

Town of Bourne Board of Health Remote Meeting Notice



Agenda May 28, 2020

<https://us02web.zoom.us/j/83511472300?pwd=c09wdWY3dDBKNU9helRqQU4SszFGQT09>

Date
Thursday
May 28, 2020

Time
5:00 p.m.

Join Zoom Meeting Using Link Above Or
Dial-in Number: +1 (929) 205-6099
Meeting ID: 835 1147 2300
Password: 685088

Note this meeting is being recorded and all members are participating remotely. All Town Buildings are closed to the public. If anyone participating in the conference call is also recording, they need to acknowledge such at this time.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Health.

OPEN SESSION 5:00 P.M. – Call meeting to order.

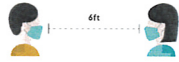
1. COVID-19 and Phased Re-opening Plans—Terri Guarino, Health Agent to provide information and updates:
 - a. Mandatory Workplace Standards & Industry Specific Guidance
 - b. Compliance, Enforcement, Inspections & Health Dept. Staffing during State of Emergency
 - c. Local Updates & FAQs—beaches, outdoor recreation areas, public restroom facilities
 - d. Disease Surveillance News
2. Public Bathing Beach Variance Extensions—Discussion and possible vote to extend existing monthly sampling variances at three Town of Bourne marine beaches pursuant to 105 CMR 445.000:
 - a. Electric Avenue
 - b. Monument Beach
 - c. Sagamore Beach
3. Procedures for Local Upgrade Approvals and Variances from Title 5, 310 CMR 15.000, and Bourne Board of Health Regulations—Discussion and possible vote for modification to policies on which systems will be administratively approved.
4. Tobacco Law Update—105 CMR 665.000--Beginning June 1, 2020, the sale of flavored combustible cigarettes and other tobacco products, including menthol cigarettes and flavored chewing tobacco, will be restricted to licensed smoking bars where they may be sold only for on-site consumption. Also taking effect on June 1st is the addition of a 75% excise tax on the wholesale price of nicotine vaping products, in addition to the state's 6.25% sales tax.
5. Discussion and possible vote regarding the continued use of Electronic Signatures.
6. ViewPoint Cloud— Terri Guarino, Health Agent to provide information on online permitting and inspectional software.
7. Approve the Minutes from the previous meeting dated May 6th, 2020
8. Set tentative date for next meeting and adjourn.

PHOTOCOPIED
2020 MAY 26 PM 1:55
TOWN SELECTMEN BOURNE

Signed: *Syrate NB Amaral*
Title: Administrative Assistant
Date: May 26, 2020



MANDATORY SAFETY STANDARDS



SOCIAL DISTANCING

Businesses and other organizations shall limit occupancy within their office space to no more than

- 25 percent of (a) the maximum occupancy level specified in any certificate of occupancy or similar permit or as provided for under the state building code; or (b) the business or organization's typical occupancy as of March 1, 2020
- Any business or other organization that has been operating as a "COVID-19 Essential Service" as of May 18, 2020 shall have until July 1, 2020 to comply with these occupancy limitations

Businesses and other organizations may exceed this maximum occupancy level based on a demonstrated need for relief based on public health or public safety considerations or where strict compliance may interfere with the continued delivery of critical services

Ensure separation of 6 feet or more between individuals unless this creates a safety hazard due to the nature of the work or the configuration of the workspace

Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, use distance markers to assure spacing)

Cafeterias may operate only with prepackaged food, practicing physical distancing and appropriate hygiene measures

Physical partitions must separate workstations that cannot be spaced out (partitions must be taller than a standing workers)

Limit meeting sizes, ensure 6 feet of social distancing, encourage remote participation

Stagger work schedules, lunch and break times, regulating maximum number of people in one place and ensuring at least 6 feet of physical distancing

Minimize the use of confined spaces (e.g., elevators, control rooms, vehicles) by more than one individual at a time; all workers in such spaces at the same time are required to wear face coverings

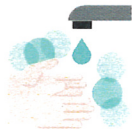
Recommended best practices

Improve ventilation for enclosed spaces where possible (e.g., open doors and windows)

Designate assigned working areas (e.g., floor, building) to individuals where possible to limit movement throughout the facility and limit contact between workers

Establish directional hallways and passageways for foot traffic if possible, to minimize contact. Post clearly visible signage regarding these policies

Limit visitors where feasible, and avoid congregation in common areas (e.g., lobbies)



HYGIENE PROTOCOLS

Ensure access to handwashing facilities on site, including soap and running water, wherever possible and encourage frequent handwashing; alcohol-based hand sanitizers with at least 60% alcohol may be used as an alternative

Supply workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes)

Require regular and not less than daily cleaning and sanitation of all high-touch areas such as workstations, door handles, and restrooms

Avoid sharing use of office materials / equipment or disinfect equipment between use (e.g., telephones, fax machines)

Post visible signage throughout the site to remind workers of the hygiene and safety protocols



STAFFING & OPERATIONS

Establish and communicate a worksite specific COVID-19 Prevention Plan for all office locations, including:

- Contact information for local health authorities, including the MA Department of Public Health, and your local / municipal Health Authority
- Regularly evaluate all workspaces to ensure compliance with all Federal, State and Local Guidelines
- Isolation, Contact Tracing, and Communication plan for if an worker is diagnosed as positive with COVID-19, or comes into close contact (within 6 feet for 10 minutes or more) with an individual diagnosed with COVID-19

Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission, including:

- Social distancing, hand-washing, proper use of face coverings
- Self-screening at home, including temperature or symptom checks
- Importance of not coming to work if ill
- When to seek medical attention if symptoms become severe
- Which underlying health conditions may make individuals more susceptible to contracting and suffering from a severe case of the virus

Workers must wear face coverings when social distancing of 6 feet is not possible, except where unsafe due to medical condition or disability

Employers should establish adjusted workplace hours and shifts for workers (if working in-person, leverage working teams with different schedules or staggered arrival / departure) to minimize contact across workers and reduce congestion at entry points

Limit visitors and service providers on site; shipping and deliveries should be completed in designated areas

Limit business sponsored travel and comply with state and federal travel restrictions / guidelines



MANDATORY SAFETY STANDARDS



STAFFING & OPERATIONS

Workers must stay home if feeling ill

If the employer is notified of a positive case at the workplace, the employer should notify the local Board of Health (LBOH) where the workplace is located and work with them to trace likely contacts in the workplace and advise workers to isolate and self-quarantine. Testing of other workers may be recommended consistent with guidance and / or at the request of the LBOH

Post notice to workers and customers of important health information and relevant safety measures as outlined in government guidelines

Log everyone who comes in contact with site to enable contact tracing, including temporary visitors (e.g., those doing material drop-offs)

Workers must continue to telework if feasible; external meetings should be remote to reduce density in the office

Recommended best practices

Workers who are particularly vulnerable to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home or arrange an alternate work assignment

Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 case to the employer

Encourage workers who test positive for COVID-19, to disclose to the employer of the office for purposes of cleaning / disinfecting and contact tracing



CLEANING & DISINFECTING

Conduct frequent cleaning and disinfection of site (at least daily and more frequently if feasible)

Keep cleaning logs that include date, time, and scope of cleaning

Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, elevator buttons, staircases, vending machine, bathrooms)

Clean shared spaces (e.g., conference rooms) between use and supply cleaning products (e.g., sanitizer, disinfecting wipes)

In event of a positive case, shut down site for a deep cleaning and disinfecting of the workplace in accordance with current CDC guidance



REOPENING MASSACHUSETTS
Guidance for industries on the reopening plan
As of May 18, 2020

The following detailed commentary is related to the Executive Order signed by Governor Baker on May 18, 2020. This document is intended to provide additional information on businesses and activities summarized in the Reopening Massachusetts report. This is not an exhaustive list of all possible businesses that can open in each phase; it may be updated from time to time.

For additional information please visit the Reopening Massachusetts website <https://www.mass.gov/reopening>

Unless otherwise stated, businesses expected to be allowed to open in future phases will be subject to certain limitations and guidelines that will be provided at a later date. All businesses are required to follow Mandatory Workplace Safety Standards and Sector specific safety protocols and best practices. All of this information is subject to revision based on the latest public health data.

Businesses

Category	When you can reopen	Additional comments
All businesses deemed essential by previous orders	Currently allowed	These businesses will be required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols / best practices by May 25, 2020.
Banks	Currently allowed	These businesses will be required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols / best practices by May 25, 2020.
Financial services	Currently allowed	These businesses will be required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols / best practices by May 25, 2020.
In house services (such as nannies, babysitting)	Currently allowed	These businesses will be required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols / best practices by May 25, 2020.
Real estate open houses	Currently allowed with restrictions	These businesses will be required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols / best practices by May 25, 2020.
Construction	Phase 1 – May 18	All construction businesses, please refer to detailed guidance for reopening
Firearm retailers and shooting ranges	Phase 1 – May 18	

Category	When you can reopen	Additional comments
Home remodeling	Phase 1 – May 18	All construction businesses, please refer to detailed guidance for reopening (includes guidance for remodeling in 1-3 family residences)
In home installations	Phase 1 – May 18, construction related Phase 2 – non construction related	Construction related – e.g., painting, repairs, etc. Non construction related – e.g., carpet installation, home theaters, security systems
Manufacturing	Phase 1 – May 18	All manufacturing businesses, please refer to detailed guidance for reopening
Places of worship	Phase 1 – May 18	Please refer to detailed guidance for reopening
Auto dealers and wholesalers	Phase 1 – May 25 for curbside pickup and delivery only Phase 2 – browsing inside the showroom with restrictions	Follow guidelines for non-essential retail and car dealerships found in the Essential Services FAQ
Car washes	Phase 1 – May 25	Please refer to detailed guidance for reopening
Drive-in movie theaters	Phase 1 – May 25	These businesses must follow Mandatory Workplace Safety Standards.
Hair salons / barbershops	Phase 1 – May 25	Please refer to detailed guidance for reopening
General office spaces	Phase 1 - May 25 except City of Boston Phase 1 – June 1 City of Boston	Please refer to detailed guidance for reopening
Lab space	Phase 1 – May 25	Please refer to detailed guidance for reopening
Libraries	Phase 1 – May 25 for curbside pickup and delivery only Phase 2 – browsing inside the Library with restrictions	
Pet grooming	Phase 1 – May 25	Please refer to detailed guidance for reopening
Retail (such as clothing stores, toy stores, jewelry stores, nurseries and garden centers that don't sell food products, adult use cannabis stores)	Phase 1 – May 25 for curbside pickup and delivery only Phase 2 – browsing inside the store with restrictions	
Casinos	Hotel & Restaurants – Phase 2 Gaming area – Phase 3 Theaters / arenas – Phase 3/4	Casinos and hotels attached to them should follow the guidelines for each section of the property (e.g. hotel, restaurants, etc.).

Category	When you can reopen	Additional comments
Driving schools	Currently allowed to offer classroom instruction online Phase 2 – behind-the-wheel training or observation of another student driver	RMV developing comprehensive guidance for permit testing, road tests and driving schools
Hotels and accommodations (including short-term / private vacation rentals by owner)	Currently open to provide services to essential workers and vulnerable populations. Phase 2 – reopen to serve other guests with restrictions	We are actively considering whether additional guidance will be provided to hotels/lodging before Phase 2
Other personal services (such as nail salons, day spas, massage therapy, tattoo parlors, electrolysis studios)	Phase 2	
Restaurants	Phase 1 – can continue to offer takeout and delivery options Phase 2 – can begin opening dining areas	We are actively considering whether additional guidance will be provided to restaurants before Phase 2
Amusement parks	TBD – either Phase 3 or 4	
Bars	Phase 3	Bars are defined as establishments that only serve alcohol and do not have kitchen areas that prepare food on-site.
Gyms, fitness studios	Phase 3	Evaluating earlier opening of personal training and outdoor classes
Movie theatres	Phase 3	
Museums	Phase 3	
Performance venues (such as concert halls, theatres)	Phase 3	Large performance venues are an exception and will open in Phase 4 following guidance for other large venues. Some outdoor performance venues may begin opening in Phase 2.
Large venues (such as arenas, stadiums, night clubs, race tracks, other sports venues)	Phase 4	In process of determining what qualifies as a large venue. Sports without spectators TBD
Flight schools	TBD – not Phase 1	Comprehensive plan is being developed

Recreation & outdoors

Category	When you can reopen	Additional comments
Beaches	Currently allowed for transitory activity only, will open for more activities in Phase 1 – May 25	Please refer to detailed guidance for reopening
Golf	Currently allowed with restrictions	Continue to follow guidance outlined in the Essential Services FAQ
Parks	Currently open, but services/facilities will reopen in Phase 1 – May 25	Please refer to detailed guidance for reopening
Fishing, hunting and boating	Phase 1 – May 25	Please refer to detailed guidance for reopening
Outdoor adventure activities (including ski area summer activities, zip-lines, and mountain biking)	Phase 1 – May 25	Please refer to detailed guidance for reopening
Outdoor gardens, zoos, reserves and public installations	Phase 1 – May 25	Please refer to detailed guidance for reopening
Other outdoor recreation (such as miniature golf, go karts, batting cages)	Phase 2	
Outdoor performances	Some activities in Phase 2	
Summer camps	Phase 2 – recreational day camps Phase 3 – residential camps	
Youth sports	Some activities in Phase 2	
Other indoor recreation (such as indoor batting cages, indoor go karts)	Phase 3	
Sightseeing (such as bus tours, duck tours, harbor cruises, whale watching)	Phase 3	
Tours	Phase 3	
Historical sites	TBD – not Phase 1	Comprehensive tourism plan is being developed
Cruise ships	N/A	Operating under federal guidance, No Sail order currently in effect



The Commonwealth of Massachusetts

Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
250 Washington Street, Boston, MA 02108-4619
Phone: 617-624-5286 Fax: 617-624-5183
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MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

May 16, 2020

Terri Guarino
Bourne Board of Health
24 Perry Avenue - Buzzards Bay
Bourne, MA 02532

RE: Contract Laboratory Support for 2020 Bathing Beach Season, Beaches Required to Post After One Exceedance, and Release of Annual Report

Dear Ms. Guarino,

Each year, the Department of Public Health's Bureau of Environmental Health provides information pertaining to local beach testing in advance of the summer beach season. This year, the state of emergency in Massachusetts and orders issued by the Governor may affect the start of the beach season and its operations. When beaches are allowed to open, there may be further restrictions and conditions on how the beaches may operate to prevent the spread of COVID-19. The following provides information about the standard beach water quality testing requirements when beaches are allowed to open.

Contract Laboratory Support

According to our records, Bourne has 4 weekly and 3 monthly marine beach testing sites. Please review these numbers and let us know by June 1, 2020 if this information needs updating.

It is the responsibility of the municipality to conduct sampling in accordance with the required protocol and to preserve each sample until it is turned over to the laboratory. DPH has contracted with Barnstable County Water Quality Testing Laboratory to analyze the samples for your community again this year. Routine samples collected between June 15 and September 4, 2020 will be eligible for this analysis, and the laboratory will bill DPH directly. If additional samples are required because of bacterial exceedances, the additional cost will need to be paid by your municipality. We encourage you to contact Bethany Traverse at Barnstable County Water Quality Testing Laboratory at (508) 375-6844 in order to coordinate the delivery of the sterile sample bottles and pick-up of the samples.

The laboratory is required in its contract with DPH to electronically report sample results to DPH via the bathing beaches website as well as directly to the local health departments. The laboratory will also enter information from the field data form, such as field observations, days since last rain, and water temperature, via the website. Therefore, the field data form needs to be filled out in its entirety before delivery to the laboratory. These forms and other information

are also available through the DPH website at www.mass.gov/dph/beaches.

Beaches Required to Post After One Exceedance

At the vast majority of beaches statewide, if a sample exceeds water quality standards, then posting is not required provided that a resample taken the day following the initial sample collection is in compliance with water quality standards. However, beaches with less than four years of complete data and those with a history of elevated bacteria levels will be required to post after each instance of elevated bacteria. A "history" is defined as one or more consecutive exceedances in two or more of the last four beach seasons. If a beach in your community is required to post after every exceedance during the 2020 beach season, it will appear on the attached list.

Release of Annual Report

As you know, the data you submit each swim season form the basis of the DPH beach water quality report, which we are required by statute to produce each year. This report, funded in part by the U.S. Environmental Protection Agency, summarizes beach water quality data collected at marine and freshwater bathing beaches throughout the Commonwealth. The latest annual report, *2019 Massachusetts Beach Testing Results*, will be available to the general public on May 22, 2020 on the DPH website, <https://www.mass.gov/lists/annual-beach-reports>. We encourage you to download a copy.

Thank you for your continued assistance and cooperation in performing the regulatory tasks associated with monitoring beach water quality and protecting public health in Massachusetts. If you would like to discuss these items, or if you have any other questions, please feel free to contact the bathing beaches staff. Michael Beattie can be reached at (617) 624-5757 and Irena Draksic at (617) 634-2432.

Sincerely,

Marc A. Nascarella, Ph.D.
Director, Environmental Toxicology Program
Bureau of Environmental Health

cc: Bethany Traverse, Barnstable County Water Quality Testing Laboratory
Jana Ferguson, Director, Bureau of Environmental Health
Logan Bailey, Recreational Water Quality Section Leader, BEH/ETP

Dear Ms. Guarino,

I hope all is well and that you and your staff are staying safe and healthy. As part of spring preparations for the upcoming beach season, please find attached variance extension applications for beaches in Bourne that are due for renewal. This summer, Electric Ave., Monument Beach, and Sagamore Beach are due to have their monthly sampling variances renewed.

This year, the state of emergency in Massachusetts and orders issued by the Governor may affect the start of the beach season and its operations. When beaches are allowed to open, there may be further restrictions and conditions on how the beaches may operate to prevent the spread of COVID-19.

Sampling information for the past four years has been filled in, and in similar fashion to previous variance renewals, the remainder of the form will need to be completed (note any changes that may have occurred) and signed for approval for the next four beach seasons. If you have any questions, let me know. Thank you in advance.

Application for Extension of Sampling Variance for a Massachusetts Tier 3 Beach

City/Town: Bourne Beach name: Electric Avenue

Original variance granted on: 2/09/12

Expiration of most recent variance or variance extension: 4/27/2020

Water Quality Over the Past Four Years:

Year	Number of Samples Collected	Average Sample Result	Highest Sample Result
2019	4	5	12
2018	4	2	4
2017	4	2.25	6
2016	4	5	16

Over the past four years, have there been any changes to the beach or surrounding area that could impact the water quality, either positively or negatively? (Examples: construction of a wastewater treatment plant in the area or a recent bylaw that prohibits dogs on the beach [positive], or construction of a marina lacking pump out facilities or a suspected failing septic system in the area [negative].)

The undersigned hereby believes that reduced testing at this beach does not constitute a greater risk to public health than swimming at beaches sampled on a weekly basis under Massachusetts regulations 105 CMR 445.000.

Extension granted by: _____
Name Dept.

Recommended sampling frequency: _____

Variance extension granted by the Board of Health on _____ and ends on _____, pending a recertification of the survey.

MDPH approval: _____
Name Date

Application for Extension of Sampling Variance for a Massachusetts Tier 3 Beach

City/Town: Bourne Beach name: Monument

Original variance granted on: 2/09/12

Expiration of most recent variance or variance extension: 4/27/2020

Water Quality Over the Past Four Years:

Year	Number of Samples Collected	Average Sample Result	Highest Sample Result
2019	4	8.5	16
2018	4	5	6
2017	4	5.75	14
2016	4	7	22

Over the past four years, have there been any changes to the beach or surrounding area that could impact the water quality, either positively or negatively? (Examples: construction of a wastewater treatment plant in the area or a recent bylaw that prohibits dogs on the beach [positive], or construction of a marina lacking pump out facilities or a suspected failing septic system in the area [negative].)

The undersigned hereby believes that reduced testing at this beach does not constitute a greater risk to public health than swimming at beaches sampled on a weekly basis under Massachusetts regulations 105 CMR 445.000.

Extension granted by: _____
Name Dept.

Recommended sampling frequency: _____

Variance extension granted by the Board of Health on _____ and ends on _____, pending a recertification of the survey.

MDPH approval: _____
Name Date

Reviewed 2017

Application for Extension of Sampling Variance for a Massachusetts Tier 3 Beach

City/Town: Bourne Beach name: Sagamore

Original variance granted on: 2/09/12

Expiration of most recent variance or variance extension: 4/27/2020

Water Quality Over the Past Four Years:

Year	Number of Samples Collected	Average Sample Result	Highest Sample Result
2019	4	4	12
2018	4	3.25	10
2017	4	2	4
2016	4	1	< 2

Over the past four years, have there been any changes to the beach or surrounding area that could impact the water quality, either positively or negatively? (Examples: construction of a wastewater treatment plant in the area or a recent bylaw that prohibits dogs on the beach [positive], or construction of a marina lacking pump out facilities or a suspected failing septic system in the area [negative].)

The undersigned hereby believes that reduced testing at this beach does not constitute a greater risk to public health than swimming at beaches sampled on a weekly basis under Massachusetts regulations 105 CMR 445.000.

Extension granted by: _____
Name Dept.

Recommended sampling frequency: _____

Variance extension granted by the Board of Health on _____ and ends on _____, pending a recertification of the survey.

MDPH approval: _____
Name Date

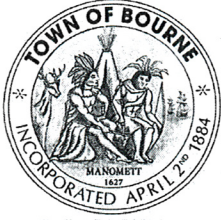
Reviewed 2017

Beaches required to post after one exceedance in 2020

Due to either a history of multi-day elevated bacteria levels or a lack of complete data for the last four beach seasons, the beaches listed below are required to post an advisory following a sample with an elevated bacteria level. Please note that beaches opening for the first time in 2020 may not appear on this list, but are subject to the same requirement.

City/Town	Beach	Marine/Fresh
Barnstable	Regency Drive Owners' Association	Fresh
	West Beach Club	Marine
Becket	Camp Lenox	Fresh
Boston	Constitution: Middle (DCR)	Marine
	Constitution: North site (DCR)	Marine
	Constitution: Rec Center (DCR)	Marine
	Malibu (DCR)	Marine
	Tenean (DCR)	Marine
Bourne	Queen Sewell Pond	Fresh
	Scraggy Beach: South Causeway	Marine
Freetown	Assonet Bay Shores	Fresh
	Gramp Deane (Assonet River)	Fresh
Hinsdale	Dan Duquette Sports Academy	Fresh
Lynn	Kings Beach at Eastern Ave (DCR)	Marine
	Kings Beach at Kimball Road (DCR)	Marine
	Kings Beach at Pierce Road (DCR)	Marine
Milton	Cunningham Pond	Fresh
	Houghton's Pond (DCR)	Fresh
North Andover	Stevens Pond	Fresh
Otis	Camp Overflow Beach	Fresh
Plymouth	Plymouth Estates	Fresh
	West Wind SA: Big Sandy (1)	Fresh
	West Wind SA: Big Sandy (2)	Fresh
	West Wind SA: Wall Pond	Fresh
	Wind-in-the-Pines Camp	Fresh

Provincetown	Atlantic Avenue	Marine
	Ryder Street	Marine
	Town Landing (west of Coast Guard)	Marine
Quincy	Wollaston @ Channing Street (DCR)	Marine
	Wollaston @ Milton Street (DCR)	Marine
	Wollaston @ Rice Road (DCR)	Marine
	Wollaston @ Sachem Street (DCR)	Marine
Rutland	Cool Sandy Beach	Fresh
Saugus	Peckham Pond @Camp Nihan	Fresh
Scituate/Cohasset	Bassings Beach	Marine
Sturbridge	Yogi Bear Campground	Fresh
Taunton	Campers Beach / Middle Pond (DCR)	Fresh
Templeton	Pinewood Shores	Fresh
Truro	Sutton Place East	Marine
Tyringham	Cooper Creek HOA	Fresh
West Tisbury	Ice House Pond	Fresh
Westport	Knubble Beach	Marine
Winchester	Shannon Beach (DCR)	Fresh
Winthrop	Donovans	Marine



Bourne Board of Health
508-759-0600 ext. 1513



Procedures for Granting Local Upgrade Approvals and Septic Variances

In general, full compliance with the provisions of Title 5 of the State Environmental Code and the Bourne Board of Health Regulations is presumed to be necessary for the protection of public health, safety, welfare and the environment. Where full compliance is not feasible, the Bourne Board of Health may consider the impact of the proposed system and may vary to the least degree necessary the requirements of these codes.

The subsequent procedures have been outlined to facilitate the design, review, and approval of on-site sewage disposal systems. This is to allow for both the best feasible system within the borders of the lot, while also emphasizing protection of water resources and treatment of sewage. While the use of alternative systems to bring systems into compliance is encouraged, it is not expected that the maximum feasible compliance approach for upgrades require their use in all situations.

- A. Approvals which may be granted administratively by the Health Agent for septic system repairs or upgrades under the provisions of maximum feasible compliance, provided that there is no increase in flow or change of use to the facility:
1. Continued use of an existing septic tank, provided that the effective liquid capacity is at least 1,000 gallons or allows for no less than 24 hours of retention time.
 2. Reductions of system location setbacks from cellar wall, crawl space, swimming pool, or slab foundations as established in 310 CMR 15.211; provided that in no case, no more than a 50% reduction in the required setback is being requested.
 3. An increase in the maximum allowable depth of system components required by 310 CMR 15.221(7), from 36 inches to 72 inches below finish grade, as long as adequate venting, access, and H-20 loading is provided for all system components.
 4. Reduction of system location setbacks from water supply lines, provided that the water line is sleeved, and no other feasible alternative exists.
 5. Conducting only one deep hole in the proposed disposal area and/ or a sieve analysis if a percolation test cannot be conducted.
 6. Reduction of the requirement of a 12 inch separation between the inlet and outlet tees and high groundwater, provided that all boots or pipe joints are sealed with hydraulic cement or installed with watertight sleeves and buoyancy calculations are provided for the component.
 7. Approval of a system constructed in fill or mounded system that meets the criteria within 310 CMR 15.255 and MassDEP guidance for slope stabilization and the use of impervious barriers only when no other local upgrade approvals or variances are being requested.

- B. All of the following situations require the applicant to seek approval from the Board of Health at a public meeting:
1. Any system where the proposed leaching facility does not meet the required 150 foot setback from the edge of a wetland resource or watercourse. Repairs or upgrades that do not meet the 150 foot setback regulation but are greater than or equal to 125 feet from the edge of wetland resource area or watercourse as outlined in the regulations may be approved administratively if no other relief is being requested.
 2. Reduction of system location setbacks for property lines provided that the system is within the property lines, the plans indicate that there are no abutting soil absorption systems within 10 feet, and a survey of the property is conducted by a professional land surveyor if the component is to be placed within five feet of the property line.
 3. A system constructed in fill (mounded system) that is proposed for new construction, change of use, to accommodate an increase in design flow, or to replace an existing failed system when other relief is being requested from Title 5 and the criteria in 15.255.
 4. Approval of a tight tank when no other feasible alternative exists.
 5. Reductions in the required four foot vertical separation (in soils with a recorded percolation rate of > 2 minutes per inch) or the required five foot separation (in soils with a recorded percolation rate of ≤2 minutes per inch) between the bottom of the soil absorption system and the high groundwater elevation in accordance with 310 CMR 15.405(1)(h).
 6. Any modifications to a facility which a permit has been previously “red-stamped” affirming that the existing system is not adequate for any additions/ renovations/ replacement or upgrades of sanitary sewage facilities/ conversions.
 7. Proposals for waivers from code requirements or grandfathering as the specific case may provide for systems.
 8. Any proposals for new construction, change in use, or for increases in flow to an existing system other than in full compliance with 310 CMR 15.100 through 15.293 and the Bourne Board of Health Regulations must seek and obtain a variance from the Bourne Board of Health at a public hearing in accordance with 310 CMR 15.410 through 15.417.

Endorsed by the Board of Health at the public meeting on April 11, 2018.