perry's notes regarding this property which included a previous Title V inspection report from November 24, 2015, and associated public health issues which have not yet been addressed, (outstanding septic and water issues). They also discussed the proposed addition and how it may encroach on State and local setbacks to the existing septic components. The septic was not shown on applicants proposed plan. Health Agent Perry felt this project should not go forward without variances and recommended denial at this time. Members directed Agent Perry to send a letter to petitioner and ZBA documenting these issues while attaching a copy of the septic as-built on file, to demonstrate that the proposal would appear to violate State and local setbacks.

2016 Milk and Cream License Renewals

Assawompset Golf Co. LLC d/b/a LeBaron Hills Country Club

CVS/Pharmacy, Inc. #5407

Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.

Poquoy Investment Group LTD d/b/a Poquoy Brook Golf Course

Somethin's Brewin' Book Café

Tamarack Wine & Spirits, Inc.

The Back Nine Club LLC

Tutto Italiano, Inc.

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

VOTED: To approve the Milk & Cream License renewals as typed on the memo dated June 1, 2016. Unanimous vote in favor.

Memo dated May 23, 2016 from Town Administrator Garbitt – RE: Reduction to FY17 Board of Health Budget – Chairman Poillucci said that the budget for the Health Inspector was being decreased since the hours allocated were not used. He said that

Administrator Garbitt assured him that if hours needed to be increased in the future, it would not be a problem.

2 Morrison Way - Tabled from April 6, 2016 meeting. Agent Perry said all documentation has been received but the installer will not be able to start the job right away because he has other jobs lined up and would like to start this job when it's drier. Members agreed to give the homeowner until September 1, 2016 to have the job completed, but she will need to have the system pumped monthly until then.

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

VOTED: To set a deadline of September 1, 2016 to have the job completed, with the stipulation that the system be pumped monthly until then. Unanimous vote in favor.

Loon Pond Lodge and Snack Stands – Tabled from last meeting. Park Commission Member Ken Oliveiri was present for discussion. Chairman Poillucci said there are four caterers that have their required documents in. Any others on the list that did not submit their paperwork are not in compliance and will not be able to work out of the Lodge.

Chairman Poillucci said Inspector Bernardo has spoken to some of the parks and is working on getting them into compliance. Jon Paun Park has been working on their issues and will be contacting Inspector Bernardo for a pre-operation inspection.

Not on Agenda

6 Court Circle – Chairman Poillucci said he had received several calls on this property. He said back when the septic was installed in the 80's it was approved as a three bedroom septic, but when calculating the size of the field, it was never sized for a three bedroom. He said the Title V Inspector that did the report, noted two bedrooms on the report and noted the flow for a three bedroom. He said the house is being sold and the potential buyers want to purchase it as a three bedroom and may want to add a fourth. Chairman Poillucci wanted input from everyone present. The potential buyer, Daniel Foye, the Realtor, Kim Thomas and the current homeowner Mr. Damato were all present. There was a lengthy discussion held. The Title V inspection report submitted brought up some questions regarding the number of bedrooms at that property. The Title V Inspector reported the number of bedrooms actual, as well as the number of bedrooms designed for. The report stated the number of bedrooms actual was three, per the architectural state definition of a bedroom, as determined by a walk-through by the inspector and the Board of Health Agent, which included the walkout basement in the total of three actual. The inspector reported the design as only for two bedrooms, which was based on 310 CMR 15.203 as required, and the calculated capacity of 277 gallons per day, which the inspector had stated was calculated by his consulting engineer, since the proposed design plan from 1993 only showed 170 gallons per day as they believed that plan "under-calculated" the actual design flow. Members discussed these numbers, plans and report at length. Another plan was also reviewed (a second as-built plan from 1999 by another engineer) which appeared to supersede the previous one from 1993. The board then recalculated the design flow from the latest plan (they believed to be the more accurate one) which needed to be done since that plan did not state specifically what the design flow calculation was. After significant discussion, calculations, and re-calculation to double check the numbers, the board voted to clarify the design flow of that existing septic system (consisting of a tank, pump

chamber and three trenches) to be 332 gallons per day, which is sufficient for a three bedroom dwelling.

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

VOTED: To agree that the November 1, 1993 as-built as drawn by Hayward Boynton & Williams was designed for 331.4 gallons of flow per day on the existing conditions drawing. One abstention, (Chairman Poillucci).

Tobacco Discussion

Chairman Poillucci said after speaking to Town Administrator Garbitt, if a fee is changed an ad must be placed in the newspaper. Member Maxim said she spoke to the Police Dept. who told her they do not do tobacco compliance checks, that the Board of Health is responsible for conducting them. Chairman Poillucci said currently there is extra money in the budget so the process for compliance checks could be started now and get a contract ready for the Selectmen to approve.

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

VOTED: To enter into a contract with the Dept. of Public Health Tobacco Control to conduct tobacco compliance checks. Unanimous vote in favor.

Upon a motion made by Chairman Poillucci and seconded by Member Maxim, the Board:

VOTED: To adjourn the meeting at 7:48 pm. Unanimous vote in favor.

ACCEPTED AS TYPED 7-6-16JL
