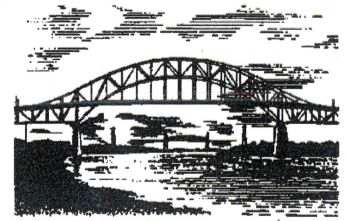


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MEETING MINUTES

September 28, 2022

Open Session: The meeting was called to order at 05:30 P.M.

Items on the agenda were taken out of order.

1. **Members in attendance:** Stanley Andrews, Chair; Barbara Princiotta, Vice Chair; and William 'Dusty' Meier, Clerk.
Support Staff in attendance: Terri Guarino, Health Agent; and Kaitlyn Shea, Assistant Health Agent.
2. **77 Puritan Rd – Brad M. Bertolo, EIT, CSE on behalf of owners, Richard and Jeanette Kokoszka – CONTINUED from Sept. 14th -- Requesting continuance to next meeting in October.** Correspondence has been received by the applicant on September 21st which requested a continuance to the next meeting in October to get floor plans. That is scheduled for October 12th. **Miss Princiotta made a motion to continue to the next meeting in October. Mr. Meier seconded the motion. All in favor and the motion passed unanimously.**
3. **1077 County Rd—Kabraul & Julie Tasha—New property owners requesting future Stable permit for 2 mini horses and 2 ponies.** Mr. Andrews mentioned that Ms. Tasha was excused from the meeting due to travel and that they are familiar with this property. Miss Guarino explained that an application has been filed with the Health Department for a Stable Permit by the new owners of 1077 County Road. The infrastructure is existing and it meets the requirements of the Board of Health regulations. Mr. Andrews recalled that there used to be 4-6 full size horses there and since the property is over two acres, the owners could request an exemption from the local regulations. The Board discussed the manure management plan. There was no public comment. **Miss Princiotta made a motion to approve the ability to have 4 horses on the property at 1077 County Road. Mr. Meier seconded the motion. All in favor, and it was a unanimous vote to approve.**
4. **26 Massasoit Ave—Earl Lantery, P.E. on behalf of Karen West—Requesting local upgrade approvals from Title 5: 310 CMR 15.410 including a 3ft. variance from tanks to the property line, and a 58' variance from the local 150' Setback Regulations for the setback from the septic system to the wetland resource.** Mr. Lantery, P.E. said that there was an issue with AutoCad and the plans were updated to state that the actual setback distance is 82 feet and they are requesting a 68 foot variance from our local 150 foot setback distance. This is an upgrade from a cesspool to a tight tank system. Miss Guarino reviewed the Title 5 requirements for plans and specifications specifically for tight tanks, and suggested that updates should be made to propose just a single tank with a minimum size of 2,000 gallons. There should be a specific notation on the plans that the internal plumbing will need to be relocated so that the sewer line comes out the front of the property. The Board agreed. Miss Princiotta questioned the dates the supplemental materials and changes were submitted and the abutter notices. Miss Guarino explained that Title 5 and our local regulations do not specifically require abutter notification for this proposal, so what was submitted should be adequate. This is also an overdue upgrade which was identified and brought before the Board for consideration in July. Mr. Andrews listed and summarized the following updates to the plans being requested by the Board for Mr. Lantery:
 - Single sealed tight tank with specifications

- Correct float elevations and alarm at 3/5 capacity
- Notation on a plumber being hired to relocate a pipe from the back to the front of the house
- Floor plans for the permit to go into the file

Miss Princiotta made a motion to continue to the next meeting. Mr. Meier seconded the motion. All in favor and it was a unanimous vote to continue. Mr. Lantery executed the waiver of timeframe for his request. There was no public comment.

5. Dan Barrett—General Manager of ISWM—Review proposed changes to 2023 Recycling Center Policy.

Mr. Barrett described the updates and that there were changes to mattress and boxspring prices. Other changes include that they can accept up to four 20" or less auto/truck tires per 1 bulky sticker. For non-auto equipment tires, that is market rate pricing only and stickers cannot be used. E-waste now includes laptops, CPUs, tablets, and phones. The food waste drop-off program is new and that needs to be separated so that Black Earth accepts it. Compost bins are \$25. Paint will be accepted for about 6 months. Mr. Andrews asked when the stickers will be available. The gate opens at the guard shack at 7:00 A.M. and stickers will be on sale depending on the Select Board's approval, probably in December. **Miss Princiotta made a motion to endorse ISWM's new Recycling Center Policy. Mr. Meier seconded the motion. All in favor, and it was a unanimous vote.**

6. 118 Old Damn Rd—Jack Landers-Cauley, P.E. on behalf of Jordan & Kelly Race—Upgrade and local setback variances approved on June 9, 2021 conditioned with two-bedroom deed restriction. Requesting approval of revised septic plans and revoking and rescinding the two-bedroom deed restriction requirement as discussed on Dec. 8, 2021. Mr. Landers-Cauley, P.E. and Jordan and Kelly Race were present for the meeting. Mr. Andrews asked the changes to the plans that were made. There was an ultraviolet unit added to the MicroFAST system that was previously approved. The hope is for the Board to permit a three-bedroom house and rescind the two-bedroom deed restriction. Miss Guarino added that there appears to have been a disconnect during title transfer and approval of this septic system last year. The Assessor's do have the house listed as a two-bedroom, however, the existing conditions plans demonstrate that the house is a three-bedroom per our local definition presently. Draft architectural plans have been provided by the new home owners, and as long as the proposed 2nd floor "game room" is modified to have a 6 foot minimum cased opening, the future remodeling will not result in an increase in flow to the septic system. Adding the ultraviolet unit as additional mitigation is consistent with the Board's approvals in the past for an abutting property. There is an optional alarm panel for the UV unit, which one would suggest that the Board require to be installed. Mr. Andrews agreed. Miss Guarino added that both the MicroFAST unit and UV system will need operation and maintenance for perpetuity, and this submittal should be sufficient for the Board to consider revoking the previous deed restriction requirement. Mr. Race questioned the cased opening and noted that there is a hall wall proposed. Mr. Andrews clarified that the game room has a half wall on one side, but that since it's only half of the room it doesn't meet the bedroom exclusion in the Board's updated regulation. If the bathroom were to be rotated, a larger opening would fit by the stairwell. **Miss Princiotta made a motion to modify their approval from June 9, 2021 and rescind the two-bedroom deed restriction requirement referencing the revised civil plans received September 14, 2022, architectural plans received September 26, 2022, and modified on September 28, 2022, by flipping the 2nd story bathroom and getting a 72" cased opening. Mr. Andrews asked the owners if they had questions on the operation and maintenance for perpetuity, to which there were none, and added that the UV alarm panel for the UV unit will be required. The owners initialed the changes to the architectural plans requested by the Board. There was no further comment. Mr. Meier seconded the motion. All in favor, and the vote passed unanimously.**

7. Public Hearing to amend Bourne Board of Health Regulation for Restricting the Sale of Tobacco Products pursuant to M.G.L. Chapter 11, §31. Update to include the minimum standards required pursuant to Massachusetts state law and regulation. This includes M.G.L. Chapter 270 regarding sales to those under the minimum legal sales age of 21, tobacco and vaping product sales including flavored products, required signage, matching definitions and other relevant state statutes and regulations, and any other unique local policy decisions. Miss Guarino presented the model regulations and summary sheet asking to focus on the items highlighted in yellow which would bring the 2018 local regulations up to speed with the

MassDPH regulations that were promulgated. The existing local choices have been checked off as to what is currently existing. There was discussion on that self-service displays are prohibited, but there could be an exception for Adult-Only Retail Tobacco Stores. Adding that exception would be fine for the self-service displays for 21+ stores. There is also a question on whether the existing 18 month tolling period would need to be changed for all violations, or just those which fall under the new State regulations. Mr. Andrews mentioned he has looked into the fine structure in the new laws and it is something that needs more time to focus on. Miss Guarino suggested to gather further information and merge the two documents into a draft for the Board to consider. **Mr. Meier made a motion to continue to a future meeting to be determined at a later time. Miss Princiotta seconded the motion. All in favor and the motion to continue passed unanimously.**

8. **Set tentative date for next meeting.** October 12th with a time change to 6:00 P.M., November 16th, December 14th and 28th if needed.
9. **Adjourn.** Miss Princiotta made a motion to adjourn the meeting. Mr. Meier seconded the motion. All in favor and it was a unanimous vote to adjourn at 6:47P.M.

Taped & Typed by: Terri Guarino, Health Agent