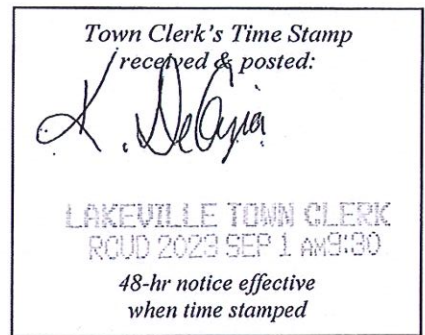




TOWN OF LAKEVILLE MEETING POSTING & AGENDA



Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009). Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	BOARD OF HEALTH
Date & Time of Meeting:	Wednesday, September 6, 2023 @ 6:00p.m.
Location of Meeting:	Lakeville Police Station 323 Bedford Street, Lakeville, MA
Clerk/Board Member posting notice:	Fran Lawrence

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

Please ask if anyone is recording the meeting and announce that LakeCAM is recording

1. New Body Art Apprentice – Kyle Geary– Located at 12 Harding Street with Body Art Establishment, Savage Inc.
2. Discuss septic systems that have failed and the 2-year limit has expired
3. *Continued discussion from August 16, 2023* regarding changes to the Lakeville Board of Health Regulations pertaining to subsurface disposal systems and water.
4. Review and approve meeting minutes
 - June 7, 2023
 - June 21, 2023
5. Discuss the recent BOH Agent's pending items

Any other business that may properly come before the Board of Health

Please be aware that this agenda is subject to change. Should other issues arise requiring immediate attention by the Board of Health after the posting of this Agenda, they may be addressed at this meeting.



Lakeville
Health
1 Street
02347

(For BOH Use Only)
Fee: \$50
CK #: 25203948134
By: _____

Board of Health
(508) 946-3473
(508) 946-8805
(508) 946-3971 fax

Permit #: _____

APPLICATION FOR BODY ART APPRENTICE PERMIT

Complete and return this form with the application fee of \$50 made payable to the: TOWN OF LAKEVILLE

Upon satisfactory review of this application and receipt of the registration fee, a numbered permit will be issued by the Lakeville Board of Health.

RECEIVED
AUG 14 2023
BOARD OF HEALTH

Name: Geary Kyle Thomas
(Last) (First) (Middle)

Mailing Address: 188 BRIDGE ST.

Residential Address: Rayham Ma. 02767

Email Address: Kyle.Geary@gmail.com

Telephone No: (508) 387 9650 Date of Birth: 1/20/81 Gender: M / F

Place(s) of Employment as Apprentice: Savage Ink.

Training and/or Experience: _____

Name of Body Art Establishment: Savage Ink.

Address of Body Art Establishment: 12 HARDING ST. Lakeville Ma.

Establishment Telephone No.: (508) 562-7875

Apprentice working under:
Practitioner's Name: Anthony Valentin Permit Number: BAP2023-02

Body Art Establishment Permit Number: BAE2023-01

Provide the following:

- Practitioner's Identification Photograph
- Apprentice Identification Photograph
- Copy of Practitioner's Liability Insurance
- ~~NA~~ Copy of Apprentice's Liability Insurance
- Current certification in First Aid and cardiopulmonary resuscitation (CPR)

Town of Lakeville
Board of Health

June 7, 2023 6:00pm

Members present: Chairman Spratt, Member Maxim, Member Poillucci, and Health Agent Ed Cullen. Chairman Spratt called the meeting to order at 6:00pm. LakeCam was present to record.

311 Pond Lane - Meet with Foresight Engineering, Inc. to discuss requested local upgrades. Darren Michaelis from Foresight was present for discussion. Mr. Michaelis said this property currently has a cesspool. The new system will be outside the 100' buffer zone and will go where the current system is located. They are proposing a Fast system with a ground water variance. This property has a steep slope so the variance will be for about 10% of the system with the remainder of the system meeting the ground water set back. The owners are proposing an addition with no additional bedrooms, a sunroom and garage on the first floor with an expanded master suite on the second floor. Agent Cullen said the Fast system was great for that area, and they would get the 50% reduction which is great too. There was a discussion about a ground water variance. Mr. Michaelis said if he had to raise the system, he would probably have to tier the wall instead of having a single wall. The system that's there has been in the water table for 40-50 years within 100' of the pond. He didn't feel the Board would be setting a precedent, and the Board could do a deed restriction. He didn't think the system would prematurely fail because its only 2' from the water table for only 10% of the system. Agent Cullen asked if Mr. Michaelis had thought about going parallel to the contour. Mr. Michaelis said he couldn't get the driveway in. Member Maxim said he agreed with Agent Cullen on the 2' variance, even with the treatment system. There was a discussion about the soils on the site. Mr. Michaelis explained that at the bottom of the wall he was at contour 65 and at the top he was at 69. It's already a 4' wall. Member Maxim said his other concern was that he called 48" water table from the 69 contour, which is one corner. But it should be called from where the contour of the over dig is. Up in that corner it's definitely 69 ½. So, it's 1 ½' to the water table, where that water is coming in at the top of the slope and flows into the sand. Mr. Michaelis said they had a liner on all sides so it won't flow into the sand, it will be pushed down underneath it. He didn't want to go any higher than 4' with the wall, so he will terrace it. Member Maxim said the water elevation at the tank shows 54.5, but the pond elevation is 55 and flood is 57. That's probably the elevation of the inlet of the septic tank. The outlet of the pump tank is at 59 ½, 4' from that. Mr. Michaelis said they can put in a stipulation that it be rubber booted. Member Maxim said it was H-20 so it would be rubber booted anyway. Mr. Michaelis said he would revise the plan and change the variance to 3' on the plan, and add rubber boots, then figure out the wall situation.

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

Voted: to approve the septic repair at 311 Pond Lane with the nine local upgrade requests and allow the reduction of separation to leaching field from high ground water from 4' to 3' and submit a new plan, adding a 10th variance requesting ground water elevation to the pump tank. Unanimous approval.

24 Beechwood Avenue - Meet with SFG Associates, Inc. to discuss requested local upgrades. Brad Fitzgerald from SFG was present for discussion. The proposed plan is for a Presby system which would reduce the footprint. They are requesting five local upgrades. The requests are: to allow the septic tank

to be 3' from the crawlspace instead of 10; to allow the SAS to be 5' from the crawlspace instead of 20; to allow the SAS to be 53' from the northly abutting well instead of the 100'; to allow the SAS to be 386' from a public water supply instead of the required 400'; to allow for one deep hole instead of two. This lot is 50x100 and by using this system they are able to keep the system as a gravity feed system. Chairman Spratt asked if the Certified mail cards came back. The cards for New Bedford and Taunton Water were returned, but not the abutter. There was a discussion regarding the abutting well. Member Maxim said the only thing in the Board of Health files for this well is an inspection in 1999. On November 23, the inspector wrote, it appears to be a dug well. So that means it's probably only 30' deep. There was a discussion about nitrates. Agent Cullen said only about a third of Clark Shores are hooking into the water line. Member Maxim said he would like to see the two-compartment tank on the drawing. It is mentioned on the notes that a two-compartment tank is to be installed, but it doesn't show it. Mr. Fitzgerald said if they go with a denitrification system like MicroFast, and they go to a pipe and stone field at 50%, he would only be picking up 3' more on that well. Member Maxim said if they go with the proposed plan, they should make it 5' to the property line and that would make it 57' from the abutting well. That would be the furthest you could ask for on that variance. Chairman Spratt said he would want to move it the 5'. There was more discussion about denitrification.

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

Voted: to approve 24 Beechwood Ave with the 5 variances requested, adding a sixth variance to the property line from 11' down to 5'. A new plan will be drawn showing the two-compartment tank, remove the valve on the plan, and show the correct length from the tank to d-box for the added length.

Unanimous approval.

ECCO, Inc d/b/a Muckey's Liquors - new ownership. Tobacco Permit and Food Service (retail pre-packaged only). Agent Cullen explained that the ownership is going from father to son, but really no other changes.

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

Voted: to approve the tobacco permit and food service, retail pre-packaged food only permit and transfer them to ECCO Inc. d/b/a Muckey's Liquors.

Unanimous approval.

Re-Appointments of Assistant Board of Health Agents - for the period of July 1, 2023 through June 30, 2024.

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

Voted: to appoint Chris Spratt as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Spratt).

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

Voted: to appoint Derek Maxim as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Maxim).

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

Voted: to appoint Robert Poillucci as Assistant Board of Health Agent from July 1, 2023 through June 30, 2024.

Two in favor, one abstains (Poillucci).

Recommend to the Select Board to appoint Edward Cullen as the Inspector of Milk - for the period of July 1, 2023 through June 30, 2024.

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

Voted: to recommend to the Select Board to appoint Ed Cullen as the Inspector of Milk from July 1, 2023 through June 30, 2024.

Unanimous approval.

Approve meeting minutes - April 5, 2023, and April 19, 2023 -

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

Voted to approve the April 5, 2023 meeting minutes as typed.

Unanimous approval.

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

Voted: to approve the Board of Health meeting minutes dated April 19, 2023 as typed.

Two in favor, one abstains (Maxim).

Discuss recent Board of Health Agent pending items: Agent Cullen wanted to discuss the noise regulations. He said there was an issue on whether or not the Board would be issuing them for private parties. The current regulations were mainly used for construction purposes, but the Board would have the right not to approve a private party. If they did, it could cause some problems since they would be unable to enforce the regulations. Chairman Spratt said the police would have a more efficient and effective way of handling it than the Board would.

Member Maxim said if they wanted to discuss treatment systems for nitrogen loading, should they reach out to town council or just research it more. Agent Cullen said there are a number of towns that have regulations. Small lot size is where we have problems. Member Maxim added that the small lot sizes and a well within 100' go hand in hand. There was continued discussion.

Covid 19 - Agent Cullen said no one is really reporting it now and hospitalizations are low.

Adjournment - (6:47pm)

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

Voted: to adjourn

Unanimous approval.

Town of Lakeville
Board of Health

June 21, 2023 6:00pm

Members present: Chairman Spratt, Member Maxim, Member Poillucci, and Health Agent Ed Cullen. Chairman Spratt called the meeting to order at 6:00pm. LakeCam was present to record.

24 Stetson Street - Meet with SFG Associates, Inc. to discuss requested local upgrades. Brad Fitzgerald from SFG was present for discussion. This is a septic repair. There is an issue with the brook and wetlands that are tributaries to Assawompset Pond. They are requesting local upgrades for the leach field: to allow it to be 80' from the bordering vegetated wetland, to allow it to be 150' from the brook, and to allow for 1 deep hole instead of two. There was a discussion about the site. Mr. Fitzgerald said they still have to get Conservation approval. There was 1 additional upgrade discussed, but Mr. Fitzgerald said he couldn't ask for that upgrade because he was too close to the wetlands and brook.

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

Voted: to approve the 4 waivers, the three that were requested and one for the pump chamber to be 195' from a tributary.

Unanimous approval.

7 Hollis Ave - Meet with SFG Associates, Inc. to discuss requested local upgrades. Brad Fitzgerald from SFG was present for discussion. Mr. Fitzgerald said the previous plan was denied due to circumstances with the well and water service. Since then, they have tied into the seasonal water supply. Currently, the temporary service goes into the well and picks up the water service going into the house, but when the new water service goes in, they will fully abandon that well. Some of the local upgrade requests have changed. They are asking for: the septic tank to be 2' from the easterly property line instead of 10'; to allow the soil absorption system to be 8' from the westerly property line instead of 10'; to allow the septic tank to be 3' from the crawl space instead of 10'; to allow the soil absorption system to be 8' from the crawl space instead of 20'; to allow the soil absorption system to be 71' from the well to the east instead of 100'; to be 87' from the well to the west instead of 100'; to be 88' from the well to the north instead of 100'; and to allow for 1 deep hole instead of 2. The lot is very small, 50x100 which is why they need setbacks to property lines and wells and only 1 deep hole. Agent Cullen asked why they were waiting to decommission the existing well until they tied into the year-round water line. Mr. Fitzgerald said he thought it was to have the equipment there. He explained that the plan is to fill it with sand, dirt or stone, but an excavator will be needed to fill it. Member Maxim said it was a drilled well and they would need a certified well driller to decommission it. He asked Agent Cullen if we had records of it. Agent Cullen said he originally thought it was a dug well because the cap was buried, but the picture shows there is a casing. He explained to decommission the well they would fill it with sand and seal the top. Member Maxim said the well is only 48' from the neighbor's cesspool which can't be allowed. The neighboring house is abandoned. If it got passed down to family members who didn't do a Title 5, they could technically start using that. Agent Cullen said he didn't think the well was that deep, the one next door is only 29' deep so it wouldn't take a lot of sand. When you're going 300' deep, that's a big expense. Mr. Fitzgerald said the owner has every intention of decommissioning it. They plan on bringing the water line down and tying in full time because he can't sell the property until it's tied in full time. The Certificate of Compliance could be held until the well is decommissioned. A representative

from Clark Shores Water said there were some concerns. The house is already listed for sale and he does plan to hook up to the full-time water, but no one else on the street was informed that the project was going forward until yesterday when they spoke with him. There are more people on the street that are looking to tie in as well. Also, what would stop people from living there year-round. He has sold other houses in the neighborhood as a seasonal house but with tanks to be used in the winter. There are people living in houses that he has sold, and they're living there year-round even though it's a seasonal home. Member Poillucci said if a list was provided to the Board, they could follow up. The representative said he wasn't sure why he hooked up to the seasonal water, weeks before the full-time water is available, but they were working on getting a contract set up. Member Maxim said he would like to not issue the Certificate of Compliance even with a deed restriction. Chairman Spratt said he thought they were all in agreement on that. Member Poillucci explained that one of the problems is that a lot of the houses down there didn't have seasonal restrictions on them because they didn't have year-round water. By the definition from DEP, if you don't have year-round water, it's not a year-round house. Then, as the water started coming in, the Board thought they'd be able to clean up a ton of tanks. But, if they're still going forward and using tanks, we want to know so we can get on that because that's not acceptable. Another Clark Shores Water representative said a lot of houses are being sold with the promise of water and a lot of them are told it is full-time water. Agent Cullen said according to the Mass Housing Code, if someone is renting a house and the owner is not providing potable water, in this case the only water provided is from a storage tank, that's illegal. The owner would pay for them to move or either go to a hotel or another apartment. But it's the landlord's responsibility.

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

Voted: to approve the septic repair at 7 Hollis Ave with the 9 variances requested and adding that the Certificate of Compliance will not be issued until the on-site well is decommissioned by a certified well driller and a report is given to the Board of Health.

Unanimous approval.

24 Beechwood Ave - Meet with SFG Associates, Inc. to discuss requested local upgrade approvals. Mr. Fitzgerald said at the last meeting the Board had approved this plan subject to the system being moved to within 5' of that southwest property line. After the meeting, they discovered that the abutter needed to be notified. So, he has been notified, he did return the certified card. So, they did what the Board requested and moved the system over to 5' off the property line. He did the change that the Board asked for and showed a two-compartment tank and removed the valve from the outlet on the plan. Member Poillucci asked if it had the high vent. Mr. Fitzgerald replied that it was through the house stack. Agent Cullen said if you use a house stack, you have to do a bypass from the d-box to the inlet of the tank. There was continued discussion.

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

Voted: to approve the one variance for 24 Beechwood Ave, for the soil absorption system to be moved 5' off the southerly property line. The abutter was notified.

Unanimous approval.

Discuss changes to the Lakeville Board of Health Regulations Pertaining to Subsurface Disposal Systems and Water - Agent Cullen said the regulations say that if you have 3 or more abutting wells within 100', you would need a denitrification system. The change would be rather than having 3 wells

within 100', it would just be 1 within 100'. That's one option. Another would be to use the state DEP regulation of 440 gallons per acre, so 10,000 per bedroom. So, if you have a 20,000sf lot and you have a 2-bedroom house, you would be compliant. If you have a 10,000sf lot and a 2-bedroom house, when you go to sell it, you would have to upgrade with a denitrification system. Those were the 2 options that were most obvious to him. Member Maxim asked if he had checked any other towns to see if there's anything on the books. The new DEP regulation is, which is per town, but if you have a repair a year from now, you will have to go to a denitrification system. That's the regulation they're coming out with. They did testing in certain areas and they're trying to protect Buzzards Bay, which is Massachusetts. Lakeville is part of Narragansett Bay, which is Rhode Island. That's why we aren't under that DEP restriction that they're implementing. Member Poillucci said if they took every excavator and stuck them on the Cape for the next five-years, you're not going to change every single septic system down there. What they're proposing isn't feasible. Chairman Spratt said each town on the Cape is looking at this differently. Some are looking at it as a TMDL (Total Maximum Daily Load) where areas that are part of the watershed but not contributing as much as other areas can stay more conventional, different applications for different parts of town. There's also a group that wants to do a regional municipal maintenance agreement. Where they would function as a utility and residents would pay a quarterly fee as if you were on sewer or water. They would repair your septic and take care of all the maintenance. Agent Cullen said the advanced treatment lasts longer. When you have someone maintaining it every year, they last longer. The chambered systems are going after 15-20 years. To get a system that's going to protect your neighbor's well and last longer, it's a benefit to the homeowner. In the long run, it's helping the whole community. Member Maxim said he didn't want this to fail someone's Title 5 because they adopted this regulation that you need denitrification if you don't have 10,000sf per bedroom. If you need a new system, that's the time to do it. Member Poillucci agreed, if it's failed anyway and the lot is small and doesn't meet the requirement, or the well is too close, then you could do it. If it's failed and they're going through the expense of putting in a new system, he was fine with being proactive. There was additional discussion. A resident asked for some clarification. Agent Cullen explained that the system would have to fail first. Then, if the criteria aren't met, a denitrification system would be needed. Member Poillucci added that the Board wouldn't fail something that hasn't already failed. Cesspools fail automatically, then if your upgrading and the lot's undersized, you add denitrification. That will bring the amount of nitrogen way down, it may not get down to today's code, but it will make it better. It will help the lake a lot.

Recent Board of Health Agent pending items - Agent Cullen said they will be spraying for mosquitos at John Paun Park and Clear Pond Park tonight. They have been testing for West Nile and EEE. We would get notified if it was found, and so far nothing has been found. They've only been testing for about two weeks.

Adjournment (6:51pm)

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

Voted: to adjourn.

Unanimous approval.