

**Board of Health Meeting  
October 22, 2008**

The Board of Health held a meeting on October 22, 2008 in the Lakeville Town Office Building. The meeting was called to order by Chairman Turcotte at 7:00 p.m. Members present were William Garvey and Jennifer Turcotte. Larry Perry, Health Agent, Nancy Teser, Board of Health Supervisor and Jennifer Jewell, recording secretary, were also present. Terrence Flynn was absent with prior notice.

**207-209 County Road**

**38-1-32**

**Barrett**

Jon Pink, from AZOR Land Sciences, was present for the discussion. There was a review of the plans and the requested variances from Local Upgrade Approvals and Local Board of Health Regulations. It was noted that due to the presence of a drinking water well on an abutting lot the leach field was reconfigured. A two-compartment tank will be installed on this site. The Board stated that there must be no increase in flow and that any proposal to subdivide the lots would require additional review by the Board. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the plan and the requested variances from Local Upgrade Approvals and Board of Health Regulations as detailed in the letter dated October 17, 2008. Unanimous vote.

**307 Pond Lane**

**47-3-1**

**Saia**

Jon Pink, from AZOR Land Sciences, and Victoria Saia were present for the discussion. There was a review of the plans and the requested variances from the State and Local Board of Health Regulations. Ms. Saia stated that she would like to install the well because of the inconsistency of the public water supply that currently services the dwelling. Distances to the abutter's leach fields were discussed. There was a review of a letter from the Department of Environmental Protection (DEP) stating that they were not in favor of the issuance of this well permit. Member Garvey suggested a Title V inspection. It was stated that the Singulaire system is inspected regularly but the reports are not forwarded to the Board. It was decided that if the Singulaire records met the Board's approval then a Title V inspection would not be necessary. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the plan and the requested variances from the State and Local Board of Health Regulations as detailed in the letter dated October 8, 2008 *subject to* an approved Title V or Singulaire report with no issues. Unanimous vote.

**234 Kenneth Welch Drive**

**61-2-9**

**Cold Storage Solutions**

Jon Pink, from AZOR Land Sciences, was present for the discussion. There was a review of the plans and the letter requesting a waiver from a two-compartment tank requirement. A single compartment tank was installed and backfilled. During the final inspection Mr. Perry was told that time constraints were an issue if the Board would require the tank be replaced. It was stated that the building has washrooms with no cafeteria or laundry capacity. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the after-the-fact installation of a single compartment tank with a commercial filter and to send a letter to D.R. Peck regarding the careful review of plans. Unanimous vote.

**309 Pond Lane**

**47-3-2**

**Crawford**

Bob Rego, from Prime Engineering and Robert Crawford were present for the discussion. There was a review of the plans and the requested waivers from the State and Local Board of Health Regulations. The requested well installation is due to issues with the public water supply. Distances to abutting septic systems were discussed. It was noted that the existing on-site septic system is three years old and because the pumping records are on file with the Board no Title V inspection is necessary. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the plans and the requested waivers from the State and Local Board of Health Regulations as detailed in the letter dated September 16, 2008. Unanimous vote.

**7 Pine Bluff**

**65-4-1**

**Marzelli**

Attorney Craig Medeiros was present for the discussion. There was a review of a letter from Attorney Robert Mather dated October 2, 2008. In Attorney Mather's opinion the Right of Way is no longer valid and current laws would allow the septic system to be located there, as it will not impede access. Member Garvey stated that if the Board allows this

system to be installed in the right of way, other homeowners would apply for permission to do the same as a precedent would have been set. Chairman Turcotte questioned why the applicant would relocate the right of way as proposed if, in fact, it does not exist. It was stated that this matter is under review by Town Counsel and the Board will advise Attorney Mather's office of all recommendations received by Town Counsel. It was stated that the Board has never allowed septic components to be installed in a right of way or a public way. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To continue the discussion to November 12, 2008. Unanimous vote.

**190 County Road**

**34-3-11**

**Marie**

There was a review of the requested variances from the State and Local Board of Health Regulations, done after-the-fact. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the requested variances from the State and Local Board of Health Regulations as detailed in the letter dated October 10, 2008. Unanimous vote.

**17 Island Road**

**41-1-21**

**Logan**

Darren Michaelis, from Foresight Engineering, was present for the discussion. There was a review of the plans and the requested variances from the State, Local Board of Health Regulations and Local Upgrade Approvals. It was noted that currently the laundry overflow is directed toward wetland flag #3. There was discussion regarding the use of plastic tanks and the GEO-flow system. Sieve analysis results were reviewed. The new well will be de installed in the same location as the current point well. The existing cesspool will be filled and removed. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve the requested variances from the State, Local Board of Health Regulations and Local Upgrade Approvals as detailed in the letter dated October 2, 2008 *subject to* a two bedroom deed restriction. Unanimous vote.

**17 Island Road**

**41-1-21**

**Logan**

The Board reviewed the Zoning Board of Appeals (ZBA) petition. 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 the Board of Health approved a septic system with a two-bedroom deed restriction. Unanimous vote.

**197 County Road**

**J & J Seafood Drive-In**

The Board reviewed a Milk & Cream License renewal request. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve Milk & Cream License Renewal for J & J Seafood Drive-In. Unanimous vote.

**Board of Health Regulations**

It was stated that because the Board now relies on soil logs and the Board witnessing percolation tests, the Regulation governing the witnessing of a percolation test by the engineer who prepared the sewage plan could be rescinded. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To rescind the section of the Percolation Test Regulations that reads as follows “ *Pursuant to Chapter III, Section 31 of the General Laws, the Board of Health of the Town of Lakeville voted on May 18, 1985 to amend the Perc Test Regulations of the Board, effective immediately, as follows: A sewage plan must be prepared by the engineer who witnessed the percolation test, or a member of his company or firm.*”. Unanimous vote.

**MHOA Grant Funding**

The Board decided not to apply for grant money to fund compliance checks on tobacco sales to minors.

### **Town Meeting**

The Board will not put forth any items for the Town Meeting warrant.

### **Equine Stable Regulations**

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

VOTED: To rescind the Lakeville Board of Health Stable Regulations; which were previously adopted on September 26, 2007, effective immediately (October 4, 2007 after advertising). Unanimous vote.

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

VOTED: To adopt the Lakeville Board of Health Equine Stable Regulations as drafted on September 24, 2008; effective immediately. Unanimous vote.

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

VOTED: To amend the fee schedule of the Town of Lakeville as drafted on September 24, 2008, effective immediately, and all other fees previously voted on will remain the same. Unanimous vote.

### **Budget Requests**

The Board increased the gasoline and training line items for the proposed budgets.

### **Cedardale Associates Public Water Supply**

There was a review of the correspondence from DEP detailing microbial and pressure issues with the public water supply.

### **125 Staples Shore Road**

There was a review of correspondence from the City of Taunton and Mr. & Mrs. Corsini. It was stated that the system has not been installed. The Board previously approved that a portion of the retaining wall could be installed in the right-of-way but no septic components. It was decided that the Board would wait to hear the opinion of Town Counsel regarding 7 Pine Bluff.

### **Board of Health Policies**

The policy governing backwash of a water treatment system was discussed. It was decided that the language would be simplified to read that no backwash outlets would be allowed into the septic system. A copy of the change will be sent to the Building Department for review by the Plumbing Inspector. Garbage grinders were discussed.

Vendor warrants were signed by the Board.

### **Next Meeting**

The next meeting of the Board of Health will be held on November 12, 2008 at 7:00 p.m. in the Board of Health office.

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

VOTED: To adjourn the meeting at 7:53 p.m. Unanimous vote.