

Board of Health Meeting Minutes

July 23, 2008

The Board of Health held a meeting on July 23, 2008 in the Lakeville Town Office Building. The meeting was called to order by Chairperson Turcotte at 7:00 p.m. Members present were Terrence Flynn, William Garvey and Jennifer Turcotte. Also present were Health Agent Lawrence Perry, Nancy Teser, Board of Health Supervisor, and Jennifer Jewell, recording secretary.

80 Taunton Street

21-3-6

Meier

Brad Fitzgerald, from Senna Fitzgerald Gilbert, was present for the discussion. There was a review of the plans and requested Local Upgrade Approval (LUA). It was stated that existing leach pits would be replaced with a leach field. The requested LUA will assist with the grading to minimize impact to the driveway. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plans and the requested variance from Local Upgrade Approval as detailed in the letter dated June 9, 2008 subject to the condition that there be no increase in flow. Unanimous vote.

Reappointment of Board Members

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

VOTED: To appoint William E. Garvey, Jr. as Assistant Board of Health Agent. Unanimous vote.

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

VOTED: To appoint Terrence Flynn as Assistant Board of Health Agent. Unanimous vote.

133 Bedford Street

25-3-23

Morneau

There was a review of the Zoning Board of Appeals (ZBA) petition. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To send a letter to the ZBA that states that the Board had previously approved a three-bedroom septic system for this site. Unanimous vote.

4 Edgewater Drive

55-1-1

Tribou

There was a review of the Zoning Board of Appeals (ZBA) petition brought by Michael and Maureen Martowska, 2 Edgewater Drive. It was stated that the Board previously approved a demolition permit and two bedroom septic system for this site. The garage construction was not reviewed or approved by the Board. There was discussion as to the location of the garage. It was noted that an emergency well permit was issued for a new well. Chairman Turcotte questioned whether the garage construction over the existing well constituted an emergency. The emergency permit was issued subject to a well analysis and meeting the correct setbacks. It was noted that the Board has not received proof of either. A Certificate of Compliance has not been issued for the septic system or well. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To send a letter to the ZBA that states the following: the Board had previously approved a demolition permit and a permit for two-bedroom septic system, with no increase in flow and subject to a two-bedroom deed restriction. A Board of Health decision was not issued for the construction of the garage or the emergency well permit. The emergency well permit was issued after the fact and the Board has not received a well analysis, well yield or variance request (for distance to the septic tank) from the homeowner. A Certificate of Compliance has not been issued for the septic system or well. Unanimous vote.

108 Pierce Avenue

7-1-27

Cunningham

Darren Michaelis, from Foresight Engineering, was present for the discussion. There was a review of the revised plans and the requested variances from Local Upgrade Approval. The location of the two failed leach pits was reviewed. It was stated that if the existing tank is water tight and is certified it will be used for this project. The sieve analysis was reviewed

and it was noted that the reduction of separation from high ground water will alleviate some of the impacts from grading. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plan and the requested variances from Local Upgrade Approvals as detailed in the letter dated June 23, 2008 subject to the condition that there be no increase in flow. Unanimous vote.

Heritage Hill Septic System (not an agenda item)

Darren Michaelis, from Foresight Engineering, was present for the discussion. Mr. Michaelis stated that during a recent Title V inspection it was found that the distribution box was not level and one leach field was dry while the other was in failure. The distribution box will be brought to grade and leveled and the pit will be pumped. A failure letter was issued to the homeowner. It was stated that the project should have been marked "further evaluation" instead. A permit is needed for this project.

County Road/School Street (not an agenda item)

Darren Michaelis, from Foresight Engineering, was present for the discussion. Mr. Michaelis stated that a lot in this location will be subdivided and the existing septic system will be on the newly formed lot. The septic system will be repaired prior to the subdivision. Mr. Michaelis questioned whether an out-of-season perc could be performed on this site. The Board stated they were not inclined to approve the request because there is no hardship involved.

427A Bedford Street

65-4-42

O'Buchon

Linda O'Buchon was present for the discussion. It was stated that this dwelling shares a well and septic system with an abutting lot. Variances are not needed for this project. It was noted that the well will be considered when the proposed septic installation comes before the Board. Upon motion made by Member Garvey and seconded by Member Turcotte the Board

VOTED: To approve well permit for 427A Bedford Street. Unanimous vote.

25 Beechwood Avenue

42-19-3

Arruda

There was a review of the Zoning Board of Appeals (ZBA) petition. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To send a letter to the ZBA that states that existing well is high in nitrates and the Board recommends that a new well be installed. Unanimous vote.

7 Pine Bluff

Marzelli

David Marzelli was present for the discussion. Mr. Marzelli stated that the ZBA required that Board of Health and Conservation Commission approval for the demolition of an existing dwelling and the construction of a new dwelling. There was a review of the plans. It was stated that the septic system is located in a roadway and that the roadways are registered at the Plymouth County Registry of Deeds. Although the system received approval from the Board in 1995 it may have been in error that would be compounded by ignoring the current situation. There was question as to what type of pipe was used during construction and whether state variances would be required. Mr. Marzelli stated that both Lakerim and Beach Street do not exist. The Board recommended that Mr. Marzelli have a land surveyor prepare and stamp a plan that shows those roads do not exist before proceeding further. Mr. Marzelli will discuss the matter with his attorney.

Massachusetts Association of Health Boards

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

VOTED: To approve the membership and payment of dues to the Massachusetts Association of Health Boards. Unanimous vote.

Meeting Minutes

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

VOTED: To approve the minutes from the May 12, 2008 meeting. Unanimous vote.

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

VOTED: To approve the minutes from the May 21, 2008 meeting. Unanimous vote.

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

VOTED: To approve the minutes from the June 9, 2008 meeting. Unanimous vote.

Norfolk Ram

There was a review of the Norfolk Ram and Clivus reports.

Chicken Coops

It was stated that there are no Board of Health regulations regarding chicken coops. The coop itself would be considered a shed and would require approval from the Building Department.

Budget

The Board of Selectmen requested that the Board prepare draft budgets through 2012. The Board took the request under advisement. There was discussion regarding the methodology for calculating future mileage. It was stated the training budget should be increased. The possibility of holding a training in Lakeville for food handlers was mentioned. There was question as to whether additional staff would be necessary to monitor the proposed apartment complexes. The line item for contracted services was discussed. It was stated that a uniform allowance and additional funds for auto repairs or use of an additional vehicle should be included.

Next Meeting

The next meeting of the Board of Health will be held on August 20, 2008 at 7:00 p.m. in the Board of Health office. Upon motion made by Member Garvey and seconded by Member Flynn the Board

Vendor warrants were signed by the Board.

VOTED: To adjourn the meeting at 7:50 p.m. Unanimous vote.