

**Board of Health Meeting Minutes
October 17, 2007**

The Board of Health held a meeting on October 17, 2007 in the Lakeville Town Office Building. The meeting was called to order by Chairman Garvey at 7:00 p.m. Members present were Terry Flynn, Bill Garvey and Jennifer Turcotte. Jennifer Jewell, recording secretary was also present.

4 Pine Crest Drive

43-7-4

Reid

David Walsh from South Coast Septic Design was present for the discussion. There was a review of the revised plans. As a result of the discussion at the last Board meeting the well location was adjusted, eliminating some of the original variance requests. Mr. Walsh reviewed the current variance requests as detailed in a letter dated October 2, 2007. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the variances as requested. Unanimous vote.

Blueberry Estates/Buildings # 2, 4, 6

59-7-36

Cronin

Joe Webby from Webby Engineering was present for the discussion. There was a review of the plans. Test pit locations were discussed. It was noted that the proposed system is outside the Zone 2 (Royal Pizza). Waiver requests, as detailed in a letter dated October 2, 2007, were discussed. Mr. Webby reviewed recent upgrades to the existing systems. It was stated that the septic lines would be sleeved as the location of the water lines is unknown. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the waivers under Local Upgrade Approvals as requested subject to a satisfactory Title V inspection on the remaining systems. Unanimous vote.

Nelson Island

45-1-1

Hyman

Darren Michaelis from Outback Engineering was present for the discussion. There was a review of the plans and the proposed upgrade. Mr. Michaelis stated that the proposed system is located outside of the 100-foot buffer zone. Waiver requests, as detailed in a letter dated September 25, 2007 were discussed. The plastic tank will require a yearly pumping but the homeowner is not required to secure a contract for pumping services. It was noted that the homeowner has purchased a waterless urinal and one-gallon flush toilet for use. There was question as to how the tank would be pumped and whether the homeowner would be in violation if the tank was not pumped yearly. Access to the site was discussed. Richard Pedrante, Hemlock Shore Road, stated that he has witnessed heavy equipment driving through the water to access the site. Mr. Pedrante questioned whether washed stone would be used during installation. Mr. Michaelis reviewed the soils for the site and noted that sand would be used during installation. It was stated that the system was designed for year-round use. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the requested waivers under Local Upgrade Approvals and require that the tank is subject to annual pumping. Unanimous vote.

7 Woodland Ridge, Lot #23

31-2-10/23

Gallagher

Darren Michaelis from Outback Engineering was present for the discussion. There was a review of the plans. The depth of the water table and perc test results were discussed. There was a review of a letter, dated October 3, 2007, which detailed the variance request. Upon motion made by Member Flynn and seconded by Member Turcotte the Board

VOTED: To approve the variance as requested. Unanimous vote.

156 County Road

14-4-1/1

Markson

Darren Michaelis from Outback Engineering was present for the discussion. There was a review of the revised plans, the summary of revision and a letter detailing the variance requests. Well locations were discussed. It was noted that the abandoned well was not shown on the revised plan. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To approve the variances as requested subject to the receipt of a revised plan reflecting the location of a well near the southern boundary and the business and residence property line. Unanimous vote.

125 Staples Shore Road

64-3-15

Corsini

Darren Michaelis, from Outback Engineering was present for the discussion. Andrew Corsini and his attorney, John Ryder, were also present. It was stated that following the last Board meeting the Department of Environmental Protection (DEP) requested that the septic system not be located in the right of way (R.O.W). It was noted that town counsel was consulted and it was agreed that a better option would be to construct the retaining wall in the R.O.W. Mr. Ryder stated that the homeowners have rights to the middle of the R.O.W and have the right to utilize it for utilities, such as a septic system. There was discussion regarding a letter from the City of Taunton regarding this issue. Margaret Stafford, neighbor, reviewed the history and past usage of the right of way. The consensus of the Board was to deny the plan as presented or continue this matter so that a revised plan, reflecting the location of the retaining wall in the right of way, can be submitted. Mr. Michaelis stated that the wall will not have an adverse effect on the stormwater drainage in that area. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To continue the discussion regarding 125 Staples Shore Road to the November 14, 2007 meeting. Unanimous vote.

5 Elder's Pond Road

27-1-6

Fortunato

Lucille Fortunato presented a request for an amendment to an existing stable permit. There was a review of Ms. Fortunato's request and of the stable permit issued to the previous owner of a neighboring property (3 Elder's Pond Road). There was discussion regarding an email from the City of Taunton regarding this site which will be discussed at the November Board meeting. Ms. Fortunato reviewed her conversations with the City Solicitor from Taunton and Gene Bartlett, developer. Mr. Fortunato stated that there is no written verification of these conversations. There was a brief review of the neighborhood covenant regarding livestock, from which horses are not exempt. There was question as to whether the previous agreement with 3 Elder's Pond Road might set a precedent. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To continue the discussion regarding 5 Elder's Pond Road to November 14, 2007. Unanimous vote.

5 Ash Street

42-6-3

Vermette

There was a review of a Petition for Hearing with the Zoning Board of Appeals (ZBA) for 5 Ash Street regarding the demolition of the existing structure and the construction of a new dwelling. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To send a letter to the ZBA regarding this petition that states there are no health reasons to deny the application. Unanimous vote.

330 Bedford Street/Subway

Bartholomew

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

VOTED: To approve the Food Establishment License, Common Victualler License, Sunday Ice Cream License and the Milk & Cream License as requested. Unanimous vote.

241 Main Street/Somethin's Brewin Book Café

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

VOTED: To approve the 2007 Milk & Cream License and the 2007 Sunday Ice Cream License. Unanimous vote.

Lombard's Rubbish

Rombaldi

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

VOTED: To approve the request for a trash hauler license for Matthew Rombaldi d/b/a Lombard's Rubbish. Unanimous vote.

Meeting Minutes

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

VOTED: To approve the minutes, as presented, for the Board of Health meetings held on August 29, 2007; September 12, 2007 and September 26, 2007. Unanimous vote.

Sign-Off Sheet (Not on Agenda)

Currently permit applications require approval from the Conservation Commission and Tax Collector. There was discussion regarding perc testing and it was noted that no sign-offs are required. It was stated that an attempt to verify ownership is made but is sometimes difficult because the property in question might be under agreement. Upon motion made by Member Turcotte and seconded by Member Flynn the Board

VOTED: To require sign-off approval on the percolation testing application by the Tax Collector and the Conservation Commission. Unanimous vote.

Closing

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

VOTED: To adjourn the meeting at 8:17 p.m.