



Approved
10/24/17

Town of Carver, Board of Health

Posted in accordance with the Provisions of M.G.L. Chapter 30A, Section 20B

Board of Health meeting minutes for September 26, 2017, Carver Town Hall, Meeting Room 3

Attendees: Arthur Borden, Chairman; David Lawrence, Member; Eric Mueller, Member

Also Present: Kevin Forgue, Health Agent

Meeting called to order, by Mr. Borden, at 5:00 PM

Public Hearings:

- On the application of Jeff Merritt requesting 1 reduction under 15.405 (1) (g) located at 14 Andrews Point Road, to allow a septic system upgrade on Lot 8, Map 1, containing 14,541 sq. ft.

Requested Reduction:

- a) Installation of a soil absorption system 53' from a well, instead of 100'.

Joe Webby, Webby Engineering Associates, Inc. and Jeff Merritt - Jeff owns the existing dwelling and would like to reconstruct the existing dwelling. The abutting wells are all far enough away. We are trying to avoid the existing cesspool. Mr. Forgue - I spoke with Joes office this afternoon. The proposed well is on the property line. Mr. Webby - Joe would go along with whatever the board recommends. Mr. Mueller - I am fine with it they will need to get a water sample any way. Mr. Lawrence - I am fine with it. No member of the audience had questions or concerns.

*Motion to approve installation of soil absorption system 53' from well, instead of 100', subject to two-bedroom deed restriction: Mr. Lawrence
Second: Mr. Mueller
Approved: Unanimous (3-0)*

- On the application of Sheila Ciulla requesting one reduction under 15.405 (1) (h), located at 3 Crescent Street, to allow a septic system upgrade on Lot 4A, Map 75, containing 1.28 acres.

Requested Reduction:

- a) Installation of a soil absorption system 4' above the estimated seasonal high groundwater (established by observed mottling) instead of 5'.

Mr. Mueller – this is the cut through to S Meadow Road. Mr. Forgue – They tried some other areas to the west but the soil is really wet. Mr. Mueller – This will fit it well with others in the area. It should be level with the lot. Mr. Forgue – as you move back on the lot, the sand layer becomes smaller and smaller. Board members are in agreement and have no issue.

Motion to approve installation of soil absorption system 4' above the estimated seasonal high groundwater, instead of 5': Mr. Lawrence

Second: Mr. Mueller

Approved: Unanimous (3-0)

- On the application of Rock Ledge, LLC requesting reductions under 15.405 (1) (g) located at 11 Pine Way to allow a septic system upgrade on Lot 231, Map 62, containing 12,824 sq. ft.

Requested Reduction:

- a) Installation of a soil absorption system 87' from the locus well and 74' from the well at 90 Crystal Lake Drive.

Mr. Bazinky – I am here on behalf of applicant. Both wells were tested and came back as potable wells. The existing house was built in 1950. We will install new system as far back as possible on the lot. We meet all other setbacks. Mr. Forgue – All abutters have been notified and water tests came back good. Mr. Borden – Should there be additional request for 10' off foundation? Mr. Forgue – No this is a slab foundation. Mr. Borden – Any comments from the audience? None heard

Motion to approve installation of soil absorption system 87' from the locus well and 74' from the well at 90 Crystal Lake Drive: Mr. Mueller

Second: Lawrence

Discussion:

- Posting of licensed Installers, Engineers and Title 5 Inspectors on Permitting Department bulletin board.

We decided to create the order of installers listed based on when they took out their permit. Thinking ahead, we have lists out there that we can't track because their license is handled by the state. Do we even want lists posted? The installers we can easily do as we can track that. Mr. Mueller – Do we do that for inspectors? Do we charge a fee? Mr. Forgue – No, we don't. Mr. Mueller – All other towns do. Mr. Forgue – the list is pretty comprehensive – there are about 15-20. We are not promoting anyone. A list for the inspectors would be easier to do and maintain, if we charged a fee. Mr. Mueller – Usually a once/year fee of \$25 or so. Mr. Borden – I think we should look at that. Mr. Forgue – I don't know if we need approval before a vote. Mr. Mueller – Maybe just get some feedback from the selectmen and see if we can put it on the agenda. We could send a letter to the installers/inspectors on the current list just to give them a heads up. Maybe post a notice at the office as well.

- State Sanitary Code – Minimum Sanitation Standards for food establishments violation at the Tiki Kye Restaurant.

A husband and wife found a cigarette filter in their meal. Ms. Yip from Tiki Kye is here to discuss. Ben Losordo is also here, representing Tiki Kye – We investigated and determined it was a phone order. This was a number 9 ordered via phone by someone named Chris. The girl that filed the complaint was Lisa Cobb. The server (Mr. Lam, age 57) verified it was Ms. Cobb who picked up the order. We have contacted the insurance company. We met with the Mr. Lam, who packaged the order. The server does smoke. The Chef also smokes. They are the only two employees that smoke. We showed the chef the picture. He indicated that he only smokes Double Happiness brand cigarettes. A sample was presented to the board. Employees go outside to smoke and dispose the cigarette in a can of water that is outside. We collected samples from outside and brought them with us. There was only this brand (Double Happiness) outside. Mr. Lam noted in the picture that the one shown wasn't smoked as the filter was white. At this point we need to look at this and think that this might not have come from our restaurant. It appears our guy didn't do it. We've never had anything like this. This could be a prank from a friend. Pictures were presented of the meal containing the cigarette. Ms. Yip – I am concerned with how it could be from the rice. Ms. Cobb isn't looking for anything. Maybe some employee wasn't polite with a customer so they post this on Facebook. The cooks have no communication with customers; they don't speak English. Mr. Forgue – I was told that the cigarette wasn't exposed until it was uncovered by a fork. Mr. Lawrence – She didn't request any type of compensation? Mr. Losordo – No, there has been nothing. No request for money back or a different meal. Mr. Lawrence – Has she been back to the restaurant? No. Mr. Mueller – I don't believe we've had any food

complaints from Tiki Kye. Mr. Forgue – I haven't had any. Mr. Losordo – Can we take any steps to double check each order? Ms. Yip – That would be very difficult. Mr. Mueller – The complainant didn't state what she wants? How did she submit the complaint? Mr. Forgue – No, she didn't. The complaint was filled out here. Mr. Losordo – Ms. Yip can go over process for checking orders with those that do package them up. Mr. Forgue – The fact that she told me she didn't find it until she was going through the rice might justify the position of the cigarette. Mr. Mueller – Is the rice stored near a door? Ms. Yip – No. Our insurance company will do some further investigation. Mr. Mueller – Yes, follow up with us after your insurance goes through it. Mr. Forgue – I have done 2 inspections; one late 2016 and one in June 2017. The first inspection, we requested better cleaning. Re-inspection was good. Ms. Yip – I was there with them until midnight and I provided a list in Chinese for instructions on daily cleaning. Mr. Mueller – We will take it under advisement now and look forward to any follow up information. Please follow up with Mr. Forgue with additional information.

- Renee Reitano – Requesting opinion regarding variances to Carver Board of Health rules and regulations for keeping animals. –

Ms. Reitano has decided not to come in for this so this is a non issue.

- Non payment of animal permits at Trails End Stables and 11 Great Meadow Drive. Owner – Kathy Seeley.

There has been non payment for animal permits on two stables. I made two calls and spoke with one person. Mr. Mueller – Who does animal control work for? Mr. Forgue - I believe I would have to go to the chief of police. Mr. Mueller – I think you should do that just to follow up. Mr. Forgue – Permits expire in December. These have been out there for a year. Mr. Lawrence – We need to let her know; leave her a message that the renewal is coming up and she needs to have a current permit.

- Wenham Road - Mr. Mueller –They keeping bringing stuff in. Mr. Forgue – He's been before the Board of Selectmen, twice. Mr. Mueller – It looked like more stuff was being brought in. Mr. Forgue – I believe the selectmen will need to have him come back in. I spoke with Brooke Monroe and suggested she write a letter. Mr. Mueller – This could also be a fire hazard; gas, oil, etc.
- Mr. Borden – Are we doing a flu clinic this year? Mr. Forgue – Yes, at the library but I am not sure of date yet. Mr. Borden – What's going on with mosquito's? Mr. Forgue – They will be around until the first hard frost. The severity has been low. No EEE and 2 West Nile cases. If something were of concern, I would contact the superintendent to determine if they need to have limits or begin the "spray to play" practice. I will keep tabs on that.

Other Business:

Minutes -- August 22, 2017:

Motion to approve minutes of August 22, 2017, as written: Mr. Lawrence

Second: Mr. Mueller

Approved: Unanimous (3-0)

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Correspondence: None

Next meeting date:

Our next meeting will be Tuesday, October 17, 2017 at 5:00. ☐

Adjournment --

Motion to adjourn at 6:11 PM: Mr. Lawrence

Second: Mr. Mueller

Approved: ☐ Unanimous (3-0)