

Board of Health Meeting Minutes

March 26, 2008

The Board of Health held a meeting on February 27, 2008 in the Lakeville Town Office Building. The meeting was called to order by Acting Chairman Jennifer Turcotte at 6:30 p.m. Members present were Terrence Flynn and Jennifer Turcotte. Larry Perry, Health Agent and Jennifer Jewell, recording secretary, were also present. William Garvey was absent with prior notice.

39 County Street

7-4-15A

Bergquist

Steve Rhumba, from Collins Engineering, was present for the discussion. There was a review of the plans and letter detailing the requested waiver from a Local Upgrade Approval (LUA) and State Variance. It was noted that a sieve analysis was done to determine the perc rate on the site. The sieve and soil test results were discussed. The location of the proposed system is due to the well location. Ground water depth was reviewed. The proposed grading was discussed. It was stated that all grading would take place onsite and will not encroach on Mass Highway property. It was stated that native material would be replaced with sand and the impact of this on the LUA were discussed. There was a review of the water analysis. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plans and the requested waiver from Local Upgrade Approvals and State Variance as detailed in the letter revised on March 6, 2008 *pending* receipt of a revised plan showing all grading to be completed within the property lines. Unanimous vote.

324 Bedford Street

57-2-3

Haskins

John Haskins was present for the discussion. There was a review of the letter requesting a waiver from the Title V inspection and a variance for the well as constructed. Member Turcotte voiced concern regarding setting precedent with a decision. It was noted that the well installation triggered the Title V inspection. It was stated that it must be determined whether the cesspool is in the ground water in order to qualify for the waiver. Mr. Perry will inspect the system. Mr. Haskins reviewed present conditions. The Board requested a letter from Mr. Haskins stating that the previous well had been capped. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To table this discussion until the April 2008 meeting. Unanimous vote.

52 Old Main Street

58-6-1

Mastrangelo

Jon Pink, from AZOR Land Sciences, and Michael Mastrangelo were present for the discussion. There was a review of the plans and the letter detailing the requested waiver from Local Upgrade Approvals. It was noted that one green card/abutter notification was missing. Access to the site was discussed. A neighbor had voiced concern regarding impact of the septic location on future use of his property. It was stated that the Board could not address that matter at this time. There was discussion regarding the contractor that performed the soil evaluation. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plans, the requested waiver from Local Upgrade Approvals as detailed in the letter dated February 21, 2008 and the use of a soil evaluator that is not an employee of the designing engineer *subject to* the recording of a deed restriction maintaining that there will be no increase in flow.

8 Wil's Way

65-4-21

Maynard

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans and the letter detailing the requested waivers from Local Upgrade Approvals. It was stated that the two existing cesspools would be pumped and filled and that the garage would be connected to the proposed system. There was discussion regarding the pipe specifications. The relocated driveway will be shown on the as-built. The pipe between the d-box and the tank will be schedule 40. There was discussion regarding the shared well. It was noted that the water quality of the well was acceptable but it is located less than 50' from the cesspool on a neighboring lot. It was stated that records indicate separate ownership of the lot in question however Mr. Michaelis maintained that they were under the same ownership. It was stated that there was no easement to give access to the shared well. It was recommended that the septic tank be a two

compartment tank because of the kitchen in the garage. It was noted that the plans do not show a water service to the garage and there was question as to whether the septic line would cross this water line. It was also noted that the grade over the tank should be at 94' – revised from the original 92'. Mr. Michaelis discussed the possibility of proving common ownership of the lots or recording a deeded easement for the well access. Mr. Perry stated that if the lots have one owner then the cesspool issue would need to be addressed. There was question as to whether architectural drawings of the garage would be submitted so that it can be verified that there would be no increase in flow. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To table the discussion to the April 2008 meeting. Unanimous vote.

59 Howland Road

9-1-10

Medeiros

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the plans and the letter detailing the requested waiver from Local Upgrade Approvals. It was noted that the existing tank is too close to the property line, the leach pit has failed and the existing pool must be relocated. Well locations were reviewed. Chamber specifications were discussed. Mr. Perry recommended that the engineer contact the manufacturer to obtain verification regarding the depth to which the H-10 chambers can be buried. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and the requested waiver from Local Upgrade Approvals as detailed in the letter dated February 27, 2008 *pending* written confirmation from the chamber manufacturer that the H-10 can be buried to the depth specified on the plans. Unanimous vote.

The Back Nine Club

30-2-29

Olde Stone Lookout, LLC

Jamie Bissonnette, from Prime Engineering and Mark White, from the Back Nine Club were present for the discussion. There was a review of the plans. Mr. Bissonnette reviewed the projected timeframes for construction. Current kitchen issues were discussed and drawings were submitted. Mr. Perry stated that the application would be reviewed first and the kitchen would be inspected after construction. The owner wishes to install the new septic system in May 2008 and is working with DEP on the new water supply. The protective radius of the well was reviewed. DEP approved the existing well for 1,000 gallons/day and the increase to the proposed 4,000 gallons/day is awaiting approval. It was noted that the well use is being metered and any overages could affect permitting. The apartment in the maintenance building will need inspections by the building, fire and police departments and has been incorporated into the new septic system design. There is an existing separate well, to be discontinued, that currently services the maintenance building, which must be reflected on a revised plan. It was stated that the owners cannot use the failed system with the food establishment. Member Turcotte and Mr. Perry will review the plans and permit application. Mr. Bissonnette stated that the proposal is actually a change and reduction in use and that no variances will be requested.

3 Spring Brook Lane

16/2-5-4

Derosa

Darren Michaelis, from Outback Engineering, was present for the discussion. There was a review of the requested variance from a Local Board of Health Regulation. The perc test was done by George Collins from Collins Engineering and requires a variance as he is not the designing engineer. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and the requested variance from Local Board of Health Regulation as detailed in the letter dated March 6, 2008. Unanimous vote.

151 Staples Shore Road

64-3-2

Donahue

Darren Michaelis, from Outback Engineering, and Lynn Donahue were present for the discussion. There was a review of the plan and the letter detailing requested waivers from Local Upgrade Approvals. Existing conditions were discussed. The new well was installed because of the septic location and Ms. Donahue would like to use the old well, which has been disconnected from the house, for irrigation. Ground water depth was discussed. Irrigation wells are not specifically

mentioned by DEP and will need their approval or clarification. Possible adjustment of the d-box to gain approximately one additional foot was mentioned. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the plan and requested waivers from Local Upgrade Approvals as detailed in the letter dated March 21, 2008 *pending* approval or clarification regarding the irrigation wells from the Department of Environmental Protection. Unanimous vote.

16 2nd Avenue

41-13-4

Babineau

Arthur Bloomquist, from Webby Engineering, and Paul Meleedy, realtor, were present for the discussion. Mr. Bloomquist stated that the H-20 monolithic tank specified in the original plan is not available without a mid-seam. The revised proposal calls for an H-10 monolithic tank with an extended base to prevent buoyancy. Mr. Bloomquist obtained quotes for sealing the tank and found them to be exorbitant. Alternative methods of sealing the tank were reviewed. Members Flynn and Turcotte approved the use of a sealant/tar on the tank exterior. It was stated that the water quality results from the well test show elevated nitrate levels. The homeowner was notified and is still occupying the dwelling. Atlas Water Systems has been contacted regarding the installation of a denitrification system. It was also suggested that a neoprene gasket could be installed to eliminate or reduce surface contamination. Past water testing results were discussed. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the revised plan reflecting the water tight H-10 tanks and *subject to* an acceptable water analysis. Unanimous vote.

4 & 2 Forest Park Drive

59-2-19

Mello

There was a review of the Zoning Board of Appeals (ZBA) Petition for Hearing and the plans. Lot size was discussed. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To draft a letter to the Zoning Board of Appeals stating that there are no health reasons to deny the application *but* due to the nitrogen loading restrictions under 310 CMR 15.214, both of these lots would be restricted to 3 bedrooms maximum (each) for subsurface sewage disposal systems assuming that private wells and subsurface sewage disposal systems can be properly designed/sited/installed per Title V and according to all state and local regulations. Unanimous vote.

12 Malbone Street

Podielsky

There was a review of the stable license application. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the stable license application for 12 Malbone Street. Unanimous vote.

1 Patrick Thomas Court

62-1-11

Dyksinki

There was a review of the stable license application and attached plan. It was noted that if the license is to be grandfathered it must be under the conditions of the temporary license. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the stable license for 1 Patrick Thomas Court. Unanimous vote.

Massachusetts Health Officers Association

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve request for membership dues for Agents Perry and Beneski totaling \$100.00. Unanimous vote.

Inspector of Animals Nomination

Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To nominate Jared Darling as Inspector of Animals for a term running from May 1, 2008 thru April 30, 2009. Unanimous vote.

Plymouth County Mosquito Control

There was a review of the Public Notice of Proposed Aerial Pesticide Applications.

Norfolk – Ram

The Norfolk – Ram report was reviewed.

Trainings & Seminars

Future training opportunities were reviewed. Title V training will be discussed at the April Board meeting. Concern was voiced regarding the training budget.

County Street

Markson

A complaint was received about a dumpster on site. The dumpster was not covered, resulting in debris blowing into a neighboring lot. The dumpster was permitted after the fact. The complainant maintained the debris was not cleaned up and filed a formal complaint with the Board. It was stated that the debris clean-up could be a civil matter but the dumpster must be covered. Mr. Markson will be notified in writing of the dumpster regulations.

Next Meeting

The next meeting of the Lakeville Board of Health will be held in April 2008 in the Town Office Building. The meeting adjourned at 8:45 p.m.