

TOWN OF BOURNE BOARD OF HEALTH

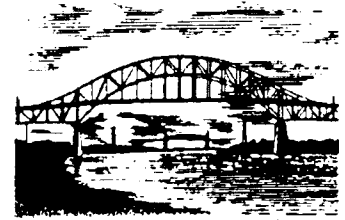
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MINUTES

November 17, 2016

Members in attendance: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Donald Uitti, Secretary; Galon Barlow and Kelly Mastria

Support Staff in attendance: Terri Guarino, Health Agent

MEETING WAS CALLED TO ORDER AT 7:00pm

- 1. 124 MEGANSETT ROAD—Matthew Farrell of J.M. O'Reilly & Associates, Inc.--**
Discussion to modify Title 5 variances for the construction of a four bedroom dwelling originally approved by the Board of Health on July 13, 2016. Review new architectural plan dated October 12, 2016 and septic plan dated October 19, 2016 which requires a 5 foot variance from the proposed soil absorption system and reserve area to the front property line. Ms. Peterson clarified that the Board of Health had previously approved a project at this address but since both the architectural plan and septic plans have been modified the previous approval is rescinded. Ms. Guarino stated that the abutters have been properly notified for this hearing. Ms. Peterson asked Mr. Farrell if the revised plans have been approved by the Conservation Commission, and if so, when. Mr. Farrell stated that he did not know when the Conservation Commission approved the revised plans but they did and there is already a foundation in the ground. Mr. Farrell stated that the Builder went back to Conservation and received an Administrative Approval. Ms. Peterson asked Ms. Guarino if this was accurate. Ms. Guarino stated she was not one hundred percent certain but that's typically what would be issued for this type of plan revision. Ms. Peterson asked that Mr. Farrell get clarification on this. Ms. Guarino stated that the proposed project is very similar to what was previously approved by the Board of Health and displayed the old and new plans side by side. The soil absorption system is in the same location but the major difference is that the house is now proposed in a different location and at a lower elevation which requires pumping to the soil absorption system. Ms. Guarino stated that the septic tank and pump chamber are within the adjusted groundwater level at elevation 1.9 but the distribution box is 47 feet away and the soil absorption system meets the five foot separation to groundwater. Ms. Guarino asked if the foundation that was already installed was the one that was permitted in July or if it is the foundation proposed in the October 2016 revised plans. The approved garage was elevation 15 and now it is at elevation 4. Ms. Guarino was not confident that this would be consistent with the Building Code if it is dramatically below the flood zone elevation. Mr. Farrell stated that the foundation that was installed was from the new plans at the lower elevation. Ms. Guarino stated that she was concerned about the significant differences in elevations from the two plans and that she had a brief discussion with the Building Inspector and he may need to review it further. The Building Inspector had not seen these new plans that were submitted for the Board of Health hearing. Mr.

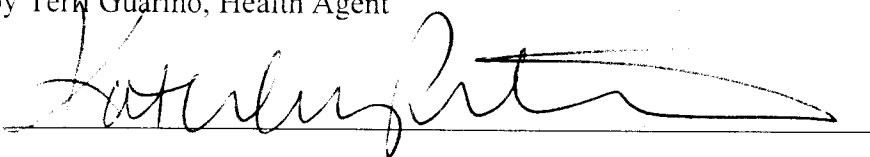
Farrell explained that all of the utilities will be on the first floor at elevation 17 except for the waste line and that the basement will be equipped with flood vents. Ms. Peterson asked why the plans were changed without notifying departments and why Mr. Farrell thinks that this is okay. Mr. Farrell stated that the new house will be smaller and it is similar to what was previously approved. He said that this house was more affordable to the owner's and that it was out of his control that the foundation was already installed by the Builder. He said that there was a retaining wall and lots of fill on the proposed plans, but now it is a slightly smaller dwelling with less site work. Mr. Farrell showed the Board a foundation plan with flood vents. Ms. Guarino asked who the architect is and Mr. Farrell stated that it is Reef Builders. Ms. Peterson read over the new architectural and Mr. Andrews noted that the sunroom has a four foot cased opening and that the new dwelling is smaller than what was previously approved, but still four bedrooms. Ms. Mastria stated that she feels more comfortable to continue this matter since they have forty-five days to review this and there is a lot of uncertainty. Mr. Farrell said he would appreciate a conditional approval that evening so the project doesn't get held up. Ms. Peterson stated that there should be a cease and desist order here because the project was modified and the prior approvals are null and void. Ms. Guarino stated that she received the revised plans on October 21, 2016 and notified the Building Inspector and Applicants that they are not permitted to do this work. They do not have a valid septic permit until these plans are reviewed by the Board of Health. In the Board of Health approval letter it clearly stated that any modifications to the approved plans will require another hearing before the Board of Health. There should be no further construction until the Board of Health approves the plans and variances. Mr. Andrews and Mr. Barlow stated that they typically do not approve anything contingent on other Boards and need to have approvals in advance. **Mr. Barlow made a motion continue this item until the next meeting. Mr. Andrews seconded the motion. It was a unanimous vote.**

2. APPROVE THE MINUTES – From the meeting dated October 26, 2016. Minutes not available. Continued to next meeting.

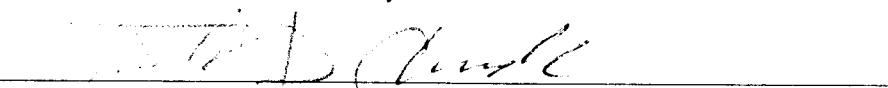
Mr. Andrews made a motion to adjourn the meeting. Mr. Barlow seconded the motion. It was a unanimous vote and the meeting adjourned at 7:28 PM.

Taped and typed by Terri Guarino, Health Agent

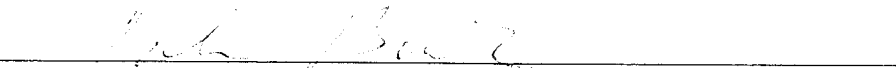
Kathleen Peterson



Stanley Andrews



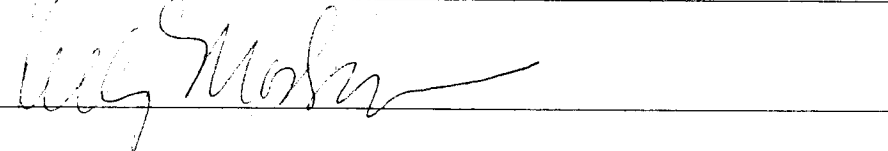
Galon Barlow



Don Uitti



Kelly Mastria



cc Board of Selectmen/Town Clerk