

Town of Lakeville  
Board of Health  
March 4, 2020 6pm

Members present: Chairman Maxim and Member Spratt, and Member Poillucci. The meeting was called to order at 6:04pm. LakeCam was present to record.

**5 Barberry St.** - Meet with Outback Engineering to discuss local upgrade requests. Bob Mulleins was present to represent the homeowner. Health Agent Ed Cullen questioned the waterline placement. He requested that the line be sleeved in concrete or bring the line in through the side rather than in the back. There was a discussion regarding the lack of basement and the lot size. Chairman Maxim asked if abutters had been notified. Agent Cullen said he had spoken to the engineer and the notification had come back in the mail as undeliverable. Chairman Maxim and Member Poillucci agreed that anything they decide would be subject to proof that abutter notification had been attempted.

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

Voted: to approve the two local upgrades reduction in setback between the proposed septic tank and field to existing water supply line from 10' to 3' if necessary, and reduction of the setback to the private water well supply from 100' to 75'. The entire motion is subject to the Board of Health receiving the abutter card and is dated before today's meeting.

Unanimous approval.

**310 Kenneth Welch Drive** - Review and comment on Board of Appeals Petition. Chairman Maxim asked Agent Cullen if he had any input. Agent Cullen said he spoke with Zenith Engineering about the tight tank in the past and they informed him there were no new tight tanks being proposed. Since this is a grow facility, most grow facilities have a reverse osmosis system and discharge the extract to the tight tank. If they do plan to have a tight tank the Board needs to see that. The previous grower put it on the landlord to do the work and it was not done. The Board needs to let the grower know that it is their responsibility to get the proper approvals. Member Spratt said one of the facilities had a self-contained system where everything was reused. It would have to be one or the other system. Chairman Maxim said he would also want to see the smell addressed. The inspection done at the facility at the opposite end of this building, identified some smell coming from that facility, at 40% capacity. Member Poillucci said they addressed all that when they did the regulations, filters would need to be used. There was a discussion regarding venting of the facilities. Member Spratt said as far as the septic system, they've seen it already. Chairman Maxim said it's in and stubbed up to the building but not on-line yet. They pulled a plumbing permit for the bathrooms, and they have a grease trap if they want to add a kitchen later. The Board will need to know the number of employees since it shares the system with two other parts of this building.

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

Voted: to send a letter to the Zoning Board of Appeals that the Board has no problems at this time with the hearing for Northeast Alternatives. The Board would like it to be know that they have their own set of regulations (found on our website) and they will have questions regarding

smell and some other site issues. They [Northeast Alternatives] should plan to come to a Board meeting.  
Unanimous approval.

**4 Beechwood Ave** - Process of additional betterment approval. Chairman Maxim said they had the original price and then hit ledge. Agent Cullen explained that the excavator hit large boulders and they had to bring in machines to break them up and remove them. They also had to dig deeper as well because the boulders were so large, they had to go an additional 8-9 feet and more sand was needed. Chairman Maxim explained that betterment loans have a 10% contingency added in, but this was higher than that 10%. An additional 20% would like to be added to future betterment loans so potentially the process may not have to be started all over again. There was a brief discussion regarding the site.

Upon a motion made by Member Poillucci, seconded by Member Spratt, it was:  
Voted: to approve the additional funds of \$9,385.00 to the betterment for 4 Beechwood Ave.  
Unanimous approval.

**Approval of meeting minutes from February 19, 2020-**

Upon a motion made by Member Spratt, Chairman Maxim stepped down to second, it was:  
Voted: to approve the meeting minutes from February 19, 2020 as typed.  
Two in favor, 1 abstain (Poillucci- recused himself from 2/19/20 meeting).

**Announcement-** Member Poillucci said the within the next couple of weeks that this virus will be worse than expected. He wanted to strongly recommend to people that if your kids are sick, please do not send them to school. If you are sick, try to stay away from people. He expected by the next meeting for the news reports to be much worse than today. People should wash their hands and use common sense.

**\*\*Member Poillucci recused himself from the remainder of the meeting.**

Agent Cullen added that hygiene is very important. Many times, the symptoms are very mild and people don't realize they have it. People should wash their hands, and stop shaking hands with other people. Chairman Maxim also said that doctor's offices are asking that patients call ahead, just don't walk in. if you have symptoms or think you are sick. Agent Cullen said they may tell you to stay at home and not come into the office.

**Plymouth County Mosquito Project** - Member Spratt said that there is already proposed aerial spraying for 2020. They will be notifying towns prior to spraying stating the date, time, and location. For more information, residents can go to our website, Mass.gov, or the Plymouth County Mosquito Control Project.

**57 Long Point Rd.**- tabled from 2/19/20, continued discussion with Stantec Engineering to discuss local upgrade requests. Kevin Kline, Jon Delli Priscoli, and Bill Pezzoni were present for discussion. Don Martinage (the new peer review engineer), has been sent all project information by Stantec. Mr. Kline also said he has sent a letter to the Board regarding Manifest Injust provision and also a letter from Bill Pezzoni why this is not considered new construction but rather re-construction of the existing. Without the manifest injust variance, the site would be un-buildable. Mr. Delli Priscoli said the buildings have been demolished by Lopes Construction and an asbestos contractor was hired. The site will be tabled right now in preparation for the foundations. Chairman Maxim asked if the portions of the existing septic system (leaching areas) were removed that the Board had requested. Mr. Delli Priscoli said that they would reach out to the Board when they were ready for the removal. There was a brief discussion regarding the demolition process and asbestos removal.

Regarding the question of new construction, Bill Pezzoni said that he spoke with the Department of Environmental Protection (DEP) and they would not send anything in writing defining new construction. There was a discussion regarding facility versus bedrooms and calculating gallons per day. This project will decrease the number of buildings down from 5 to 2 and will be less impervious, better environmentally.

Chairman Maxim said they were also waiting for approvals from the City of Taunton and the City of New Bedford. Mr. Pezzoni gave a copy of the agreement and stipulation from Taunton to Chairman Maxim. New Bedford has not given their approval yet. Some of the covenants requested by Taunton's agreement were forwarded to New Bedford and input was given.

- Signage to reference the regulation in Section 123A about willful trespass, which will be put on the sign.
- No one is to enter the water or the 25' buffer zone around the reservoir.
- Notification of change in capacity or any materials going to the system.
- Notification of any issues with the treatment system or anything that would impact maximum treatment.
- Submit daily reports. (an inspector/operator will be onsite weekly and a monthly report will be generated with will be forwarded to DEP, BOH, Taunton and New Bedford).

The operator (Whitewater) will be onsite weekly and will do in-house sampling, process monitoring, inspections, and change blowers. Process monitoring will be done on a weekly basis and once a month they will collect samples of and send them out to the lab. Mr. Pezzoni said they also wanted language about the landscaping and snow and ice removal. Access during construction was also requested. The groundwater monitoring wells will be tested quarterly.

The original permit submitted to the Board of Health had an Operation and Maintenance Manual with it. This manual will be updated prior to start-up in case of any changes. Included will be any special start-up procedures. There was a discussion regarding start up and building up the system. The Board has requested testing results be forwarded to them when results are outside the parameters prior to the monthly reporting.

Mr. Kline said there will not be an industrial water holding tank underground for the garages. There will be a collection system and pump in the underground garage and it will be pumped to a tank in the garage. Everything will be contained in the garage in a steel or concrete tank located on a slab. Since no car maintenance is allowed on site, there should be very little water (rain or snow on cars) or oils. Chairman Maxim asked if this system would be permitted through DEP. Mr. Kline said he believed that this would fall under a plumbing code, to which Agent Cullen agreed.

Chairman Maxim said peer review fee has not been established yet but they were working with Don Martinage to get a budget. There was a discussion regarding a bond being in place to cover any repairs and the homeowner's association. Chairman Maxim asked when all the units are sold, if it will only be Whitewater overseeing the system. Mr. Kline said he will remain involved and will review the reports. He said that when the permit is issued it can be added that they engage the services of an engineer to review the operation and maintenance of the plant. That is what DEP used to require. There has been a request for a bond to be in place from Nick Lanney and Don Martinage at about 10% of the cost. Mr. Delli Priscoli said that he would like the bond requirement to be tied into the first occupancy permit. Mr. Kline said conditions could be put on the Certificate of Compliance. Mr. Delli Priscoli said he would have a check for \$3500.00 brought over to cover the peer review. Mr. Pezzoni said at the next meeting they can confirm the contract and what it will be for. Mr. Delli Priscoli said he would like the permit to state (or even just written down) what fees need to be posted and when. Chairman Maxim said that the bond amount still needs to be set. They have also talked about no jacuzzi tubs or garbage grinders. The next meeting will be held on March 18 and Town Counsel will be present. The deadline for this project is April 1<sup>st</sup> so the paperwork needs to be in order to wrap up the approval. Member Spratt asked about baseline reports from the monitoring wells. Mr. Kline said they could do that. Chairman Maxim said they would agree on the bond prior to the next meeting and the annual town fee to review reports.

Chairman Maxim stepped down to make a motion, seconded by Member Spratt, it was:

Voted: to continue to the March 19<sup>th</sup> meeting.

Unanimous approval.

#### **Discuss recent Board of Health Agent pending items -**

**Change in Use** – The Change in Use approvals do not require a public hearing per 4/17/19 Board of Health meeting. The Change in Use approval is done for Island Terrace.

**Emergency Preparedness Meeting** - Board members planning to attend will need to register prior to the meeting on March 17<sup>th</sup>.

**Opioid Outreach** – There was a brief discussion regarding the collaborative outreach with New Bedford and surrounding towns.

#### **Adjournment** – (7:53pm)

Chairman Maxim stepped down to make a motion, seconded by Member Spratt, it was:

Voted: to adjourn.

Unanimous approval.