



**202 County Street**

**(034-003-002 & 008)**

**Nancy Lunnin**

George R. Collins of Collins Civil Engineering Group, Inc. was present for discussion. Collins stated that they were requesting a multiple of Local Upgrade Approval Variances and State Variances for the proposed installation of a “**Presby Enviro-Septic**” design. Collins stated that he was submitting revised plans tonight; whereas the other ones didn’t have the Registered Land Surveyor Stamp (RLS) on them. Collins explained the seven (7) Local Upgrade Approval Variance requests and the two (2) State Variance requests that they were asking for. Discussion was held on the need for a third State Variance – “Vertical reduction from 5’ to 3’ from a Soil Absorption System to groundwater for soils >85% sand, allowable with Presby Enviro-Septic I/A system.” Chairman Garvey said the omitted variance would be included in their motion and revised plans would be required. Upon motion made by Member Flynn and seconded by Member Poillucci, the Board

VOTED: To approve the “Presby Enviro-Septic” design with the seven Local Upgrade Approval Variances and the three State Variances; subject to receiving revised septic plans with the third variance on them, pending approval from the Department of Environmental Protection (DEP) for the “Presby Enviro-Septic” system, subject to receiving approval on a Notice of Intent filed with the Conservation Commission, and subject to a deed restriction (restrictive covenant) being recorded at the Plymouth County Registry of Deeds stating that this dwelling will remain a (4) four-bedroom dwelling with no increase in flow to the septic system, and that it is to be made known that this dwelling house a “Presby Enviro-Septic” system. Unanimous vote.

**13 Twin Oaks Road**

**(065-002-004)**

**Elizabeth Yeatts**

George R. Collins of Collins Civil Engineering Group, Inc. was present for discussion. Collins stated they were requesting four Local Upgrade Approval Variances for the upgrade of this septic system. Discussion was held on the location of abutting wells and the on-site well. Board members stated that a current on-site well analysis would need to be done, and that would be part of their motion. It was also noted that a RDA (Request for determination of Applicability) has to be filed with the Conservation Commission. Upon motion made by Member Poillucci and seconded by Member Flynn, the Board

VOTED: To approve the four Local Upgrade Approval Variances requested and plans; subject to receiving a current well analysis for potability; including volatile organic compounds (VOC’s) and arsenic on the on-site well. Unanimous vote.

**3 Hollis Avenue**

**(042-007-002)**

**Lucjan & Alicia Barys**

Brian J. Hughes of Brennan, Recupero, Cascione, Scungio & McAllister, LLP was present for discussion. Mr. & Mrs. Barys were also present at this meeting. Previously, at the Board of Health meeting held on June 2, 2010, the Board reviewed a Petition For Health for this property. The Brief to the Zoning Board of Appeals was – “To allow the construction of a farmer’s porch on the dwelling” and “to demolish and rebuild a portion of the single-family seasonal dwelling and construct a deck appurtenant thereto”. After



VOTED: To approve Mr. Dixon's request for a waiver from the required "licensed installer" signature on the Certificate of Compliance for the new septic system installed at 16 Village Road by M & M Concrete Construction of Dartmouth, MA last year. Unanimous vote. Chairman Garvey will sign off on the Certificate of Compliance.

**1 Patrick Thomas Court**                      **(062-001-011)**                      **Michael Dyksinski**  
Michael Dyksinski of 1 Patrick Thomas Court was present for discussion. Dyksinski previously submitted an Application for a Stable Permit and a rough plan of the property, for five animals housed in a building measuring 5' x 4' containing six stalls. Health Chairman Garvey noted that the submitted plan did not appear to show all the required stable regulations and proposed plan parameters; that it was not an engineered plan as required. Dyksinski said he had about 40,000 s.f. of land. Garvey asked what was going to be done with regard to the manure. Dyksinski stated that he was going to haul it off the property. Dyksinski's original and previous stable permits were only for three horses. Garvey told Dyksinski they (Board) have to know exactly how much land he actually (not including State land) owns. Dyksinski was also told that abutters would need to be notified, if he planned on having five horses and the Board definitely needs a better set of plans before approving any stable permit. No action was taken at this time. Dyksinski was told to submit plans for the next meeting.

**Board of Appeals**  
**211 Old Main Street**                      **058-001-005**                      **Scot Servis**  
Board members received a Petition For Hearing for Scot Servis at 211 Old Main Street from the Board of Appeals. The Brief to the Board: "Remove existing garage and replace with a two story garage, great room and bathroom with porch", and the Nature of Relief Sought was "Special Permit under Section(s) 6.1.3 of the Zoning Bylaws". It was brought to the Board's attention that a replacement well went in off the property and requires a town easement to be in the road layout in addition to a variance from the Board's local well regulations. The plans that were submitted with the Board of Appeals package appeared to be in conflict, as one plan (titled plot plan showing addition) shows the well on the property, and one plan (titled well and dwelling as-built) shows it in the road layout. Upon motion made by Member Poillucci and seconded by Member Flynn, the Board

VOTED: To send a letter to the Board of Appeals stating that as far as they were concerned the new well was not on their lot; that it was on Town property and the Board of Appeals should postpone their decision on this Petition until that is corrected because they don't have a legal water supply. Unanimous vote.

**25 Nachaomet Road**                      **(065-004-024/25)**                      **Jamie Maher**  
Board members received a request from Jamie Maher of 25 Nachaomet Road for a variance for the location of their swimming pool from 20' to 10' from their house. Per



### **Clark Shores Water Corporation**

Board members received a communication dated July 27, 2010 from the Clark Shores Water Company Board of Directors asking that they be notified when the Board approves any work that may be within ten (10') feet of the roads in Clark Shores. According to the Directors, they have water lines and service lines in every road throughout the neighborhood, therefore, they were requesting notification incase they need to mark the lines in the event a homeowner needs to excavate in the area. Board Member Flynn asked if "Dig-Safe" notified the people. Health Agent Perry told Flynn that it falls under the installer and the excavator. Board members told Perry to notify the engineers that they have to notify the Clark Shores Water Corporation when they do work there. Notification will be sent to all the engineers and septic installers that do business in Town.

### **57 Long Point Road                      (071-001-002)                      Island Terrace Nursing Home**

Board members received the July 2010 Monthly Status Report on the progress of the wastewater remediation project at the Island Terrace Nursing Home from Norfolk-Ram Engineering Solutions. Chairman Garvey noted that this was an on going project. The communication was placed on file.

### **Not on Agenda**

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

VOTED:            To approve a **One-Day Common Victualler** license for **Aurora Marim, Owner of Aurora's Gypsy Café** for an event on September 12, 2010 from 9:00 a.m. to 5:00 p.m. at the Ted Williams Camp. Unanimous vote.

### **Not on Agenda**

A communication was received from **Gary Kettell**, owner of **Plainville Pump & Excavating, Inc.** regarding a septic system he installed two weeks ago at Lot 3 Cedar Pond Road. Kettell stated that Health Agent Perry did the open-hole inspection, the hole was filled with septic sand and the system installed. Kettell noted that the engineer was then called to do the as-built plan and Perry did another inspection. At that time, Kettell said he was not aware that his installer's license was not up to date or the permit had not been issued (apparently because the builder owed back taxes). According to Kettell, he paid the taxes then and renewed his license and obtained the permit. Kettell apologized for the mix-up, asked if the Board would waive the additional \$300 fee, and assured the Board that this would never happen again. Upon motion made by Member Flynn and seconded by Member Poillucci, the Board

VOTED:            To waive the \$300 fee. Unanimous vote.

**Not on Agenda**

Discussion was brought up by Chairman Garvey regarding the signing of bi-weekly payroll sheets. Garvey said he may not be available at all times to sign them, so he would entertain a motion; that any other Board member could sign the payrolls in his absence. Upon motion made by Member Poillucci and seconded by Member Flynn, the Board

VOTED: That in the absence of Chairman Garvey, any other Board member could sign the payroll sheets. Unanimous vote.

**Not on Agenda**

Chairman Garvey said he would like to bring up discussion relative to the threat of Eastern Equine Encephalitis (EEE) in Town and area towns. Garvey stated, even though the aerial spraying was completed; they didn't know how effective it was, so as a precautionary measure, he would like the curfew they recommended for the Town parks remain in effect at this time. Board members Flynn and Poillucci agreed with the Chairman.

**Not on Agenda**

Board Member Poillucci told fellow Board members that there's a Wage & Personnel Board meeting tomorrow night (August 19, 2010) at 7:00 p.m. to discuss compensation time for Town employees. Poillucci said he would be attending this meeting; whereas he was appointed as the Board of Health representative. No other action taken at this time.

Vendor warrants were signed by the Board.

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

VOTED: To adjourn the meeting at 7:32 p.m. Unanimous vote.