

Amended

MEETING NOTICE

TOWN OF BOURNE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings

Date

Time

Place

November 13, 2002

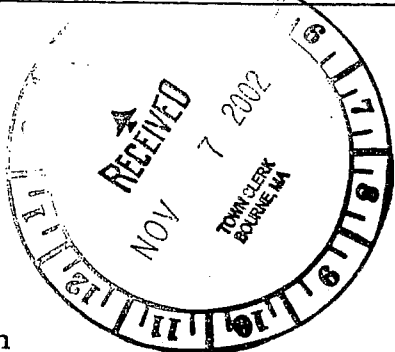
7:00 P.M.

Jonathan Bourne Library
19 Sandwich Road

Agenda Items

1. 3 Weetamoe Road - Ann N. Howell - Request waiver to continue use of existing septic system for proposed additions/renovations.
2. 27 Kendrick Lane - Jack Landers-Cauley for Steven & Catherine Luna - Request waiver to continue use of existing septic system for proposed additions/renovations.
3. Lot 9 Back River Road - Thomas Fantozzi for Walter Sullivan - Request to amend plan of record approved by the B.O.H. at its meeting of February 13, 2002.
4. 80 Circuit Avenue - Thomas Fantozzi for Paul Kenyan - Request waiver to continue use of existing septic system for proposed additions/renovations.
5. Elio's Northend Deli - Elie Bouserhal - Request variance from 105 CMR 590.003 (A)(6).
6. 1 Wallace Point Road - Robert & Jennifer Edwards - Request waiver to continue use of existing septic system for proposed additions/renovations.
- ★ 7. 4 Wenaumet Bluff Drive - William MacDonald - Hearing re: failure to install Micro Fast system as required by B.O.H. at its hearing on February 9, 2002 (continued).

CONTINUED



Signed

Joan Mac Nally

Title

Secretary

Date

November 7, 2002

c.c. Town Clerk
Board of Selectmen

compared the original plans to the plans before the Board tonight and he said the first floor is the same, but the room for the mechanical storage meets the Board's definition of a bedroom. The bedroom on the second floor is the same and they have added a bathroom, but Mr. MacNally does not feel that is a problem. Ms. Coffin feels the square footage on the second floor has increased because of the bump out where it originally showed knee walls. Mr. Connelly said none of the dimensions have changed and he explained where the original location of the stairway was and he said they want to move that so they do not block the view of the marsh. They added a bathroom upstairs and another window to the dormer. He said the size of the building has not changed. Mr. MacNally agrees, although the square footage on the second floor has increased. Mr. Connelly said that changing the mechanical room does not mean it will be used a bedroom, they want to have the stairway to the front of the house. There was further discussion by everyone. Mr. Connelly said there will be no basement, it will be a slab on grade. Ms. Peterson said there is already a deed in place restricting the number of bedrooms to two. Mr. MacNally sees this as a substantial increase in space over what was originally approved and the Board approved a very large variance in this case. If it met the size requirements of what was previously granted he would not have a problem with it. Mr. Connelly said the room does not have any windows, it has skylights. Mr. MacNally said they can either make a decision tonight or wait until they have a full Board at the next meeting. Mr. Gordon does not feel a decision should be made on this without all the members present and if he had to vote tonight, he would not vote to approve it. He feels it should be continued to the next meeting because every time this project has been before the Board it has changed. Mr. MacNally said that since Mr. Connelly has a demolition permit and a foundation permit there is nothing to preclude him from doing those two phases of the work. The problem will be when they start the framing. He does not have a problem with moving the stairs or the bathroom, he has a problem with the increased square footage. Mr. Connelly said the worse case would be that he has to put in a knee wall and he will move the skylights higher up on the ceiling. There was further discussion by everyone. Mr. MacNally asked the Board how they felt about allowing exterior framing only at this time and that would allow Mr. Connelly to put the shell up, but no inside stairway or partitions. Then by the next meeting we should have amended plans reflecting Mr. MacNally's concerns or get a vote from the Board that he can proceed per proposal. He said Mr. Connelly can request to amend the plan of record with the full Board, but he should also have a plan showing the same amount of square footage in the mechanical storage area as shown on the original submission. That way he will have an approval of one of the proposals. Ms. Coffin will sign off on the building permit for framing and roofing only. Mr. Gordon made a motion to continue 241 Shore Road – Christopher Costa for Joseph & Nancy Connelly – Request to amend plan of record previously granted by B.O.H. on 9-25-02 to the meeting of December 11, 2002. Ms. Peterson seconded the motion. It was a unanimous vote.



4 Wenaumet Bluff Drive – William MacDonald – Hearing re: failure to install Micro Fast system as required by B.O.H. at its hearing on February 9, 2002 (continued) was next. Mr. MacNally said we had a letter from Brett Ellis of Bousfield Sanitary stating the system would be installed the week of November 11th. It has not been done yet. Mr. MacNally feels this should be kept on the agenda for the next meeting in case it is not

installed by that time. Ms. Peterson made a motion to continue 4 Wenaumet Bluff Drive to our next meeting on December 11, 2002. Mr. Gordon seconded the motion. It was a unanimous vote.

Discuss & possible vote re: Draft regulation re: Testing of Alternative Septic Systems and possible fines. Ms. Coffin asked if we should put this off until we have a full Board and Mr. MacNally said that would be a good idea. This will be put on the next agenda.

Discuss & possible vote – letter of support to DEP re: permitting issues at ISWM was next. Mr. MacNally said that most of the Board was able to attend the meeting after our last B.O.H. meeting. The gist of what is happening is that DEP's policy is changing regarding disposal. The proposed wood waste ban will go into effect December 31, 2003 and this requires that certain clean wood and other waste wood products be kept out of the waste stream. They cannot be buried in the landfill, so the town will be looking at a materials recovery facility to pick out these products, the metal and the wood, etc. and look for markets to get rid of that. Even if these products are processed DEP is not going to allow it to be buried in the landfill, so it has to go somewhere else. In the presentation by ISWM it was stated that there are only a couple places that would accept that waste and the town would actually have to pay to get rid of this. It does not appear to be in the best interest of the town to pursue that materials recovery facility, so another option we have, since we have a lined landfill is to apply for permits to accept municipal solid waste, which is now what we ship to SEMASS. This is just to apply for the permits, the B.O.H. would still have to approve any and all changes regarding acceptance of that and the amounts. This leaves some options open for the town to continue for the landfill to generate revenues for the town. If we do not get the permits we will only be allowed to do certain things. The landfill would not be generating the revenues that it is now. He thought it might be helpful in acquiring those permits if the whole Board of Health was in favor of it and if they are, we could submit a letter of support to DEP. Mr. MacNally will draft up a letter because this is something that needs to be discussed and approved by the full Board. This will be just for the permitting. He is not saying that we should accept municipal solid waste at the landfill and he is not saying we should accept ash, but he feels we need to apply for the permit and see if they are available. Then we can get into a discussion to see if we think those are acceptable materials. Mr. Gordon thought we only have one opportunity to apply for those permits. Once the application process goes through would we be allowed to apply for those permits ever again. Mr. MacNally did not have the answer to that. Mr. Gordon feels we should definitely send out a letter of support and that will give them the opportunity to apply for the permits. There was further discussion by everyone. Mr. MacNally will draft up a letter for the December 11th meeting

Approve minutes of October 9, 2002 was next. Ms. Peterson made a motion to approve the minutes of October 9, 2002. Mr. Gordon seconded the motion. It was a unanimous vote.

Other business was next. Ms. Coffin had a copy of a report that was dropped off at the office from someone who is filing with DEP for the removal of contaminated soils that

BOUSFIELD SANITARY SERVICE, INC.
P.O. BOX 492
FORESTDALE, MA 02644
508 / 888-2010

November 4, 2002

Ms. Cindy Coffin
Board of Health
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 025532

Dear Board of Health,

Retro fitting a Micro Fast unit to the exiting septic system on property located at 4 Wenaumet Bluff Drive will be done the week of November 11, 2002.

If you have any questions, please do not hesitate to call.

Yours truly,



Brett Ellis, President
Bousfield Sanitary Service

BE/lh



MEETING NOTICE

TOWN OF BOURNE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings

Date

Time

Place

September 25, 2002

6:45 P.M.

Jonathan Bourne Library
19 Sandwich Road

Agenda Items

1. Executive Session - Interviews for Health Inspector

REGULAR BOARD OF HEALTH MEETING - 7:00 P.M.

1. Robert W. Parady for Doreen Shea - 66 Megansett Road - Request proposed writer's studio to be tied into existing septic system without addition of Micro Fast system.

2. 241 Shore Road - Christopher Costa for Joseph & Nancy Connelly - Request waiver to continue use of existing septic system with addition of Re-Circulating Sand Filter and UV for proposed demolition and reconstruction.

3. Hearing re: Cataumet Cemetery - request expansion pursuant to Mass General Laws, Chapter 111, Section 34.

4. Barbara Frappier - 4 Sagamore Road - Informal discussion.

★ 5. William MacDonald - 4 Wenaumet Bluff Drive - Hearing re: failure to install Micro Fast system as required by Board of Health at its hearing on February 9, 2002 as a condition of approval for renovations to dwelling (continued).

6. Approve minutes of August 28, 2002 and September 11, 2002.

7. Other Business.

Signed

Joan MacNally

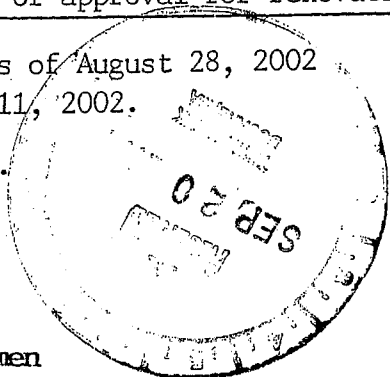
Title

Secretary

Date

September 20, 2002

c.c. Town Clerk
Board of Selectmen



from the water, the house will be smaller with only three bedrooms and the nitrogen will be around 5ppm, does the Board still want some type of de-nitrification on this, some other alternative design or would they approve a straight Title 5 system. There was further discussion. Mr. Giancola feels a regular Title 5 would be okay due to the distance to the top of the bank and the height of the lot. Mr. MacNally said it appears that the Board would conceptually approve this request if it were submitted. We will need plans and a septic design to be submitted. No action is necessary because this is an informal discussion.

Ms. Frappier had a question regarding the Board's yellow sheet and said she may be representing 24 Bradford Road. She spoke to the owners and said she would only be willing to present certain things to this Board. They discussed abandoning the mounded system to the back and installing a Septi Tech system in the front. She wanted to know how much bedroom space the Board will allow. Mr. MacNally cannot give numbers without knowing the setback distance and if it is less than 75' he will have to look at it more closely. Ms. Frappier has not been hired to this project yet, so she does not know the distance to wetlands, etc.



William MacDonald – 4 Wenaumet Bluff Drive – Hearing re: failure to install Micro Fast system as required by Board of Health at its hearing on February 9, 2002 as a condition of approval for renovations to dwelling (continued) was next. No one was present for this discussion. The Board received a letter Bousfield Sanitary saying a contract has been signed for the installation of a Micro Fast and it will be completed in October. Mr. Giancola made a motion to continue this to our first meeting in November. Ms. Peterson seconded the motion. It was a unanimous vote.

Approve minutes of August 28, 2002 and September 11, 2002 was next. Mr. MacNally said he had a question regarding the minutes of August 28th and one word at the end of the minutes regarding Bassetts Island had to be changed from know to knew. Mr. Giancola made a motion to approve the minutes of August 28, 2002 and September 11, 2002. Mr. Gordon seconded the motion. It was a unanimous vote.

Other business was next. Ms. Coffin was contacted by Bob Troy's office regarding Canalside Motel. The whole property has been taken by the state. He wants to know how the Board wants to handle this and said if the board wants to go forward on the complaints that are remaining we will have to file against the state. Brian Wall said it may be a good thing to do because the state does not want any litigation and it would push them to find a place for Ms. Errico and Mr. Meade. Mr. Giancola said that whether it belongs to the state or Mr. Corning, it is being used as a residence and the same violations are there. Ms. Coffin will contact Bob Troy's office and have them re-file the complaints.

1 Trowbridge Road was discussed briefly. Someone came in and they are talking about a restaurant and this will have to go back to the Planning Board. They want to install a grease trap and she wants to know if they plan to amend the plan of record to add a grease trap, does this need to come back before the Board for an amended plan of record.

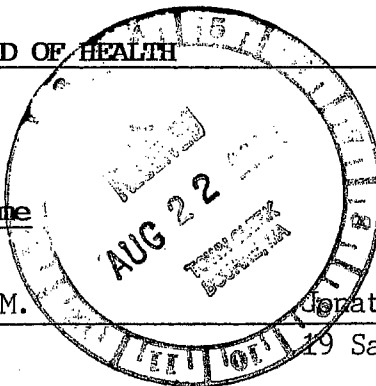
MEETING NOTICE

TOWN OF BOURNE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
August 28, 2002	7:00 P.M.	Jonathan Bourne Library 29 Sandwich Road



Agenda Items

1. Brent T. Goins - ISWM - Discuss & possible vote re: Request to make permanent the pricing changes approved by B.O.H. on 4-24-02; Request to have pricing flexibility down to \$55/ton for municipal customers only; Request to charge \$10/ton for leaves and grass effective 10-1-02 for commercial and municipal customers only.
2. Lot 2 Bassetts Island - Stephen Doyle for Robert H. & Richard W. Warner- Request variances. (continued).
- ★ 3. William MacDonald - 4 Wenaumet Bluff Drive - Hearing re: failure to install Micro Fast system as required by Board of Health at its hearing on 2-9-00 (continued).
4. Robert W. Parady for Doreen Shea - 66 Megansett Road - Request proposed writer's studio to be tied into existing septic system without addition of Micro Fast system.
5. 241 Shore Road - Christopher Costa for Joseph & Nancy Connelly - Request waiver to continue use of existing septic system with addition of Recirculating Sand Filter and UV for proposed demolition and reconstruction.

CONTINUED

Signed

Joan MacNally

Title

Secretary

Date

August 22, 2002

c.c. Town Clerk
Board of Selectmen

absolutely every project. He said he knew from the first meeting that Mr. MacNally was going to deny the project. He feels the letter from Mr. Heufelder was a positive letter and Mr. MacNally took three things out of the letter to focus on and he said those were the only items that were viewed to potentially be somewhat negative and he wanted that to be in the record. Mr. MacNally said he gave everyone on the Board an opportunity to make a motion before his and he waited. No one came forward with a positive motion and he said we need to progress. Mr. Pizzuti said that no matter how Mr. Giancola and Ms. Peterson vote, even if they vote negatively, he appreciates the fact that they went out there to look at the property and walk around it. He said if they voted negatively, they voted because they have knowledge of this project. Mr. MacNally said he has knowledge too and has probably walked over that parcel probably more than anyone on this Board, so don't elude to the fact that he has not been out to that parcel and he is voting negatively on the project. Ms. Peterson said when she gave the motion she wrote at last meeting she thought this had all been gone over and they were to write a motion to approve with stipulations and restrictions they want on this project. Mr. MacNally said he knew his motion would be to deny and he said whoever wanted to make a motion to be prepared to make a motion. He never made the inference that it should be a motion to approve the project. Mr. Giancola said that it was his understanding that they were supposed to be prepared to make a motion, that means a motion, whether it is affirmative or negative and he was not led to believe it would be to approve. Mr. Giancola wrote a motion, but his was in the negative also. Mr. Pizzuti said the issues have been addressed and we will find out in court. He said he knows this was a difficult decision for the Board and they voted their conscience and they will be visiting it again. He said they appreciate it and know it was a tough decision. Mr. MacNally asked for a vote on the motion. Mr. Giancola, Mr. Gordon, Mr. Barlow and Mr. MacNally were in favor of the motion. Ms. Peterson was opposed. Four were in favor of the motion, one was opposed. It was a vote. Mr. Pizzuti asked if it were possible to get a copy of the tapes of the meeting and asked if it were possible to ask that the tape be preserved. Mr. MacNally said the minutes will not be done tomorrow, so they still have time because the tapes will be available until the minutes are done. We need to have a letter of request in writing for a copy of the tapes. Mr. Giancola suggested putting the tape aside if there is a dispute on it. Ms. Coffin said she has no problem with that.



William MacDonald – 4 Wenaumet Bluff Drive – Hearing re: failure to install Micro Fast system as required by Board of Health at its hearing on 2-9-00 (continued) was next. Mr. MacNally asked if Mr. MacDonald was present and Ms. Coffin said no one was present for this. She did say that Brett Ellis, from Bousfield, did come in today and pulled a permit to install the Micro Fast. He did not have a signed contract back and once he did get that he came in to take out a permit. He will get the letter regarding the monitoring agreement and Ms. Coffin said it will be forthcoming. Mr. MacNally asked if the Board wanted to set a time frame for the installation of the MicroFast unit to avoid any foot dragging on the owner's part. Mr. Giancola suggested 30 days. Ms. Coffin does not want to give them too much time, but she knows that Bousfield is working on the Waldorf School right now and that is a big project. Mr. Giancola made a motion to continue William MacDonald – 4 Wenaumet Bluff Drive – re: failure to install Micro Fast system as required by the Board of Health at its hearing on 2-9-00. He would like to

continue that for an additional 30 days to the meeting after the next and at such time either the system is installed or we have a written letter from the homeowner or the installer of a date certain. Mr. Barlow seconded the motion. It was a unanimous vote.

Robert W. Parady for Doreen Shea – 66 Megansett Road – Request proposed writer's studio to be tied into existing septic system without addition of Micro Fast system was next. Mr. Parady was present for this discussion. Mr. MacNally said this was previously before the Board and they approved the studio with the addition of an alternative system. Mr. Parady is representing Doreen Shea, the owner of the property. This is a request to modify a variance that was granted by the Board at the meeting of January 9, 2002. The Board has plans of the proposal. The original request was for an addition over the existing garage and plans were submitted. In the meantime they decided to erect a separate writer's cottage on the property and the plans for that included a kitchen, which put it in the category of a dwelling unit. This went to the Board of Appeals and the building inspector said if the kitchen was removed he would issue a building permit. The application was withdrawn from the Board of Appeals and for some reason the building inspector issued a building permit before the issue of the septic system was resolved. The existing dwelling has a Title 5 system designed for four bedrooms and someone from the Assessors office went out to verify that the existing house is only a three bedroom house. What they are requesting tonight is to modify the variance to allow the Shea's to be able to tie the writer's studio into the existing system without any further modification to the system. Mr. Parady said he feels that the existing system is more than 100' from the resource that needs to be protected. He feels the intent of the regulation to protect the coastal water resource has been met and he is requesting the Board allow the proposed studio to be tied into the existing system. Mr. Giancola asked if the Board did a site visit to this property and he feels he would need to do a site visit before he makes a decision on this project. Mr. Gordon agrees with a site visit. The two issues that Ms. Coffin wants them to look at are to confirm that the existing house only has three bedrooms and to look at the coastal bank issues, what is the actual resource. Ms. Coffin said that at the meeting of February 14th Ms. Frappier was present to represent Doreen Shea and she said the existing house has four bedrooms and she does not know what has happened that all of a sudden the existing house has three. Mr. Shea said one was eliminated and Mr. Parady said the Assessors Department went out to confirm that. Mr. Parady said they are presenting the writer's studio with a bedroom even though the present owners may not use it as such, it should be considered a bedroom and that is the way it is being presented. That will make four bedrooms, three in the existing house and one in the writer's studio. The Board discussed a date for a site visit. Ms. Peterson made a motion to continue the request for 66 Megansett Road, Cataumet to modify the variance for the Shea residence to the meeting of September 11, 2002. Mr. Giancola seconded the motion. It was a unanimous vote.

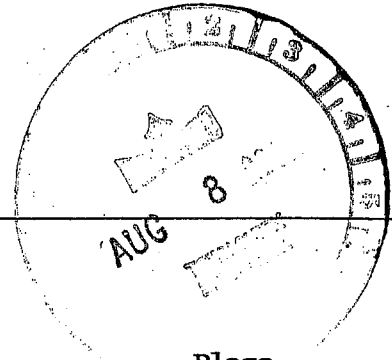
241 Shore Road – Christopher Costa for Joseph & Nancy Connelly – Request waiver to continue use of existing septic system with addition of Re-circulating Sand Filter and UV for proposed demolition and reconstruction was next. Mr. Costa was present for this discussion. Mr. MacNally said there were pictures in the Board's packets that show the existing house. Mr. Costa said they are requesting to retrofit the existing septic system at

MEETING NOTICE

TOWN OF BOURNE

Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings



Date

Time

Place

August 14, 2002

7:00 P.M.

Jonathan Bourne Library
19 Sandwich Road

Agenda Items

1. Discussion re: Complaints - Flynn's Piggery (continued).
2. Robert Gerrato - Anthony's Sandwich & Pastry Shop - Hearing re: Non-compliance due to repeated Food Code violations.
3. 310 Circuit Avenue - Donald Bracken for Mark and Jane Niederberger - Request variances.
- ★ 4. William MacDonald - 4 Wenaumet Bluff Drive - Hearing re: failure to install Micro Fast system as required by Board of Health at its hearing on February 9, 2000 as a condition of approval for renovations to dwelling.
5. Approve minutes of July 24, 2002.
6. Other Business.

Signed

Joan MacNally

Title

Secretary

Date

August 8, 2002

c.c. Town Clerk
Board of Selectmen

else because this will only be used as a summer house and she does not want to make it any smaller. Ms. Coffin said if a new house is being built and the soils are less than 2 min/inch we should be asking for a 5' separation. Mr. Barlow asked if there was any way they could raise the wall some without getting that extra thickness. Mr. Bracken said he would try to do it as much as possible and he said that if they have to do a portion of it for more of a structural wall then they can do it. Mr. Barlow said if they could do it without a lot of additional expense to the homeowner he would like to see that. Mr. Gordon made a motion to approve the request for variances for the demolition and rebuild for 310 Circuit Avenue. The septic plan of record is dated revised February 15, 2002 by Flaherty, Stefani & Bracken. The variance granted is 68.82 ' to the south wetland and 75' to the north east wetland. The approval is for a MicroFast system with pressure dosing with the addition of the Board's Alternative Testing Policy. The architectural of record are those dated received May 2, 2002 by the Board of Health. This motion will also include a two bedroom deed restriction to be placed on the property and this will be recorded at the Registry of Deeds and this needs to be completed before a Disposal Works Permit will be issued. Ms. Coffin said that part of the alternative testing policy requires an influent and effluent sampling port. The center cover of the MicroFast unit needs to be brought to grade so they can take an influent sample and because of the pump chamber they can actually sample the effluent out of the pump chamber, but we will need that brought to grade as well. We have been having a problem because that is not on the plan and then the installers don't do it, so she would like an amended plan with the covers to grade. Mr. Bracken said that once they get this approved they are thinking of coming back with a Septi Tech system. Whatever goes in they will make sure it has the inspection port shown on the plan. Mr. Giancola asked Ms. Coffin if the Board had changed the Alternative Testing Policy to add that a MicroFast must be pumped annually and she said yes. Ms. Peterson seconded the motion. It was a unanimous vote.



William MacDonald – 4 Wenaumet Bluff Drive – Hearing re: failure to install MicroFast system as required by Board of Health at its hearing on February 9, 2002 as a condition of approval for renovations to dwelling was next. Ms. Coffin said a permit was originally pulled and the Board did their approval back on February 9th and the proposal from Warwick was to allow renovations and to install a MicroFast unit with no UV or pressure dosing. The building permit was signed off. Mr. MacDonald came in the other day and was talking about plans and in a round about way we found out the work that he had requested was all done, but the MicroFast was never installed. When he was in the office Ms. Coffin asked if the work had been done and he said no, that is why he never installed the MicroFast. We spoke to the builder and he said the work was all completed and inspected. She thought someone would be at the meeting tonight, but she had heard that Bousfield would be in to pull a permit for the installation. Mr. Giancola asked Ms. Coffin if she has any thoughts on how she would like to see this enforced. If Mr. MacDonald does not do anything we will have to go to court because she can see no other way if he won't do it the way he agreed in the beginning. She said the Board would have to take a vote to file a criminal complaint. Mr. Barlow asked about fining Mr. MacDonald and Ms. Coffin said the whole ticketing thing is more complicated and she said it is not as easy as we thought it was. She explained the process the Board would need to follow. Mr. Giancola suggested we continue this until our next meeting and if no

permit has been applied for, he would move at the next meeting that we file a criminal complaint against Mr. MacDonald. There was further discussion. Mr. Giancola made a motion to continue 4 Wenaumet Bluff Drive – Failure to install a MicroFast system that was required by the Board's approval at its hearing on February 9, 2002 to our next meeting. As part of the continuation he would like to ask the Health Agent to direct a letter to Mr. MacDonald informing him that if a permit is not filed for by the time of our next meeting, at the next meeting the Board will review its legal options and possibly file a criminal complaint. Mr. Barlow seconded the motion. It was a unanimous vote.

Approve minutes of July 24, 2002. Mr. Barlow said he was not at that meeting. Ms. Peterson made a motion to approve the minutes of July 24, 2002. Mr. Gordon seconded the motion. It was a unanimous vote.

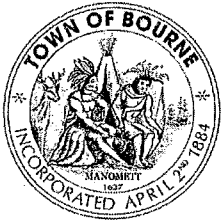
Other business was next. Ms. Coffin mentioned 86 Rope Walk, the new house, where the owner offered to put the MicroFast in, built a new house and then requested to remove the MicroFast system. The Board did not approve that request. The company has been out there a few times and the unit has been off and it appears that he has no intention of turning it on. It bothers her that these units can be shut off so easily by the homeowners when they don't want them running. She wanted to know if they should be asked to appear before the Board and Mr. Giancola said yes. He sees no difference in failure to install versus not turning the switch on, the result is the same.

Ms. Coffin mentioned the complaint regarding a cemetery and a right-of-way that was put in. It went to the state and a complaint came back to the office. Over the years different cemeteries have expanded and any time a cemetery is expanded for burial purposes you have to have approval through the Board of Health and it has to go to Town Meeting. She has been in contact with the cemeteries, so she will keep the Board posted. The complaint started with some tree cutting at the Monument Beach Cemetery on the right-of-way and also expansion on the other side.

Ms. Coffin mentioned for the future what she would like to see done in situations like Mr. MacDonald, where the permit was approved for renovations. People take out permits and the building permit is approved and she feels that in some of these cases where it is an addition to an existing house, that the septic should go in first so we don't have to chase these people down later. It is very hard to track. There was further discussion by everyone. A certificate of occupancy is not issued on additions, so that makes it harder to follow up on.

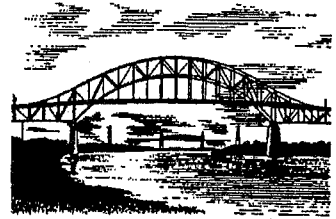
There was a brief discussion about allowing Ms. Ohman to sign off on death certificates and she wants to know if it is legal for her to stamp Ms. Coffin's name. Ms. Coffin said she will have to look up the section in Mass General Laws and run this by the Board at a later date.

Mr. Gordon made a motion to adjourn the meeting. Mr. Barlow seconded the motion. It was a unanimous vote.



TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532



Cynthia A. Coffin
Health Agent

July 23, 2002

Mr. William MacDonald
8 Accord Lane
Hingham, MA 02043-3801

Dear Mr. MacDonald,

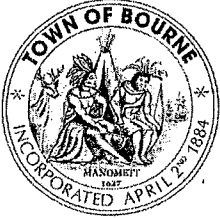
As you know, you were sent a letter dated July 23, 2002 regarding your failure to install the Microfast unit for your property at 4 Wenaumet Bluff Drive, as was originally agreed to when the Board approved a waiver for renovations to your property on February 9, 2000. I discussed the matter with the Board of Health at its meeting of August 14, 2002. I had hoped you might be present for this discussion since I sent you a copy of the agenda. Please be advised that to date no one has made application to renew the permit for the installation of this Microfast unit. In addition, this office needs to be forwarded a signed copy of the maintenance and testing agreement. The Board members decided to continue the item for discussion until its next meeting on August 28, 2002. The Board instructed me to inform you that if no application for a permit is made before the August 28th meeting, the Board will then discuss further legal action and possibly the filing of a criminal complaint with Superior Court. As you know the Board of Health approved your engineer's request, on your behalf, to allow renovations to the existing dwelling only with the stipulation that the alternative technology system be installed since the existing leaching facility is only roughly 20 feet from the sea wall along the Pocasset River. This approval was granted in good faith that the proposed addition to the system would be completed as had been agreed to. Again, I would appreciate your prompt attention to this matter. This office will be sending you a copy of the August 28, 2002 agenda.

If you have any questions, please contact me at this office at 508-759-0615, ext. 513.

Sincerely,

Cynthia A. Coffin
Cynthia A. Coffin, R.S., C.H.O.
Health Agent

c.c. Board of Health



TOWN OF BOURNE BOARD OF HEALTH

24 Perry Avenue
Buzzards Bay, MA 02532



Cynthia A. Coffin
Health Agent

July 23, 2002

Mr. William MacDonald
8 Accord Lane
Hingham, MA 02043-3801

Dear Mr. MacDonald,

After reviewing the file for your property at 4 Wenaumet Bluff Drive it has come to my attention that the Microfast system which was to have been installed by June 27, 2001 has not been installed. The installation of this denitrification unit was a condition of the approval of renovations to your dwelling; said approval was granted by the Board at its hearing on February 9, 2000. This office has confirmed with your builder that the work has been completed at 4 Wenaumet Bluff.

Please be advised that the installation of the Microfast unit needs to be done within 30 days of receipt of this notice. This office needs to be forwarded a signed copy of the maintenance and testing agreement and the septic permit needs to be renewed, as the one upon which your building permit was issued, has expired. Failure to respond to this letter could result in a request for your appearance before the Board of Health and further enforcement action. The Board approved your engineer's request, on your behalf, to allow renovations to the existing dwelling only with the stipulation that the alternative technology system be installed. This approval was granted in good faith that the proposed addition to the system would be completed as had been agreed to. I would appreciate your prompt attention to this matter.

If you have any questions, please contact me at this office at 508-759-0615, ext. 513.

Sincerely,

Cynthia A. Coffin, R.S., C.H.O.
Health Agent

c.c. Board of Health



WPA Form 2 - Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A General Information

From:
Bourne
Conservation Commission

3. Title and Final Revision Date of Plans and Other Documents:

"Site Plan" Accompanying Petition of Dr. William

McDonald 4 Wenaumet Bluffs Rd. in Bourne"

1/8/98 Revised 1/31/00

1. Applicant:
William McDonald
Name of Person Making Request
8 Accord Lane
Mailing Address
Hingham
City/Town
MA 02043
State Zip Code

2. Property Owner:
Same
Name of Property Owner (if different from applicant)
Mailing Address
City/Town
State Zip Code

B Determination

Pursuant to the authority of M.G.L. c. 131, §40, the
Bourne

Conservation Commission

has considered your Request for a Determination of
Applicability, with its supporting documentation, and has
made the following Determination regarding:

4 Wenaumet Bluffs Dr.

Street Address
Pocasset 02532
City/Town Zip Code
38.3 89
Assessors Map/Plat # Parcel/Lot #

Action taken at this time does not
indicate an acceptance of any
wetland resource area boundaries
by the Conservation Commission.



WPA Form 2 - Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and Regulations:

Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) has been received from the issuing authority (i.e., conservation commission or the Department of Environmental Protection).

1. The area described on the plan(s) referenced above, which includes all or part of the area described in the Request, is an area subject to protection under the Act. Therefore, any removing, filling, dredging, or altering of that area requires the filing of a Notice of Intent.

2. The delineations of the boundaries of the resource areas listed directly below, described on the plan(s) referenced above, which includes all or part of the area described in the Request, are confirmed as accurate:

Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid. However, the boundaries of resource areas not listed directly above are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

3. The work described on plan(s) and document(s) referenced above, which includes all or part of the work described in the Request, is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

4. The work described on plan(s) and document(s) referenced above, which includes all or part of the work described in the Request, is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent.

5. The area and/or work described on plan(s) and document(s) referenced above, which includes all or part of the work described in the Request, is subject to review and approval by

Name of Municipality

pursuant to the following wetlands law, bylaw, or ordinance (name and citation of law).

6. The following area and/or work, if any, is subject to municipal bylaw but not subject to the Massachusetts Wetlands Protection Act:

7. If a Notice of Intent is filed for the work in the Riverfront Area described on plans and documents referenced above, which includes all or part of the work described in the Request, the applicant must consider the following alternatives (Refer to the Wetlands Regulations at 10.58(4)c. for more information about the scope of alternative requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.

Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.

Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.



WPA Form 2 - Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B Determination (cont.)

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department of Environmental Protection is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the conservation commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

- 1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
- 2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent.
- 4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.
- 5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and regulations, no Notice of Intent is required:

Exempt Activity

- 6. The area and/or work described in the Request is not subject to review and approval by

Name of Municipality
pursuant to a municipal wetlands law, ordinance, or bylaw, (name and citation of bylaw).

C Authorization

This Determination is issued to the applicant and delivered as follows:

- by hand delivery on

Date

- by certified mail, return receipt requested on

February 17, 2000

Date

This Determination is valid for three years from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan).

This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the conservation commission. A copy must be sent to the appropriate Department of Environmental Protection regional office (see appendix A) and the property owner (if different from the applicant).

Signatures:

February 16, 2000

Date



WPA Form 2 - Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Appendix E: Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of

issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the conservation commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Key: 8069

Town of Bourne Fiscal Year 2002

7/23/2002

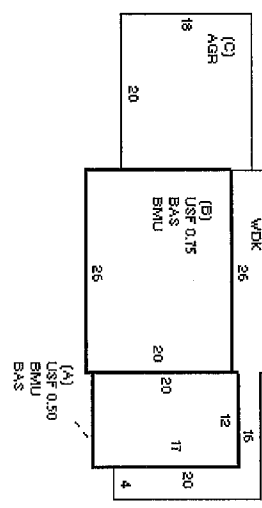
SEC.# 1

PARCEL ID	LOCATION	NAME 1	NAME 2	CLASS	% (UB)	DESCRIPTION	BN	CARD							
38-3-89-0-R	4 WENAMJET BLUFFS DR	MCDONALD WILLIAM F	MCDONALD WILLIAM F	1010	0.00/0.00	SINGLE FAMILY	1	1 of 1							
GRANTOR	GRANTEE	DOS	SALE PRICE	BOOK	PAGE	RATIO	PERM NO	PERM DT	TY	DESC	AMOUNT	INSP	BY	%	1st
AUSTIN CHARLES W TROF	MCDONALD WILLIAM F	11/02/1995	185,000	9912	252	1.27	200440	07/18/2000	3	ALT/RENO	25,000	09/17/2001	TL	0	0
			0				980379	07/01/1998	9	DECK	8,000	02/09/1999	JS	100	0

CD	T	AGRES/SF	Nbhd	Index	N Index	ADJ BASE	SAFE	T9991	Fee	ADJ VALUE																		
100	S	4,800,000	1	1,000	107,2450	R	1,000	294,000	A	1,000	W/P	1,500	151,030															
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MODEL	1	RESIDENTIAL	100%												
QUALITY	A	1.00 AVERAGE	100%												
STYLE	9	1.15 ANTIQUE	100%												
FRAME	1	1.00 WOOD FRAME	100%												
YR BUILT	1880	MES 9/17/2001	TL												
EFFECTR	1969	LST 2/9/1999	JS												
EFFECTS	29	REV 9/17/2001	TL												
APQU	APQU ADU	NEA	\$NLA												
2	1,000	1270	85.29												
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ELEMENT	CD	DESCRIPTION	ADU	BAT	T	DESCRIPTION	UNITS	ADJ PRICE	RCN																																				
FOUNDATION	4	FLRWALL(FULL)	1.00	BAS	L	BASE AREA	760	68.77	52,263																																				
EXT COVER	1	WOOD SHINGLE	1.00	USF	L	UPPER STORY FINIS	510	51.78	26,407																																				
ROOF SHAPE	1	GABLE	1.00	BMU	N	BSMT UNFINISHED	760	18.89	14,360																																				
ROOF COVER	2	WOOD SHINGLES	1.01	AGR	N	ATT GARAGE	360	20.88	7,516																																				
FLOOR COVER	1	HARDWOOD	1.00	WDK	N	WOOD DECK	376	7.21	2,711																																				
INT. FINISH	4	WALL BOARD	1.00	F21	O	FPL 2S 10P	1	5,060.00	5,060																																				
HEATING/COOLING	4	STEAM	0.99																																										
FUEL SOURCE	1	OIL	1.00																																										
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BOUSFIELD SANITARY SERVICE, INC.
P.O. BOX 492
FORESTDALE, MA 02644
508 / 888-2010

Sept. 23, 2002

Ms. Cindy Coffin
Board of Health
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

Dear Ms. Coffin,

Bousfield Sanitary Service has a signed contract for the installation of a Micro-Fast septic system on property located at 4 Wenaumet Bluff Drive. Installation will be completed in October of 2002. Also, please find enclosed a copy of the Micro-Fast agreement.

If you have any questions, or if I may be of assistance, please do not hesitate to call.

Yours truly,



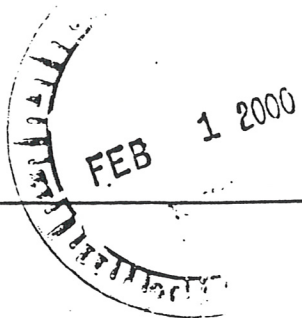
Brett Ellis, President
BOUSFIELD

BE/lh



MEETING NOTICE

TOWN OF BOURNE



Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
February 9, 2000	7:00 P.M.	Jonathan Bourne Library 19 Sandwich Road

Agenda Items

1. 79 Cranberry Highway - Hearing regarding non-compliance of housing code violations (cont)
2. 68 Monument Avenue - Request variance to continue use of existing septic system for proposed additions/renovations. (continued)
3. 44 Chickadee Lane - Request variances (continued).
4. William Fellows - 3 Cedar Avenue - Request variance from B.O.H. Poultry regs. (cont.)
5. 3 Brendan Lane - Request variance.
6. Lobster Trap Company - 290 Shore Road - Hearing re: change of plan of record approved at B.O.H. meeting of March 24, 1999.
7. 78 Captains Row - Request variances.
8. 4 Wenaumet Bluff Drive - Request variances.
9. Other Business.

Signed Jean Mac Nally
 Title Secretary
 Date February 1, 2000

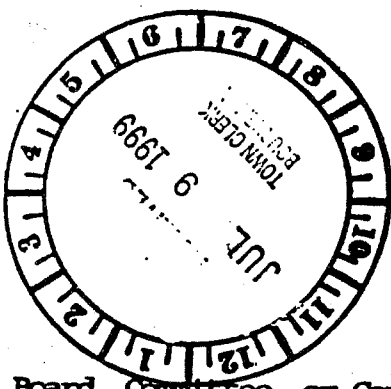
c.c. Town Clerk
Board of Selectmen

have the same plan of record. They are looking for approval of the plan before the Board tonight. Mr. Barlow said he has to abstain from voting on this. Mr. Gordon made a motion to approve Lobster Trap Company – 290 Shore Road – Hearing re: change of plan of record approved at B.O.H. meeting of March 24, 1999. The revised plan of record approved is dated February 1, 2000. Mr. Giancola seconded the motion. It was a vote.



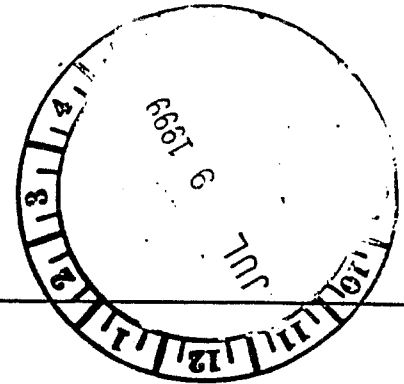
4 Wenaumet Bluff Drive – Request variances was discussed next. Barbara Frappier of William M. Warwick & Assoc. was present to represent the applicant Mr. MacDonald. This project has been before the Board twice before and denied both times because the applicant was not interested in putting in a de-nitrification unit. They are proposing to renovate the second floor to add a bathroom and they will be eliminating a bedroom and habitable space. The existing nitrogen load is 18.48 ppm and with a reduction to two bedrooms and the addition of a Microfast unit it will reduce the nitrogen load down to 7.62 ppm. They are asking for the Board's approval. An abutter, Mr. Dow, spoke to the Board and spoke in favor of the proposal before the Board. Mr. Barlow said the Board had indicated that if the proponent would be willing to do a de-nitrification system they would consider approving this project. There was further discussion by everyone and the Mr. MacNally wanted to go back over the minutes to see exactly what he had been looking for on this project. Mr. MacNally said that basically the addition will be a full dormer and the Board does have the architectural records of record. Mr. Giancola made a motion to approve 4 Wenaumet Bluffs Drive – request for variances to continue the use of the existing system with the installation of a de-nitrification system based on a January 25, 2000 letter from William M. Warwick & Assoc. with a site plan dated 2-9-00 and architectural records dated 11-10-99, as part of the submittal of 11-10-99. Mr. Gordon seconded the motion. Mr. MacNally said the reason he wanted to read the minutes was because the last two times this was before the Board, his concern was virus issues and that is reflected in the minutes. There was talk of a UV Filter, which he is not that crazy about. His opinion on this is that this is the classic case for pressure dosing because if that SAS were any closer it would be in the river. To be consistent, he is going to vote against the motion based on that, but that is just his opinion. Mr. Giancola knows what he said previously and agrees this would be a good case for pressure dosing, but given that it is so close, is it going to make a difference. Mr. MacNally said the existing system consists of three infiltrators. There was further discussion. Mr. Gordon said he was under the impression there was not enough room for pressure dosing and Mr. MacNally said that may be the case. Mr. MacNally called for a vote. Mr. Giancola, Mr. Gordon and Mr. Barlow were in favor of the motion. Mr. MacNally was opposed. It was a vote.

78 Captains Row – Request variances was next. Barbara Frappier said she came before the Board with a partial filing before the perc test had been done. The Fiengold's want to renovate the house by adding a second story. They will be reducing the number of bedrooms by one and this is a small lot, with little room to do anything. Part of the package is to upgrade the existing septic system by putting in a new Title 5 system with de-nitrification. They will also have to request a variance from the state in order to fit the system. The nitrogen loading on the existing structure is 12.8 and upon completion it will be down to 5.45 ppm with the new septic system. Ms. Frappier also had architectural records for the Board. There was further discussion by everyone as to what is existing and what is being proposed. Mr. Giancola made a motion to approve the request for variances for 78 Captains Row based on the January 31, 2000 letter requesting the following variances: a variance of 114.4' from the top of the bank Board of Health regulation of 150', a variance of 14.4' from the 50' setback from the top of coastal bank as required under 310 CMR 15.211 based on the plan by William M. Warwick & Assoc., revised through 11-24-99 and architectural records by Rescom dated 2-7-00. The septic plan design, also by William M. Warwick, dated 1-31-00. The variances are approved because of the reduction in the number of bedrooms from 4 to 3 and they are also installing a de-nitrification system. Mr. MacNally seconded the



MEETING NOTICE

TOWN OF BOURNE



Board, Committee, or Commission: BOARD OF HEALTH

Schedule of Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Place</u>
July 14, 1999	7:00 P.M.	Bourne High School Professional Library 75 Waterhouse Road

Agenda Items

1. Hearing re: 2nd Offense Tobacco Violations - Discuss & Vote re: Fine (cont.)
Cumberland Farms - 435 Shore Road - Monument Beach
Sagamore Mobil Station - 19 Meetinghouse Lane - Sagamore
2. 63 Wamsutta Avenue - Atlantic Design Eng. - Request variances (continued)
3. Michael & Rosa Mitchke - Request variance from B.O.H. Regs. re: poultry, rabbits, etc. (continued)
4. 8 Agawam Point Road - R. Shea - Request variance to continue use of existing system for proposed additions/renovations.
5. 399 Circuit Avenue - Gary Wing - Request variance.
- ★ 6. 4 Wenaumet Bluff Drive - Barbara Frappier - Request variance to continue use of existing system for proposed additions/renovations.
7. Approve minutes of May 12, 1999 and June 9, 1999.
8. Re-organize Board.
9. Other Business.

Signed Joan Mac Nally
 Title Secretary
 Date June 9, 1999

c.c. Town Clerk
 Board of Selectmen