

Board of Health Meeting Minutes
June 12, 2013

The Lakeville Board of Health held a meeting on **June 12, 2013** in the Lakeville Town Office Building. Present at this meeting were Board Members William Garvey, Robert Poillucci and Terrence Flynn. Also present was Health Agent Lawrence Perry and Administrative Assistant Jo Lima as Recording Secretary.

Chairman Garvey 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.

115 Crooked Lane

(030-005-003A)

DiBiase Family Trust

A request letter, dated May 13, 2013, was received from Beverly DiBiase requesting a stable permit to board horses. Mrs. DiBiase was present as well as her daughter. Five abutter cards were submitted, but the letter that was sent to advise them of meeting, it did not state the stable was for "boarding" horses and there was some discussion as to other abutters that may have to be notified as well. Mrs. DiBiase began the discussion by stating that she has 15 acres of 61A, and will have access through 117 Crooked Lane and Bedford St. She said the stable would be run by (inaudible) and her daughter and they do have farm family insurance in place, and do have to sign for equine liability, if and when it is approved. They currently have two horses on their property and plan on having no more than 18. Chairman Garvey said he knows the property well, and asked if they planned on doing any riding there. Mrs. DiBiase's daughter stated that the stable is strictly for boarding and they would be confined to individual stalls. Board Members reviewed and discussed the various lots, and stable plan. A couple of abutters were present voicing their concerns regarding the traffic this may cause and wells being affected by nitrogen loading. Chairman Garvey said he doesn't have a problem with them keeping the two horses there, but he felt that the discussion should be tabled. He suggested the DiBiase's confer with the Selectmen where they are running a business. Inspector of Animals Jared Darling was present and stated that he agreed with Chairman Garvey. He said there was a possibility that more abutters needed to be notified. Member Poillucci was questioning whether a boarding stable is considered agricultural. Chairman Garvey said more research needed to be done. Member Flynn questioned the manure plan. Darling said his understanding was they were going to spread it in all the fields, which he felt was a good plan. Chairman Garvey also advised the DiBiase's to speak to the Building Inspector just in case there was anything they should be aware of before all the proper abutters are notified.

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

VOTED: To table the discussion and approve the stable permit for the two horses currently on the property. Unanimous vote in favor.

8 Plymouth St.

(051-001-009)

Michael Mastrangelo

Jon Pink from AZOR Land Sciences, Inc. was present for discussion requesting the following:

After-the-Fact Variance

Per 310 CMR Section 15.211(1) - Reduction of the setback of a septic tank from a private well (051/001/010), from 50' to 45'.

An abutter card was submitted for 6 Plymouth St.

Upon motion made by Member Flynn and seconded by Member Poillucci the Board:

VOTED: To approve the reduction of the setback of a septic tank from a private well from 50' to 45'. Unanimous vote in favor.

Board of Appeals Petition

Robert Pidgeon – 109 Hemlock Shore Rd - (046-001-009) - Petition for a proposed garage on an undersized lot. Board Members reviewed the petition. Chairman Garvey said he reviewed the file for this property and noticed a perc was done in 2009, but nothing else had been done since. His recommendation to the BOA was to make sure the homeowner does a Title V Inspection on the property.

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

VOTED: To send a letter to the Board of Appeals; stating that The Board recommended not releasing any permits until the applicant provides an official Passing Title V Report. Unanimous vote in favor.

2013 Board of Health License & Permits

Food Establishment License

Eliot Community Human Services, Inc. d/b/a Bishop Ruocco **(NEW)**

Milk and Cream License

CVS/Pharmacy, Inc #5407

Eliot Community Human Services, Inc. d/b/a Bishop Ruocco **(NEW)**

Hawaii Corp d/b/a Orchid of Hawaii Restaurant, Inc.

J & J's Seafood Drive-In

Walgreens Eastern Co., Inc. (#10269)

Milk and Cream Dealer License

Garelick Farms of Lynn LLC

Sysco Boston LLC **(NEW)**

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

VOTED: To approve the Food Establishment, Milk and Cream and Milk and Cream Vehicle Dealer Licenses on memo dated June 12, 2013 from Administrative Asst. Lima. Unanimous vote in favor.

Re-Appointments

Lawrence Perry
Lawrence Perry

Board of Health Agent
Inspector of Milk

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

VOTED: To approve the reappointments for Lawrence Perry listed above.
Unanimous vote in favor.

Robert J. Poillucci Assistant Board of Health Agent

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

VOTED: To approve the reappointment of Robert J. Poillucci as Assistant Board of Health Agent. Board Member Poillucci abstained from this vote.

William E. Garvey, Jr. Assistant Board of Health Agent

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

VOTED: To approve the reappointment of William E. Garvey as Assistant Board of Health Agent. Chairman Garvey abstained from this vote.

Terrence Flynn Assistant Board of Health Agent

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

VOTED: To approve the reappointment of Terrence Flynn as Assistant Board of Health Agent. Chairman Flynn abstained from this vote.

David G. Goodfellow Board of Health Agent

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

VOTED: To approve the reappointment of David Goodfellow as Board of Health Agent. Unanimous vote in favor.

Acceptance of Meeting Minutes

Board Members reviewed the minutes from the meeting held on May 15, 2013.

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

VOTED: To accept the Board of Health Minutes for May 15, 2013 as typed.
Unanimous vote in favor.

Board members discussed instituting a regulation in regards to all new wells requiring an as-built stamped by a certified land surveyor. Chairman Garvey said an engineering stamp is not required.

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

VOTED: To institute a Board of Health Regulation that states that all wells will now require an as-built stamped by a certified land surveyor. Unanimous vote in favor.

Continued discussion on Seasonal properties

(Tabled from May 15, 2013) - Chairman Garvey worked with Administrative Assistant Lima to create a checklist to help the homeowner when applying for year round occupancy. Chairman Garvey recommended a letter should be sent to all departments advising them that property owners currently restricted to seasonal use only, can now apply for consideration for year round conversion regardless of lot size. Lot acreage will still play a role in the review process with respect to nitrogen loading and state and local setbacks and therefore the smaller lots may still be unable to convert, however, the Board of Health has outlined a more comprehensive process for assessing the viability of year-round use versus seasonal to consider lots less than the previously required 20,000 SF minimum. The state nitrogen loading is 1 bedroom per 10,000 SF of land, however, new innovative advanced treatment septic systems are approved for use in Massachusetts that could allow for smaller lots to utilize new septic technology to qualify for 1 or 2 bedroom year round dwellings with less than 20,000 SF, assuming an approved year round water supply (private well) is present or can be installed to meet state and local requirements.

Member Poillucci suggested that Board Members should meet with other departments to discuss before taking a vote just to ensure everyone is on the same page. Chairman Garvey said he had already had discussions with some of them.

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

VOTED: For Health Agent Perry to write a letter which will be reviewed by Chairman Garvey and send to all departments stating the above. Unanimous vote in favor.

A discussion was held in regards to closing the Board of Health Office the day after a meeting to complete any meeting letters and address any issues. It was decided that because the agenda is known ahead of time, Clerk Lawrence can switch days once a month or when is needed to cover.

A memo was received from Waste Water Treatment Services, Inc. dated May 28, 2013 regarding changes made by DEP on General and Remedial Use permits for Onsite Secondary Treatment Units. Chairman Garvey felt the Board of Health should concur with what the state recommends.

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

VOTED: To adopt the DEP standards. Unanimous vote in favor.

Vendor Warrants were signed by the Board Members.

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

VOTED: To adjourn the meeting at 6:45 p.m. Unanimous vote in favor.

Accepted as Typed 7-17-13 JL
