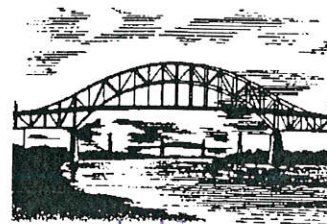




Terri A. Guarino
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TOWN OF BOURNE BOARD OF HEALTH

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MINUTES August 22, 2018

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

Support Staff in attendance: Terri Guarino, Health Agent; Cassie Hammond, Secretary

Meeting was called to order at 6:03 pm

Ms. Peterson asked if anyone was recording at this time, Michael Rauch said he was recording.

1. **Marijuana Regulations—Discussion and possible vote to amend existing Board of Health regulations restricting the sale of marijuana pursuant to M.G.L. c. 111, s.131. Edit regulations and Section D, ¶ 2, 5, 12, and 14 to clarify licensure requirements, classifications and total number of licenses issued by the Board of Health, and application/ permit/ license fees.** Ms. Peterson remarked on how easy it is to change regulations, no cost to the town, no special town meetings. It takes a public meeting where people get to comment then advertise the changes and in 2 weeks change is made. Ms. Peterson reviewed changes within the Marijuana regulations. On page 2, under license or operating license; "License or Operating License means the annual certificate(s) issued to any marijuana-related business by the Bourne Board of Health including Marijuana Establishments and Registered Marijuana Dispensaries which sell, cultivate, deliver, or otherwise commercially distribute marijuana or marijuana products within the Town of Bourne according to Section D of these regulations. There are two classifications of operating licenses; those for adult use marijuana establishments, and for medical use treatment centers", change made to include "There are two classifications of operating licenses; those for adult use marijuana establishments, and for medical use treatment centers". On page 3 under item D; "As part of the License application or renewal process, the applicant will be provided with this regulation. Each applicant is required to sign a statement declaring that the applicant has read said regulation and shall certify that they are in compliance with all local, and state laws, regulations, bylaws or ordinances, and be prepared to show proof if requested.", removed the word federal as there are no federal permits required. On page 4, item 5 entire paragraph was updated to read: "Licenses will be classified as adult use or medical use and tailored to include the specific types of business conducted (cultivator, retail, manufacturer, testing laboratory, other). A separate License, displayed conspicuously, is required for each classification and location of a marijuana establishment and/or medical marijuana treatment center where the owner is approved by the state to cultivate, dispense, or prepare marijuana or MIPs. A License Holder may possess two Licenses for the same address if they participate in both adult-use and the medical marijuana program." On page 4, item 6; language to include MIP's along with marijuana where "Each applicant for a local License to sell, cultivate, prepare, deliver or otherwise distribute marijuana or MIPs in the Town of Bourne is required to provide proof of either a current Registered Marijuana Dispensary registration issued by the Commonwealth of Massachusetts, or valid License(s) issued by the Cannabis Control Commission before a Marijuana Operating License(s) can be issued". On page 4, item 9; any change in conversions requires approval in writing by the Board of Health. Page 5, item 12; change to the number of

licenses for adult use marijuana establishments issued in the town of Bourne. The Board has changed this number to be 10 licenses total. Also, added the sentence and decision for "At least two or greater of these licenses will be reserved for marijuana retailers". Page 5, item 13; change in the number of days the Board has to act on an application from 45 to 60. Ms. Peterson then went on to review the fee's for marijuana licenses. Ms. Guarino reviewed that they are consistent with the Cannabis Control Commission. Ms. Guarino explained that the Cannabis Control Commission had suggested fee's and this was used as a guideline. It is a little ambiguous on whether for two separate licenses it would be a cumulative or combined fee total. On page 5, item E, number 1; "No person shall sell marijuana from any location in the Town of Bourne other than at a Registered Marijuana Dispensary or Marijuana Establishment that possesses a valid License to Operate issued by the Bourne Board of Health for that type of business". The Town of Bourne was added to define the location referenced. On page 6, item F, number 5; "The fee for a Permit is nonrefundable. This fee may not be prorated and is subject to change annually. Permits are \$125.00 each". The fee of \$125.00 was updated. On page 7, item H; language has been updated to include "local and state" under the heading of "Compliance with Local and State Laws". On page 7, item 1; "All cultivation, processing, manufacturing, delivery, sale and use of marijuana shall be conducted in compliance with all local and state laws, ordinances, regulation or policies applicable to similar activities". Language for "Local and State" was updated. On page 7, item I, number 3; change in number of days the Board has to act on requests to 60 days. Ms. Peterson reviewed that those are the changes we proposed for regulations restricting the sale of marijuana. Ms. Peterson then opened it up to discussion or questions from the Board. Mr. Andrews remarked that a lot of the changes were from the cannabis control commission documentation. Ms. Guarino replied that the license classifications clarified were created with the guidance produced from the Cannabis Control Commission, and there were a lot of inquiries from the last meeting. The change from 45 days to 60 was from the Cannabis Control Regulations as far as notice, and we are consistent with that as far as clarifying permit fees as well. Ms. Peterson asked for questions from the audience, no questions at this time. Ms. Guarino reviewed that on page 5, item 12; as far as the number of licenses that may be reserved for adult marijuana, at least two would be reserved for retail. Mr. Andrews asked if that would leave the other 4 for manufacturing or other establishments. Ms. Peterson agreed that at least two should be for retail. Ms. Guarino felt the remaining licenses may not be restricted to a number but we need at least important to clarify that at least 2 of them will be for marijuana retailers. Mr. Barlow asked if it can be reworded to say at least 6 licenses total for the Town of Bourne and reserve 2 for retail. Ms. Peterson responded with an example of 5 applications for retail, how would you choose the amount allowed for retail above the reserved 2. Mr. Andrews suggested that the first two applying would receive the license for retail. Ms. Peterson felt she would hate to restrict the number if retail establishments. Mr. suggested increasing the number of overall licenses to 10, allowing for a greater number of all establishments. Mr. Andrews felt he was not comfortable issuing more than two for retail. Ms. Peterson felt it should not be written "only two", but as "two or greater". Mr. Barlow agreed, restating at least two. Ms. Guarino reviewed what had been discussed up to this point; at any given time, there shall be no more than six Licenses for adult use marijuana establishments issued in the Town of Bourne. At least two of these licenses should be reserved for retailers. Mr. Barlow continued to suggest changing the amount from 6 to 10 and continue to reserve at least 2 for retail. This would give a little flexibility, and prevent having to change regulations down the road. Mr. Andrews reiterated that if one comes in as testing lab then that has nothing to do with the two retailers. Mr. Barlow reviewed the need to not limit retail to only 2, and have it read 2 or more. Ms. Peterson reviewed that currently there are no applications, and until the Town receives any this could be a moot point. Mr. Barlow began to make a motion to amend the total number of licenses in the Town of Bourne from 6 to 10, reserving at least 2 for adult retail. Mr. Andrews agreed this will leave it open and not restrict anyone with their licenses. Ms. Peterson reviewed that she feels the Board will not get many applications this year, no need to restrict the amount of retailers. Ms. Andrews our responsibility what licenses are in regards to the protection of public health. This will be a learning curve for the Board, and increasing the number of licenses will place a burden on the department with inspections. Ms. Guarino replied that it is not the quickest process, and the Board will have time to prepare as we receive applications, and we can review steps and finalizations. Mr. Andrews asked if Ms. Guarino had checked in with the Town of Plymouth in regards to their Marijuana establishment, and the time it may take to conduct an inspection on a facility like theirs. Ms. Guarino explained that she is not sure how long it will take or what kind of establishment the Town of Bourne will have. Ms. Guarino shared that

the Mashpee facility is much smaller scale and depends on the size. Ms. Peterson responded that we do what our board decides, not what other towns are doing. Mr. Andrews brought up the bandwidth of the Health Department; it may not have the size and manpower to do the work of all the inspections. If you open it up to 10 licenses and we get 10 applications, we will have to prioritize the needs of the office. Ms. Peterson replied that she feels the Board will not get 10 on the same day so the work load will be spread out. Mr. Barlow recommended to reserve 2 or more for retail, and increase the total licenses in the Town of Bourne to 10 total. Mr. Andrews suggested to learn what other towns are doing. Ms. Peterson stated that there are not enough establishments open right now to learn from. Ms. Guarino reviewed that the Town of Mashpee does not conduct inspections on their establishment, it is a medical dispensary and they do not have local public health regulations, and at this time she does not have information on what Plymouth is doing. Mr. Barlow feels the Board is responsible to inspect the establishments to the best of their ability. **Ms. Peterson made a motion to increase the limit of licenses in the Town of Bourne to 10 total, reserving at least 2 for retail, along with the other changes and amendments reviewed today. Mr. Barlow seconded. All in favor.**

2. **165 Jefferson Road—Jack Landers-Cauley, P.E. on behalf of owner, William Russell---Revised application from March 28, 2018--Hearing to request variances from Title 5, 310 CMR 15.00 and the Bourne Board of Health Regulations for the installation of an I/A septic system to accommodate the raze and rebuild of one of two dwellings on property. Requesting a 2 foot reduction in the 5 foot lateral excavation requirement [310 CMR 15.255(5)] for removing unsuitable soils, and a 56 foot variance from local regulations for the placement of a leaching facility within 94 feet of the coastal bank.** Ms. Peterson stepped off for these next two items and will not returning this evening. Mr. Landers-Cauley was present and representing the owner William Russel. Mr. Landers-Cauley produced a site plan, same as the one distributed to the Board prior to the meeting, the only difference is the one presented is in color. In the audience this evening is The Russel's' and their neighbors (abutters). Present leaders in existing house and cottage. The existing property is appraised at 4 bedrooms, along with a cottage which as 1 bedroom. Existing also on the property is the pump chambers and tank, and existing S.A.S. with D box. On the site plan are shown wetlands. There is a wall separating upland from vegetated wetland, this wall also happens to be atop the coastal bank. Another area depicted is the offsite coastal bank. Bank is vertically higher from S.A.S. the variance requested is not applicable. What is proposed is to remove existing system and replace with new system. When this application was initially submitted in 2007 to build this system, they were asking for a number of variances; vertical separation in the ground water separation, they asked for a reduction in S.A.S., a variance to the sidelines as well as a variance to the resource areas. They were given those variances and they installed the system. Ten years later the Russel's bought the property and undertook this project. Mr. Landers-Cauley continued to explain that they were questioned by the Health Agent as to the accuracy of the groundwater, along with other issues. Mr. Landers-Cauley said they performed another deep hole test. They verified the ground water was in agreement at about an inch, inch and a half, which could be due to the accuracy of the survey. Mr. Landers-Cauley reviewed another issue brought to them by the engineer by the neighbor, an irregularity in the approval for that system that the I.A. system that they applied for did not allow for a reduction in the area of the system or a reduction in groundwater. The Russell's designed a new system, which is 5ft above groundwater, full size S.A.S., greater horizontal separation from wetlands. In the course of doing that it required a substantial commitment to build the system because it is above ground which is why they proposed raising it. Due to the concerns by neighbors, and them asking if we can do anything else to improve, Mr. Landers-Cauley is proposing I.A. technology. Mr. Landers-Cauley is suggesting a fast system, it will go from gravity to a tank and aerated by a fast system, then into a pump chamber, then pumped into S.A.S. When you look at I.A. documentation there are two standards of looking at it. One is as if it was new construction, and one as an enhancement of a property. At 165 Jefferson it is listed as 5 bedrooms they are keeping it 5 bedrooms. Because we are improving an existing system and not increasing bedrooms, they are committed as a matter of right. Mr. Landers-Cauley continued to explain how the Board requires approval of I.A. technology. This property did go to conservation commission, and they had to get Sam Humphreys, a coastal geologist, to show how to grade around the house to make compliant with FEMA regulations. Mr. Humphreys said to grade around area on south southwest side in such a manor it would not be a vertical wall but a sloping shoulder, which is a 2:1 slope shown on the second sheet. Mr. Landers-Cauley reviewed what they are looking for,

which are; two variances, horizontal separation, 2 foot reduction in strip out. The horizontal separation is a local by law due to only needing 50ft for the title 5. Mr. Landers-Cauley believes the Board can approve the 2ft reduction because they are treating it as a maximum feasible defiance application. Mr. Andrews asked what the reason is they want to reduce 2ft strip out. Mr. Landers-Cauley replied that they don't have to. Mr. Andrews stated the Board does not like giving out variances that aren't necessary. Mr. Landers-Cauley stated they were trying to save some trees, if it cannot be granted that's fine. Mr. Andrews asked Ms. Guarino if she has any comments. Ms. Guarino reviewed that as far as 2ft reduction and 5ft lateral excavation requirement for the strip out, there is one portion that appears to be less than 2ft, the corner towards the pump chamber and driveways rounded corner. Otherwise it is a system constructed and filled and the Board has previously approved a variances reducing that, most recently it was an upgrade with a retaining wall close to the street. Mr. Andrews reviewed this one is not close to the street. Mr. Landers-Cauley replied that when you design an S.A.S. you can design to the bottom area and sidewall, there is no sidewall loading area. If you look at the intent of the MassDEP's regulations the reason that he ask for 5ft is if they have sidewall loading. Mr. Andrews asked if it is written that way. Mr. Landers-Cauley replied that it is interpreted that way in many communities and MassDEP has not challenged it. It really depends on geology, application, and if you are asking for a reduction with use of sidewall area and not bottom area. This is a bottom area loaded S.A.S. Mr. Landers-Cauley then explained that this is not meant to be the focal point, and if it cannot be granted that is understood. Mr. Andrews asked Ms. Guarino if she had any further concerns. Ms. Guarino replied that she feels adding the alternate technology with no increase in bedrooms is an improvement to the site. Mr. Barlow recommended to put a deed restriction on the bedrooms, and keep it at 5 bedrooms for the entire parcel. Mr. Landers-Cauley requested that although currently there is no town sewer in this area that the deed restriction only apply for an on-site sewage disposal system. Mr. Andrews replied that they cannot predict type of sewer system may be put in, and often times the exact type will determine what you can put in. Ms. Guarino agreed that it would be the standard count for the title 5 deed restriction. Mr. Andrews asked the audience if they had any questions. Alexander Joyce, representing the abutters at 163 Jefferson, had some problems with the plan. Observation tested June 1st of this year, this lead him to believe this information would be put on this plan, on page two. Mr. Joyce felt this was regurgitated information from 2007, and the plan is deficient. The plan should incorporate the high ground water, which is higher as of June 1st 2018. Mr. Joyce explained that he cannot discern how high the existing grade is for the leach field, either currently or what it proposed. He reviewed that he has not been able to discern how high they are going to be mounded. Mr. Andrews stated that it is a 2:1 slope. Ms. Guarino reviewed that the existing grade elevation is 3 inches from elevation 6-7 NAVD in the vicinity of that S.A.S. indicated as existing grade with the 2% slope on the edges. The elevation is 8.3 minimum, 8.5 at top of the wall. Mr. Andrews stated it is 1.5ft. Mr. Joyce restated that 1.5ft is going to be elevated. Mr. Joyce reviewed that Mr. Bertolo will be commenting on the ground water at the site. This current property was a seasonal dwelling, then November of last year the board of appeals granted the seasonal cottage to be reconstructed and winterized. The current 4 bedroom home had only been used seasonally. At the last meeting Mr. Joyce cited Barns and Tortorella case, as discussed at the April 11th 2018 Board of Health meeting. Mr. Andrews then asked if there was anyone else in the audience that would like to speak. Brad Bertolo or JC Engineering presented a letter and comments on the project. Mr. Barlow reviewed the need to have this submitted to the Board ahead of time. Mr. Joyce stated that the first week in April plans had not changed, and as of last Friday and Monday of August the plans still had not changed to reflect the June observation. Mr. Bertolo shared the most recent submittal was August 15, 2018. Mr. Bertolo stated he is representing the abutter Jeffery Lau. He shared that Mr. Lau asked Mr. Bertolo make a technical review on original and revised design. Mr. Bertolo reviewed that they made many comments, most importantly that they were trying to use original septic. Mr. Andrews stated that we are beyond that. Mr. Bertolo continued with saying that the new system is a vast improvement to the original but still has technical issues he would like addressed. The groundwater elevation has been addressed by the owner but is not on the plan. Questions on the grade of the elevation. Mr. Barlow reiterated the need for statements and facts, not guesses. Mr. Bertolo asked for information to be updated on plans. Mr. Andrews clarified that as an engineer Mr. Bertolo felt information was missing. Ms. Guarino clarified what Mr. Bertolo is referring to, which is the Town of Bourne Perc Test Log. Mr. Bertolo moved onto page 2 of his handout and noted; "15.240 (13) - A 4" inspection port with access to within 3" of grade has not been shown on the Plan". Mr. Bertolo reviewed his handout further,

section 3; "15.255 - The application submitted by the applicant's representative has requested a variance from 5' to 3' for the amount of strip-out around the soil absorption system. The applicant has not specified any reasons for requesting this variance. Also, the layout of the proposed leaching facility, along with the surrounding retaining wall does not provide for at least 3' of separation between the leaching facility and the retaining wall to justify that only a 2' reduction is required. The retaining wall is shown to be directly adjacent to the soil absorption system in the southeast corner. We recommend that the retaining wall is adjusted away from the leaching field in this location and the applicant justify the need for this variance". Mr. Bertolo reviewed #4, saying that in regards to the system itself the applicant failed to mention this house is a tear down and rebuild and it extends well over the 25% greater than the existing habitable space. The regulation requires the insulation of an I.A., so it is required not involuntary. In regards to the tank make sure the details on the plan follows what the installer recommends the tank that's installed meets requirements. H2O tanks typically require blower installed within the tank not in the top. Doesn't affect variances but is important in areas of high flood zone and wetlands. Mr. Andrews agreed that it is part of a complete plan. Mr. Bertolo spoke about item 5; in regards to largest most important aspect of the project is the design of an elevated pool and raised system in regards to the septic system in a velocity zone. Following the contours of the plan, elevation 5 existing, following the numbers and details on the plan, proposed grades are around 8.3-8.5. You're in the ballpark of 3.5ft of fill higher than today. The area around the system is going to be raised up, installed, and protected by a retaining wall. There is no information on that retaining wall, depths, size, construction methods, and that is critical because this area is in a velocity zone. So an insufficient retaining wall is not going to hold up in regards to flood waters coming in. There is going to be scour that comes in and wash out underneath and basically take out this raised septic system. In regards to the pool, it is an elevated structure as well. Mr. Andrews questioned how it effects the system. Mr. Bertolo feels it does, and would like to review the shape of the pool and how it affects the septic system. He continued to flood waters will be coming in from the south to the north. At the last hearing that we presented that the pool was oriented in the correct way recommended by FEMA the longest width parallel with the flow of water. This pool is up almost 10ft above grade, the pool depth is 8th making the bottom of the pool 3ft above grade. If flood water comes in it will hit the bottom of the pool and move from left to right, direct it down under pool, and hit wall which is a 2:1 slope which will wash out and scour. That is why it is important to have design of retaining wall on this plan. This board does have regulations in regards to illicit discharges which includes pool water into municipal storm system and the ultimate discharge to wetlands. As specified in the Town of Bourne Illicit (Illicit) Discharge regulation, the Board of Health has specifically addressed the need to prevent illicit discharges of any pool water, amongst other contaminants, from entering the municipal drainage system, which ultimately discharges into wetland resources and surface water bodies. By adopting this regulation, we feel the Board of Health has concluded that the discharge of pool water, whether chlorinated or not, has the potential to contaminate areas including, but not limited to, wetlands, surface water, and groundwater resource areas. The pool itself does not specify any type of treatment to make sure procedures for de-chlorination or backwash or treatment are followed or adhered to so these filters aren't backwashed into the lowest area then pumped into the wetlands. Mr. Andrews asked if it would depend on technology of pool. Ms. Guarino replied yes, and the Board does require an application with building permits. Mr. Bertolo would like to make everyone aware that information has not been submitted it is something that the conservation commission has pushed onto the Health department and the wetlands protection act that was a condition in their approval. This should be under Board of Health regulations and wetlands protection act. It appears that the chlorine could be causing problems to the environment. Any type of backwash has not been provided or presented to the commission nor has it been documented on this plan. Mr. Bertolo reviewed that the micro fast system, similar to a pool, has some sort of mechanical system which FEMA requires the pool equipment should be elevated. It is recommended that the mechanical aspect of this septic system, that is a blower that provides treatment which blows air into the unit within the septic tank which is a constant motor blowing. Obviously if it is sitting on the ground and have a little flood water it will not work it will not provide the treatment that The Board requires to allow them to expand the house to this size. Required to put the Microfast in due to the expansion of the dwelling. Must maintain a treatment of 19 parts to million on their effluent. If the system is not working then it will not be treating and it will be non-compliant with the variance, just want to make sure it's addressed or protected so not to harm the septic or go against the permits or any type of approvals. The pool and the scouring are a big concern. Mr.

Bertolo would like to make sure these plans are addressed, there is not enough detail on these plans to show protection against scour. Mr. Bertolo continued to say the rest of the documents submitted are backup information. Included the same copy of the general use permit submitted by applicants, which requires testing. It seems like they highlighted 660 gallons per day or 550 gallons per day that was in the application. That requires maintenance up to 4 times a year for the first year and then down to 2, according to the bylaw. Mr. Andrews replied that The Board of Health has a standard policy for all I.A.'s. Mr. Bertolo reviewed that it is basically a brief on what has been submitted. Mr. Barlow responded that information presented on scouring is Mr. Bertolo's opinion, and if people remember the last flood the water goes anywhere it wants. Nice thought to address scouring but it's impossible because the water comes from any direction. Other thing about blower-nice to think you can have a 5ft tide and a hurricane going on and the blower still be working but the electricity will be out. Mr. Barlow suggested that is why people buy insurance, you never know what's going to happen. Mr. Guarino have been a lot of good points presented and is happy to answer any questions. Mr. Guarino does feel the I.A. system is an improvement to the site versus the existing conventional system. Some items that were presented such as the specifications it would not be unreasonable for more detail to be added. Whether or not that should be done this evening or at another meeting. The Percolation information is not detailed on the plans but on the applications that would be the most important to update. Mr. Andrews asked if the test data was submitted but not provided on the plan. Ms. Guarino replied that it was not in as much detail as it should be. Mr. Andrews clarified that the Board of Health is asking that it is corrected, to which Ms. Guarino agreed it was necessary. Mr. Andrews asked Ms. Guarino if she was in agreement with the evaluation specifications. Ms. Guarino replied that she does see top of the retaining wall shown, Mr. Andrews- no elevation of the bottom of the wall or detail. Mr. Landers-Cauley- not opposed to showing detail on the plan separate plan with details. Mr. Landers-Cauley wants to give the owners choices of what the wall will be made from. Mr. Landers-Cauley will give the board something they can feel comfortable with, and will have the percolation test added to the plan. Mr. Andrews suggested it could be added to sheet 3, the details of the wall and percolation test. Mr. Landers-Cauley replied they will submit a revised plan and addendum. Ms. Guarino asked if there a general opinion on the strip out, the separation distance from the retaining wall. Mr. Andrews replied that he is not in favor of granting variance. Mr. Barlow replied he has no opinion. Mr. Uitti responded he has no opinion as well. Mr. Andrews restated that he does not see a variance for that being approved. Ms. Guarino reviewed that at bare minimum that one corner may be less than 2ft. Mr. Landers-Cauley explained that their major goal was to save the cedars on the road, but that will not happen now. Mr. Andrews explained that another corner is tight, to which Mr. Landers-Cauley confirmed an understanding. Mr. Landers-Cauley explained he is hoping to get a consensus if the application is agreeable to The Board. Mr. Andrews replied they will not give a ruling right now. Mr. Landers-Cauley said the Zoning Board of Appeals was asking for recommendation. Ms. Guarino responded that she did receive notification that they are scheduled for a hearing September 5th 2018 which would be prior to next meeting date. Ms. Guarino reviewed that she is required to comment on those applications, to which she would indicate it is pending. Mr. Landers- Cauley stated he would ask the ZBA if they can extend the hearing date. Mr. Barlow reiterated the need for the additional information. A member of the Audience, Jeffery Lau, a neighbor from 163 Jefferson requested to speak. Mr. Lau thanked the Board of Health for taking the time to review this project and being unbiased. Mr. Lau reviewed he purchased the home recently with his wife and hopes to be there for a long time, so the health and safety of these applications are of great concern to us. He spoke about the time and effort he and his wife are taking to understand, some of the things are encouraging and other times they are discouraging. Their hope is to get a better product when this goes through, and he feels their involvement has been controversial within the neighborhood, but being a citizen of Bourne has been great. Mr. Lau feels if he had been in a different town the other septic would have been approved. He feels it is up to the Board of Health to sustain high standards and not drop the bar. Mr. Lau stated he feels whatever bar is set is what moves forward at the bare minimum. Mr. Lau would like to get more information on the plans and will withhold judgment. **Mr. Andrews made a movement to continue this hearing to the next meeting. First motion made by Mr. Uitti. Mr. Barlow seconded the motion. All in favor. Next meeting will be held September 12, 2018 at 6:00pm.**

3. **11 Bayhead Shores Rd—Jack Landers-Cauley, P.E. on behalf of owner, Gerhard Bottcher---** Hearing to request variances from the Bourne Board of Health 150 Foot Setback Regulations for the installation of an upgraded septic system. Discussion and possible vote to approve a 41.8 foot variance for the placement of the leaching facility within 108.2 feet of the top of the coastal bank and a 20 foot variance for the placement of a leaching facility within 130 feet of the Mean High Water line. Mr. Andrews sought to clarify the request for a 20ft variance from mean high water line. Mr. Landers-Cauley explained that they went to conservation commission and the meeting was continued. Mr. Andrews asked if they are in receipt of the green cards, and if they have been in front of the conservation commission. Mr. Landers-Cauley reiterated that have been continued by the conservation commission. Mr. Andrews stated The Board of Health will have to continue as well. Mr. Landers-Cauley reviewed that the conservation commission meeting is sept 6th, 2018 and he had tried to get ahold of Sam the agent for the conservation commission to clarify that it was continued due to a non-wetland related issues. Mr. Andrews reiterated that regardless the reason The Board of Health will have to continue the hearing. **Mr. Barlow made a motion to continue to next meeting. Mr. Uitti seconded the motion. All in favor.**

4. **Board procedures—Continued from August 8, 2018--Discuss format of unabridged meeting minutes.** Mr. Andrews stated that he is opposed to abridged minutes. Found the abridged minutes interfere with other people reviewing minutes. Everything's being called for review or question that the Board is doing. Abridged minutes create an issue with going back to the written, then they have to go back to the tapes. We don't tape due to HIPPA and wanting everyone to feel comfortable speaking. Mr. Andrews is looking to the rest of the board and the professional help for input. He understands that typing minutes takes a lot of time from the office staff, and often the office staff are pulled as a backup secretary for other departments. Ms. Guarino replied that the office has already been doing all the meeting minutes verbatim, as requested. A while back the office had switched to abridged notes, but we have gone back to the transcript style. The only meeting that had shorter minutes was this summer, they were not abridged just a shorter meeting overall. Mr. Andrews remembers the abridged minutes from a few years back. Mr. Barlow suggested to focus on who had made the motion, who seconded it and who favored it. Identify the reasons but maybe you don't, saving the tape is good. When there are several different opinions it is hard to document, for the minutes write they continued it and there was discussion about different things. Ms. Guarino reviewed that the recordings are digital and saved for 6mos. Mr. Barlow pointed out that once the Board accepts the written minutes then the recording does count as minutes. Mr. Andrews felt details are important especially if something is litigated. If a motion was made and passed the reason why should also be documented. Mr. Andrews would like the office to be very diligent about details. Mr. Barlow suggested to document the meat and potatoes of the reasoning why decision was made. Ms. Guarino shared the ease of this when documents are provided which allow for copy and paste.

5. **Approve the Minutes— Approve the minutes from the previous meetings dated August 8, 2018.** Mr. Barlow had recused himself from one of the agenda items, and Mr. Andrews was not present for the meeting. There is not enough members present to approve minutes. **This item will be continued to the next meeting.**

6. **Set tentative date for next meeting and adjourn.** September 12th, 2018

Signed:

Title: Secretary

Date: August 22, 2018

Mr. Andrews made a motion to adjourn the meeting. Mr. Uitti seconded his motion. Roll call vote to adjourn: Mr. Barlow, yes; Mr. Andrews, yes; All were in favor and the meeting adjourned at 7:24 pm.

Taped & Typed by Cassie Hammond, Secretary

Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow Jr. 

Don Uitti 

Kelly Mastria 