

**Board of Health Meeting Minutes
November 18, 2015**

The Lakeville Board of Health held a meeting on November 18, 2015 in the Lakeville Town Office Building. Present at this meeting were Board Members, Robert Poillucci, Terrence Flynn and Derek Maxim. Health Agent Lawrence Perry and recording secretary Jo Lima was present.

Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by the Board of Health.

131 Staples Shore Road – Nyles Zager from Outback Engineering was present to discuss multiple state and local variances for a septic repair and new well for this seasonal property being converted to year round. Abutter cards were submitted. Nyles stated that Health Agent Perry had a couple of things he wanted changed on the plans and they were waiting on a well test from an abutter so he asked to board to continue until the December 16, 2015 meeting. Nyles asked if he needed to re-notify the abutters. Chairman Poillucci said that letters should be sent in case they wish to be present at the future meeting, but they didn't have to be certified letters. He continued the discussion to the next meeting.

24 Hickory Ave. – Nyles Zager was present from Outback Engineering to discuss state and local variances for a proposed new well and tight tank on this seasonal undersized lot. Board Members discussed and reviewed a plan dated August 30, 2015. Nyles said they have approval from Conservation.

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

VOTED: To approve all the variances as listed on the plan with the stipulation that rubber boots be utilized on the tank pipe inlet and the recordation of a two bedroom seasonal deed restriction. Unanimous vote in favor.

60 Rhode Island Road – Homeowner Christine Vacca was present for discussion. Board members reviewed documents received on November 4, 2015 with regard to a new stable permit at the above referenced property. Abutter cards were submitted. Animal Inspector Jared Darling was also present and said he would recommend approval for the four horses requested. He said the plan appears to meet all the setbacks. He said the abutter wells and distances are not shown on the plan, but one of the abutters is on municipal water. He said there is a 60' radius around the manure pile, but there is no distance from that point to any wells. He said the board is just approving the plan and should keep in mind that before any horses are placed on the property, he would need to go out beforehand to verify the setup was built to plan. He said if it's not, then the homeowner would have to come before the board again for approval. A few abutters were present asking various questions. Chairman Poillucci suggested that the manure pile be moved more to the center of the property.

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

VOTED: To approve the stable permit for 60 Rhode Island Road for four horses pending inspection by the Animal Inspector and the relocation of the manure pile closer to the center of the property. Unanimous vote in favor.

Agent Perry wanted to clarify the policy with regard to water tests and the objective third party taking the sample. He said someone has a closing and had his Title V inspector took his water sample which came with Coliform. He said the Title V inspector advised the homeowner he should not take his own sample but he went ahead anyway. Members Flynn and Maxim agreed that if a property is being sold the sample should not be taken by the seller and a chain of custody should be submitted. Member Flynn said Agent Perry could take the sample and deliver it to the lab he could if they can't get anyone from the lab to go out in time to have the report for the closing.

Chairman Poillucci said without bringing up an address or anything specific he wanted to bring something up that he thought was already resolved at a previous meeting but it appears there are still questions. He said it was mentioned that on an anonymous nuisance complaint the Board of Health does not have to act on it. He said a written complaint has been received. Chairman Poillucci said he printed out how we are supposed to handle it (MASS DEP-Regulation of Nuisance Conditions: How Municipalities Should Respond to Noise) and wanted to make sure no one disagrees with him that it should be handled as its stated before we even consider going ahead and making all new rules and regulations or adopt a new procedure. Animal Inspector Darling is going out to the property this weekend and measuring the distance from the well to the chicken pen and report back to the Health Agent. Inspector Darling said although we have no regulations for chickens he feels as though we should stay within the stable regulation guidelines. Member Flynn asked what the limit was for personal use for chickens. Darling said he didn't think there is a limit as long as it's not a public health risk. Chairman Poillucci said Building Commissioner Nate Darling went out to this property and that this person has almost three acres. Chairman Poillucci said the pen was put right on the fence line of the complainants' swimming pool so he has no problem going forward taking some action treating this as a nuisance complaint. Member Maxim asked if it was a rooster that was being complained about. Agent Perry said that was part of it along with the well setback question.

Acceptance of October 21, 2015 & November 4, 2015 Board of Health Meeting Minutes – Members reviewed the minutes.

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

VOTED: To approve the October 21, 2015 & November 4, 2015 Board of Health Meeting Minutes at typed. Unanimous vote in favor.

Nursing Update – No discussion held.

At 6:18 p.m., upon motion made by Member Flynn and seconded by Member Maxim on a unanimous roll call vote, the Board:

VOTED: To enter Executive Session pursuant to M.G.L. c.30A, §21(3) to discuss strategy with respect to collective bargaining, specifically, the Supervisory Union and the Clerical Union, if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares, and not to return to Open Session.

Polled vote: Chairman Robert Poillucci-Aye, Member Derek Maxim-Aye, Member Terrence Flynn-Aye

Accepted as Typed 12-2-15JL
