

Town of Lakeville  
Board of Health  
October 7, 2020 6pm

Present were: Chairman Maxim, Member Spratt, Member Poillucci, and Agent Cullen. Chairman Maxim called the meeting to order at 6:00pm. This was a remote meeting and was recorded by LakeCam.

**54 Montgomery St** – Meet with Foresight Engineering Inc. to discuss requested local upgrade approval. Darren Michaelis from Foresight Engineering was present for discussion. This property had a 60-minute perc rate with not the best soils. In order to stay out of the 100' buffer zone, this is a smaller system tucked into the tree line. This is a pressure dose system with a MicroFast treatment system. Mr. Michaelis is requesting a groundwater variance since they are proposing a Fast system to shrink the size of the leach field. He would like to keep the mound as low as possible so there isn't a 3 1/2-foot mound in front of the property. There was a brief discussion regarding the proposed system.

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

Voted: to approve the subsurface sewage disposal system upgrade design at 54 Montgomery St. with one variance, from 4' to 3'.

Unanimous approval.

**7 Charbonneau Ave.** – Meet with Zenith Consulting Engineers, LLC to discuss requested local upgrades. Tom Morris from Zenith was present for discussion. Mr. Morris said this is a septic repair with 5 local upgrade approvals requested. Two of the requests are for the system and tank from the surface water supply, one from the system to the existing well on their lot so they could stay outside the 100' for the abutting wells. Also, a reduction from 2 to 1 deep hole and the use of a sieve test are requested due to high ground water. Agent Cullen said every effort has been made to stay away from the abutting wells and he is down gradient from his own well. Even though the new system is closer to the pond, it's a lot higher, which is a considerable improvement. Member Spratt asked if this would require a deed restriction. Agent Cullen said he thought it was three-bedrooms.

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

Voted: to approve the subsurface sewage disposal system upgrade at 7 Charbonneau Ave. with the five requested variances with a three-bedroom deed restriction.

Unanimous approval.

**64 Lakeside Ave.** - Meet with Zenith Consulting Engineers, LLC to discuss local upgrade approval and deed restriction. Tom Morris from Zenith was present for discussion. Mr. Morris said there have been two designs submitted for this property, one with a five-bedroom and one with a three-bedroom design. The client would like to retract the five-bedroom design and go with the three-bedrooms and a deed restriction. The concern was the number of rooms in the house. The upgrade approval requested was going from 4' to 2' with the Presby system on the separation to ground water. Chairman Maxim said the tank was just 50' from the well which is the minimum and the system is 105' from the well. They will need to make sure they measure properly before installation. Chairman Maxim said he really

didn't agree with the client, financially the value to the house would be much better with a five-bedroom system and it will last longer. But the property is in a zone-B, which could be a factor if you're looking to put less bedrooms in a zone-B. Chairman Maxim said the property has two kitchens and he didn't want them to keep five bedrooms when it's only designed for three, because it will fail. Chairman Maxim said he would like to see the client go with five-bedrooms, but if they want to go with three he would agree. The engineer had a discussion with the client about installing a five-bedroom system but he wanted to go with three. Agent Cullen said his concern was the five bedrooms, since there is a second kitchen and they are rooms you can put a bed in. He continued that if the client gives the house to his daughter, that's fine. But if in ten-years she sells it, someone could move in and rent the second floor and have a five-bedroom house. Member Poillucci said in all his years on the Board, he's never had anyone design for less bedrooms than are in the house. There was a discussion on the property.

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

Voted: to approve the subsurface sewage disposal system upgrade at 64 Lakeside Ave. with the variance for groundwater from 4' to 2' and the 40% reduction in the system size, and also that a letter be placed in the building department file as a warning if there are any changes, and it will have a three-bedroom deed restriction.

Unanimous approval.

**Old Field Estates** - Meet with Zenith Consulting Engineers, LLC to discuss variance to Lakeville local by-law. Tom Morris from Zenith was present for discussion. This is a 40B development with duplexes. The issue is the light posts are within 5' of the system. They would like a waiver from that local regulation. They will all have some separation, less than 5', with a couple of them being within the over dig, but nothing that would effect the system. Chairman Maxim made some clarifications for the Board. He said this was a Lakeville regulation (2.6 to be within 5' of a component). Chairman Maxim met with Paul Turner (the builder) on site. These aren't street lighting with a 4' base in the ground with a 20' pole. These are plastic posts 18" in the ground with a direct burial wire going to it. He didn't believe that this was what the regulation referred to, he thought this was for something that went 4' into the ground as a permanent structure, not a lamp pole 18" in the ground that can be lifted out. Member Poillucci said that was how he interpreted it too. Since this is a 40B project, the builder can ask for any waivers from local regulations. He thought the Board should just vote so that it sets a precedent. Member Spratt asked if these were just driveway lights. Chairman Maxim said they were, it says street lights but it's not a street light, it's a little driveway lantern. Member Spratt asked if there was a set back for these. Chairman Maxim said he was not sure on this project. There was a brief discussion regarding the lights. Chairman Maxim said he thought they were asking for variances on all the lots at this time. Mr. Morris said they were looking for a blanket variance for all the units.

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

Voted: to approve the local variance for Old Field Estates, a blanket variance to be done at every home.

Unanimous approval.

**4 Old Powder House Rd.** - continued discussion from September 16, 2020 meeting with Zenith Consulting Engineers LLC to discuss requested variances. Chairman Maxim said the Board did receive a letter today asking for an extension to the next meeting. Mr. Morris (representing Zenith) said they were still waiting on some correspondence with DEP.

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

Voted: to continue to the October 21<sup>st</sup> meeting.

Unanimous approval.

**New Trash Hauler** – (merged with our licensed trash hauler- Gorden Rubbish Removal) United Material Management Inc, dba United Hauling Inc. 200 Friberg Parkway, Suite 4001 Westboro, MA 01581.

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

Voted: to give a new trash hauler license to United Material Management Inc dba United Hauling Inc. 200 Friberg Parkway, Suite 4001 Westboro, MA.

*Discussion:* Member Poillucci asked Agent Cullen if they already had a license and were just expanding their business. Agent Cullen said yes, it was Gorden Rubbish Removal that was already licensed.

Unanimous approval.

**43D Committee update/discussion** - Chairman Maxim asked Member Spratt if the committee had met since the Board's last meeting. Member Spratt said that they hadn't met since the Board's last meeting, but there have been a couple of developments. He continued by saying that Maureen Candito was no longer with the town, she was the Town Administrator as well as the project coordinator for the committee so they are now in the process of trying to find someone to replace her. Also, at Monday night's Selectmen's meeting they did approve the contract to hire Environmental Partners to do the peer review.

**Review and approve meeting minutes as typed** – August 19, 2020.

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

Voted: to approve the Board of Health meeting minutes for August 19, 2020 as typed.

Unanimous approval.

**Peer Review** - Member Poillucci said it would be good to add this item to the next meeting to discuss a new review engineer for the projects over the Board's ability. He thought it should be discussed formally and they could get some bids. Member Spratt said he could try to reach out and see who else is out there, to see if there were any smaller local guys out there doing reviews. Agent Cullen agreed, there was definitely overpricing to some municipalities so it's good to get several bids rather than just one.

**Triple E – Covid 19 Update** - Agent Cullen said there have been five new cases of Covid in the past week. Two of those cases were in the schools, so that makes a total of 3 cases that have been in the schools. There is a total of seven active cases right now in town, making a total of 90 cases. There has definitely been an increase in cases and we are at risk of going into the red. When we become a high-risk community, we are no longer eligible for step 2 of phase 3. If we are in the red for three weeks we will have to take a step back. The cases are not coming from restaurants, and it does not look like the cases are being transmitted in the schools. Most of the transmission is coming from informal

gatherings, small or large parties indoors. Agent Cullen said the State does not have any restrictions on Trick or Treating. He continued by saying that the most dangerous thing you can do are indoor parties. For Halloween, it is recommended that kids go outside, wear a mask, and limit their interactions with people. Member Poillucci said if the town goes red, it's not the town's decision if they have to enforce stricter policies on restaurants and businesses, it's a State mandate. Member Spratt asked if the cases were related to the cases in the schools. Agent Cullen said no, there are cases outside of the school as well. Member Spratt agreed that for Halloween, it's outside, and if people use the precautions we should be ok. If we didn't allow Trick or Treating, kids would be moving indoors and that would be worse. Chairman Maxim also agreed, it's a good idea for the kids to get outside. He didn't think the Board needed to take a vote since they are going with the CDC guidelines. He asked if Agent Cullen could send a letter to the Selectmen stating the Board had discussed this and all members are unanimous on allowing Trick or Treating and Halloween to go forward and some recommendations.

**Triple E** - Agent Cullen said the risk for Triple E is very low right now, but there is still risk for West Nile, until the middle of October.

**Adjournment** – (6:58pm)

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

Voted: to adjourn.

Unanimous approval.