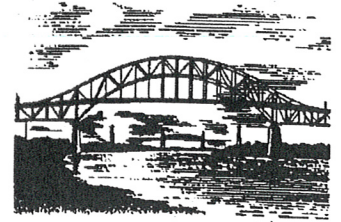


Terri A. Guarino
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532
www.townofbourne.com/health
Phone (508) 759-0600 ext. 1513
Fax (508) 759-0679



MINUTES

January 8, 2020

Members in attendance: Stanley Andrews, Acting Chairperson; Galon Barlow Jr.; Donald Uitti; and Kelly Mastria via remote participation.

Support Staff in attendance: Terri Guarino, Health Agent; Carly Cote, Health Inspector; and Kaitlyn Shea, Health Inspector

Meeting was called to order at 6:02pm

Remote participation—Mr. Barlow made a motion to call in Kelly Mastria. Mr. Uitti seconded the motion and it was a unanimous vote. Items on the meeting agenda were taken out of order.

- 1. Savary Avenue Community Septic Disposal System - Update from September 25, 2019—Discussion and possible vote on deadlines for private on-site septic system upgrades, pump-out status, and inspection results.** Mr. Andrews asked if there was any representation from the owners of the community system to present. Mr. Glenn Cannon, Assistant Town Administrator, was in attendance but did not specifically request the hearing. Health Agent, Terri Guarino, described that the Board of Sewer Commissioners had received a similar update in December and that this was at the request of the Chairwoman. The February 6, 2020 deadline was discussed at the public meeting of the Board of Health on August 21st when the Town was still proposing to upgrade the failed community system. It was not until October that the BOSC withdrew their application for the upgrade of the community system. The BOH has and will continue to work with homeowners who have failed septic systems. It is remarkable the progress these residents have made in less than three months since the Town withdrew their application. As of today there are only 3 out of 13 properties which have not applied for septic system permits. Two of which have some site limitations and will likely need variances at the next Board of Health meeting. The site work needed to install these systems will be difficult to achieve during winter months. Mrs. Mastria asked if all of the residents will be able to meet the February 6th deadline to complete the upgrades and what will be the repercussions if they cannot. Miss Guarino said that it appears that there are some residents which will not be able to meet that deadline despite all of their efforts and that the Board may want to consider extending it. The BOSC sent a letter to the individual homeowner's on December 12, 2019 regarding Installation Milestones which described that they plan to stop pumping on February 6, 2020. Miss Guarino asked if the contract with the septage hauler expires on February 6th. Mr. Cannon replied that he was unsure, he was only sure of the vote of the Board of Sewer Commissioners to cease pumping at that time. They would have to revisit that at their next meeting, possibly January 28th. Mr. Barlow asked the Health Agent if the system will perform without frequent pumping. Miss Guarino stated that the system was designed to handle 5,000 gallons a day so taking into consideration the reduced amount of sludge in the trenches and the larger size of the trenches it may be possible for the system to go a short amount of time without pumping as long as the system is being monitored. Mr. Barlow stated he would like the system pumped out dry on February 6th if that is the last day that the Town will pay for pumping. Mr. Andrews asked if there was any residents in the audience that wished to address the Board regarding their system plans. Mr. Phillip Kozar from 50 Savary Avenue described that he has had two perc tests and two draft plans. He has asked for bids on the installation, tree removal, and is hoping to have the system installed in less than 60 days. **Mr. Uitti made a motion to extend the deadline to upgrade the individual sewage disposal systems for an**

additional 60 days beyond February 6, 2020 contingent on the Board of Sewer Commissioners maintaining and pumping the community system as needed and directed. Mrs. Mastria seconded the motion, Roll call vote to approve; Mr. Barlow abstained from voting, Mr. Uitti in favor, Mr. Andrews in favor, Mrs. Mastria in favor and the motion passed.

2. **49 Monument Neck Rd -- Bradley Bertolo P.E of J.C. Engineering on behalf of owner Victor Pozza Jr. - Requesting variances from the Bourne Board of Health 150' setback regulation for the placement of a primary & reserve soil absorption system within the buffer to the wetland resource. Mr. Andrews recused himself from this agenda item and Mr. Uitti took over as acting chair.** Mr. Bradley Bertolo was in attendance and described the plans presented. Plans revised by JC Engineering, Inc. dated November 27, 2019 are similar to the septic system design approved in 2016. The location of the tank has been changed, and the retaining wall is to only have three sides. A licensed septic installer is needed on the permit application to proceed with construction. A two-bedroom deed restriction has already been recorded. Revised architectural drawings dated September 21, 2019 indicate the dwelling will be two-bedrooms. The property owner should verify with other departments that they have the revised building plans on file and approved as well. Mr. Victor Pozza Jr. added that the Conservation Commission approved a plan almost identical to the one updated by JC Engineering. **Mr. Barlow made a motion to approve the variance requiring 150' setback for the placement of a primary and reserve soil absorption system within the buffer to the wetland resource. Also, noting that there is already a two-bedroom deed restriction on file for the property. Mrs. Mastria seconded the motion. Mr. Uitti in favor, Mr. Barlow in favor, Mrs. Mastria in favor and Mr. Andrews abstained from voting. The motion to approve passed.**
3. **9 Wallace Point Rd --Thomas A. Pozerski P.E. of Merrill Engineers and Land Surveyors on behalf of owner Jeffrey & Jane Couper – Requesting relief from Title 5, 310 CMR 15.221(7) and Bourne Board of Health regulations for allowing more than 36" of cover over the subsurface leaching area, and a reduction in the 150' setback from the coastal bank/ wetland resource to accommodate the installation of an upgraded on-site sewerage system within an AE flood zone.** Mr. Thomas Pozerski was in attendance and described the plans proposed. The upgraded system will be an improvement to the property as it incorporates a MicroFAST 0.5 secondary treatment unit for nitrogen reduction. Variances are needed as there is no portion of the lot that is outside of the 150' buffer or AE flood zone. The soil absorption system is located as far away from the resource areas as possible. Miss Guarino added that this will be replacing a failed system that does not meet the required four foot separation to groundwater. Mr. Andrews suggested a three-bedroom deed restriction on the property and noted that the owners are subject to operation and maintenance for this type of system. Mr. Pozerski intends to explain all that with the homeowners. Mrs. Mastria said that this sounds like a substantial improvement. There was no public comment. **Mr. Barlow made a motion to approve the variance requests requiring more than 36" of cover over the subsurface leaching area, a 80' variance from the Bourne Board of Health 150' Setback Regulations for the placement of the leaching facility within 70' of a wetland resource area, and a waiver from the Flood Zone Regulations for the upgraded septic system at 9 Wallace Point Road within an AE flood zone. These variances are contingent on a three-bedroom deed restriction and I/A septic testing policy. Mr. Uitti seconded the motion. Roll call vote to approve Mr. Barlow in favor, Mr. Uitti in favor, Mrs. Mastria in favor, and Mr. Andrews in favor. The motion to approve passed.**
4. **41 Meetinghouse Lane—Forty One Meetinghouse Lane, LLC— Update from July 24, 2019 meeting to discuss and possibly vote on approval of septic upgrade plans, deadlines to complete installation, and pump-out status.** Miss Guarino started by explaining to the board that the septic plans that were required were submitted to the office on time. The owner is in the process of getting bids to install the system and is hoping to have it installed by May 15th at the absolute latest. The owner has been continuously maintaining the existing system. Mr. Andrews expressed concern about the timing of completion falling too close to the busy season. Miss Guarino agreed but noted that the contractors could not replace the pavement after the job is completed until asphalt is available in March. Mr. Andrews asked if the plans could be administratively approved. Miss Guarino replied that they could be administratively approved according to submitted plans dated December 18, 2019. She noted that the plans only ask for a local upgrade approval for the components to be buried deeper than 36". Mr. Barlow asked if she would be ok with approving that variance. Miss Guarino replied that she would indeed be comfortable with approving that variance. Mr. Andrews asked if Miss Guarino agreed that it would be a good idea to give the owner until April 1st to upgrade the septic system, which is approximately 1 month from when pavement will be available. Miss Guarino stated that she thought that would be an appropriate amount of time for the system to be completed. There was no public comment. **Mr. Andrews made a**

motion to institute a deadline of April 1st for installation of the upgraded septic system and then take enforcement action if not completed. Mr. Barlow seconded the motion. Roll call vote to approve; Mrs. Mastria in favor, Mr. Barlow in favor, and Mr. Andrews in favor. The motion to approve passed.

5. **Rental Property Regulations**—In accordance with M.G.L. c. 111, §131, discussion and possible vote to promulgate regulations relative to the registration and inspection of various types of rental properties used for human habitation. Establish fees for registration and inspection, approve forms and procedures. The State has mandated municipalities to keep a register of short-term rental properties which the Town of Bourne has delegated to the Board of Health. There have several public hearings, registration of all rental properties has been open as of July 1st without any registration fees incurred. The Health Department has received 19 registration forms. That is estimated to be about 5% of the actual rental properties in Bourne. Other types of rental properties are currently being permitted and inspected by the Board of Health including Bed and Breakfasts, Inns, and the housing voucher inspection program. Recommending registration certificates expire December 31, 2020 and upon renewal shall be valid for up two years. Registration Fee is needed for the Health Department to issue these certificates which needs to be adopted within a local health regulation or bylaw. Mr. Andrews suggested asking the Chairwoman if a meeting could be dedicated to this topic alone so that there can be discussion and public input. The Board members agreed. No members in the public were in the audience for this agenda item. **No action was taken by the board.**
6. **Approval of the Minutes from the previous meeting dated December 11, 2019 will be revisited at the next regular meeting date.**
7. **Set tentative date for next meeting and adjourn.** February 12th, 26th, and March 4th tentatively. Mrs. Mastria may be in Florida at that time but will be able to participate remotely.

Mr. Barlow made a motion to adjourn the meeting. Mr. Uitti seconded the motion, Roll call vote to approve. Mrs. Mastria in favor, Mr. Barlow in favor, Mr. Andrews in favor. The motion passed and the meeting was adjourned at 7:26 PM.

Taped & Typed by Terri Guarino, Health Agent
Edited by Syreeta Amaral, Administrative Assistant

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow Jr. _____

Don Uitti _____

Kelly Mastria _____

