

**Board of Health Meeting
September 24, 2008**

The Board of Health held a meeting on September 24, 2008 in the Lakeville Town Office Building. The meeting was called to order by Chairman Turcotte at 7:32 p.m. Members present were Terrence Flynn, William Garvey and Jennifer Turcotte. Larry Perry, Health Agent, Nancy Teser, Board of Health Supervisor and Jennifer Jewell, recording secretary, were also present.

Heavy Metal Hotdogs

Demling

Christopher Demling was present for the discussion. Mr. Demling reviewed his request for a waiver or reduction of the permit fee for a food establishment license. It was noted that a vendor falls under the same category as a restaurant. It was decided that a seventy five dollar (\$75.00) application fee would be charged and Mr. Demling will reapply for a permit in January. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the request for a reduction in the permit fee for a food establishment license to seventy five dollars. Unanimous vote.

76 Precinct Street

28-9-2

Burke

Brad Fitzgerald, from SFG Associates, was present for the discussion. There was a review of the plans and the requested variance and waiver from local upgrade approval. It was stated that the proposed repair is to replace a failed cesspool. Distances to the well and Elders Pond were reviewed. It was noted that the applicant has tapped into the City of Taunton water supply and will be required to connect. The well adjacent to the existing soil absorption system must be abandoned. Mr. Perry requested that all noted pertaining to the EZ Flow system be removed from the plan. Robert Gosselin, 78 Precinct, questioned the proposed location of the septic system. It was stated that the location of the system was determined by site constraints and to limit massive tree removal. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plan and the requested variance from Local Board of Health Regulations and waiver from Local Upgrade Approvals as detailed in the letter dated August 25, 2008 *subject to* a tie-in to the City of Taunton water supply and the abandonment of the existing well and it must be noted on the plans that the EZ flow system cannot be used. Unanimous vote.

309 Pond Lane

47-3-2

Crawford

It was stated that due to lack of abutter notification the applicant requested that this discussion be tabled until the next Board meeting. Upon motion made by Member Flynn and seconded by Member Garvey the Board

VOTED: To table the discussion until the October 22, 2008 meeting. Unanimous vote.

207-209 County Road

38-1-32

Barrett

Jon Pink was present for the discussion. There was a review of the plans and the requested waivers from Local Upgrade Approvals and variance from Local Board of Health Regulations. The depth to water table and lot size were reviewed. There was discussion regarding the possible subdivision of the lot and deed restriction. It was noted that the location of the water service is unknown.

There was a motion made by Member Garvey and seconded by Member Flynn to approve the plan and the requested waivers from Local Upgrade Approvals and variance from Local Board of Health Regulations as detailed in the letter dated September 7, 2008 subject to a deed restriction that would require a two compartment tank and for the Board to revisit the application prior to the subdivision of the lot.

It was noted that the size of the tank would increase and would result in a slight impact to the variances requested. Charlie Hanson, 205 County Road, voiced concern regarding the proximity of the proposed leach field to his shallow well. It was stated that there is more risk of contamination from a failed system. There was discussion regarding a well marked as "irrigation" at 205 County Road. Mr. Hanson stated that the well is used for drinking water. There was a review of Title V regulations regarding the distances from septic systems to drinking water and irrigation wells. It was stated that the plans for 205 County Road must be reviewed and all wells located and labeled according to their correct use. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To table the discussion until the October 22, 2008 meeting. Unanimous vote.

209 Hemlock Shore Road

45-02-12

Poilucci

Jon Pink, from AZOR Land Sciences and Robert Poilucci were present for the discussion. There was a review of the revised plans and the requested variances from Local Upgrade approvals and the State. It was stated the variance request letter must be revised to specify one of the wells listed as shallow. It was noted that generally five affected wells is the threshold for denitrification. There was question as to the accuracy of the plans and it was stated that the engineering or stamp ensures the plan correct and the stamp of a land surveyor on the as-built will ensure the distances in the field at the time of construction are accurate. Chairman Turcotte noted that the cesspool onsite is an automatic failure of Title V and that the homeowner has the right to utilize the dwelling. The Board stated that the designation of this house as year-round or seasonal is an issue for the Board of Selectmen to review and that the installation of a tight tank is the last resort for a property. June Jancovsky, 211 & 213 Hemlock Shore Road, stated that the Board of Health placed a seasonal deed restriction on her home. Mr. Garvey suggested that Ms. Jancovsky contact the Board to revisit that matter. There was discussion regarding the past quality of the well onsite. The septic locations on neighboring lots and costs associated with a denitrification system were discussed. There was discussion regarding the flow of a failed septic system. Mr. Poilucci agreed to install the denitrification system in the interest of protecting the neighboring wells from any future issues. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plans and the waivers from Local Upgrade Approvals and State variance requests as detailed in the letter dated September 7, 2008 *subject to* receipt of revised plans and use of a detrification system. Unanimous vote.

16 Priscilla Drive

55-1-26

St. Don

Darren Michaelis, from Foresight Engineering, was present for the discussion. There was a review of the plans and the waivers from Local Upgrade Approvals and variance from Local Board of Health Regulations. It was stated that the as the existing septic system appears to be working it will be utilized but the septic tank will be replaced. Mr. Michaelis noted that a Title V inspection has not been done. The plumbing in the cottage will be removed and the mobile home will be taken off-site. It was stated that there are no water quality tests in the file and the depth of the well is unknown. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the plans and the waivers from Local Upgrade Approvals and variance from Local Board of Health Regulations as requested in the letter dated September 3, 2008 *subject to* receipt of the Title V approval, a well analysis and a three-bedroom deed restriction with no increase in flow. Unanimous vote.

15 Elders Pond Road

27-1-11

Lombardi

Rich Whittington, from Whitman Homes, was present for the discussion. There was a review of the requested waiver from Local Board of Health regulations regarding an out of season perc test. It was noted that perc tests were done on the property in 1995. Mr. Perry stated that the lot lines have changed and one of the test holes is located on another lot and one is located on the property line. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the requested waiver from Local Board of Health Regulations as detailed in the letter dated September 12, 2008 *subject to* an open hole inspection. Unanimous vote.

5 Satucket Trail

32-5-1C

Marot

Braydon Marot was present for the discussion. There was a review of the plans and the requested waivers from Local Board of Health Regulations. It was noted that one test pit was not depicted on the plans and that if any part of the primary or reserve touches this area the system will have to be designed to meet those specifications. Mr. Marot stated that the proposed Presby system requires less area and will be located where the two test pits shown on the plans are located. The Board stated that all perc tests must be shown on the plan and that a perc test will be done at the time of installation and if there is a change the system must be designed to accommodate that change. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve plans and the requested waivers from Local Board of Health Regulations as detailed in the letter dated September 9, 2008 *subject to* the observations during the open hole inspection during installation. Unanimous vote.

28 Shore Avenue

41-1-12

Green

George Collins, from Collins Civil Engineering, was present for the discussion. There was a review of the plans and the requested variances from the state and Local Upgrade Approvals. It was stated that because a tight tank will be installed a variance for the distance to the leach facility will not be necessary. There was a review of site photos. It was stated that there is no record of an existing well on the property. It was stated that the homeowner is not satisfied with the water quality from the public water supply due to turbidity, discoloration and palatability. It was stated that the seasonal water supply is tested regularly and that private wells may not be regularly inspected. Ms. Green noted that the house is not being lived in but is used during the summer and reviewed the property history. Chairman Turcotte stated that the analytical analysis for the well should be reviewed and then the need for a well could be reevaluated. A two bedroom deed restriction has been placed on the dwelling. Upon motion made by Member Garvey and seconded by Member Flynn the Board

VOTED: To approve the well permit and the requested waiver from Local Board of Health Regulations as detailed in the letter dated September 3, 2008. Unanimous vote.

7 Twin Oaks Road

Black

The Zoning Board of Appeals petition brought by Ms. Black has been withdrawn.

60 Taunton Street

21-4-7

Lee

The Board reviewed the Zoning Board of Appeals (ZBA) petition. It was noted that the ZBA has continued this hearing. Upon motion made by Member the Board

VOTED: To draft a letter to the Zoning Board of Appeals stating that there is no Board of Health reason to approve or disapprove of the petition. Unanimous vote.

Somethin's Brewin Book Cafe

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

VOTED: To issue a milk and cream license to Somethin's Brewin Book Café at 241 Main Street. Unanimous vote.

Clivus Report

There was a review of the monthly report from Clivus

Meeting Minutes

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

VOTED: To approve the minutes from the June 25, 2008 meeting. Two in favor. Chairman Turcotte abstained.

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

VOTED: To approve the minutes from the July 23, 2008 meeting. Unanimous vote.

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

VOTED: To approve the minutes from the August 20, 2008 meeting. Unanimous vote.

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

VOTED: To approve the minutes from the September 2, 2008 meeting. Unanimous vote.

Clivus New England

The monthly report from Clivus was reviewed.

Notice of Responsibility

There was a review of the Notice of Responsibility from the Department of Environmental Protection. It was noted that the Board has not received a report from the Fire Department.

Petro Plus/Joe's Gas

Office Hours

The Board of Health office will be open on Thursdays with the exception of Thursdays following a Wednesday meeting.

Vendor Warrants

Vendor warrants were signed by the Board.

Kenneth Welch

There was discussion regarding a septic spill on Kenneth Welch Drive. It was noted that the septic hauler was not licensed and the possibility of doubling the permit fee was mentioned.

Next Meeting

The next meeting of the Board of Health will be held on October 22, 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

VOTED: To adjourn the meeting at 9:12 p.m. Unanimous vote.