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TOWN OF BOURNE BOARD OF HEALTH

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Remote Meeting MINUTES May 10, 2023

Meeting was called to order at 4:00 P.M.

This meeting was televised and recorded by Bourne Community TV for replay.

1. Attendance.

Board Members: Barbara Princiotta, William Meier, and Don Uitti
Professional Staff: Terri Guarino, Stacey Burgess

Michael Rausch of The Bourne Enterprise acknowledged that he was recording the audio of the meeting.

2. 9 Cheryl Ln – Joseph DeCicco – Requesting Stable Permit for 2 horses and relief from Bourne Board of Health 100' Setback Regulation for a 15' setback from abutter property line.

Miss Guarino explained that pursuant to the Bourne Board of Health regulations, they require that prior to any new horses or stables on the property, the applicants must go before the Board. She explained that they also do a site visit to the property. Miss Guarino stated that the applicants are requesting a 15-foot setback from the abutter property line, and that the application did include a letter of support from the abutter in question, as well as a very thorough manure management plan.

Dianna Bismore, Joseph DeCicco's wife, introduced herself as one of the applicants. She states that the horses are hers. She states that they have submitted an in depth set of plans, and that they have worked to appease and make sure that their neighbors are comfortable with their intentions. She adds that they have a beautiful yard, and that she would like to emphasize that they do intend to keep their yard looking just as nice once the horses are there. She clarifies that just as much as potential neighbors, she and Joseph do not want flies or to smell manure, so they want to address any issues that may arise.

Mr. Meier states that he sees that the applicants have completed everything, and that they have a contract hauler for the waste, and that they have notified their abutters. He emphasizes that he is in favor.

Mr. Uitti states that he is happy with what he has seen with the application. He explains that he drove past the property and saw it, and that everything looks proper.

Ms. Princiotta thanks the applicants for being thorough in their application because it made it easier to review, especially in regards to the manure management plan.

Ms. Princiotta questions where the dumpster will be located on the property. Ms. Bismore states that it would be behind the stable, next to the storage container on site that they will use for hay and other items for the horses.

Ms. Princiotta questions how frequently the applicants plan to have the dumpster emptied. Ms. Bismore states that the agreement with the company is that it is "once it is full", but that she and Mr. DeCicco will attempt to have it emptied out as frequently as they need to if there is any smell or issues that arise.

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Ms. Princiotta questions how large the dumpster is, because the Board of Health has a regulation that there is no more than 10, 50-pound bags of manure or equivalent. Ms. Bismore states that it is four yards. Ms. Princiotta questions what the equivalency would be to pounds. Miss Guarino states that it would be small and more manageable. Ms. Princiotta states that her only concern was that with it getting to be the height of the summer, she would want to deter any smells, and Ms. Bismore agreed, emphasizing that she understands and will alleviate that concern for everyone's sake.

Ms. Princiotta questions if they have already entered into the contract with Cavossa Disposal. Ms. Bismore states that she was informed that once she had her permit, she could fill out the paperwork.

Ms. Princiotta explains that those were her only questions, and that it is good that they have a strong management practice and that the neighbors are in favor of the plan. She advises the applicants to just be mindful of the frequency of the dumping, so it would be to their benefit anyways to mitigate any smells or issues. Ms. Princiotta states that she has no further objections or questions.

Michelle Williamson introduced herself and stated that her concern is that she has lived next to horses before, and that everyone says that they will clean up and dump as they should, but with time, things tend to slide, and horses end up being to their ankles in mud and manure. She questions who will be picking the waste up, and the actual frequency, because she does not feel comforted by a term like 'often' because it can allow for leeway in a lack of management. She states that she is aware that manure produces toxic chemicals, and that in her house, since she does not have Air Conditioning or Central Air, they leave their windows open, and she is concerned about how it will affect her and her home. She explains that it would be nice to have a lack of smell, and she questions how close to her house it will be and how far the horses will be allowed to graze, because she feels as though it is 'practically in her front yard', and she does not want any smell, or for them to ruin the grass on her yard. Ms. Williamson continues, stating that she has not seen the proposed map.

Ms. Princiotta explains that all of that information is posted on the site, and that there was only one abutter that fell within the Board of Health setback regulations, and that property owner was in support, so Ms. Williamson is outside of the scope of the regulations of where they are proposing to put the stable.

Ms. Williamson questions if the horses will be able to 'run around' and how that will affect her home, since they could frequent other parts of the property outside of the stable. Ms. Princiotta explains that with the frequency of dumping, there is no more than 500 pounds allowed on the property during any week, so it will have to be removed at that point because it would be in violation of the regulation.

Miss Guarino shares the map of the plot via the Zoom "screen sharing" application and is able to display that Ms. Williamson's home is #8 Cheryl Lane and is bordering the property on the southwest side. Ms. Princiotta states that she is an abutter and was notified, but that there is no violation in the setback regulations due to the placement of the stable.

Ms. Bismore states that it was drawn larger, and that she was aware that Ms. Williamson and her father was unhappy regarding their intentions with the horses. She states that she specifically placed the stable so that it would be farthest from their property in an attempt to appease them, and that they have also discussed putting some shrubs down where their properties border so that there is more of a block between the properties. She states that she is bound by the Board of Health to dump it once it reaches a certain level, and that in addition, as a horse owner, she is not going to leave it there and subject her horses to standing in their own waste.

Ms. Princiotta questions if Ms. Bismore would be comfortable agreeing to the shrubs as part of the issuance of her permit as part of the approval to satisfy the issue with the neighbor. Ms. Princiotta questions if they can add that onto the map as part of the approval. Ms. Princiotta states that she thinks that this would be fair satisfaction to the neighbor. Miss Guarino draws it on the map and displays where they could enhance it to provide more privacy in the region. Ms. Princiotta states that she thinks that would be satisfactory.

Mr. Meier makes a motion to approve, but Ms. Princiotta states that Mr. Meier's audio quality is hard to hear, and that Ms. Williamson has her hand raised but that unfortunately the discussion has ceased due to how they have moved onto vote. Ms. Williamson responds, stating that her hand has been raised prior to the motion being raised. Miss Guarino states that she did see that Ms. Williamson had her hand raised.

Ms. Williamson questioned if they are picking up the manure from the street and if there will be a trail of manure on the street. She also questions what kind of evergreens will be planted and that she knows that the 'green giants' grow to be around 12 feet per year, which will be great for privacy, but that she would like to be more informed.

Ms. Princiotta explains that with the manure plan, the shrubs is an accommodation to be a good neighbor, and that the Board is able to approve the plan without the shrubs because it is not a necessity, so the Board is not in the position to dictate the kind of shrubbery that they utilize. She states that if this is set as a part of the approval and they do not plant anything, then they would have to go before the board, but that there is no set distinction on what kind of shrubbery she has to use, especially considering on how there is already a buffer in place between the properties. Ms. Williamson emphasizes that her primary concern is her front yard. Ms. Princiotta explains that with this plan, they have a manure management plan in place, they are requesting the setback for the other abutter who has approved, and there is a dumpster that they agree to have picked up before it reaches 500 pounds or more, and that the shrubbery is in everyone's best interest. Ms. Williamson states that her father is unable to get into the meeting, and asks if there is any way that they can postpone the vote until the Board is able to hear what he has to say. Ms. Princiotta states that there has been ample opportunity throughout the entire process to participate, and that Ms. Williamson has been able to vocalize their opposing concerns, and that the applicant has posed no concerns. Ms. Princiotta states that she and the other board members and the health agent have no concerns about this issue. Ms. Williamson requests that they wait a few minutes to vote so that she can message her father and see if there is anything else that he would like to be included. Ms. Princiotta states that she can give her an additional minute before they vote, but that the Board is prepared to make a decision.

Mr. Rausch questions how many horses Ms. Bismore intends to have, and what kind of breed they are. Ms. Bismore explains that she currently has one, and that he is barely a full size, that he is a draft pony-cross, so that he is barely a horse, and that she is intending on getting a miniature pony to be a companion to the other horse.

Ms. Williamson states that her father has more to say but is requesting to call her and that she is unsure of what else he has to say, and that she cannot call him because she is on the Zoom on her phone.

Ms. Princiotta questions if the Board is ready to vote, and that she appreciates Ms. Williamson and that they are trying to accommodate her and her father, but that the homeowner is in compliance with regulations and is going out of the way to be accommodating, and that she suggests conversations personally with the homeowner since it will be outside of the purview of the Board.

Mr. Meier makes a motion to approve the project for 9 Cheryl Ln, requesting Stable Permit for 2 horses and relief from Bourne Board of Health 100' Setback Regulation for a 15' setback from abutter property line and in addition, shrubs along the neighbor's lot line. Mr. Uitti seconds the motion. Roll Call Vote: Mr. Meier - yes, Mr. Uitti - yes, Ms. Princiotta - yes. The vote passes unanimously.

Ms. Princiotta congratulates Ms. Bismore, and states that she must adhere to the conditions of the vote with the planting of shrubbery, and to make sure that she communicates with her neighbor to ensure that they are satisfied. Ms. Bismore questions if they have to plant along the entire lot line, and Ms. Princiotta states no, just the buffer zone. Ms. Princiotta also states that they should communicate with the Health Department once they have everything set up.

3. Set tentative date for next meeting.

Miss Guarino states that the next regular meeting date is proposed to be set for the 24th of May at 5:30pm. She explains that she knows that Ms. Princiotta would not be available until 6pm, so they can move it until then. Ms. Guarino states that they would prefer to go at 5:30 since the applicants already have the time as 5:30 so all the notifications would have to be redone, but that they can hold off on any important business until Ms. Princiotta arrives. Ms. Princiotta requests some latitude and that they move it until 6:00pm, and that she would really like the change to the time, and that she believes that 2 weeks' notice would be feasible to re-notify the abutters.

Ms. Princiotta asks if Mr. Uitti and Mr. Meier are okay with 6:00pm, and Mr. Uitti states that he will not be able to come on the 24th. Ms. Princiotta states that they may not have a quorum pending the result of the election, so, she would

prefer it if they set it at 6:00pm, and then they can change the time if necessary. Miss Guarino states that there are requests for housing cases so that per the state sanitary code it has to be done 10 days prior to the meeting, so, if they could do the format established soon, it would be best. Ms. Princiotta states that she would be satisfied with a remote or hybrid format, and that she is understanding about that. Miss Guarino states that they can do remote, at 6:00pm. Mr. Meier questions how many issues will be on that meeting. Miss Guarino states that since there has not been a meeting since March 22, 2023, there are a number of issues that need to be discussed and have accumulated and could be on the docket, but that she will need to see if they will be available for that specific date, so she does not know for certain yet. Mr. Meier states that that format is perfect with him. Ms. Princiotta states that the next meeting will be at 6:00pm on May 24th, 2023, and be held remotely.

4. Adjourn.

Mr. Meier makes a motion to adjourn. Mr. Uitti seconds the motion. Roll Call Vote: Mr. Meier - yes, Mr. Uitti - yes, Ms. Princiotta - yes. All were in favor and the motion passed unanimously.

The meeting was adjourned at 4:31pm.

Taped by: Terri Guarino, Health Agent

Typed by: Viveca Stucke, Recording Secretary

Edited by: Stacey Burgess