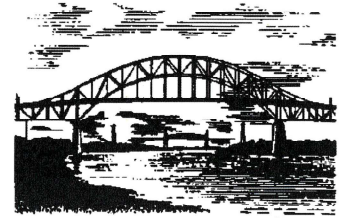


Terri A. Guarino
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TOWN OF BOURNE BOARD OF HEALTH

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Meeting MINUTES December 14, 2022

Meeting was called to order at 5:30 P.M.

1. Attendance.

Board Members: Stanley Andrews, William Meier, and Barbara Princiotta

Staff Members: Terri Guarino, Deon Wills, and Stacey Burgess

Michael Rausch of the Bourne Enterprise alerted the Board that he was recording the meeting.

2. **Wicked Fire Pizza – Owner, Joshua Lowden – Discussion on new brick and mortar location for existing permitted Food Truck at 89 Main St. Buzzards Bay, MA.**

Mr. Andrews abstained from this subject matter out of necessity, so Ms. Princiotta led the discussion.

Mr. Lowden introduced himself as the owner of Wicked Fire Pizza, and that they are undergoing the final processes for opening a new location at 89 Main St, Buzzards Bay for the existing food truck. He states that he has been collaborating with the departments in town and received final approval today for his sign. Mr. Lowden explains that they are looking to open after final inspections from the Building Department, Board of Health, Fire Department, and Planning Department. He states that his goal is to have that completed prior to January 1st, 2023. He explains that the interior design is around 75% finished, and that their refrigerators are being delivered the upcoming week. Mr. Lowden states that once the refrigerator units are delivered, he will reach out to the Board of Health for final approval. Miss Guarino explains that Mr. Lowden has been operating the food truck in town previously, and that he has been in communication with the office. She states that when he is ready for his pre-operational inspection, to just let the office know.

Mr. Meier requests that Mr. Lowden states his name and address for the record. Mr. Lowden identifies himself of Joshua Lowden, of Bourne. Mr. Meier states that he does not have any issues with this project, and that it appears that this business will be a positive addition to town. He expresses his excitement and wishes Mr. Lowden good luck.

Mr. Meier makes a motion to Wicked Fire Pizza, owner Joshua Lowden, discussion on new brick and mortar location for existing permitted Food Truck at 89 Main St. Buzzards Bay, MA. Ms. Princiotta seconds the motion. Roll call votes as follows: Ms. Princiotta, yes; Mr. Meier, yes. Mr. Andrews abstained from the discussion and vote out of necessity.

Mr. Lowden thanked the Board, and states that he is grateful for the collaboration and kindness that he has experienced during the process.

3. **20 Crump Rd – Katlyn Souza requesting a variance from local poultry setback regulations to put a chicken coop 20' from property line.**

Ms. Katlyn Souza of Bourne introduced herself as the representative of the project. She states that she is looking for relief from Section 1B of the Town of Bourne Poultry Regulation which is the 50-foot setback for a chicken coop from a property line. She states that she is looking to put the coop 20 feet from the eastern property line, and that she has

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notified her abutters of this intention. She states that the abutter in question is not present, but that the abutter contacted her to notify her of her support of this request.

Mr. Andrews asks if the abutter notices are attached to the file, and Miss Guarino confirms that they were present.

Ms. Souza states that it will be a 10x10 enclosed structure with a run abutting a wooded property line that is already fenced in. She states that she does not expect interference with the neighbors, and that she has reviewed the regulation and is planning to act in accordance.

Mr. Andrews questions if there is anyone in the public who would like to comment, and there was no response.

Mr. Meier inquired about the number of chickens that Ms. Souza intends to have, and she responds that the intention is to have 12 chickens and that she is not looking to have a large flock. Mr. Meier also questions about the proximity to neighbors, and Ms. Souza states she does not know the exact distance, but that it is over 200ft, and in the summer when the trees have leaves, she cannot even see her neighbor's property.

Ms. Princiotta questions the manure management plan, and Ms. Souza explains that the intention is to keep the waste in an enclosed bin and then bring it to the dump or another waste management facility. Mr. Andrews explains that a written manure management plan needs to be submitted for approval of the permit.

Miss Guarino emphasizes that they do not issue permits for the poultry regulations, but they are issuing a variance from the regulation. She requests that Ms. Souza reaches out to the office when the coop and run are set up.

Mr. Andrews questions the permit and tracking of the poultry regulations, and Miss Guarino explains that the office attempts to monitor the chicken coops in town, but that the poultry regulations are focused on maintenance and location of the coops.

Ms. Princiotta makes a motion for 20 Crump Rd to approve a variance from local poultry setback regulations to put a chicken coop 20' from property line provided a written manure management plan is submitted to office prior to obtaining chickens. Mr. Meier seconded the motion. All were in favor, and the motion passed unanimously.

4. 8 Tiffany Rd – Owner, Eunice James Scott appealing orders dated 11/28/2022 regarding 105 CMR 410 violations pursuant to 105 CMR 410.850.

Eunice James Scott and Michael Scott introduce themselves as the homeowners of 8 Tiffany Rd. Mr. Scott states that the tenant on the property has moved out, and that they were unaware of the state of the property when the tenant was residing there. Mr. Scott explained that since the tenant has moved out, they have been repairing and working on improving the home. He states that they have renovated the entire home, that the fire inspector came that day to check the carbon monoxide and smoke detectors, that they fixed locks on the back door, that the plumber came for repairs, that the front door has been repaired, and that they have new lamps for the front which are waiting to be installed by an electrician.

Miss Guarino explains that the Health Department received a complaint from the occupant regarding the status of the property, and that they conducted an inspection of the property on November 11, 2022. She confirms that the occupant has moved out and relocated, and that the dwelling is unoccupied at the moment. She explains that the first violation was regarding the smoke detectors and that they received documentation that the Fire Department did visit the home and complete an inspection. She states that since she last spoke to the homeowners on December 2nd, 2022, she requested that they provided the office with receipts and proof of improvement. She states that the violation did request those receipts for submission for proof of improvement.

Mr. Andrews questions the plumbing work that was done, and if there was a permit that was pulled. Mr. Scott explains that there was not a permit needed because all he did was install faucets. Mr. Andrews stated that a permit was still needed, and a permit was also needed for the work by the electrician. Mr. Scott states that he is unsure of that status, and that he was under the assumption that that was up to the licensed professional. Miss Guarino confirms that there have not been any permits pulled for plumbing or electric for the property. Mr. Andrews questions when Mr. Scott will be ready for an inspection, and he states early next week, and Mr. Andrews instructs him to make an appointment with the office.

Mr. Meier inquires about the completion of items listed in violation, specifically the pests that were present. He states that he is concerned about the abundance of pests, and he would like to see that prioritized. Mr. Scott explains that Terminix has come to the property for an inspection, and they will be treating the interior and exterior of the property. Mr. Scott states that Terminix was unsure of an interior pest infestation, but that they will be treating regardless. Mr.

Andrews questions the contract with Terminix, and Mr. Scott states that it is a one-year renewable contract for pests and bugs. Mr. Andrews requests a copy of the contract for the Health Department have on record. Miss Guarino states that with the provided estimate and proposals, and that she is aware that there is rotten wood in the interior. She states that the carpentry will be evaluated, including the decks and the exterior. Mr. Scott states that this has been done and that it was evaluated once the house was power washed. Miss Guarino questions if it is complete, and Mr. Scott states that everything has been done aside from the electrician with the front lamps. Mr. Andrews questions the chandelier and status of electrical work, and Mr. Scott explains that a light bulb just needed to be changed. Mr. Andrews questioned the safety of the lamp in the driveway, to which Mr. Scott stated that it was not dangerous and there are no exposed wires. However, Miss Guarino stated that it is shattered and that the lamp fixture and pole are both broken. She confirms that the pole is not stable. Mr. Andrews questioned if the bulb is broken, and Mr. Scott states that he replaced it.

Mr. Scott explains that all the work inside the house has been completed, and he can email the contract for Terminix, request permits to be submitted from the electrician and plumber, and he will schedule an inspection with the Health Department.

Miss Guarino states that to her understanding, most of the work has been completed. She questions the functionality of the refrigerator, and Mr. Scott states that it is brand new, and they also obtained a brand-new microwave. Miss Guarino also questions the sauna and steam room in the basement, and requests that they can test it during the inspection to confirm that it is in working order. Miss Guarino states that it was not tested, but she was under the assumption that one of the wood panels was broken. Mr. Scott explains that it is a special part order from the manufacturer, and that it is on the way. Miss Guarino also questions the functionality of the chimney, and that the tenant informed the department that it was not safe for use. Mr. Scott states that the fireplace was never used, and the tenant prior had it cleaned, so he is unaware of the status. He states that he was never notified of the issues with the property, so he cannot provide an accurate analysis. Miss Guarino requests that a qualified chimney inspection is conducted, and that a report is submitted to the office. Miss Guarino requests the specifics of the timeline. Mr. Scott states that aside from the lights in the driveway, since he does not have an electrician yet, everything else has mostly been repaired and that he believes that the property is habitable. He states that it is the steam room, the light, and the permits that are the only action items. Miss Guarino responds that with the exterior light, she cannot recall if there was another light on the exterior egress. She states that there will need to be a light by the door, and Mr. Scott states that there is one, and that it is operational. She explains that as long as there is egress lighting that is working properly, the wait for the electrician is reasonable.

Mr. Andrews reiterates that upon completion of all of the discussed work, including a chimney inspection, and the Health Department inspection, the dwelling will be good to go. He also requests a letter from the plumber that the part for the steam room has been ordered.

Ms. Princiotta states that she would like to see a permit for the decks and the railings since they were repaired. Mr. Scott states that it was not a major repair, and Ms. Princiotta states that a permit is still required and that she would like to see that. Miss Guarino states that if they just replaced the boards on top, and not the structural integrity, a permit is not required, and she agrees to check with Ken Murphy, the Building Inspector. Ms. Princiotta explains that she would like to make sure that the railing height is accurate.

Mr. Andrews confirmed when they will be ready, and Mr. Scott states that he will contact the office this upcoming week. Miss Guarino questions when the next occupant will be moving in, and Mr. Scott explains that the lease is for December 15th, 2022. Miss Guarino states that she will attempt to make arrangements to come out tomorrow, and Mr. Andrews states that he is satisfied with how timely the repairs were done, especially considering how Mr. Scott was unaware of the status of the property.

Miss Guarino states that she will contact Mr. Scott with an approximate time. Miss Guarino states that she can actually schedule it on the spot, and that she and Mr. Deon Wills, Health Inspector, can go in the early morning, or after 11:30am. Mr. Scott says after 11:30am would be more convenient.

Ms. Princiotta questions about the occupancy of the property, and Mr. Scott confirms that the new tenant is not living on the property, but that she has begun moving her items in. Ms. Princiotta states that the office may not have to come tomorrow then if the occupant has already begun to move in, and Miss Guarino states that she would still like to go to ensure that the dwelling is secure and habitable for the tenant to move in.

Miss Guarino emphasizes that she would like a report from Terminix, and thanks Mr. Scott for his cooperation. He also states that there is some trash in the driveway, but it is set to be picked up on December 16, 2022.

5. MassDEP 310 CMR 15.00: Title 5 Amendments and 314 CMR 21: Watershed Permit Regulation written comments.

Mr. Andrews states that this in reference to the December 12, 2022, joint meeting with the Board of Selectman. He states that he is still organizing the comments from the meeting. Mr. Andrews states that the Chair of the Board of Selectman, Peter Meier, requested that there is another meeting to discuss the regulations. Mr. Andrews states that he will need a list from the board members, and from Miss Guarino to formulate a schedule of availability for another joint meeting. He also requests a list of any additional comments, and that they are submitted by Friday. Mr. Andrews states that he is organizing comments from the 12/12/22 meeting. Mr. Andrews asks for lists from the Board and Terri about availability over the next few weeks to correspond with the Select Board Chair regarding the compilation of comments. Mr. Andrews states that he would like to have the availabilities by Friday, and that it cannot include Tuesdays, or any of the previously scheduled Board of Health meetings. He also reminds the Board that Mondays will also be less available because the Board of Selectman will be meeting with the Finance Committee for budget season.

6. 68 Elgin Rd – Zachary Basinski, P.E., C.F.M. of Bracken Engineering on behalf of owner/applicant Timothy & Michelle Bernard – Requesting relief from 310 CMR 15.211 for the installation of a sewage disposal system at 68 Elgin Rd. Variances requested include: A 41'± variance to Title 5 setback requirements for a 9'± setback from a fragmented, non-water dependent Coastal Bank to a Soil Absorption System. And a 141'± variance to local setback requirements for a 9'± setback from a fragmented, non-water dependent Coastal Bank to a Soil Absorption System.

Mr. Basinski presents himself as representative of the project on behalf of the owners, Timothy and Michelle Bernard. Mr. Basinski states that this new construction of a single-family three-bedroom dwelling. Mr. Basinski states that the floor plans were not provided with the application, but however, he can distribute them this evening. He states that he understands how this can lead to a continuation, and he apologizes for the inconvenience. He states that the property site is 68 Elgin Rd, and that it is on Handy Point, and that it is one of the last developable lots on the site. He states that the resource areas are a flood zone.

Mr. Andrews questions where the property is in relation to the pickleball courts, and Mr. Basinski shows him the distance relation on the map. He states that Mr. Bernard owns the house next door as well.

Mr. Andrews formally abstains due to a COI due to his relation to the owner.

Mr. Basinski cordially requests a continuation due to a lack of quorum.

Ms. Princiotta makes a motion to continue 68 Elgin Rd to the next meeting on behalf of the request of Mr. Basinski. Mr. Meier seconds the motion. Roll call vote as follows: Ms. Princiotta, yes; Mr. Meier, yes; Mr. Andrews, abstain. Motion passes.

Mr. Andrews states he will confirm that all members will be at the next meeting so that they have quorum.

7. 85 Salt Marsh Ln – Zachary Basinski, P.E., C.F.M. of Bracken Engineering on behalf of owner/applicant CNB Bristow LLC – Requesting relief from Title 5 for the installation of a tight tank at 85 Salt Marsh Lane. Variances requested include 15.405.1(j) the reduction of a 12" separation from high groundwater to the inlet tee.

Mr. Basinski presents himself as the representative of 85 Salt Marsh Ln, on behalf of CNB Bristow LLC.

Mr. Andrews questions if they have sent out abutter notices for the project, and if the project has received approval from the Conservation Commission to which Mr. Basinski confirms both. Mr. Andrews requests a submission of the order of conditions with the application in the future.

Mr. Basinski states that this is an existing 3-bedroom home on a single-family dwelling lot, and that the resource areas are Pocasset Harbor on the west, and a resource area behind the lot. He states that it is currently serviced by a septic tank and a very small leaching field. Mr. Basinski states that the homeowner is looking to upgrade the system due to the sensitivity of the area. Miss Guarino states that this is an upgrade to an existing 1990 Title 5 system and will not only reduce the nitrogen load from wastewater but eliminate it by installing a 3,000-gallon tight tank.

Mr. Andrews clarifies that the Assessors have the property listed as three-bedrooms, not two as indicated on the plans. Miss Guarino confirms that and states that the proposed 3,000-gallon tight tank is suitable for a three-bedroom, if that is what the dwelling truly is. The bedroom count deed restriction will just need to reflect the proper number of bedrooms under the Board of Health definition prior to a construction permit being issued. Mr. Andrews states that the deed restriction is for 2 bedrooms, and it will need to be redone to reflect this. Mr. Andrews asks how the ground water is at 3.5, to which Mr. Basinski replies that it is due to the size of the lot. Mr. Andrews states that he is aware of the area, and questions how close the groundwater and inlet tee will be to the tank. Mr. Andrews says that there could be multiple methods to seal the inlet pipe and questions Mr. Meier's opinion. Mr. Andrews says that since they are so close to the water table and the tank is in the water, he would like to see a stronger way to seal that. Mr. Meier questioned the abandonment of the old tank and the past tank. Mr. Basinski states that the old tank will be removed and filled in. Mr. Andrews notes that the design calls for helical coils, and Mr. Basinski responds, highlighting that it will aid in preventing buoyancy of the tank. Mr. Andrews notes that this new design would be a large improvement to the area. Mr. Meier comments that he also likes the erosion control and that it is a good idea. Ms. Princiotta states that it is a good improvement, but that she would like to see a floor plan because of the new bedroom regulation definition. Mr. Basinski questions if that is going to be the standard for all projects, and Mr. Andrews confirms. Ms. Princiotta comments that she would like to see the number of bedrooms listed. Miss Guarino asks the Board for clarification on the necessity of floor plans. Ms. Princiotta says that she sees it as a necessity because of contradictions between plans, assessors' cards, and deed restrictions. Mr. Andrews states that they have to vote on the deed restriction, and that they cannot leave that open ended. Ms. Princiotta states she would like to emphasize that the standard will be a provision of floor plans. Miss Guarino adds that she is curious for the timeframe for installation. Mr. Basinski states that they will need to observe the tides. Miss Guarino says that it will be subject to their variances and regulations.

Ms. Princiotta makes a motion to continue 85 Salt Marsh Ln to the next meeting. Mr. Meier seconds the motion. All were in favor, and the motion passed unanimously.

- 8. 7 Wales Dr – Down Cape Engineering, Inc. – Daniel A. Ojala, P.E., P.L.S. on behalf of property owner Christine M. Moscatiello – Requesting relief from 310 CMR 15.00 and Local Board of Health Regulations for the installation of an Innovative/Alternative sewage disposal system at 7 Wales Dr. Variances requested include: 15-.405 (1a): Reduction in setback, SAS to Lot Line (10' to 5.1'). 15-.405 (1b): Reduction in setback, SAS to Foundation (20' to 7.0') & Septic Tank to Foundation (10' to 5.0'). 15-.405 (1e): Reduction in setback, SAS to BWJ (50' to 26.2') & Septic Tank to BWJ (25' to 14.8'). 15-.405 (1f): Reduction in setback, SAS to Coastal Bank (50' to 16.2') & Septic Tank to Coastal Bank (25' to 6.4'). 15.555 (5): Reduction in lateral removal of unsuitable material (5' to 3'). Bourne Board of Health 150' setback regulation: Reduction In setback, SAS to Watercourse (Coastal Bank) (150' to 16.2').**

Mr. Danny Gonsalves from Down Cape Engineering presents himself as the representative for the project on behalf of the property owner. Mr. Gonsalves begins by stating that he has green cards for the Board. Mr. Gonsalves states that the project was also approved by the Conservation Commission, and that their only concern was the silk controls. He states that he has not received any written documentation of the approval yet, but once they do, he will forward it to the office.

Mr. Gonsalves states that this would be an upgrade from two cesspools that are located on the property to a MicroFAST 0.5 Unit for nitrogen reduction and a pressure distribution field for virus attenuation. He clarifies that this is a 2-bedroom property, and that there will not be an increase in the bedroom count. Mr. Gonsalves explains that the variances are due to a small site and the proximity to wetlands. He emphasizes that the new design will be a significant improvement to the existing conditions on the property.

Mr. Andrews inquires about the nitrogen calculation sheets, and that he is unfamiliar with the format. Miss Guarino explains that the calculation is more accurate since it is done on an Excel Spreadsheet, but Ms. Princiotta states that she would prefer the typical calculation so that she can guarantee the math that was used. Mr. Andrews clarifies that the nitrogen calculation is 4.75 kilograms per year, which is a preferred target for the property.

Ms. Princiotta clarifies that her only question is regarding the calculation. Mr. Meier inquires about the nitrogen loading calculation, and Mr. Andrews reiterates that it is 4.75 kilograms per year. Miss Guarino explains that that converts to

6.75 ppm. Mr. Gonsalves says that it was previously 12.19 ppm, and now it is 6.75 ppm, which is cutting it in half. Mr. Andrews emphasizes that this is still not meeting the target, and it is especially a concern due to how the property is in close proximity to the Pocasset River, which is an impaired water body. Ms. Princiotta questions if there is anything further than can be done to reduce the nitrogen loading. Mr. Gonsalves states that the design is very strong due to the I/A technology and the pressure treatment, and that there is limited lawn area on the site, with 0 on the plan. He states that it is landscaping out front and a coastal bank in the back, and the only area is for the field. He emphasizes that there are 2 cesspools in the bank on the property, so that the current plan is a significant improvement.

Mr. Andrews questions the liner on the plan that is drawn right through the tank. Mr. Gonsalves explains that they will probably cut it off on one end and agrees to modify the office copy of the plan to indicate the change. Mr. Gonsalves emphasized it is bottom area only because of the leaching field. Mr. Andrews questioned the basement, and Mr. Gonsalves stated that it is a half basement with a concrete floor.

Miss Guarino adds that this is a notably large improvement considering the current state of the system, and that she is impressed with the design considering the constraints of the lot, especially with the I/A technology. She states that it describes as going down 14 feet during the percolation test, and as designed, there will be greater than a 10-foot separation from the water table. She emphasizes that on the plan she did not see audio and visual alarm panel locations, and that those must be visible from the street. Miss Guarino also adds that there needs to be a blower unit location and venting, and that it should preferably be on the North side of the property. She states that the location needs to be near the tank with the venting so that it does not encroach on the property line of another house. Mr. Gonsalves states that they would entertain a provision for the location. Miss Guarino also states that per Title 5, there is an automatic 2-bedroom deed restriction, as well as an I/A Disclosure Notice and an Operation and Maintenance Agreement.

Mr. Meier asked for clarification on the 10-foot separation for the ground water, and Miss Guarino confirmed. She also adds that she noticed there would be two inverts into the tank from the two building sewers and that that should be fine as long as it was approved by the Conservation Commission.

Ms. Princiotta questions the nitrogen loading and emphasizes that she is not comfortable with the assumed values. She states that she would like to use the calculation form that they typically utilize before there is formal approval since the assumed values change the calculations. She would like it to be consistent between applicants. Miss Guarino states that the assumed values are from the Cape Cod Commission Technical Bulletin and that the average occupancy is 2.3, and that the individual recharge rates per town are all provided. She states that it has become more common to utilize a spreadsheet. Ms. Princiotta states that there is discrepancy between the recharge rates with applicants, and she would like the figures to be consistent. She states that the plan is a vast improvement, but that for the lack of verifiable rates, she doesn't feel like she can approve it. Mr. Gonsalves states that he understands.

Mr. Andrews clarifies that she is looking for the data backup for the assumptions for the nitrogen loading, and Ms. Princiotta agrees. She reiterates that once she has verifiable data, she would be more than happy to approve. Mr. Meier agrees.

Mr. Meier makes a motion to continue 7 Wales Dr to the next meeting with submission of nitrogen loading assumptions and calculation data. Ms. Princiotta seconds the motion. All were in favor, and the motion passed unanimously.

9. 3 Sunny Ln – N. Douglas Schneider, P.E., P.L.S. of Holmes and McGrath on behalf of owner/applicant Liam Coyne – Requesting relief from 310 CMR 15.00 and/or Local Board of Health Regulations for the installation of an Innovative/Alternative sewage disposal system at 3 Sunny Ln. Variances requested include: A 90' variance to the local setback requirements for a 60' setback of the soil absorption system from wetland area. A 2' variance to Title 5 and local setback requirements for a 3' setback of the soil absorption system from groundwater, as permitted under DEP remedial approval for a NitrifAST system. An 8' variance to the Title 5 and local setback requirements for a 2' setback from the MicroFAST tank to foundation.

Mr. Doug Schneider of Holmes and McGrath introduces himself as the representative of the project on behalf of the owner Liam Coyne. Mr. Schneider states that 3 Sunny Ln is on a corner lot heading out to Mashnee Island, and that it the property currently has a 3-bedroom house with a garage. He states that it is within 100 feet of a wetland and that the system is currently located in the groundwater. He stated that the groundwater was recorded at only 4 inches from

surface. He states that the house is going to be removed, and a new house will be built with an elevation of 16.5 feet due to flood compliance. He states that they are looking to implement a NitriFAST system. He states that they will also use a UV filter for a secondary source of treatment. He states that there will be a retaining wall to raise and put the tank above ground so that it is a gravity system.

Mr. Andrews questions the piping to the house, and the space between the home and the tank. Mr. Schneider states that it will just be a PVC pipe in that space. Mr. Meier questions the involvement of the plumbing department and the usage of the PVC. Mr. Andrews states that he is concerned of the shrinkage of the PVC due to weather changes, and Mr. Meier states that it will be more severe with the wind chill. Mr. Schneider emphasizes that they can bring the proposed concrete wall right up to the house and enclose the pipe.

Mr. Andrews states that the site plan has already been approved by the Conservation Commission, Miss Guarino states that she knows there has been a remedial use approval, but that it is only for BOD5 and TSS removal, not total nitrogen. She states that there is more MassDEP removal technologies, but that she is unsure of the specific calculations. She states that it is a concern, specifically regarding the nitrogen loading calculations, especially since it is higher than she would like to see, especially in a nitrogen sensitive area. She emphasizes this is a 6,500 sq ft lot, which does cause constraints. Miss Guarino states that in 2018 the property was deemed unfit for human habitation, and that there were a multitude of public meetings to discuss the property and the septic. She states that there have been multiple title transfers, and that the property could have been ordered to be vacant land. She states that there will only be a 3-foot difference to the groundwater. Miss Guarino explains that she is surprised it was approved by Conservation Commission due to the grading and the retaining wall. She states the retaining wall is on the property line, so there is no room for drainage or grading, which is needed by the guidelines. Mr. Schneider states that the wetland resource area is offsite, and that there is another septic system between the property line and the wetland area. Miss Guarino adds that it is not an ideal circumstance.

Ms. Princiotta makes a motion for a 5-minute recess. Mr. Meier seconds the motion. All were in favor, and the motion passed unanimously.

The meeting resumed at 7:00pm.

Mr. Schneider states that they are attempting to do the best they can with the circumstances, especially the high ground water. He states that under the remedial use with the FAST system, it does allow for a 2-foot reduction in separation.

Mr. Andrews questions the Nitrifast system, and the specifics. Mr. Schneider states that it is remedial since it is a replacement of the system, and that since it is a DEP approval, it may not even be a waiver.

Mr. Andrews states that he is very nervous about this, specifically considering the calculations for the nitrogen loading and the location of the property. Miss Guarino agrees, and states that the application is not for nitrogen reduction and that the system will not due 19 milligrams per liter. She states that the approval needs to be specified and changed if it is specifically for nitrogen reduction. Mr. Schneider states that there is a unit that specifically focuses on nitrogen reduction, and that the system has several DEP approvals. He highlights that he will obtain clarification.

Miss Princiotta states that she would like to see the backup for the data assumptions and the figures for the nitrogen loading calculations through the Bourne Board of Health forms. She states that she has concern over the nitrogen loading, especially considering that it is new construction, so the correct paperwork is essential.

Miss Guarino states that the retaining wall is under the Board of Health purview, but that the storm water runoff into the resource areas is something that she thought Conservation Commission would address. Mr. Andrews emphasizes that he would like to receive the correct approval sheets and the backup for the data for the nitrogen loading.

Miss Guarino highlights that due to past discussion of the property and the constraints of the location, she expected a tight tank to be utilized in the plan. She states that it is an extensive history for the property, but that the Board of Health was expecting the installation of a tight tank. Mr. Andrews states that the primary goal is to improve the property, especially regarding the nitrogen loading. Miss Guarino states that the lack of recharge area is what causes the difficulty, and the remedial use approval states that there is supposed to be area for a full-size system on the property, which she does not think that that is possible on the current lot.

Mr. Andrews states that he would like to see the MassDEP guidelines for the retaining walls, and to see if the characteristics can be met to alleviate concerns with the height of the wall. Miss Guarino adds that the nitrogen loading needs to utilize the correct approval and that the calculations reflect the Bourne form, and to see the copy of the detailed Excel spreadsheet. She states she would also like to see the other conditions for the Nitrifast approval.

Miss Guarino emphasizes that the retaining wall would pertain to the MassDEP guidelines for the slope stabilization and impervious barriers.

Ms. Princiotta also requests the source data, because she would like to see where the engineers are obtaining their numbers. Mr. Schneider states that the nitrogen calculating worksheet used by Holmes & McGrath has been use for years and he is uncertain of where the numbers originated. He will try to have the information needed by the next upcoming meeting.

Mr. Andrews questions if that will be available by the next meeting, or if he would prefer to have it done by the January 11th meeting. Mr. Schneider responds that the January 11th meeting would be best because he thinks that the December 28th meeting would be pushing it a bit due to the holidays.

Mr. Meier made a motion to continue 3 Sunny Ln to the next meeting, or the following meeting on January 11th, 2023. Ms. Princiotta seconded the motion. All were in favor, and the motion passed unanimously.

10. 4 Wenaumet Bluffs Dr – Stephen B. Nelson, R.E.H.S/R.S. on behalf of property owner Kristin Seastrand – Requesting relief from 310 CMR 15.00 and/or Local Board of Health Regulations for the installation of an Innovative/Alternative sewage disposal system at 4 Wenaumet Bluffs Dr. Variances requested include: A 5' reduction in the required 10' setback distance from the proposed leaching facility to the front and side property line (310 CMR 15.211); A 32' reduction in the required 50' setback distance from the proposed leaching facility to the top of coastal bank; A 132' variance from the Bourne Board of Health 150' setback regulation for the placement of a leaching facility within 18' of coastal bank.

Mr. Steven Nelson introduces himself as the representative for 4 Wenaumet Bluffs Dr on behalf of the owner, Kristin Seastrand.

Mr. Nelson states that he has the green cards, but the Conservation Commission meeting has been postponed until January.

Mr. Andrews states that Mr. Nelson can either present and likely be denied because of the lack of Conservation Commission approval, or he can request an extension.

Mr. Nelson elects to request an extension and Miss Guarino provides Mr. Nelson with the extension form.

Mr. Nelson states that he found the nitrogen calculations through the Conservation Commission, and he is curious of where he can find the Town of Bourne Board of Health form, to which Miss Guarino states he can find it on the website.

Ms. Princiotta states that they are looking for the floor plan and the copies of the deed restriction as well. Ms. Kristin Seastrand confirms it was done, but Ms. Princiotta states it needs to be submitted to the Board.

Miss Guarino questions if they have received approval already, but Mr. Nelson clarifies that that was for the tight tank, not for the new plan which would include I/A technology and a leach field. He states that the new plan is different, so it requires different approval.

Ms. Princiotta makes a motion to accept the continuance for 4 Wenaumet Bluffs Dr until the next meeting following the Conservation Commission meeting. Mr. Meier seconds the motion. All were in favor, and the motion passed unanimously.

11. Approve the Minutes – Approve the minutes from the previous meetings dated September 14th, September 28th, October 12th, and November 16th, 2022.

Ms. Princiotta states that she would like continue approval of the September 14th meeting until the next meeting so that she can continue reviewing them. She states she would like to wait to approve them. **Mr. Meier makes a motion to extend the approval for the minutes from September 14th until the next meeting. Ms. Princiotta seconds the motion. All were in favor, and the motion passed unanimously.**

Mr. Meier makes a motion to approve the meeting minutes for September 28th, 2022. Ms. Princiotta seconds the motion. All were in favor, and the motion passed unanimously.

Mr. Meier makes a motion to approve the meeting minutes for October 12th, 2022. Ms. Princiotta seconds the motion. All were in favor, and the motion passed unanimously.

12. Set tentative date for next meeting.

Mr. Andrews states the tentative date for the next meeting is December 28th, 2022, unless there is a joint meeting that will occur with the Board of Selectman. He states that once he receives the availability of the Board members and Miss Guarino, he will provide an update on the meeting schedule.

13. Adjourn.

Miss Princiotta makes a motion to adjourn the December 14th, 2022, meeting. Mr. Meier seconds the motion. All were in favor, and the motion passed unanimously.

Taped by: Terri Guarino, Health Agent
Typed by: Viveca Stucke, Recording Secretary
Edited by: Stacey Burgess, Secretary