

BOH Meeting Minutes 3/20/19 (6:03pm)

Present were: Agent Bernardo, Chairman Maxim, and Members Spratt and Poillucci. Chairman called the meeting to order. LakeCam was present to record.

**Public Hearing** - Chairman Maxim read the legal notice into the record for "Lakeville Board of Health Regulation Pertaining to Food Establishment with Drive-thru".

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to open the Public Hearing

Unanimous in favor

Agent Bernardo explained that the two establishments that would be affected were notified, Dunkin Donuts and Mary Lou's. This regulation pertains to food establishments with drive-thrus. Each food establishment with a drive-thru must supply at least one trash container, durable and stable, in the drive-thru lane. The trash containers are to be changed daily or as needed so they do not overflow or create a nuisance. Any trash/debris that is accumulated must be removed and disposed of properly. The drive-thru food establishment is also responsible for accumulation of trash/debris on the ground.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to adopt the Regulations for Food Establishments with Drive-thrus as typed to begin on May 1<sup>st</sup>, 2019.

Unanimous in favor.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to close the hearing.

Unanimous in favor.

**Wednesday March 20, 2019 at 6:08pm the Board of Health Meeting was called to order.**

**7 Jeanine St** – Meet with Zenith Consulting Engineers, LLC to discuss variance requests and local upgrade approvals. Nyles Zager was present for discussion. Proof of abutter mailings was provided. Mr. Zager said the lot is almost 20,000sf with a wetland in the rear of the property and a well in the front of the property with other wells diagonally across. Mr. Zager said the perc rate was about 51 minutes per inch. Even with a two-bedroom system (which will be deed restricted) it's a large system. With this plan they will affect the locus well, and two abutting wells. Member Poillucci said that with three or more well variances, an advanced treatment system would be required. Chairman Maxim said he looked at the Lakeville Board of Health regs as well as Title V and its three or more affected abutters; it does not include their own well. There was a discussion regarding placement of the system. Member Spratt asked the size of the field. Mr. Zager said without the overdig it is 17x52. With the these chambers [proposed] there is a 40% reduction, with advanced treatment it's a 50% reduction, so there'd only be a gain of 10%. It would not be enough to get away from all the wells. Chairman Maxim

thought most people would go with a Presby since it would be the most cost effective treatment. Mr. Zager said the Presby really isn't a treatment – it still doesn't remove Nitrogen. The only way to remove Nitrogen is to use a MicroFast, Advantex or Bioclere type of unit. Chairman Maxim read a letter from the neighbor at 5 Jeanine St who was unable to attend the meeting. Chairman Maxim asked what the distance was from this abutters well. This well is 85' from the proposed septic. Chairman Maxim said it was impossible to conform to 310 CMR 15.00 with a new Title V since it's an undersized, pre-existing, non-conforming lot. Agent Bernardo said that a Title V inspection was never done on this property so the option for the abutters to have their wells tested was never given. He looked at the files for the surrounding properties and quite a few have high nitrates. He wasn't sure if it was the bog over fertilizing or septic related, but there is something going on in that area. Agent Bernardo said he felt that the two abutters should have the option to test their wells, or sign a waiver. The applicant had an RO system installed after a previous Title V in 2014. There was a discussion regarding variances and conforming to Title V. This project will also be going to Conservation for approval.

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to approve the sub-surface sewage disposal system at 7 Jeanine St. with eight local upgrade variances, and one variance to Title V. Contingent upon the offer of well tests to the abutters and their own property.

Unanimous approval.

**6 Cherry Street** – Discuss violations to the housing code. Agent Bernardo said he received a complaint of someone living in a mobile camper. He went out and spoke to the individual who said he was leaving. After another complaint, Agent Bernardo said he went back out and there was an electrical cord being run, he told the individual he was in violation and issued an emergency order to cease and desist. He wanted to bring it before the Board of Health to issue an order to vacate. Agent Bernardo explained that the property owner had allowed the camper to be parked there. When the owner of the camper fell on hard times, he decided to live there. He has assured Agent Bernardo he would be gone by the end of the month. There was a discussion regarding procedures for orders to vacate. Agent Bernardo said he will go back and placard the property following the Board's vote.

Upon a motion made by Member Spratt, seconded by Member Poillucci, it was:

Voted: to allow Agent Bernardo to placard the property and that the camper is not to be lived in.

Unanimous approval.

**Nomination of Inspector of Animals** – Jared Darling and Assistant Inspector of Animals, Lisa Podielsky for the period of May 1, 2019-April 30, 2020.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to nominate Jared Darling as Inspector of Animals and Lisa Podielsky as Assistant Inspector of Animals for the period of May 1, 2019-April 30, 2020.

Unanimous approval.

**Emergency Preparedness** - review and discuss proposed MOU (memorandum of understanding) with First Student Bus Company. Agent Bernardo said that as part of the emergency preparedness planning an MOU was obtained with First Student Bus Company. The Town Administrator was designated as the one to sign the MOU, which she has done. Agent Bernardo will now send it on to the bus company for sign off.

**Review and Approve Board of Health Meeting Minutes from February 20, 2019 as typed –**

Upon a motion made by Member Spratt, Chairman Maxim stepped down to second, it was:

Voted: to approve the meeting minutes for February 20, 2019 as typed.

Two in favor, 1 abstain (Poillucci –not present for 2/20/19 meeting).

**Review and Approve Board of Health Meeting Minutes from March 6, 2019 as typed-**

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to approve the meeting minutes for March 6, 2019 as typed.

Unanimous approval.

**Plymouth County Mosquito Control Memorandum-** Agent Bernardo read the following legal notice. ***Notice of Aerial Application of Pesticides.*** *By the Plymouth County Mosquito Control Project during 2019 between the hours of 4:00am and 9:00pm as conditions permit. Applications will be made in the town(s) of Abington, Bridgewater, Brockton, Carver, Cohasset, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Lakeville, Marion, Marshfield, Mattapoisett, Middleboro, Norwell, Pembroke, Plymouth, Plympton, Rochester, Rockland, Scituate, Wareham, West Bridgewater and Whitman in order to reduce the number of mosquito larvae. The insecticides to be used will be one or more of the following: VectoBac®12AS (Bti), VectoBac®GS (Bti), VectoBac®WDG (Bti), VectoBac®(Bsph/Bti), or Vecto Max CG. Only mosquito breeding sites will be treated and no spraying will be done over residences. For further information please contact Stephen Gillett at 781-585-5450.* Member Poillucci said that we received a notice every year about spraying. Any information we receive about mosquitoes and spraying will be posted on our website along with a contact number to request spraying of property at no charge.

**Adjournment**

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:

Voted: to adjourn

Unanimous approval