



Terri A. Guarino
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MINUTES
July 19, 2017

Members in attendance: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow Jr.; and Kelly Mastria

Support Staff in attendance: Terri Guarino, Health Agent; and Meghan McLean, Secretary

MEETING WAS CALLED TO ORDER AT 7:00 pm

Ms. Peterson asked if there were any audience members filming at this time. Audience member, Mr. Gary Maloney, disclosed that he would be filming this hearing.

1. **90 Circuit Ave— Cape & Islands Engineering on behalf of Robert and Linda Morse— Request variances from Title V of the State Environmental Code and the Bourne Board of Health 150 foot Setback Regulation for installation of a new septic system. Discussion and possible vote to approve the proposed septic system and complete interior remodel per plans with the following variances:**
 - a) **A 29' variance from the required 150' setback of the resource area to the leaching,**
 - b) **A 15' variance from the required 20' setback of the Soil Absorption System to a crawl space, and**
 - c) **A 5' variance from the required 10' setback of the Soil Absorption System to the property line.**

(Mr. Andrews recused himself)

Matt Costa, engineer with Cape & Islands Engineering, represented the applicants. Mr. Costa explained that there was an inspection done on the existing septic system prior to this proposal, and it was determined to be too close to ground water elevation. During that time the applicant wanted to perform extensive renovations to the dwelling, which have now been revised to include reworking the floorplan to eliminate increase in the total size of the dwelling. The engineers have designed a new Title V septic system proposing to pump into the backyard to achieve maximum feasible compliance, moving the system as far away from wetland as possible. Also, the property slopes upward from the street to the back of the lot allowing maximum distance from the bottom of the system to groundwater. They will be mitigating the setback distance between leach field and foundation with a barrier. The engineers were able to change the six foot groundwater separation between the bottom of the system and the observed groundwater. Ms. Guarino stated that after meeting with Mr. Costa and discussing the plans again, she believes that this is a substantial improvement by having the soil absorption system in the rear of the property versus the front. Also, the setback distance to the coastal bank has gone from less than 75 feet to greater than 120 feet. She explained that it is a two-bedroom dwelling and with a total provided flow of 224 gallons per day, it will require a deed restriction. Title Five Regulation requires a two-bedroom deed restriction for any dwelling with a flow less than 330 gallons per

day. Mr. Barlow agreed with Ms. Guarino and stated that it is a better system. Ms. Peterson asked if there were any comments from the audience, of which there were none. Mr. Costa noted that there was a typo within the agenda. The second bulleted variance reads: a 15' variance from the required 20' setback of the Soil Absorption System to a crawl space. This should be changed from 15' to a 16.3' variance. **Ms. Mastria made a motion to grant the variance requests for 90 Circuit Ave from Title Five for a 29' variance from the required 150' setback of the resource area to the leaching, a 16.3' variance from the required 20' setback of the Soil Absorption System to a crawl space, and a 5' variance from the required 10' setback of the Soil Absorption System to the property line. Mr. Barlow seconded, all were in favor and the vote was unanimous.**

(Mr. Andrews rejoined the meeting)

2. **64 Rip Van Winkle-- Property owners Phil and Danielle Berejik request a waiver from the Board of Health 150 foot Setback Regulation for continued use of the existing Title V septic system to accommodate the proposed additions and renovations. Two front dormers and a rear full dormer are proposed to be added, and bedrooms will be reconfigured to remain the same. Existing septic system is only 71 feet to the Top of Coastal Bank and 2 feet from the property line. Discussion and possible vote.** Ms. Guarino stated that this came about due to a building permit that was submitted, which contained plans and additional information pertaining to the existing septic system. The scope of work proposed are dormers with some slight remodeling of the dwelling. Phil Berejik, property owner, stated that there is a finished floor on second level which is a half level that currently cannot be used. The house is in need of updating including a new roof and siding, so Mr. Berejik decided to add dormers as well to create usable space on that second floor. These alterations would create more living space on the main floor and allow the existing two bedrooms to relocate to the top floor. Ms. Guarino stated that she has not personally inspected the existing system, but the plans outline a design flow of 352 gallons per day for a two-bedroom dwelling, so she feels comfortable with plans. The system was installed in 2005, and the setbacks that are achieved with this new design are the maximum possible. Mr. Barlow stated that the proposal to use the existing system is a good idea, and he believes that there is no better option at this time. After reviewing the architecturals, Mr. Andrews questioned a third bedroom that is illustrated. Mr. Berejik confirmed that the potential third bedroom will be used as a home office. Mr. Andrews also questioned the openings on the proposed first floor eat-in area on sheet three, and if there was work being done to the basement. Mr. Berejik explained that he plans to close off the room closest to the front door and open the back room up as the new eat-in, and stated that at this time they will not be altering the basement but might in the future. Ms. Peterson stated that on the Health Office copies, sheet number 2 of the architecturals must reflect changes identifying the home office including a 4 foot cased opening as well as sheet number 3 reflecting the eat-in area with both of the Berejik's initials. The Berejik's made the changes during the meeting on the original copies. Mr. Andrews said that upon approval of these plans, another variance will have to be submitted if the Berejik's want to create a playroom in the basement. Ms. Guarino stated that there is that extra flow provided in the septic already, so if playroom was to be considered another habitable space then the septic would be adequate for that as well. **Mr. Andrews moved to approve the continued use of the Title V septic system at 64 Rip Van Winkle Way to accommodate the proposed additions and renovations. Two front dormers and a rear full dormer are proposed to be added, and bedrooms will be reconfigured to remain the same. Existing septic system is only 71 feet to the Top of Coastal Bank and 2 feet from the property line. Mr. Barlow seconded the motion, and Ms. Peterson asked for comments from audience. There were no additional comments, and the vote was unanimous.**
3. **Reorganization of the Board Member and committee appointments including Wastewater Advisory Subcommittee, Landfill Working Group, and Local Emergency Planning Committee. Discussion and possible vote —**

- a) Wastewater Advisory Subcommittee- Mr. Andrews stated that he will continue to represent the Board of Health as a member of this committee. **Mr. Barlow moved to approve, Ms. Mastria seconded, and the vote was unanimous.**
- b) Landfill Working Group- Mr. Andrews was appointed for and accepted this committee. **Mr. Barlow moved to approve, Ms. Mastria seconded, and the vote was unanimous.**
- c) Local Emergency Planning Committee- Mr. Barlow nominated Ms. Guarino to represent the Board of health on this committee, and Ms. Guarino accepted the nomination. **Mr. Andrews moved to approve, Ms. Mastria seconded, and all were in favor.**
- d) Reorganization of Board- All members agreed that the Board will remain the same. **Mr. Andrews moved to approve, Ms. Mastria seconded, and the vote was unanimous.**

4. Approve the Minutes— CONTINUED from June 14, 2017-- Approve the minutes from the previous meetings dated May 17th and May 31st, 2017. Ms. Mastria made a motion to approve the meeting minutes dated May 17, 2017. Mr. Barlow seconded, and all were in favor. Mr. Andrews made a motion to approve the minutes upon corrections, and stated that they will be signed after corrections are made. Mr. Barlow seconded, and all were in favor.

5. Approve the Minutes—Discussion and possible vote to approve the minutes from the previous meeting dated June 14, 2017—Ms. Mastria made a motion to approve the minutes, Mr. Barlow seconded the motion, and the vote was unanimous.

Mr. Andrews made a motion to adjourn the meeting. Mr. Barlow seconded the motion. The vote was unanimous and the meeting adjourned at 7:29 pm.

Taped & Typed by Meghan McLean, Secretary

Kathleen Peterson

Stanley Andrews

Galon Barlow Jr.

Don Uitti

Kelly Mastria

cc Board of Selectmen/Town Clerk

