

**Board of Health Meeting Minutes
December 7, 2011**

The Lakeville Board of Health held a meeting on **December 7, 2011** in the Lakeville Town Office Building. Present at this meeting were Board Members Robert Poillucci, William E. Garvey and Terrence Flynn. Also present were Health Agent Lawrence Perry and Board of Health Clerk Jo Lima as Recording Secretary.

Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by Clerk Lima and Comcast, and would be televised by at a later date.

27 Pickens St.

030-002-028A

Chris Buckley

Homeowner Chris Buckley and David Marangi from Fieldstone Residential were present. This property has a shared well with 25 Pickens St. Septic Design on file is for three bedrooms. A letter was received from Pilling Engineering Group, Inc. requesting the following:

Local Lakeville Board of Health Regulations Variances

1. **Section 12.1** - To reduce the distance from an existing well to an existing property line from 10' to 0'.
2. **Section 12-1** - To reduce the distance from an existing well to an existing street layout line from 20' to 3'.
3. **Section 12.5** - To allow the continued use of an existing shared well.

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

VOTED: To grant the request with the stipulation that a deed restriction be recorded with the Plymouth County Registry of Deeds stating that the well is an existing "shared well" with property at 25 Pickens St., before the release of the Certificate of Compliance. Unanimous vote in favor.

11 Colleen Dr.

058-001-007A

George Stephan

Homeowner George Stephan was present for discussion. Member Garvey questioned why the system was so deep. Mr. Stephan stated that the existing plumbing is low (deep).

Local Upgrade Approval

Section 15.405 (1)(b) – To allow the S.A.S. to have approximately 48" of cover, with proper venting and H-20 load capacity, instead of the 36" maximum.

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

VOTED: To grant the request to allow the S.A.S. to have approximately 48" of cover, with proper venting and H-20 load capacity, instead of the 36" maximum. Unanimous vote in favor.

37 Shore Ave.

041-009-013

Carol King/Robert Langelier

A letter was received from Charon Associates, Inc. requesting the following:

State Variance Requests

1. **Sec. 15.260** – To allow the use of a tight tank system
2. **Sec. 15.211** – To allow Tank less than 10' from property lines (LUA)

3. **Sec. 15.211** – To allow tank less than 10’ from crawl space (LUA)
4. **Sec. 15.228** – To allow tank inlets less than 6” above estimated seasonal high ground water table
5. **Sec. 15.211** – To allow water supply line less than 10’ from tank (LUA)
6. **Sec. 15.211** – To allow tank less than 100’ from Long Pond

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

VOTED: To approve the requests with the following stipulations:

1. A Registered Land Surveyor stamp **is required on the proposed plans.**
2. The Board of Health approval needs to be submitted to the **Department of Environmental Protection (DEP)** for their approval for use of the “Tight Tank
3. A deed restriction must be recorded at the Plymouth County Registry of Deeds stating that the **The dwelling will remain a “Seasonal” (3) three-bedroom dwelling with no further expansion and no increase in flow to the septic system, and it is to be made known that this dwelling houses a “Tight Tank” that requires a Quarterly Inspection Contract for the life of the system to include pumping (maintenance) as necessary, but not less frequently than monthly when dwelling is inhabited.**
4. A **Two Year Renewable Service Contract** with a “Town of Lakeville Licensed Septage Pumper/Hauler” needs to be submitted to the Board of Health Office before the issuance of the Certificate of Compliance for the septic system.
5. A **Quarterly Inspection Agreement** acceptable to the Board of Health needs to be submitted to the Board of Health Office prior to the issuance of the Certificate of Compliance for the septic system.

Unanimous vote in favor

15 South Ave.

042-025-008

Martin Conway

Board Members had a discussion regarding an after-the-fact Local Upgrade Approval. The original proposed plan was approved with his water supply line to be relocated 10’ away from septic tank and sewer pipe; however, his installer deviated from that specification.

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

VOTED: To grant an After -the-Fact Local Upgrade Approval to locate septic components closer than required setbacks subject to the As-Built being submitted. It was also voted to send the installer (Coots Bros) a letter advising him that in the future he should seek permission from the Board of Health Agent, prior to deviating from approved plans. Unanimous vote in favor.

28 Bedford St.

027-002-028

Ted Williams Camp

Board members reviewed a proposed plan by Azor Land Sciences, Inc. requiring local upgrade approvals for two divergences from Title V Regulations to site new tanks and leaching system within 200’ of a tributary (Loon Pond) at the Ted Williams Camp.

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

VOTED: To approve the proposed plan with the stipulation that another observation hole and percolation test in primary SAS area will be done during open hole inspection. Unanimous vote in favor.

157 Bedford St.

025-004-001

Tamarack Wine & Spirits

Mr. Donnelly from Tamarack Wine and Spirits was not present for discussion, but questioned in an email to Clerk Lima why he was paying \$200 for a food establishment license, when he only carries pre-packaged items and does not do any food handling. Chairman Poillucci wasn't comfortable addressing this issue at this time until some research is done in regards to how long it takes Agent Perry to do inspections for establishments that have larger facilities than others. Member Garvey agreed that it would not be fair for a retail establishment to be charged the same fee as a restaurant. Member Flynn stated that we could possibly implement different levels of fees. The Board decided to table this discussion due to the fact that any changes in fees would have to be publicized and a hearing would have to be held. Board Members asked that some research be done to inquire what surrounding towns are charging for fees so that this issue can be addressed at a future meeting.

Board of Appeals Petition for Hearings

49 Myricks St.

005-001-020

Lisa & John Kyranos

Board Members reviewed the Petition for Hearing for Lisa & John Kyranos. Chairman Poillucci stated that the way the petition was written it appeared that they were wanting to build a two family dwelling, but what they are building is an in-law. The currently submitted ZBA plans do not show sufficient details for an actual BOH approval at this time for septic and well permits however, the Board can give preliminary approval at this time for the recent concept plans reviewed that show the basic layout for this proposed project.

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

VOTED: To send the Board of Appeals a letter; stating that the Board Members will address this issue when the application/plan/permit packages are submitted for the well, septic and building permits.

2012 Board of Health License & Permit Renewals

COMMON VICTUALLERS

Aramark Educational Services LLC / Apponequet High School
Aramark Educational Services LLC / Freetown Lakeville Middle School
Aramark Educational Services LLC / George R. Austin Intermediate School
The Back Nine Club LLC
Baldies Pizzeria, Inc.
Lakeville Virtual Entertainment Group, Inc. d/b/a The Broken Tee
Camp Joe Hooker, Inc.
Cisco Corp., Inc. d/b/a Cisco's Pizza
Corporate Chefs, Inc. (Talbots)
MFH Acquisition of Lakeville LLC d/b/a Dunkin Donuts
Gulf Resources, Inc. / Joe's Gas
Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.
Lakeville Golf Club, Inc.
Assawompset Golf Co. LLC d/b/a LeBaron Hills Country Club
Nature's Pantry
Hawaii Corp. d/b/a Orchid of Hawaii Restaurant, Inc.
Poquoy Investment Group LTD d/b/a Poquoy Brook Golf Course

Royal Pizza
Savas Liquors, Inc.
Sedell, Inc. d/b/a Sedell's Pharmacy
Somethin's Brewin' Book Café, Inc.
Joseph R. Starr d/b/a Starrs Country Market
Tand, Inc. d/b/a Subway
The Sunshine Café
Unidine Corporation (@ Ocean Spray Cranberries)
Walgreens Eastern Co., Inc. #10269

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

VOTED: To approve the Common Victualler licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011, **with the following exceptions:** Baldies Pizzeria, Lakeville Golf Club, Inc., Joseph R. Starr d/b/a Starrs Country Market and Poquoy Investment Group LTD d/b/a Poquoy Brook Golf Course; subject to their being in compliance. Unanimous vote in favor.

FOOD ESTABLISHMENTS

Amazing Cakes, Inc.
Aramark Educational Services LLC / Apponequet High School
Aramark Educational Services LLC / Freetown Lakeville Middle School
Aramark Educational Services LLC / George R. Austin Intermediate School
The Back Nine Club LLC
Baldies Pizzeria, Inc.
Camp Joe Hooker, Inc.
Cisco Corp., Inc. d/b/a Cisco's Pizza
Corporate Chefs, Inc. (@ Talbots)
MFH Acquisition of Lakeville LLC d/b/a Dunkin Donuts
Gulf Resources, Inc. / Joe's Gas
Island Terrace, Inc.
Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.
Lakeville Golf Club, Inc.
Lakeville Virtual Entertainment Group, Inc. d/b/a The Broken Tee
Assawompset Golf Co. LLC d/b/a LeBaron Hills Country Club
Life Resources, Inc. (Bishop Ruocco House Treatment Center)
BBP Corp. d/b/a Muckey's Liquors
Nature's Pantry
Hawaii Corp. d/b/a Orchid of Hawaii Restaurant, Inc.
Poquoy Investment Group LTD d/b/a Poquoy Brook Golf Course
Royal Pizza
Savas Liquors, Inc.
Sedell, Inc. d/b/a Sedell's Pharmacy
Somethin's Brewin' Book Café, Inc.
Joseph R. Starr d/b/a Starrs Country Market

Tand, Inc. d/b/a Subway
The Sunshine Café
Tamarack Wine & Spirits, Inc.
Tutto Italiano, Inc.
Unidine Corporation (@ Ocean Spray Cranberries)
Walgreen Eastern Co., Inc. (#10269)

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

VOTED: To approve the Food Establishment licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011, **with the following exceptions:** Baldies Pizzeria, Lakeville Golf Club, Inc., Joseph R. Starr d/b/a Starrs Country Market and Poquoy Investment Group LTD d/b/a Poquoy Brook Golf Course; subject to their being in compliance. Unanimous vote in favor.

SEPTAGE PUMPERS

Bay State Sewage Disposal, Inc.
Claude Dubord & Son, Inc.
Flowmaster Corp.
Middleboro/Lakeville Cesspool, Inc.
Patriot Services, Inc.
Soares Sanitation Pumping, Inc.
Southeast Septic Services
Wind River Environmental, LLC

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

VOTED: To approve the Septage Pumper licenses and as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

STABLES (in order by address)

Newell & Ann Wambolt	5	Barstow Street
Jan Leigh Drake	113	Bedford Street
Katherine Bures	127	Bedford Street
David A. Goble	209	Bedford Street
Wayne Costa	419	Bedford Street
Gina A. Perruzzi	421	Bedford Street
Cindy Wines	11	Clark Road
George Smith III	105	County Road
H. Van Laarhoven	165	County Road
Richard & Ann Gredler	6	Fieldstone Drive
Mark L. Faulkner, Sr.	9	Freetown Street
Rochelle Dextraze	11	Freetown Street
Andrew Mastrodomenico	12	Galfre Road
Christopher J. Travis	23	Galfre Road
Robin Fielding	28	Highland Road
Joan M. Morton	74	Highland Road

Grouse Ridge Farm, LLC/Harry W. Fisher	12	Hill Street
Daniel B. Cripps	35	Hill Street
Louise DeMoranville	87	Kingman Street
Mary Flaherty	8	Lakeside Ave.
Sharon Booker Cabral Rielly	1	Lang Street
Joseph Daiute	17	Leonard Street
Richard S. Tripp	134	Main Street
Doris Santos	14	Margeaux Drive
Christine Lefebvre	22	Mill Street
Nancy Kitchen	30	Montgomery Street
Karen Corbett	54	Montgomery Street
Wendy Amaral	17	Nelson Shore Road
Debra Sukeforth	51	Old Main Street
Susan Ross	2	Old Stonewall Road
Kerri Belken	42	Pierce Ave.
David Frates	101	Precinct Street
Jaclyn Mary Gould	6	Race Course Road
Raymond L. Smith	200	Rhode Island Road
Arnold Burnham	202	Rhode Island Road
Judy M. Batty	129	South Pickens Street
Ernest Burgeson	8	Southworth Street
Bonnie Calari	69	Southworth Street
Katherine Edwards Januse	71	Southworth Street
Golden Spur Ranch/Trudy Sena	29	Staples Shore
Persis White	35	Taunton Street
Karen Moroz	74	Taunton Street
Gene Bartlett	2	Tyler's Way
Lynne L. Silvia	47	Vaughan Street
Bradily Valente	66	Vaughan Street

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

VOTED: To approve the Private Stable Permits as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

<u>BOARDING STABLES</u>		
Holloway Brook Farm	6	Barstow Street
D. Barry/Hallamore Clydesdales	138	Bedford Street
Alice Smith, A & D Stable	444	Bedford Street
Beland Stables, Inc.	17	Montgomery Street
Powderly Meadows, Inc.	50	Montgomery Street
Hazel Dooley, Dooley's Stock Farm	51	Montgomery Street

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

VOTED: To approve the Stable Boarding licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

TOBACCO VENDORS

BBP, Inc. d/b/a Muckey's Liquors
Gulf Resources, Inc. d/b/a Joe's Gas
Joseph R. Starr d/b/a Starr's Country Market
Poquoy Investment Group, Ltd. d/b/a Poquoy Brook Golf Course
Savas Liquors, Inc.
Sedell, Inc. d/b/a Sedell's Pharmacy
Tamarack Wine & Spirits, Inc.
Walgreen Eastern Co., Inc. #10269

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

VOTED: To approve the Tobacco Vendor Licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

TRASH HAULERS

Allied Waste Services of Mass LLC
CJ Rubbish Removal, Inc.
Frade's Disposal, Inc.
Gorden Rubbish Removal, Inc.
Hiller Disposal Inc.
Lakeville Disposal Service
Plymouth Rock Rubbish Removal
Twin Coach Estates, Inc.
Waste Management of MA, Inc.

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

VOTED: To approve the Trash Hauler Licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

MISC.

Eliot L. Francescon	Hog Farm
Hazel F. Dooley	Hog Farm
Eliot L. Francescon	Trash over town lines
Assawompsett Golf Co., LLC d/b/a LeBaron Country Club	Operate a Semi-Public Pool
Allure Day Spa, Inc.	Sun Tanning Booths
Twin Coach Estates, Inc.	Mobile Home Park

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

VOTED: To approve the miscellaneous licenses as submitted on the memo from Board of Health Clerk Lima dated December 7, 2011. Unanimous vote in favor.

Acceptance of minutes of meeting of November 9, 2011

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

VOTED: To approve the Board of Health minutes as typed. Unanimous vote in favor.

2012 MHOA \$60 Membership Renewal Fee

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

VOTED: To approve the 2012 MHOA \$60 Membership Fee. Unanimous vote in favor.

OLD BUSINESS

Continued discussion relative to “Seasonal Properties”

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

VOTED: To set a meeting date in the near future to have a discussion on seasonal properties only. Unanimous vote in favor.

Informational:

- Poquoy Brook Golf Course-**Notice of Non-Compliance Violation** Summary Report 11/28/11
- Starr Country Market-**Notice of Non-Compliance Violation** Summary Report 11/28/11
- LeBaron Residential, LLC-The Fairways Wastewater Treatment Facility October 2011 Discharge Monitoring Report-Permit SE #876-0
- KCLS Construction Holding Co.-Kensington Court Wastewater Treatment Facility October 2011 Discharge Monitoring Report-Permit #SE #2-392
- Island Terrance Nursing Home, Monthly Status Report Norfolk Project No. 986.001.02 Task 3 October 2011
- Freetown-Lakeville Regional School District Wastewater Treatment Facility October 2011 Operations Report
- Report of Sanitary Survey performed at Twin Coach-Edgeway Mobile Homes on July 19, 2011

Other Business

19 Shore Ave.

041-009-004

Paul & Cheryl Flynn

Mr. Flynn submitted a request letter on December 2, 2011 requesting a one year extension on the installation of his septic permit. A call was received to our office from Mr. Flynn on December 6, 2011, withdrawing his request.

Vendor Warrants were signed by the Board Members.

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

VOTED: To adjourn the meeting at 6:35 p.m. Unanimous vote in favor.