

**Board of Health Meeting Minutes**

**May 7, 2008**

The Board of Health held a meeting on May 7, 2008 in the Lakeville Town Office Building. The meeting was called to order by Chairman Turcotte at 7:00 p.m. Members present were Terrence Flynn, William Garvey and Jennifer Turcotte. Larry Perry, Health Agent and Jennifer Jewell, recording secretary, were also present.

**10 Woodland Ridge**

**31-2-19/27**

**Bartlett**

Jason Youngquist, from Outback Engineering, was present for the discussion. There was a review of the plans and the requested variance from Lakeville Board of Health Regulations. It was stated that due to the depth of the ground water a 2.7 foot mound would be created by the construction of the septic system. The Board noted that a less expensive option would have been to request a variance for the distance of the system to the cellar wall. Mr. Youngquist stated that the analysis done by Horsley Whitten, demonstrated that the amount of fill over a system is not a factor in groundwater mounding. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plans and the requested variance from Lakeville Board of Health Regulations as detailed in the letter dated April 9, 2008. Unanimous vote.

**Vendor Warrants**

Vendor Warrants were signed by the Board.

**8 Wil's Way**

**65-4-21**

**Maynard**

Jason Youngquist, from Outback Engineering was present for the discussion. It was stated that the owner of 8 Wil's Way has an ownership interest but not full ownership of 10 Wil's Way and the two abutting lots are not considered to be under common ownership. It was stated that these two lots cannot share a well and that the homeowner must either install a new well or upgrade the existing cesspool, as it is located within 100' of the well. The construction permit will be held until this issue is resolved. Mr. Youngquist will consult with the property owner on the next step.

**131 Precinct Street**

**18-1-17**

**Burnham**

Brad Fitzgerald, from SFG Associates and Stuart Burnham, were present for the discussion. There was a review of the plans and the requested waiver from Local Upgrade Approval and variance from Lakeville Board of Health Regulations. There was discussion regarding the on-site and abutting wells. It was stated that, per Board of Health policy, Mr. Burnham should offer a well analysis to the abutter, Evelyn Hoard at 129 Precinct Street, to monitor the water quality. Mr. Burnham discussed time constraints. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plans and the requested waiver from Local Upgrade Approval and variance from Lakeville Board of Health Regulations as detailed in the letter dated April 24, 2008 *subject to* proof of an offer of a water analysis to the resident of 129 Precinct Street. Unanimous vote.

**99 Lakeside Avenue**

**49-2-6**

**Cheverie**

Linda Cheverie was present for the discussion. Ms. Cheverie requested clarification of her septic system as-built plan. Chairman Turcotte recommended that questions regarding the plans be directed back to the design engineer or the septic installer. There was a review of the photos and site elevations. Ms. Cheverie stated that a culvert from an abutting lot – and extended by Bay State - was discharging onto her lot, eroding a portion of the septic system. It was stated that water cannot be pumped on to an abutting lot. The Board recommended that Ms. Cheverie contact Bay State to discuss this matter.

**7 Fairway Drive**

**20-2-2M**

**Barach**

David Barach was present for the discussion. There was a review of a request to build an addition on an existing single family dwelling. Mr. Barach stated that the proposed room would be used as a fitness room. It was noted that the original plans propose a bathroom, washer and dryer and closet space. There was a review of the past and current septic issues. The dwelling is currently utilizing a White Knight system to remediate a failed leach system. It was stated that the proposed room fits the parameters established for a bedroom as defined in the Title V regulations. It was stated that the existing septic system was designed for a three-bedroom home and the proposed addition would represent an increase in flow that the system could not handle. It was suggested that Mr. Barach adjust the plans and the Board would revisit the issue.

**Open Meeting Law Seminar**

There was a review of a memo notifying the Board of an Open Meeting Law Seminar to be held on May 20<sup>th</sup> at 7:00 p.m. Member Flynn will attend the seminar.

**Inspector of Animals**

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

VOTED: To approve the appointment of Jared Darling as Inspector of Animals. Unanimous vote.

**203 County Road** **38-1-28 & 38-1-29** **Rogers**

There was a review of the Zoning Board of Appeals (ZBA) Petition for Hearing. Member Garvey and Mr. Perry had reviewed the records for this lot. The owner has combined lots with an abutting parcel and is requesting permission to raze the house on the abutting lot. There was question as to the effectiveness of a long trench on the site. It was noted that there is no well on the plans. Upon motion made by Member Garvey and seconded by Member Flynn

VOTED: To draft a letter to the Zoning Board of Appeals stating that that a Title V inspection is necessary to ensure that the septic system is working properly and able to support a three bedroom dwelling. The Title V inspection will also locate the on-site well. Unanimous vote.

**51 Nelson Shore Road** **55-1-13** **St. Don**

There was a review of the letter sent by the Board to the ZBA, dated April 14, 2008. There was a review of the plans. It was stated that a letter from the Department of Environmental Protection (DEP) requires there to be no increase in flow and no increase in square footage that results in an increase in flow. It was stated that a two bedroom dwelling has been proposed for this site and that a two bedroom deed restriction was required by the Board at the April 9, 2008 meeting.

**Main Street (CVS)** **62-4-2A** **G/B New England**

There was a review of the ZBA Petition for Hearing and the plans. It was stated that if there are no components of the soil absorption system under the proposed driveway than there are no health issues with the project. Upon motion made by Member Garvey 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 approve or deny the petition. Two in Favor. Member Flynn abstained. Motion carried.

**License Renewals**

Member Garvey read the list of applications that were due for renewal. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the Sunday Ice Cream license renewals as detailed in the May 7, 2008 letter as submitted by Board of Health Supervisor Nancy Teser. Unanimous vote.

**Meeting Minutes**

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

VOTED: To approve the minutes for the Lakeville Board of Health Meeting held on April 9, 2008. Unanimous vote.

**Clivus/Norfolk Ram Reports**

The reports from Clivus and Norfolk-Ram, regarding Island Terrace Nursing Home, were reviewed.

**179 Main Street**

Dave Peck, from DR Peck Excavating, was present for the discussion. Mr. Peck stated that since the proposed system was approved significantly better options are available for the homeowner. It was noted that a septic design could change and

would not require an additional meeting as long as there were no additional variance requests. It was stated that this project requires a new sideline variance and will be heard on the May 21, 2008 agenda. There was discussion regarding betterment amounts and the well installation. It was noted that a green card from the abutter is required. Mr. Perry discussed possible DEP approval because of the project's proximity to a tributary to a surface water supply.

**BOH Town Meeting Article**

It was noted that the Board would sponsor an article at the upcoming Town Meeting for the Water Pollution Abatement Trust.

**Auto & Fuel Allowances**

There was discussion regarding past practices for fueling and vehicle use. There was a review of the outcome of a recent meeting with the Board of Selectmen regarding this matter. It was noted that Town Counsel was contacted and advised that employees could not take a town vehicle to their residence. The Board of Health maintains the fact that Mr. Perry is emergency personnel while it was stated that, in the opinion of the Selectmen, he is not. The possibility of splitting use of the Board vehicle with Assistant Agent Beneski was discussed. It was stated that Mr. Beneski would have use of a Park Department truck. It was decided that the Board would draft a letter to the Board of Selectmen stating that Mr. Perry is emergency personnel and if the Board of Selectmen feel he is not to be considered as such, he should be removed from any and all town listings as emergency personnel.

**305 Kenneth Welch Drive**

There was a review of the letter from David Goodfellow, dated April 29, 2008, regarding possible air quality issues at Toder Industries. It was stated that OSHA referred the issue to the local Board of Health. Mr. Perry stated that the Board is not in possession of protective or testing equipment.

**Next Meeting**

The next meeting of the Lakeville Board of Health will be held on May 21, 2008 in the Town Office Building. Upon motion made by Member Flynn and seconded by Member Garvey the Board

VOTED:           To adjourn the meeting at 9:00 p.m. Unanimous vote.