



Terri A. Guarino
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

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TOWN CLERK BOURNE

REMOTE MEETING MINUTES August 12, 2020

Members in attendance: Kathy Peterson, Chairperson; Stanley Andrews; Galon Barlow Jr.; Donald Gitti; and Kelly Mastria.

Support Staff in attendance: Terri Guarino, Health Agent; and Syreeta Amaral, Administrative Assistant

Meeting was called to order at 05:00pm

Michael Rausch acknowledged he was recording the meeting.

1. COVID-19 and Phased Re-opening Plans—Terri Guarino, Health Agent to provide information and updates. The Board of Health to discuss and possibly vote as necessary:

- a. **Disease Surveillance News—public health data & cases --** Miss Guarino starts off by addressing that new COVID-19 case data from Mass Department of Public Health is usually released Wednesdays by 4pm, it has not been uploaded yet, so she does not have the most up to date information as of right now. But as Ms. Peterson noted there is a new enhanced community level data and a mapping tool that was announced on Tuesday, which can be found on Mass.gov.
- b. **Mandatory Workplace Standards & Industry Specific Guidance—food establishments, breweries, pools, recreational camps, outdoor recreation, & other sectors, businesses, and operations not otherwise mentioned --** Miss Guarino states that, effective August 11th, there were some new orders and standards announced. New restaurant standards clarify food prepared onsite relating to alcoholic beverage consumption, in order to receive an alcoholic beverage the party has to order a food item of some kind, must be food prepared on-site not prepackaged; like pretzels or chips. This was announced on Friday and was distributed to all of our restaurants, there are many questions about it. Order No. 46, a revised gathering order, was released and is effective as of yesterday. Miss Guarino states that this held some significant gathering changes, related to gathering sizes. Outdoor gatherings are now limited to 8 people per 1000 sqft, with a maximum of 50 people, which is a significant change from a maximum of 100 people. There are certain exempt entities; for example a restaurant as a whole does not have to comply with this limit, but if they have a separate room or function then that function would be subject to the gathering order and occupancy limitations. Miss Guarino mentions that the individual sector guidelines are undergoing revisions to reflect the changes made in this order. Another significant change from this order that Miss Guarino mentions is the incorporation of private property as well as public property, as well as more enforcement information. Also found on Mass.gov, a COVID-19 concern form can be filled out, this complaint form will then be passed on to the correct body; Department of Labor Standards, Office of the Attorney General, local or state police departments, or local boards of health, etc. Miss Guarino says that locally we have help from the County to help address these types of concerns, and she is extremely grateful for that because of the numerous complaints and referrals we get a day. There are two people from the county to help with this; one is working on keeping up with routine inspections, while the other is focusing on COVID compliance. Miss Guarino asks for any questions. There were no questions.

c. **Local Updates & FAQs—permitting, inspections, public facilities, large gatherings, miscellaneous-** Miss Guarino starts off by discussing the Flu vaccines that are typically held by the Bourne Board of Health, there will be a regional Flu Clinic on December 26th, 2020, tentatively set from 8-12pm, will be held at the Barnstable County Complex as a drive by facility. And there is a registration form. The County is looking for volunteers to assist with this. Miss Guarino mentions that this is a very large facility and the aim is to take away some of the burden from local Health Departments and meet the needs of the community by providing these vaccinations. Miss Guarino brought this to the Board of Health to see if we could arrange a local Flu Clinic in Bourne as well, she mentions that there certainly will be some challenges and that there were some guidelines released. Ms. Peterson voices concerns about how spread thin the health department currently is, and asks if Miss Guarino feels this is something the department would be able to handle. Miss Guarino responds by saying this is something she would like to be able to provide to the town, and that the drive-thru option is best. This option would provide additional concerns, as the town's drive-thru facility is one of the schools versus the community building that has been used in the past. Ultimately, Miss Guarino states that this is something the department would like to provide for the town, but still need to further collaborate with the facilities director and public health nurses to see if they could accommodate this with COVID-19 standards. Mr. Barlow states that it might be beneficial to try this set-up, as down the road if a COVID-19 vaccine is developed, this type of clinic might be what is used and this could also serve as a test for that. Mrs. Mastria agrees that Mr. Barlow's idea could be useful

d. **Bourne Schools Reopening Plans --** Miss Guarino starts off by mentioning last Wednesday it was announced the plan for Bourne Schools reopening aimed at starting via a remote platform. School reopening plans are due by this Friday. Miss Guarino states that the goal is to get the students back in school in person as soon as possible and also for it to be the safest learning situation it can be. New guidance has been released for the school systems as well, which is ever evolving. Miss Guarino has also been working with the Mass Maritime Academy and the separate guidance related to colleges and universities, in particular the contact tracing protocols associated with this guidance. The Vocational school in town will also be working with the Health Department, as they have separate guidance as well due to their nature. Ms. Peterson asks for any questions. There were no questions.

2. **Arbovirus Update –Terri Guarino, Health Agent to discuss mosquito and tick-borne disease surveillance efforts --** Miss Guarino starts off by addressing that these are typical surveillance efforts. As she mentioned in the last meeting, 2019 may have been the beginning of a 2-3 year outbreak cycle. On August 5th, the health department received a notification that neighboring towns were elevated to high risk. The first human west nile case was confirmed on August 7th, as of this week's report there has been one positive human case for west nile and for EEE. Aerial spraying was completed the week of August 10th in Bristol and Plymouth Counties. All of this information is available online through the State. If any aerial spraying were to be conducted within our municipality that this information would be available, but as of right now we are still in the Low Risk category. Miss Guarino says we are remaining vigilant and asks everyone to take the necessary precautions to protect themselves from mosquitos. Ms. Peterson asks for any questions. There were no questions.

3. **12 Agawam Point Road - continued from July 15, 2020- Mr. Paul Bushueff Jr., Owner - Requesting waiver to continue to use and increase flow to the existing septic system within 100 feet of the resource area. Proposing a new garage with one-bedroom apartment above to tie-into the existing system. --** Skip Barlow recused himself for this agenda item. Ms. Peterson points out that the plans for this were not provided to the Board until yesterday. Miss Guarino confirms that one plan was emailed on Friday the 8th, and another submitted on the 11th. Miss Guarino mentions that the plans submitted on the 11th do not show the existing septic system or the proposed structure, the plans submitted on the 8th did include these features. Neither of these plans show the specific setbacks to the septic system, which is concerning to Miss Guarino. Based on the percentage of proposed increase and plans submitted last week, Miss Guarino states that typically the Board of Health would require a septic upgrade to an IA septic system. The current system was issued with a red stamp, with administrative

approval stating it was not suitable for any renovations or additions, Miss Guarino mentions that there was a previous waiver issued for this site in 2002 for a laundry room. Miss Guarino emphasizes that the homeowners have already been granted one waiver for this site, and now are asking for an additional waiver for a project that is adding a significant increase in flow with an additional bedroom and suggests an upgrade to an IA system. Mr. Bushueff representing this agenda item, starts off by adding that the proposed structure will not provide additional flow and that the current septic system is pressure dosed, he is unsure if that meets the requirements. According to Mr. Bushueff the plans submitted on the 8th show a 20ml barrier against the foundation and the offsets; 9ft to existing trenches. Ms. Peterson is also concerned about the changing of lot lines, she explains that the proposed changes need to be approved so that the Board knows what they are approving as well. Mr. Bushueff states that Monday the engineer dropped off a copy to the Health Department and a full packet to the Planning Board of the new survey of lot lines, clarifying that the plans submitted the 8th were of the proposed plans and septic information while the plans received on the 11th were of just the lot lines. Miss Guarino mentions that when this is brought before the Planning Board and she is asked to comment, she will not be able to concur since where the lot lines have changed, the septic system for number 9 will be on the property for number 12. She further explains that the nitrogen loading based on the new lot lines being proposed are for two septic systems. Mr. Bushueff agrees that the location of number 9's septic system is problematic, and that the ultimate plan is to relocate that system, and that application will be submitted to the health department. Miss Guarino explains further for the Board that she believes two IA septic systems will be needed, one for number 9 and one for number 12, because they do not meet the 150 setback regulations. Ms. Peterson asks if the homeowner understands this, he says he does and that anything Miss Guarino suggests they can make work. Mr. Bushueff says he is not asking for approval of a septic design for number 9 tonight, just for number 12's septic plan. Miss Guarino and Ms. Peterson both address that the plans are confusing, as the plans submitted on the 8th are for number 12's septic system but are labeled as number 9 Agawam Point Rd. Ms. Peterson understands the pressure to get all of the information in the Board, but ultimately the Board does not have the proper plans submitted to approve. She asks Mr. Bushueff how long it would take him to get both plans drawn up and submitted to the Board, presuming the next BOH meeting would be September 9th. Ms. Peterson explains Mr. Bushueff will need the plans for number 9 and the proposed septic plans for number 9, as well as the plans for number 12 and the proposed septic plans for number 12, as the health agent is recommending an IA system for both lots. Ms. Peterson asks if Mr. Bushueff would like the Board to vote on this now, so that he can start out fresh with the new proposed plans at a later meeting, since he has no abutters he needs to notify. Miss Guarino also mentions that the new plans would be a different request than why he is being heard before the Board at this meeting. Ms. Peterson recommends he withdraw without prejudice, and as soon as he is ready with his new plans he will be put on the agenda. If the meeting is held on September 9th, Mr. Bushueff would have to have all his information into the Board of Health on the 2nd. Ms. Peterson alerts Mr. Bushueff that an email will be sent to him from Syreeta Amaral, Administrative Assistant, with a document he will need to sign confirming he is withdrawing without prejudice. No action taken.

4. **14 Navajo Road— continued from July 15, 2020 - Charlie Fountain of C.E.F. Builders on behalf of owner Michael Berrelli - Requesting waiver to continue to use the existing septic system within 20 feet of the wetlands to accommodate the rebuilding of a two-bedroom dwelling that was damaged by a fire. --** Skip Barlow is stepping back on for this agenda item. Mr. Matt Berrelli is present to represent this agenda item. Miss Guarino starts off by notifying the board that everything was received on time for this item, including; title 5 deed restriction registered with the registry of deeds, abutters notification list, existing septic system plans, and architectural/structural plans for the proposed dwelling. Miss Guarino announced to Ms. Peterson that Stanley Andrews was having some connection issues, and that at the last meeting he had some questions about this item. Ms. Peterson asks if the rest of the Board has any questions while we wait for Mr. Andrews. No other questions. Mr. Berrelli believes Mr. Andrew's question revolves around the "non-habitable" space on the second floor and how that was characterized, which he says can be seen on drawing S3. Drawing S3 shows that this space is a long hallway with a sloped roof on the backside of the building to give access to the mechanicals. Miss Guarino thanks Mr. Berrelli for that clarification. Miss Guarino provides the board with a synopsis of the proposed project; existing septic was installed in 2013 and has been inspected, the property was damaged by a fire and now the owners are proposing to rebuild the home in the same footprint using the existing septic. The rebuild needs to be a complete raise/rebuild in order to meet FEMA flood zone standards. Miss Guarino suggests that if there is to be an approval

this evening it be conditional upon any future work to the dwelling or sewage disposal system trigger an upgrade to a system that has an advanced degree of environmental protection. Ms. Peterson asks Mr. Berrelli the reasoning behind not upgrading the septic system at this time, he states that because it is a functioning newer system that meets standards it is not cost effective for him to upgrade at this time. Mrs. Mastria moves approve 14 Navajo Road's request for a waiver to continue to use the existing septic system within 20 feet of the wetlands to accommodate the rebuild of a two-bedroom dwelling that was damaged by a fire, plans received August 3rd, conditional that any further work done to the dwelling would trigger the upgrade to a septic system that provides more environmental protection. Mr. Barlow seconds the motion. Roll call vote to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson....yes. Motion passes, with one abstention due to technical issues. Mr. Andrews left the meeting.

5. **455 Circuit Ave - continued from July 15, 2020 - Michael Pimentel of J.C Engineering on behalf of owners John & Nancy McCarthy- Requesting multiple variances to State and local Board of Health regulations in order to install a septic system for a home located at 455 Circuit Ave. Variances requested include a 71.3 foot reduction in the required 150 foot setback from the S.A.S to the Coastal Bank #2. A 5 foot reduction in the required 10 foot setback from the septic tank to the northerly property line. A 5 foot reduction in the 10 foot required setback from the septic tank to the westerly property line. An 8 foot reduction from the required 20 foot setback from the S.A.S. to the house located at #451 Circuit Ave and an 8.4 foot reduction from the required 10 foot setback from the S.A.S. to the westerly property line. -- Michael Pimentel of J.C Engineering and Nancy McCarthy representing this agenda item. Miss Guarino starts by announcing that the revised plans were received August 4th, as well as administrative approval from the Conservation Commission, she thanks the engineer and homeowner for providing the plans that the Board of Health asked for and updating the plans to include the Microfast 0.5 unit to add some nitrogen removal to the site. Miss Guarino states that the setback provided is the best you could do on this property and believes this is a vast improvement from what's existing. Ms. Peterson interjects that the letter from the neighboring lot, Kelly and Brian Stenberg, would need to be a signed agreement by all four parties and notarized before Miss Guarino could sign off on their permit application. Miss Guarino notes that the polyliner to mitigate the setback distances on the edge of the SAS is noted on the plans with top and bottom elevations. Mr. Pimentel explains that they have added a Fast system to the septic system design since the last meeting, they are removing an existing tank that is located right over the property line. The new tank will be a Fast system with a plastic leaching chamber system and try to fit it on the property as best you can, with it only being a 3700sqft lot. He states there is a good amount of space, about 106ft, between the SAS and the primary coastal bank which is an improvement from what is existing. Ms. Peterson acknowledges this, and also mentions that Mr. Andrews has tried twice to enter the meeting and is still having difficulties. Mr. and Mrs. McCarthy are present and say that they will get the notarized letter taken care of for the Board. Mrs. Mastria moves to approve the variances requested in order to install a septic system for a home located at 455 Circuit Ave. Variances requested include a 71.3 foot reduction in the required 150 foot setback from the S.A.S to the Coastal Bank, a 5 foot reduction in the required 10 foot setback from the septic tank to the northerly property line, a 5 foot reduction in the 10 foot required setback from the septic tank to the westerly property line, an 8 foot reduction from the required 20 foot setback from the S.A.S. to the house located at 451 Circuit Ave and an 8.4 foot reduction from the required 10 foot setback from the S.A.S. to the westerly property line. Conditional upon the agreement between the two property owners being signed by all parties and notarized. Ms. Peterson asks if there is a deed restriction for this property, Miss Guarino states that there would be an IA disclosure notice required but that there is no bedroom count restriction currently. Ms. Peterson is fine with that. Mr. Uitti seconds the motion. Roll call to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson...yes. Mr. Andrews abstains. Motion passed.**
6. **38 Massasoit Ave – Zac Basinski P.E. of Bracken Engineering representing prospective buyer Jennifer Krowchun --Modify existing Bourne Board of Health tight tank use approval dated April 10, 2019 to accommodate year-round usage. -- Ms. Peterson starts out by saying the Board will be unable to provide an approval this evening because Miss Krowchun does not own the property, in the past once a recorded and stamped deed is provided to the Board the new owner will be provided with a letter needed to be recorded to allow**

year-round usage. Ms. Peterson explains this wouldn't be too difficult to do, as the State clarified their paperwork on a tight tank, so the Board would just have to approve a clarification on tight tank paperwork. Miss Krowchun states they are closing on the property on the 21st, and explains the tight tank was approved by the Board on April 10th of 2019 but that the current owners have not installed the tank yet. Miss Krowchun asks if they would need to close on the property with the required deed restriction or if that could be filed after the closing. Miss Guarino confirms that the documents were signed and notarized by not recorded, which is why she did not issue the permit application submitted. Miss Guarino states that since then the permit fee has changed, the documents would have to be updated to reflect year round usage, correct owner and deed information, as well as any changes to the plans on record for the land before a permit could be issued. Zach Basinski of Bracken Engineering clarifies that they have plans to update all of the paperwork after Mr. and Mrs. Krowchun close on the property next Friday, including appropriate deed information and at that time would apply with Mrs. Krowchun for a new disposable works permit at that time. He asks if after that's all handled, once she owns the property if all the paperwork could be done through staff? Ms. Peterson asks the potential buyers if they plan on moving in before the installation of this tank, they do not. Mr. Barlow states once the Krowchuns own the property he would have no problem with the Health Agent signing off on this if she's comfortable with it. Mrs. Mastria agrees with Mr. Barlow. Mr. Uitti and Ms. Peterson also agree. Miss Guarino clarifies to the potential buyers that it would in fact not be a "seasonal use deed restriction" it would be a "notice of approval of a tight tank" which would also include a bedroom count. Mrs. Mastria moves to approve the modification of the existing Bourne Board of Health tight tank use approval for 38 Massasoit Ave dated April 10, 2019 to accommodate year-round usage once ownership is transferred, and new owners update all required documentation and file with the registry of deeds, once this is done Miss Guarino can administratively approve the system. Mr. Uitti seconds. Roll call vote to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson...yes. Motion passes.

7. **305 Circuit Ave – Zac Basinski P.E. of Bracken Engineering on behalf of owner Michael Powers – Requesting relief from State and local Board of Health regulations in order to install a tight tank system for a septic system upgrade. Additional variances requested include a 4 foot reduction from the 10 foot setback from the proposed tight tank to the existing property line and a 6 foot reduction from the 25 foot setback from the proposed tight tank to the top of an inland coastal bank.** -- Zach Basinski of Bracken Engineering here to represent this agenda item, he explains that this property will be going up for sale. The current system contains two cesspools close to wetlands at the rear of the property, resource areas have been reviewed and approved by Conservation. High ground water and small lot size does not allow Bracken Engineering to fit a conventional system or IA system on this lot, meaning the last feasible option to upgrade this system is a tight tank. Mr. Basinski further elaborates that the tight tank has been designed to be a 4000 gallon system to minimize the amount of pump-outs, and that the nitrogen loading on the lot would be reduced from 21ppm to just over 3ppm which is a great benefit for that area. Miss Guarino agrees that this is a very tight lot and also the proposed system is a significant improvement, and with local regulations regarding a title 5 tank component there is nowhere on the lot to meet the required distance from the resource areas or build up a system that meets groundwater separation requirements. Mr. Barlow moves to approve 305 Circuit Ave's request for relief from State and local Board of Health regulations in order to install a tight tank system for a septic system upgrade, and additional variances requested including; a 4 foot reduction from the 10 foot setback from the proposed tight tank to the existing property line and a 6 foot reduction from the 25 foot setback from the proposed tight tank to the top of an inland coastal bank. Mr. Uitti seconds the motion. Roll call vote to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti... yes, Ms. Peterson...yes. Motion passes.

8. **Quality Inn Pool – Discussion and possible vote on outstanding violations and issuance of Semi-Public Pool and Spa Permits.** -- Peter Kumar present to represent this agenda item. Miss Guarino starts off by explaining that in the past there have been issues and violations found upon inspections, she has explained these all to Mr. Kumar and he believes that they have all been corrected, but due to staffing shortages the health department has not been able to re-inspect before this meeting to verify. Some of the required fixes Mr. Kumar states have been established include; a key lock on the pool door in order to ensure an adequate enclosure, Miss Guarino says she will have to go out to verify this and that the lock is placed at the appropriate height. Miss Guarino mentions that back in February of 2020 there were issues with the spa/hot tub, the pool operator had been

working on the drainage, and in conversations with Mr. Kumar, she has conveyed that if he believes all the work is complete and in good working order he can fill the hot tub. Miss Guarino further discusses that in order to ensure that all of these issues are corrected and that the hot tub is functioning properly she will go out herself to do this inspection. Miss Guarino states that she does not want the pool open to the public before she issues the permit, but would like to see everything ready to go and pool chemistry ready to go for when she is able to stop in tomorrow to perform such an inspection and if all violations and issues are resolved she will issue the permit on site. Any issuance of a permit from her would be subject, also, to COVID-19 standards. Mrs. Mastria makes a motion as stated by Miss Guarino. Mr. Uitti seconds the motion. Roll call vote to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson...yes. Motion passes.

9. MHOA Letter of Support- Discussion and possible vote on signing a letter of support for public health reform addressed to Governor Charlie Baker submitted by the Massachusetts Health Officers Association.

-- Ms. Peterson asks the Board if they have read the letter. Mr. Barlow states he has not read it, but would support it. Mrs. Mastria has read it and supports the letter, Mr. Uitti supports the letter. Ms. Peterson moves to sign and send the MHOA letter of support for public health reform. Mrs. Mastria seconds. Roll call vote to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson...yes. Unanimous, motion passes.

10. Approve the Minutes— Approve the minutes from the previous meetings dated June 24, 2020 & July 15, 2020. -- Ms. Peterson moves to approve the Minutes from June 24, 2020. Mrs. Mastria seconds. Roll call to approve. Mr. Barlow...yes, Mrs. Mastria...yes, Mr. Uitti...yes, Ms. Peterson...yes. Motion passes.

11. Set tentative date for next meeting and adjourn. The next Bourne Board of Health Meeting was tentatively set for September 16, 2020

Mr. Barlow made a motion to adjourn the meeting. Mr. Uitti seconded the motion. Roll call vote to adjourn-- All were in favor and the meeting adjourned at 6:21pm.

Taped by Syreeta Amaral, Administrative Assistant
Typed by Kaitlyn Shea, Health Inspector

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow Jr. _____

Don Uitti _____

Kelly Mastria _____