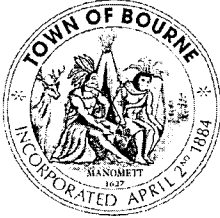


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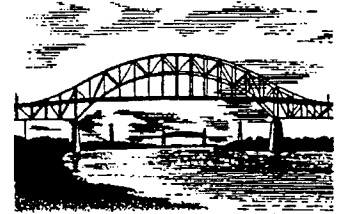
TOWN CLERK'S OFFICE
BOURNE, MASS



Cynthia A. Coffin
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

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MINUTES December 10, 2014

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews, Vice-Chairman; Donald Uitti, Secretary; Galon Barlow; and Kelly Mastria

Support Staff in attendance: Cynthia Coffin, Health Agent; Terri Guarino, Health Inspector; Lisa Collett, Secretary

1. Pocasset mobile home park- Chuck Sabbat-discuss and possible vote on Pocasset mobile home park yearly license and update- attorney Michael Pierce was present for the discussion. Ms. Peterson stated that this item was on the agenda for discussion of the yearly Park license and for a general update. Attorney Pierce stated that the check was being cut and would be ready by the end of the week. There are presently two civil engineers working on the septic system for the park. One is BSC design which has completed its work on the sewer delivery system and the location of the wastewater treatment plant. Woodward and Cullen are doing the design work for the treatment plant. Atty. Sabbat believes that the design plan should be done by the end of the month. Then the plans will be submitted to DEP in January. DEP has stated that they will expedite the permit an attorney Sabbat hopes to begin work in the spring. Otherwise there have been no significant issues with the septic system. There were two minor backups which occurred last month. Unfortunately they occurred over the holiday weekend and there was a delay with response. There was discussion among the board members that there needs to be a backup for response. Ms. Peterson stated that there needs to be somebody on 24 hour call. Ms. Coffin and Ms. Guarino stated that there was somebody that went out over the holiday weekend but it was about a day late. The problem was eventually repaired. Ms. Peterson said that if the license is approved again she would like something added about the 24 hour service, and Mr. Andrews stated that he believes that is already a condition in the approval. Ms. Peterson stated that if the current person on contract is not able to be available 24/7 than perhaps someone else needs to be contracted with. Ms. Peterson said that Mr. Valeri has always done a good job but maybe he needs to let his employees know that there needs to be a 24/7 response. Mr. Andrews asked what the situation was with the replacement of the water system. He said that this definitely will need to be addressed in the future, and needs to be addressed during construction of the sewer lines. Mr. Andrews would like an update from Mr. Sabbat on the water system

issue. Ms. Peterson stated that the judge did not order the improvement to the water system but that it is crucial that this is to be replaced. Mr. Barlow stated that he would like a report from Mr. Sabatt himself. Mr. Pierce apologized but stated that attorney Sabatt had a conflict. Ms. Coffin stated that the septic system is being pumped and inspected weekly. **Mr. Andrews made a motion to grant the Park license with the same conditions as previously voted in 2013. Mr. Uitti seconded the motion. It was a unanimous vote to approve.**

2. Future Generation Wind-Keith Mann-Presentation on Plymouth wind turbine project and discussion relative to Bourne board of health wind energy conversion system regulation. Ms. Peterson stated to the audience that this was not a hearing on whether anyone likes or does not like wind power. She stated that this hearing is to see whether Mr. Mann's project will meet the regulations of the Bourne Board of Health relative to how the Plymouth project may affect abutters in Bourne. Ms. Peterson also stated that the board would not be hearing any medical testimony. Mr. Mann set up a display board for the Board of Health. Mr. Mann stated that he was the owner and sponsor of the Future Generation Wind project. Mr. Mann stated that he is a lifelong resident of the town of Bourne. He owns a cranberry bog on the Plymouth/Bourne line. This is a four turbine project on nearly 400 acres of land. He is here to talk about potential nuisance of flicker and noise. He became interested in wind energy when he was a student at Peebles. There was an energy crisis and the teacher came in with a presentation on wind farms being built in Canada and California. He is close to being able to finance this project and hopes to be operational by the end of 2015. The wind turbines have a 97 m rotor and 100 m tower. Mr. Mann stated he is here because there were a few residents of Bourne who were concerned about the proximity of the project and possible flicker and nuisance. He believes it is completely reasonable for residents to want to find out how this project may affect their property. He has many friends who are here to support the project tonight but even they had concerns as to what the noise and flicker would be like. Mr. Mann stated that his project will not be a nuisance with either noise or flicker. Mr. Mann stated that one born resident lived on Clarissa Joseph Road and felt the project might impact her lot. However the project is over 12,000 feet away from this property. The property is actually closer to the turbines in Sagamore. Mr. Mann showed the audience where the properties were located in relation to the wind turbine project. Mr. Mann gave the board a description of the location of the property relative to Route 25 and Head of the Bay Road. This project has had many hearings before Plymouth boards. Mr. Mann stated that flicker is simply the moving shadow from the turbine. When you are within 1000 feet of the turbine the flicker can be harsh. When you are beyond 1000 feet the flicker is a lot to softer. His engineers have you stated that flicker does not travel more than 3000 feet. Ms. Peterson told Mr. Mann that he needs to address whether the project will meet the Board of Health regulations. If the regulations cannot be met that he will need to apply for a variance. Mr. Mann stated that he is trying to explain the area of impact in Bourne from the project. Mr. Mann stated that 1000 feet from the turbine is within Plymouth Lane. There is no flicker to the west of the project and no houses in Bourne in that area. He is only looking at sunset hours from turbine one because the areas of turbines two, three, and four are in uninhabited areas. Mr. Andrews asked Mr. Mann about moon flicker. Mr. Mann stated that he has never heard of moon flicker. Mr. Andrew stated that he has seen

shadows from the Mass Maritime Academy wind turbine at night during a full moon. Ms. Peterson asked Mr. Mann if his shadow flicker would go beyond his property line and Mr. Mann answered yes but that it would not be a nuisance. Mr. Mann stated that he was told that this would be an informal meeting during which he could present information about the project and possible areas in Bourne that could be impacted by either flicker or noise. This Peterson reiterated that if there is property that will be affected by flicker or noise Mr. Mann will need to request a variance from the existing Board of Health regulation. Mr. Mann stated that he wants to explain to the board why he does not think there will be a nuisance. He stated that the impact from the flicker will be near zero. In regards to the flicker he is only looking at houses from you Head of the Bay Road to Plymouth Lane. Almost every house in that area has trees between the house and the turbine and this will block the flicker. There is one house that does not have many trees and his engineers have done an analysis on how many minutes of flicker might occur at that property. These studies have included wind direction and topography. The studies have shown that there will be less than five hours of flicker per year for that house. He has talked to the owner of that house and the owner does not want to have any negative impacts from flicker. He has assured the owner that the flicker will not be a nuisance. Mr. Mann has stated he will do whatever it takes to make sure that flicker is not an issue. He will even put trees up if necessary. Mr. Mann stated that nationally anything less than 30 hours per year is not considered flicker. There is one house at the end of Head of the Bay Road that will be able to see the turbines but the house will be setting behind it. That house will have zero flicker because it is 3700 feet away. This is why he is saying that shadow flicker will not be a nuisance. Mr. Mann stated that he would now address the issue of noise. He stated that the project complies with pertinent local and state noise regulations. The project itself was permitted in Plymouth. Mr. Mann stated that once the turbines are operational he has committed to do post-construction sound studies. The turbines can be programmed under certain conditions to minimize any noise if there were to ever be a problem. Mr. Mann stated that Bourne has five industrial wind turbines in town presently. Mr. Mann stated that none of the turbines have resulted in any complaints. Mr. Mann stated that the Mass Maritime Academy wind turbine has houses 520 feet away. There are about 112 houses within 1500 feet of the Mass Maritime Academy turbine. There is also a school with over 2000 students and faculty and to his knowledge there have been no complaints. Mr. Mann stated that while his turbines are much larger than the Mass Maritime Academy turbines they will be less than 1 dB louder than the MMA turbines. There is nobody within 1000 feet of the turbine either in Plymouth or Bourne. There are only five residences total that are within 1500 feet of the project. This is nearly 3 times the setbacks at the Maritime Academy. Mr. Mann stated that if the requirements of the state laws cannot be met the turbines would have to be shut down. Ms. Peterson stated that the Academy wind turbines were constructed before the Board of Health regulations were in effect. Ms. Peterson stated that she understands what Mr. Mann is saying about the project but if there will be flicker leaving the property he needs to request variances to the Board of Health regulation. This applies to sound and the conditions in the regulation to that as well. Mr. Mann stated that with all due respect the project is not a Bourne project. Ms. Peterson stated that while this is the case this project could still affect properties in Bourne. Mr. Barlow stated that Mr. Mann has already stated that shadow flicker will only be produced for about five hours per year and

if there are issues they will be addressed. Mr. Andrew stated that even though there is technology that can address the issues he will still need a variance if the flicker leaves the property. Ms. Coffin stated that after she received emails from a couple residents concerned about the project that might be best if Mr. Mann come to the Board of Health and discuss his project. The project has already been permitted in Plymouth but she told Mr. Mann he needs to address the issues of flicker and noise and whether that will affect residents in Bourne. Ms. Coffin stated that Mr. Mann had told her previously that there will be not an issue with noise because the project will meet the decibel levels described in the regulation, unless something has changed. Mr. Mann was going to ask his engineers about the section regarding modulation. Mr. Mann stated that he had not been able to get an answer on modulation. Ms. Coffin believes that Mr. Mann is trying to explain that there will only be a couple of houses that will be affected potentially by flicker. Mr. Andrews stated that Mr. Mann should address the Board of Health regulation starting with section 4. Mr. Andrews stated that this section gives a list of requirements for information that needs to be filed with the Board of Health. Ms. Coffin interjected that she did not believe that section applied to this project as it already been permitted in the town of Plymouth. Mr. Mann is not asking for an application to construct in the town of Bourne. Mr. Andrews stated that the information in section 4 will be required as well as the request for variance to the flicker and noise sections. Ms. Peterson stated that she agreed the information in section 4 would be required. Mr. Barlow asked whether an opinion from Town Counsel would be warranted. Mr. Barlow stated that he is not sure whether this project comes under the Board of Health regulations where it is not constructed in Bourne. He is not saying that it doesn't but that he is not sure that it does. Mr. Andrews stated that it does come under the Board of Health regulation because there is flicker that will be entering the town of Bourne. Ms. Peterson stated that in Mr. Mann's best interest she feels he should apply for the necessary variances. She does not want to see the wind turbines constructed and then the Board of Health receive complaints without having addressed the issues beforehand. Mr. Mann stated he would like to complete his presentation. He stated that he came to the Board of Health in order to present the facts and possibly answer questions. Mr. Mann stated he is willing to work with any neighbor on any issue. Mr. Peterson asked if there was anyone in the audience who had a question. Mr. Manter of 50 Clarissa Joseph Rd. asked that the board take into consideration the effect on tribal land from the project. Mr. McMahon from Buzzards Bay asked Mr. Mann how we could say that was not an issue with wind turbines when he has complaints from Falmouth residents about the Falmouth wind turbine. Ms. Coffin stated that Mr. Mann could address the issues of the older type of turbine in Falmouth. She feels that statements are being made that are not entirely accurate. Ms. Coffin feels that Mr. Mann should be allowed to answer questions raised. A resident from Morning Mist Lane had two questions. She asked if there was a setback regulation in the town of Bourne. She asked if the setbacks were the same as in the town of Plymouth. Ms. Peterson gave her a copy of the Bourne regulation. The resident asked Mr. Mann about an escrow account that he agreed to set aside for mitigation such as plants and window dressing. Plymouth requested that this fund be available for particular roads in Plymouth. Mr. Mann stated again that he is still willing to work with any resident to address concerns. The resident from Morning Mist Lane asked if Mr. Mann if he had any concerns about noise or sub audible noise. Mr. Mann stated that wind turbines do produce

infra-sound which is low-frequency noise below the audible range but it can be measured with instrumentation. Infra-sound is also produced by wind, trees and moving vehicles. The wind turbines themselves produce less infra-sound than the surrounding ambient conditions. Mr. Mann stated that there are all kinds of misinformation about the health effects of infra-sound. MIT just completed a study on infra-sound this month. They looked at all studies, peer reviewed and non-peer-reviewed reviewed studies. The studies showed that there was no direct impact between infra-sound and health conditions. The study acknowledged that sound can be annoying. This is why we have state laws to protect us at reasonable levels. Mr. Mann does not want to be involved in a project where the wind turbines will need to be shut down. Some wind turbine projects have been constructed on the Cape without any studies being performed. Wind energy is the fastest growing energy in the world. Canada just finished the most extensive research on health. The study looked at 800 turbines in Canada and about 1200 people. The study evaluated sleep and stress through personal interviews. They also took hair samples and measured cortisol which is a stress hormone. They measured the stress hormone over pre-and post-construction of the wind turbines. The study determined that stresses didn't change. This study was funded by the Canadian government but they want to protect the health of their residents. Mr. Mann stated that the Bowman's are concerned about flicker but that they do support the project. Mr. Mann again stated that he is willing to work with any residents that have issues. He believes he can get the town of Bourne to zero impact from flicker. There really will be only one house who receives any impact from flicker. Kathy Sherman who is not from Bourne but is from Brewster stated that she is concerned about wind turbines. Ms. Sherman stated that the Canadian study showed that to avoid any nuisance the wind turbine's sound emissions need to be 10 dB below ambient. She believes that if the project complies with the state regulation which is 10 dB above background there will be issues. Ms. Sherman asked Mr. Mann where she could find the studies on his project and the findings. She would like to see information on the flicker and wind paths. Ms. Sherman stated that Denmark does not allow wind turbines within 2 miles of coastal resource. She stated that this is because of wind shear. She is concerned about with conditions that are not even flow across the rotor. Mr. Mann stated that his noise studies were done during quiet times of the year to determine ambient which was DEP's criteria during the time of permitting. The project needs to stay requirement of no more than 10 dB over ambient. The results were between 1-6 dB. These readings were taken at the property lines not at the residences. These turbines may be close to property lines but residences or are beyond those property lines. Mr. Mann stated that with the project was permitted with Plymouth all of the information from his studies was presented at that time. This information is all on file. There were 12 public hearings in the town of Plymouth. Mr. Mann stated that the computer can generate the impact at any residences and anyone can ask him to find that information. You will be glad to sit down with anyone individually and show them the mapping. Ms. Mastria suggested that Mr. Mann take the sections of the regulation on flicker, sound, and modulation and address how his project will meet our standards. Mr. Mann stated that he thinks he is done the best he can with that tonight. Mr. Mann stated that the project will not be a nuisance because he has the ability to control the factors. Mr. Barlow feels that the standards will be met because Mr. Mann can shut the turbines down if the standards aren't met. Ms. Mastria and Ms. Peterson both stated that if the standards in the regulation cannot be met

that Mr. Mann will need to ask for a variance. Ms. Peterson said that the issues would be addressed at a public hearing for the variances. Mr. Andrew stated that if the variances are granted it would actually protect Mr. Mann's project for the future if someone new purchased one of the abutting properties. Selectwoman Zuern said that Mr. Mann had talked about the trees being a buffer but she wondered if they were still a buffer in the fall and winter when the leaves were off the trees. Ms. Zuern wondered why one of the wind turbines was more southerly than the other turbines. Mr. Mann stated that the wind turbine placement was done based on studies of wind direction and other factors. It has taken years to establish these locations. The original project was a five turbine project but one was taken away due to its proximity to residences. Ms. Zuern asked if Mr. Mann was selling the electricity. Mr. Mann stated that all power from this project would be supplying school districts and local municipalities. Margaret Burke from 62 Clarissa Joseph Rd. asked what impact from sound would be at her property. She is concerned because one of the neighbors across the street from her said they can hear the sound of the wind turbine in Sagamore in the dead of night. Mr. Mann stated that he is surprised to hear that. He stated that sound study show that sound dissipates over distance. Mr. Mann stated that he can go to the parking lot at the marina near the Mass Maritime Academy turbine and he can hear the turbine and that is 1800 feet away. He is not saying that the closer neighbors to his project will not hear the wind turbines here saying that it will not be a nuisance. Mr. Mann stated that as far as he knows the Mass Maritime project has not had any complaints nor have the wind turbines at the Mass Military Reservation. Ms. Burke stated that from the study she has read they are finding that infra-sound is more of a health concern that was originally thought. Mr. Mann stated that there are a lot of studies out there but the most important are the peer-reviewed studies. He said that the MIT studied all of the studies available and found that there was no conclusive evidence that there is any direct adverse health impact. Ms. Peterson said that the board found during its hearings that for every study you might find there is another that contradicts those findings. Mr. Mann stated that peer-reviewed studies are those that are evaluated and are found to have been conducted properly. Lydia Manter of 50 Clarissa Joseph Rd. asked Mr. Mann to repeat his statement about hearing the Mass Maritime Academy turbine. Mr. Mann stated that although residents near the mass Maritime Academy say that they can hear the wind turbine they do not say it is a nuisance. They hear the wind turbines just as they hear traffic and boats in the canal. Noise is an everyday thing. Mr. Mann stated that although his turbines are larger than the Mass Maritime turbines even at the highest wind speeds they are only slightly louder. Between average wind speed increase of 9 miles an hour to 22 miles an hour there is only a an average increase of less than 1 dB. Ms. Manter stated that he was over 1400 feet from a wind turbine of comparable size and she felt that the noise was louder away from the turbine than close to it. Mr. Mann stated that there are older turbines around that are stalled regulated machines. He stated that these turbines are pretty quiet under low wind speeds but that under high speeds they control their speed by stalling and this causes cavitation and excessive noise. All modern turbines now have pitch regulated blades. They will never spin over a certain RPM. It is the speed that makes the wind turbine louder or quieter. A gentleman from Onset Avenue said that he asked many residents around the Mass Maritime Wind turbines if they had any issues and they told him they did not. There was a resident from Morning Mist Lane stated that his son had gone to mass Maritime

Academy and did tell him that there was an issue with the wind turbines and sleeping and that when they are playing on the ball field it is very annoying. A few other audience members stated that they had heard that there were complaints about the noise from the wind turbines. Mr. Mann stated that there is another wind turbine designated as Hull #2 that is of comparable height and power to his turbines. Within 1500 feet of that wind turbine there are 125 homes. The last time he checked with the town there had been no complaints. Mr. Mann's project only has five homes within that distance. Ms. Peterson thanked Mr. Mann for his presentation. Ms. Coffin told Mr. Mann that the next Board of Health meeting would be January 14th. Ms. Peterson told Mr. Mann that she thought it would be in his best interest to request variances. **No action was taken at this time.**

3. KINGMAN MARINA PROJECT-F. P. Lee, P. E., Horsley and Witton-request waiver to use the existing leaching for proposed Cataumet Harborview Wastewater Treatment Facility. Mr. Tom Lee stated that he would be sending the project to the board on behalf of the owner Scott Zeine. Mr. Lee showed the board members the plan for the septic of the Kingman yacht club. Mr. Lee stated that the Kingman yacht club has an existing 9000 gallon septic tank and a leaching field. Mr. Zeine has the idea to develop the Harborview project near the marina. He and his partner are proposing to build a wastewater treatment plant that will serve the Kingman yacht center as well as the Harborview development. There will be some additional capacity to serve some neighborhood residential lots. The intent is to reuse the existing leaching field. DEP require that a hydrogeologic study be done at the existing leaching facility to show that it would take the load. That work was done and DEP has given its approval to use the field. The proposed leaching flow will be 34,000 gallons. The existing leaching facility has a Board of Health variance of 75 feet from the nearest wetlands/ top of coastal bank. The groundwater discharge permit has a limit of 100 feet from a wetland resource. For this reason they removed part of the field that was within 100 feet from the wetland resource. The leaching facility will now be a minimum of 100 feet from the coastal wetland resource. Mr. Lee stated that the key here is that they leaching well now be dosed with treated wastewater. The title five system wastewater had about 35 mg/L of total nitrogen. The groundwater discharge permit will limit the wastewater treatment plant effluent to 10 mg/L. The new treatment plant will have a benefit to the nitrogen loading to the harbor. The treatment plant would remove over 700 pounds of nitrogen per year and that is without considering the potential tie-ins from residences. Mr. Zeine said that he owns Kingman yacht center and there over 400 boaters who use the facility. He said the future of that business depends to a great extent on the water quality of Redbrook Harbor. There have been increased algae blooms over the past years. The existing septic systems are leaching nitrogen into the water. 15 years ago he decided that he wanted to do something to help maintain the water quality of Redbrook Harbor. At that time he had no land on which to construct a treatment plant. In 2001 he brought the existing system for the marina up to title 5 standards. He had the opportunity to buy the Callahan property above the marina and this gave him the opportunity to have land to move away from the water and build a wastewater treatment plant. He intends to use Bioclere systems. These systems do not take a lot of space. DEP said that the existing leaching facility with treated effluent would be capable of handling about 34,000 gallons. It presently handles about 9000 gallons of regular title five effluent. The extra capacity in the leaching facility will allow the tie-in of some 50 to 60 homes in

the neighborhood area. The treatment facility will be operated and paid for by Kingman Marine. Mr. Zeine went to town meeting to have a Marine overlay district created. It has taken him several years to get to this point. The zoning will allow a more dense population of townhomes at the top of the hill. There were endless hearings before the planning board and special permit requests. Mr. Zeine stated that he is ready to break ground. 15 townhouse units will be built at the top of the hill. There are presently two homes in that area now. About a month ago he secured a grant from EPA for a phase 2 project to create a study to try and figure out how to tie in the residences around the marina. There would need to be a public-private partnership with the town. This plan will be brought back to the Board of Health and other boards at a later date. Mr. Andrews asked about the part of the leaching facility that they are intending to cap off. He wants to make sure that this is not disconnected from the system until the treatment plant is operational. Mr. Andrews said that the flow will actually now only be 32,400 gallons with the removal of that section of the leaching facility. In Mr. Barlow said that he remembered Mr. John Harding coming before the board with this proposal years ago. At that time the biggest concern was how to get the sewer line underneath the railroad tracks. That issue has now been addressed. Ms. Coffin said that her only concern was the age of the existing leaching facility which is over 13 years old. She asked what inspections would be done to determine that a bio mat has not already formed on the existing leaching facility. She would hate to see an increased load to this leaching facility if there is already bio mat or clogging that would cause the system not to operate properly. She also stated that although it is a great idea to be able to tie in residences nearby it seems that the homeowners would be paying for the cost of the tie-in as to the laying of the main in the street and the piping. Mr. Lee stated at the time of construction they will be able to cut into the leaching facility to inspect its condition. Mr. Zeine stated that they have done a mounding analysis. They also have monitoring wells to show that the water is traveling through the field. Ms. Coffin stated that at the time the board granted the 75 foot variance for the existing leaching facility at the Kingman Marina and the Chart Room there was no other place to put the leaching facility for the upgrade. She believes that variances should be granted only when there is no other recourse. It would seem that the new leaching facility could be constructed in the area where the town houses are proposed. This is just something she has an issue with. Ms. Peterson stated that the LLC will be able to enter into an agreement with any resident whether the town decides to be involved or not. Mr. Andrews asked Mr. Lee how he will be able to determine how long the leaching facility will last. Mr. Lee stated that this will only be able to be done when the leaching facility is exposed. Mr. Lee said the only other option is to use cameras but this is a very expensive option. Mr. Barlow suggested that Ms. Coffin also look at the leaching facility when it is exposed. The board members said that they supported the proposal. There was discussion among the board members as to the quality of Redbrook Harbor. **Mr. Andrews made a motion to grant the Cataumet Harborview wastewater treatment facility a waiver to continue use of the existing leaching facility at Kingman yacht center. With this waiver the board is granting a 50 foot variance from the 150 foot setback. The existing leaching facility will be used as the leaching facility for the wastewater treatment plant. The plan received by the Board of Health on November 25, 2014 shows the removal of a portion of the existing leaching facility in order to meet the hundred foot setback. The plan was**

drawn by Horsley and Witten. Mr. Andrews added that the removal of the section of the leaching facility will not be done until the treatment plant is operational and that Ms. Coffin will view the inspection of the existing leaching facility. Ms. Mastria seconded the motion. It was a unanimous vote to approve the waiver.

4. 45 Baxendale Rd – (this item was taken out of order) David MacLean for Donald W. Jones, Jr. – Request variance from the 150 foot setback to the manmade seawall. David MacLean, the architect was present for the discussion. The proposal is to make renovations to the existing house. Mr. Jones recently passed but the three siblings are in a trust and own this house and one other. The house has an existing cesspool probably since the house was built in 1903. In the 60's a second cesspool was added as an overflow. Mr. MacLean has been working on this property for 35 years off and on. The Joneses are upgrading the kitchen and bathrooms. It is an existing four bedroom house and it will remain a four bedroom house. They would like to upgrade the system to make it Title 5 compliant. The 150 foot setback of the leaching to wetland resource/ top of bank cannot be met. They are requesting a 22.5 foot variance so that the field is 127.5 feet from the armored bank. The house is 40 feet about sea level. The bank is armored and heavily vegetated. Ms. Coffin said that she supported the upgrade. Ms. Coffin asked that the Board do the measurement from the top of coastal bank so that the variance would actually be a 72.8 foot variance. **Mr. Andrews made a motion to grant a 72.8 foot variance from the required 150 foot setback of the leaching facility to the top of the coastal bank for a new four bedroom system at 45 Baxendale Rd. the architectural of record are dated received by the Board of Health on December 2, 2014. The septic site plan is also dated received December 2, 2014. He also asked that there be a four bedroom deed restriction on the property. Mr. Uitti seconded the motion. Ms. Peterson asked Mr. MacLean to change his letter of request to reflect the variance to the top of coastal bank and initial that change.**

5. 5 Mill Wheel Lane – Jason Churchill of Orenco Systems, Inc. – Request for reduction in maintenance inspections of I/A system. Ms. Coffin stated that Mr. Churchill had emailed the Board discussing his intentions to request the reductions in maintenance for the owner of 5 Mill Wheel Lane. Ms. Coffin said that the sampling has been completed and they are trying to reduce the number of inspections to twice per year. Ms. Coffin said that she supports that request in this case because there is telemetry control so that the system is remotely monitored constantly. She thinks that the remote monitoring is an excellent idea and the Town does not have many of these systems. This system is an Advantex and she believes that it may be the only one in Town but she is not sure. Mr. Churchill is in Oregon and that is why Ms. Coffin stated that she would present the request to the Board. Ms. Peterson asked why Mr. Churchill could not be present and Ms. Coffin said again that his company is not in Massachusetts. Mr. Churchill made the request through email on behalf of the owner and she thought that the Board would be okay with her making the presentation. Ms. Peterson said that the homeowner should have been here if Mr. Churchill could not. Mr. Andrews said that Mr. Churchill had stated in his emails that he did not think that the owner could answer any of the technical questions and so he did not think that he could make the request himself. Mr. Andrews said that he still wants the homeowner to come in before the Board. Mr. Andrews said

that if the Board did vote to request the reduction, he would like the homeowner at the meeting so that the homeowner could make some assurances that the remote monitoring would be continued. Mr. Andrews stated that he really not in favor or reducing any inspections and Ms. Peterson said that she isn't either. Ms. Coffin said that she doesn't understand why the Board would be against this because with remote monitoring there is basically a constant inspection of the functioning of the system. If there is any problem with the system the company knows that there is something wrong with the system and can make adjustments or respond to the problem. She does not like reducing the actual inspections either but in this case the onsite inspections are a bit redundant as the system is constantly being monitored for correct operation. Ms. Mastria asked if Ms. Coffin thought that the remote monitoring is better than the regular quarterly monitoring. Ms. Coffin said it was her opinion that the remote monitoring would be better than the field monitoring but that the Board still might require a couple field inspections. She said that it also depends on the type of system as some types of I/A's may not be capable of remote monitoring at this point. She is not sure. Ms. Peterson stated that she just doesn't think that the Health Agent should be making the request for Mr. Churchill or the homeowner. She said that either the homeowner or the representation needs to come before the Board of Health. Ms. Coffin stated that she thought that all the emails from Mr. Churchill would suffice but that she will let him know that the Board would like someone to be at the meeting for the request. Mr. Andrews said that he cannot ask any questions to a letter. He would like to hear more about the technology. **Mr. Barlow made a motion to continue this item to the next Board's meeting. Mr. Andrews seconded the motion. It was a unanimous vote.**

6. 24 Massasoit Ave- Zac Basinski of Bracken Engineering for Charles and Ellen Buchanan – Request another extension on variances originally granted on June 12, 2013. Mr. Andrews stated that would be in support of granting another 6 month extension, however he is concerned that the letter of request states that the architectural are being amended. He would like the engineer to be notified that if any changes are made to the architectural they will have to be brought back to the Board of Health. Ms. Coffin stated that she has already made Mr. Basinski aware of this. **Mr. Andrews made a motion to grant a variance extension for 24 Massasoit Avenue for 6 months. Ms. Peterson said that the Board needs to look at this extension issue at a future meeting. Ms. Mastria seconded the motion. It was a unanimous vote to extend for 6 months.**

7. Conflict of Interest Law – Distribution of the Conflict of Interest Law. Members passed in forms that they had signed documenting receipt and Ms. Collett also passed around a signature form that she had typed up.

8. Landfill – Discuss and possible vote regarding Emergency Notification Protocol. **Mr. Barlow made a motion to approve the Emergency Notification Protocol dated 11-13-14 for ISWM. Mr. Uitti seconded the motion. It was a unanimous vote to approve.**

9. Approve the minutes of November 12, 2014. **Mr. Uitti made a motion to approve. Mr. Andrews seconded the motion. It was unanimous to approve.**

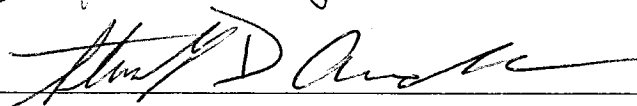
Mr. Andrews made a motion to adjourn. Mr. Uitti seconded the motion. It was a unanimous vote and the meeting adjourned at 9:05 PM.

Taped by Lisa Collett and typed by Cynthia A. Coffin, Health Agent

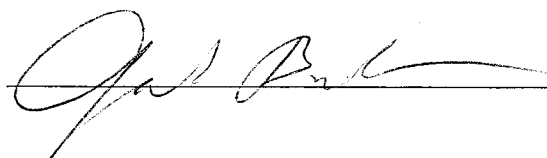
Kathleen Peterson



Stanley Andrews



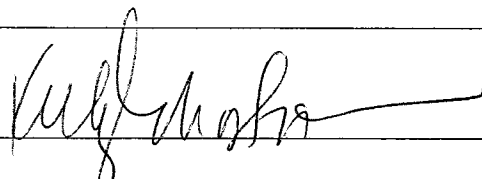
Galon Barlow



Don Uitti



Kelly Mastria



cc Board of Selectmen/Town Clerk