

# TOWN OF BOURNE BOARD OF HEALTH



Terri Guarino  
Health Agent

RECEIVED 24 Perry Avenue  
Buzzards Bay, MA 02532  
Phone (508) 759-0600 x 1513  
Fax (508) 759-0679  
TOWN CLERK BOURNE

## MINUTES May 11, 2016

**Members in attendance: Stanley Andrews, Chairman; Don Uitti, Secretary; Galon Barlow and Kelly Mastria**

**Support Staff in attendance: Terri Guarino, Health Agent and Jamie Butler, Health Inspector and Lisa Collett, Secretary**

### MEETING WAS CALLED TO ORDER AT 7:00pm

**Mr. Pimental was listed as item number one for this hearing. Mr. Pimental had contacted the office and informed that he would be late for the meeting and asked that this item be moved to the end of the meeting. Mr. Andrews addressed the board and asked if they had any concerns moving the item. They all stated no and this item was moved to the end of the meeting (item #3)**

- 1. 1265 COUNTY RD – Barbara Frappier for Jeffrey and Christine Reade – Request variance to a water resource area – Discussion and possible vote.** – Ms. Frappier stated that she has a request for variances to install a new pressure distribution septic system that does not meet the 150 foot setback to a water resource area and that the new system is in conjunction with some new renovations to the existing dwelling. The dwelling will have an increase its square footage in both bedroom and non-bedroom space. The bedroom space does go over the 25% hence why she is proposing pressure distribution. This project has already been through Conservation and approved. This lot is very narrow and there is no ability to move the system any farther from the resource area then what is already there. This is similar to a system that was approved adjacent several years ago. The wetland in the back is an intermittent stream that is controlled by the bogs. The only other plan is to remove the existing shed which is more of a Conservation concern. Again the project is under the non-habitable space increase over the 25% for bedrooms but no increase in bedrooms with pressure distribution per the Board of Health guidelines. Mr. Andrews asked what the variances are for this project. Ms. Frappier stated the variance of 80.3 feet from the required 150 feet from a leaching field to a resource area. Mr. Andrews stated that the leaching field will be at 69.7 feet to the water resource area. Ms. Frappier stated that was correct. Mr. Andrews stated that it looks like there is a 40ml poly liner is being proposed. Ms. Frappier stated that was correct. Ms. Guarino stated that

unfortunately on this plan there is not a secondary treatment unit for nitrogen removal proposed. It just has the pressure distribution laterals in the leaching field. Typically it is required to have a secondary treatment unit in between separate tanks and the pressure distribution field to reduce the nitrogen. What's proposed has 7.06 parts per million. Ms. Frappier stated that according to her cheat sheet that she created with this board and Mr. Halliday about 20 years ago, states pressure distribution would be sufficient if there is no increase in bedrooms. Mr. Barlow stated that the policy has changed within the last 5 years. He can't say whether Ms. Frappier is right or wrong because he does not have the policy with him to verify. Mr. Andrews asked if instead of 7.06 parts per million, they should be getting 5 parts per million. Ms. Guarino stated that this project would be considered new construction. They are remodeling but also an addition is being proposed. Mr. Andrews asked if the boards' policies cover this to require the reduction in nitrogen. Ms. Guarino stated yes. Ms. Guarino stated that another thing to consider is the size of the variance. This is an 80 foot variance which is when she notices that 5 parts per million. Mr. Barlow stated that Ms. Frappier mentioned a home next door. Ms. Frappier stated that it is a 4 bedroom system with an equal distance from the wetlands out back. It was an upgrade without the addition to the house. It does not have pressure distribution, it is a gravity chamber system. Ms. Guarino stated that there are only cesspools existing right now so whatever the applicant it proposing is going to make a positive impact to the property. Mr. Andrews asked how deep the system is. Ms. Guarino stated that it is no more than 3 feet which is typical. There is no strip out being proposed. It is less than a foot below with a 5 foot separation to ground water. Ms. Guarino stated that the liner is there as a precaution. It has to maintain breakout elevation for 15 feet laterally beyond. Where it is slightly mounded, it's only about 2 feet that they mounded up there. They do maintain that 15 feet laterally breakout elevation but it shouldn't be an issue. Typically a liner is 5 feet or deeper. Mr. Andrews asked that Ms. Frappier indicate that on the plan and initial it. Ms. Frappier stated that she would indicate it as standard with at least a 5 foot depth. **Mr. Barlow made a motion to accept the variance request for 1265 County Road as amended here tonight. The architectural were received by the office on April 29, 2016. The site plan received by the office on April 29, 2016 and amended here at this meeting. Mr. Uitti seconded the motion. It was unanimous.**

- 2. 214 CIRCUIT AVE – Barbara Frappier for Charles and Judith Huizenga – Request waiver to use the existing septic system for proposed renovations, additions and/or alterations – Discussion and possible vote.** – Ms. Frappier stated that the request is to allow the continued use of the existing septic system in conjunction with the planned renovations. There is no increase in bedrooms. There is a worksheet submitted as to the increase in square footage. Bedroom increase will be 7% and non-bedroom space will be 20.9% increase. There is no increase in flow and it is a 4 bedroom system and a 4 bedroom house. The new owners when they bought the house found out that the garage had been turned into a bedroom. The garage and the back are room have been removed and this is now a 4 bedroom dwelling. Mr. Andrews asked how

many building permits have been submitted on this property. Ms. Guarino stated that the first one was in 1991. There was a 35 foot variance from the 150 foot setback to the coastal bank. That was a conventional Title 5. Ms. Guarino stated that Ms. Frappier mentioned that there are 5 bedrooms. That is what the property is assessed at as well. On the Title 5 inspection report that was done on June 9, 2015 indicates that there were 5 bedrooms on a 4 bedroom septic system. Ms. Guarino stated that what is complicated on this is that the system was approved in 1991 which did not include the garage/bunkhouse. Ms. Frappier stated that the bunkhouse was added before her clients bought the property and they are planning on tearing it down. The garage/bunkhouse is gone. Mr. Andrews asked Ms. Guarino if it was a 3 bedroom system that was installed in 1991. Ms. Guarino stated that the complicated issue with this is based on today's code, which the design flow is 426 gallons per day where today's code is 440 gallons per day for 4 bedrooms. When it was approved in 1991 it was designed for 465 gallons per day and that is because they had a multiplication factor for sidewall credit as 2.5 whereas in 1996 that changed to 2.0 as the multiplier. If this system were to be installed today, it would be considered a 3 bedroom septic system. Mr. Andrews stated that the applicant is requesting a waiver to use the existing system that was already approved as a 4 bedroom system. Ms. Guarino stated that was correct. Mr. Andrews stated that the applicant is also proposing to remove the bunkhouse. Ms. Frappier stated that was correct. Ms. Guarino stated that one thing she would have liked to see is on the nitrogen loading calculation sheet a comparison would be with having an alternative technology system here. Mr. Stanley stated that he would like to track any modifications to the property. Mr. Barlow stated that there will be a pretty good system here with denitrification so the board can put a restriction that no further expansion on the property. Ms. Guarino stated that there is one other thing that she would like to point out for future use. On the proposed architectural, 2<sup>nd</sup> page, 1<sup>st</sup> floor, master bedroom on the right, there is 94 sq foot 3 season room which she included into the total square footage of the bedroom. Mr. Andrews stated that if it is actual screen, it should not be added into bedroom space. But if there are glass panels then it should be added. Ms. Frappier stated that in the future, would the board like a 3 season room without outside access added to the bedroom space. The board agreed. **Ms. Mastria made a motion to grant the waiver to allow continued use of the existing septic system in conjunction with the proposed renovations to the home at 214 Circuit Ave. Removal of the bunkhouse/garage area prior to permit issue. Architecturals received by the office on April 29, 2016 along with the site plan. Mr. Barlow added to the motion that Ms. Frappier mark and initial that the screen porch will remain un-inhabitable. Mr. Andrews added to the motion that there will not be any other modifications or alterations allowed to the home. Mr. Barlow seconded the motion. It was unanimous.**

3. **87 SHORE RD – Michael Pimental of JC Engineering for Bay Haven Properties, LLC – Request variances to a bordering vegetative wetland – Discussion and possible vote.** – Mr. Pimental stated that this project involves the construction of a new Title 5 system at 87 Shore Road. There are three properties on one lot prior to the summer of last year. There was

a dwelling over at 87 Shore Road. There was a dwelling at 85 Shore Road and a dwelling at 79 Shore Road. These building were built in the early 1900's. The lot was subdivide into 3 individual lots. The dwelling at 87 Shore Road has their septic system on 85 Shore Road. It's a shared system. The applicant would like to re-direct the sewage system from the existing dwelling on 87 Shore Road to its own septic system on its own property. Mr. Pimental stated that there are wetlands on the property. Mr. Pimental stated that he has tried to maximize the distance from the wetlands to the leaching facility. The leaching facility will be located in the front of the property. Mr. Pimental stated that he is requesting a local variance and a local upgrade approval. The local variance will be a 46.8 foot variance from the leaching facility to the wetland. Mr. Pimental stated that because of high ground water in this area he is also asking for a waiver for the separation of the septic tank and the pump chamber inverts to the ground water. There are no proposed renovations to the property. This is an existing 2 bedroom dwelling which is what the system is designed for. Mr. Pimental stated that this project has gone through Conservation and received approval. Mr. Andrews asked if to ground water is only the inverts. Mr. Pimental stated that was correct. Ms. Guarino stated that the proposed plan looks good. Ms. Guarino stated to put a condition that there are no additions or renovations. The red stamp would be the in house approval for the local upgrade. Ms. Guarino stated that this project is before the board because there was a modification to the site from subdividing. Mr. Andrews asked what the separation to ground water will be. Mr. Pimental stated that it will be within 12 inches. The groundwater is above the pipe so he made a water tight seal of all penetration with a rubber boot and hydraulic cement. Mr. Andrews stated that he is not a big fan of hydraulic cement. Mr. Guarino stated that is doesn't really specify the best method in Title 5 as to how to provide a water tight seal. Mr. Uitti stated that the plan says Sagamore Beach. It should read Bourne. Mr. Andrews stated to make the correction on the office copy and have Mr. Pimental initial the change on the plan. **Mr. Uitti made a motion to approve the septic system upgrade at 87 Shore Rd, Bourne. A variance of 46.8 feet and a waiver to the septic tank and pump chamber. Plans received April 27, 2016. Mr. Barlow seconded the motion. It was unanimous.**

**4. 13 EMMONS RD – Kathy Peterson – Amended septic plan –**

**Discussion and possible vote.** – Ms. Guarino stated that this project was approved March after 2 hearings and the modification is very good to know. The microfast units, the secondary treatment units require 1500 gallon septic tanks despite the design flow of the septic system or the size of that prefab unit. Mr. Andrews asked was size tank did the board originally approve. Ms. Guarino stated it was a 2000 gallon tank. Mr. Andrews stated that in order for the system to operate properly, the engineer drew too big of a tank. Ms. Guarino stated that was correct. Mr. Andrews stated the now needs to modify that approval because that approval was based on the specific plan that the board gave the variances on. Ms. Guarino stated that was correct. Ms. Guarino stated that the new plan is dated received April 22, 2016 revised April 22, 2016. Mr. Andrews stated that he did notice in BSS's letter that they referenced a plan in their

letter for June of 2016. They referenced a date that has not yet occurred. Ms. Guarino stated that she will take a look at that now. She did not notice that. Because of all the different dates and revisions, it could have been June of 2015. This is actually the 8<sup>th</sup> revision. This is probably a typo. Mr. Andrews stated that it was submitted that way and the board typically approves the letters as received by the office on a certain date. Ms. Guarino stated that the original date is June 12, 2015. **Mr. Barlow made a motion to approve the amendment to the existing plan for 13 Emmons Road. The amendment will be to reduce the size of the septic tanks on that plan from 2000 gallon tanks to 1500 gallon tanks per the manufacturer recommendations. Ms. Mastria seconded the motion. It was unanimous.**


5. **APPROVE THE MINUTES** from April 13, 2016. CONTINUED until the next meeting dated May 11, 2016. **Mr. Barlow made a motion to CONTINUE approval of the Minutes dated April 13, 2016 until the next meeting dated May 25, 2016. Mr. Uitti seconded the motion. It was unanimous. APPROVE THE MINUTES from April 27, 2016 – Mr. Barlow made a motion to CONTINUE the approval of April 27, 2016 minutes to the next meeting dated May 25, 2016. Mr. Uitti seconded the motion. It was unanimous**

**Mr. Barlow made a motion to adjourn the meeting. Mr. Uitti seconded the motion. It was a unanimous vote and the meeting adjourned at 7:49 PM.**

Taped and typed by Lisa Collett, Secretary

Kathleen Peterson \_\_\_\_\_

Stanley Andrews \_\_\_\_\_

Galon Barlow \_\_\_\_\_ 

Don Uitti \_\_\_\_\_ 

Kelly Mastria – \_\_\_\_\_ 

cc Board of Selectmen/Town Clerk