MAIN OFFICE: 49 Herring Pond Road Buzzards Bay, MA 02532 TEL: (508) 833-0070 FAX: (508) 833-2282



NANTUCKET OFFICE: 19 Old South Road Nantucket, MA 02554 TEL: (508) 325-0044 www.brackeneng.com

April 20, 2022

Bourne Board of Health Terri Guarino, RS, CHO 24 Perry Avenue Bourne, MA 02532

# RE: Septic Upgrade 4 Kennebec Avenue (Map 47.1, Parcel 45)

Dear Members of the Board:

On behalf of the homeowner, The Brennan Family Trust c/o Christina Winterfeldt, Bracken Engineering, Inc. (BEI), is requesting the following variances to the Town of Bourne Board of Health Regulations and system approval pursuant to 310 CMR 15.403 through 15.405 State Environmental Code (Contents for Local Upgrade Approval). Due to the size and topography of the lot as well as the location of the abutting resource areas, the following relief/variances under local upgrade approval are requested in order to upgrade the existing system:

Septic	Setback Object	Required Setback	Proposed Setback	Relief
Component		Distance (ft)	Distance (ft)	Requested (ft)
S.A.S.	#531 Circuit Ave	10	6±	$4\pm$
S.A.S.	Circuit Ave Layout	10	5±	$5\pm$
S.A.S.	Kennebec Ave Layout	10	5±	5±
Septic Tank (MicroFAST)	#531 Circuit Ave	10	б±	4±
Septic Tank (MicroFAST)	#8 Kennebec Ave	10	6±	4±
Pump Chamber	#8 Kennebec Ave	10	6±	$4\pm$
Septic Tank (MicroFAST)	Crawlspace Wall	10	б±	4±
Pump Chamber	Crawlspace Wall	10	6±	4±
S.A.S.	Coastal Bank	50	$0\pm$	50±

In addition, a variance to local setback requirements is requested for a  $150' \pm$  reduction in setback for a  $0' \pm$  setback to a non-eroding coastal bank from a soil absorption system.



BEI is requesting that the Bourne Board of Health diverge from the goal of full compliance by allowing the relief/variances listed above. The design allows for the best feasible upgrade within the borders of the lot, and has the least effect on public health, safety, and the environment.

Enclosed are six (6) copies of the Variance Application, Existing and Proposed Nitrogen Loading Calculations, Subsurface Sewage Disposal Plan dated 2/15/22, **revised** 4/8/2022 and \$125.00 for the Public Hearing Fee.

Thank you for your time and consideration on this matter. We look forward to reviewing this project with the Board of Health at the next scheduled Public Hearing. Should you have any questions regarding this project or require any further information please contact the undersigned at either 508-833-0070 or <u>zac@brackeneng.com</u> or <u>robert@brackeneng.com</u>.

Sincerely,

# **BRACKEN ENGINEERING, INC.**

Shugt Sh

Zachary L. Basinski, P.E., C.F.M. Project Manager

Robert E. Dewar, E.I.T Project Engineer



Bourne Board of Health Application for Septic Variance Requests



In accordance with the established procedures of the Bourne Board of Health, this application for septic variances and waivers is relevant to requests for relief which have not been approved administratively and require approval at a public meeting. Please use the following application form for guidance on how to apply for variances and waivers which serve new construction, changes in use, or increases in flow to on-site sewage disposal systems with design flows of less than 10,000 gallons/ day.

#### 1. Facility Name and Address:

Owner's Name	Brennan Family Trust c/o Christina Winterfeldt
Facility's Street Address	4 Kennebec Avenue (Map 47.1, Parcel 45), Pocasset
Owner's Telephone Nun	nber Applicant - 508-479-7128
Owner's E-mail Address	Applicant - chriswin12@aol.com
Owner's Mailing Address	5 161 Worcester Road - Suite 501, Framingham, MA 01770

#### 2. Applicant or Preparer's Name and Address (if different from above):

Zachary L. Basinski, PE, CFM	
Bracken Engineering, Inc.	
508-833-0070	
zac@brackeneng.com	
49 Herring Pond Road, Buzzards Bay	
MA / 02532	
	Zachary L. Basinski, PE, CFM Bracken Engineering, Inc. 508-833-0070 zac@brackeneng.com 49 Herring Pond Road, Buzzards Bay MA / 02532

#### 3. Type of Facility (check all that apply):

	Residential		Commercial		Institutional		School		Industrial
--	-------------	--	------------	--	---------------	--	--------	--	------------

#### 4. Describe Facility (i.e. single-family dwelling, 45 seat restaurant): \_\_\_\_\_\_\_\_ Single family dwelling

5. Type of System Proposed (check all that apply): □ Conventional Title 5 ☑ I/A System □ Pumped System □ Gravity System □ Pressure Dosed □ Other

Remedial Use

7. Design Flow per 310 CMR 15.203 (in gallons/ day):

Design flow of proposed system: 110 GPD x 3 Bedrooms = 330 GPD

Total design flow of facility: 330 GPD

8. Enclose a letter of request for variances which makes reference to the specific provisions of Title 5 and the Board Bourne of Health Regulations for which a variance is sought. Please use this opportunity to demonstrate compliance with 310 CMR 15.410, and to justify the relevant facts and circumstances of the individual case. Note that with regard to variances for new construction, enforcement of the provision from which a variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust. Be sure to explain why full compliance with the applicable regulations is not feasible, and how a level of environmental protection that is at least equivalent to that provided under Title 5 and the Board of Health Regulations can be achieved without strict application of the regulations.

9. In order for this Application to be deemed complete, it must be accompanied by all of the following:

- Application Fees paid to the Town of Bourne.
- Letter of request (see samples)
- Six sets of complete plans and specifications. One with original stamp of design engineer.
- INitrogen Loading Calculation Sheet(s)
- If abutter notification is required, one of each of the following must be submitted:
  - > A copy of the certified list of abutters from the Assessor's Department
    - > Sample letter for abutter notification postmarked 10 days prior to meeting date
    - > Proof of certified mailing (receipts) meeting requirements of 310 CMR 15.405(2)
- Proposals for installation of Innovative/ Alternative systems must be accompanied by:
  - > A copy of the Certification for Use including technology specific conditions
  - > Draft disclosure notice for the I/A technology to be recorded in the deed
- I Hydrogeologic data for all leaching facilities proposed within 100ft of a wetland/ watercourse
- □ Percentage of Increase Worksheet is required for waivers or increases in flow

# 10. Certification:

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there may be significant consequences for submitting false information, including, but not limited to, penalties or fine and/or imprisonment for deliberate violations."

Facility Owner's Signature 3. J. Brack & Ever were Juc Date 4/18/2022
Print Name Christina Winterfeldt
Signature of Prenarer 3 5 Brecker Eucroweeeou Cur Date 4/18/7022
Print NameZachary L. Basinski, PE, CFM of Bracken Engineering, Inc.

		For Office Use Only		
Completed Application F	Received:	Reviewe	d By:	· · · · · · · · · · · · · · · · · · ·
Hearing Date:		Permit #	:	
Circle all that apply:	Approved	Continued	Disapproved	Other
Notes:				

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# COMMONWEALTH OF MASSACHUSETTS

Board of Health, Bourne

# APPLICATION FOP, DISPOSAL SYSTEM CONSTRUCTION PERMIT

MA.

Application for a Permit to Construct() Repair() Upgrade() Abandon() 🛛 Complete System 🗆 Individual Components

Location 4 Kennebec Avenue	Owner's Name Brennan Family Trust, Faith V. Easter, TRS
Map/Parcel# Map 47.1, Parcel 45	Address 161 Worcester Road, Suite 501, Framingham, MA 01701
Lot#	Telephone# Applicant - Christina Winterfeldt 508-479-7128
Installer's Name	Designer's Name Zachary L. Basinski, P.E, Bracken Engineering, Inc.
Address	Address 49 Herring Pond Road, Buzzards Bay, MA 02532
Telephone#	Telephone# 508-833-0070 (Agent)
Type of Building Single-family dwelling Dwelling - No. of Bedrooms 3	Lot Size 3,235+/- sq. ft. Garbage grinder ( )
Other - Type of Building Other Fixtures	No. of persons Showers ( ), Cafeteria ( )
Design Flow (min. required) 110 gpd Calculated d	lesign flow 330 GPD Design flow provided 374 gpd
Plan: Date February 15, 2022 Number of sheets 2	Revision Date April 8, 2022
<sup>1 tile</sup> Subsurface Sewage Disposal Plan in Bourne, MA	
Soil Evaluator Form No. 75 C 11 6 12 Name of Soil Eval	uaton abort E. Davier SE. Date of Evaluation and the evaluation
15 forms 11 & 12	Kobert E. Dewar, SE Date of Evaluation June 11, 2021
DESCRIPTION OF REPAIRS OR ALTERATIONS Installation of a	1 500 gallon MicroFast 0.5 unit 1 000 gallon nump chamber and
GeoFlow Irrigation disposal field.	1,500 ganon where as 0.5 unit, 1,000 ganon pump chamber and
Signed Dat	e
No COMONWEALTH C Board of Health	OF MASSACHUSETTS
	UT COMPLIANCE
<b>Description of Work:</b> Individual Component(s) Complete s The undersigned hereby certify that the Sewage Disposal System; by:	System ; Constructed ( ), Repaired ( ), Upgraded ( ), Abandoned ( )
at	5.00 (Title 5) and the approved design plans/as-built plans relating to a Design Flow(gpd)
Designer: Inspector:	Date:
The issuance of this permit shall not be construed as a guarantee the	at the system will function as designed.
No	FEE
COMMON $W$ ALTH O	OF MASSAC14USETTS
Board of Healtli,	. A M
DISDOSAL SVSTEM C	ONSTRUCTION DEDMIT
DISPOSAL SYSTEM C	UNSTRUCTION PERMIT
Permission is hereby granted to; Construct() Repair() U	Jpgrade() Abandon() an individual sewage disposal system
Disposal System Construction Permit No, date	ed
<b>Provided:</b> Construction shall be completed within three year	rs of the date of this permit. All local conditions must be met.
	ad of Hoolth
Form 1255 Rev. 5/96 A.M. Sulkin Co. Boston, MA Date Boan	

# **Town of Bourne**

**Conservation Commission** 

#### Nitrogen Loading Calculation Sheet for Residential Housing

The following calculation sheet is based upon Technical Bulletin 91-001 issued by the Cape Cod Commision and deals with nitrate nitrogen (NO3-N) <u>Use the information from your PLAN OF RECORD to provide the following:</u>



LAWN NITROGEN	LOADING = 0	.933 mg / sq.	ft. lawn surfac	ce	
5) sq. ft. of lawn	= 2087	X 0.933		=	1947.17 mg
NATURAL AREA V		NG			
Natural area = lot s	size - impervious	s surfaces		=	2087 sq. ft.
6) Natural area	= 2087	X water (0.1358 L / s	recharge fact sq. ft. for Bou	or = rne)	283.41 L
	SUMMA		<b>FROGEN L</b>	OADING	
Estimated Title 5	Nitrogen & Wa	ter Loading			
7a) ADD the above	e NO3N load				
1a (+)	3a	(+)	4a (	+) 5	
43716	222.65		0.00	1947.17	45885.83 mg NO3-N / day
7b)					
1b (+)	3b (	+) 4b	(+)	6	
1248	296.87		0.00	283.41	1828.29 L H2O / day
7c) DIVIDE 7a by <sup>-</sup>	7b =	<u>25.1</u> pp	om NO3-N****	*	
Actual Nitrogen & \	Nater Loading				
8a) ADD the above	e NO3N load:				
2a (+)	3a (	+) 4a	(+)	5	
18214.5	222.65		0.00	1947.17	<u>20384.33</u> mg NO3-N / day
8b) ADD the above	e water (H2O) lo	ad:			
2b (+)	3b (	+) 4b	(+)	6	
520.5	296.87		0.00	283.415	<u>1100.79</u> L H2O / day
8c) DIVIDE 8a by	8b =	<u>18.5</u> pp	om NO3-N****	k	
FINAL CALCULAT	TION ADD 7c &	8c (ppm)	=	<u>43.6</u> divide by 2	2 = <u>21.8</u> ppm NO <sub>3-</sub> N

This is the actual nitrate nitrogen load for the project as designed. The target for coastal areas is 5 ppm nitrate nitrogen. Certain critical embayments may require a LOWER figure to prevent degradation.

\*\*\*\*\*If your nitrate nitrogen load exceeds the target limit USE A SECOND CALCULATION SHEET TO SHOW ALTERNATIVES IN TRYING TO AHIEVE THE 5 PPM NITRATE NITROGEN LEVEL\*\*\*

# **Town of Bourne**

**Conservation Commission** 

#### Nitrogen Loading Calculation Sheet for Residential Housing

The following calculation sheet is based upon Technical Bulletin 91-001 issued by the Cape Cod Commision and deals with nitrate nitrogen (NO3-N) <u>Use the information from your PLAN OF RECORD to provide the following:</u>



LAWN NITROGE	N L <u>OAD</u>	<u>ING = 0</u> .	.933 m	ng / sq. ft. lawn surface		
5) sq. ft. of lawn	=	<u>1977</u>	X 0.9	33	=	1844.54 mg
NATURAL AREA	WATER		NG			
Natural area = lot	size - irr	pervious	s surfa	aces	=	2252 sq. ft.
6) Natural area	=	2252	X (0.1)	water recharge factor	=	305.82 L
			(0.1.	$550 \pm 7$ sq. it. 101 Douttie)		

### SUMMARY OF NITROGEN LOADING

<u>Estin</u>	nated Title	5 Nitrogen	& Water I	_oading					
7a) A	DD the abo	ove NO3N lo	ad						
1	a (+	·) 3a	a (	+)	4a	(+)	5		
2	1858	19	0.65		0.00		1844.54	23893.19	mg NO3-N / day
7b)									
1b	(+)	3b	(+)	4b	(+	·)	6		
	1248	25	4.20		0.00		305.82	1808.03	L H2O / day
7c) D	0IVIDE 7a b	y 7b	=	<u>13.2</u> ppr	n NO3-N*	****			
<u>Actua</u>	al Nitrogen a	& Water Loa	ading						
8a) A	DD the abo	ove NO3N lo	ad:						
2a	(+)	3a	(+)	4a	(+	·)	5		
910	7.25	19	0.65		0.00		1844.54	<u>11142.44</u>	mg NO3-N / day
8b) A	DD the abo	ove water (H	2O) load:						
2b	(+)	3b	(+)	4b	(+	·)	6		
5	20.5	25	4.20		0.00		305.822	<u>1080.53</u>	L H2O / day
8c) D	)IVIDE 8a b	y 8b	=	<u>10.3</u> ppr	n NO3-N*	****			
FINA	L CALCUL		) 7c & 8c	(ppm)	=	<u>23</u>	<u>.5</u> divide by 2	=	<u>11.8</u> ppm NO <sub>3</sub> -N

This is the actual nitrate nitrogen load for the project as designed. The target for coastal areas is 5 ppm nitrate nitrogen. Certain critical embayments may require a LOWER figure to prevent degradation.

\*\*\*\*\*If your nitrate nitrogen load exceeds the target limit USE A SECOND CALCULATION SHEET TO SHOW ALTERNATIVES IN TRYING TO AHIEVE THE 5 PPM NITRATE NITROGEN LEVEL\*\*\*

# NOTICE OF ALTERNATIVE SEWAGE DISPOSAL SYSTEM M.G.L. c. 21A, § 13 and 310 CMR 15.0287(10)

# ADDRESS OF PROPERTY SERVED BY ALTERNATIVE SYSTEM:

#### 4 Kennebec Avenue, Bourne, MA

#### TITLE REFERENCE FOR PROPERTY SERVED BY ALTERNATIVE SYSTEM

Deed recorded with the **Barnstable** Registry of Deeds in **Book 33346, Page 318** 

#### NAME(S) OF OWNER OF PROPERTY SERVED BY ALTERNATIVE SYSTEM:

#### Brennan Family Trust, Faith V. Easter, Trustee

#### OWNER(S) MAILING ADDRESS: 161 Worcester Road – Suite 501, Framingham, MA 01701

WHEREAS, Section 15.280 of Title 5 of the State Environmental Code ("Approval of Alternative Systems"), provides for the Massachusetts Department of Environmental Protection (the "Department") to approve or certify, as appropriate, all proposals to construct, upgrade or replace on-site sewage disposal systems using alternative systems;

WHEREAS, owners and/or operators of approved or certified alternative systems are subject to general conditions, as specified in Section 15.287 of Title 5 of the State Environmental Code, 310 CMR 15.287, and may be subject to special conditions, as specified in the Department's approvals or certifications; such general and special conditions potentially including, without limitation, requirements relating to the use of trained operators, periodic inspections, maintenance, sampling, reporting and/or recordkeeping;

WHEREAS, the owners and/or operators this alternative system acknowledges and agrees to comply with the provisions of all of the Bourne Board of Health Alternative Septic System Regulations and any other conditions for the existence of the system;

WHEREAS, Section 15.287(10) of Title 5 of the State Environmental Code, 310 CMR 15.287(10), requires that "prior to obtaining a Certificate of Compliance for installation of a new or upgraded system, the system owner shall record in the chain of title for the property served by the alternative system in the Registry of Deeds and/or Land Registration Office, as applicable, a Notice disclosing both the existence of the alternative on-site system and the Department's approval of the system. The system owner shall also provide evidence of such recording to the Bourne Board of Health; and

WHEREAS, the Property is served by an alternative sewage disposal system.

NOW, THEREFORE, Notice of an alternative sewage disposal system is hereby given for the above- referenced Property, as follows:

**1. Existence System #1.** An alternative system has been installed as a new or upgraded alternative sewage disposal system, on or adjacent to the Property, and serves the Property. The trade name and model number(s) of the alternative system are as follows:

Trade name of technology:	MicroFAST <sup>®</sup>
Manufacturer Name:	Bio-Microbics, Inc.
Model number(s):	MicroFAST 0.5 Unit

**2. Approval/Certification**. On <u>6/16/2006</u>, modified <u>1/23/2008</u>, revised <u>11/5/2012</u>, the Department, pursuant to its authority under the section of Title 5 as specified below, approved or certified the technology used in the above referenced alternative system, under MassDEP Transmittal Number <u>W072367</u>.

• Approved for remedial use under 310 CMR 15.284

**3. Existence System #2.** An alternative system has been installed as a new or upgraded alternative sewage disposal system, on or adjacent to the Property, and serves the Property. The trade name and model number(s) of the alternative system are as follows:

Trade name of technology:	Geoflow Subsurface Drip Wastewater Disposal System
Manufacturer Name:	Geoflow, Inc.

**4. Approval/Certification**. On  $\frac{11/08/2015}{11/08/2015}$  the Department, pursuant to its authority under the section of Title 5 as specified below, approved or certified the technology used in the above referenced alternative system, under MassDEP Transmittal Number W032585.

• Approved for remedial use under 310 CMR 15.284

A copy of the Department of Environmental Protection's Approval/Certification is available online at the Department's website:

https://www.mass.gov/guides/approved-title-5-innovativealternative-technologies

\*\*This Notice of Alternative Sewage Disposal System must be submitted to the Bourne Board of Health\*\*

WITNESS the execution hereof under seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, made by the above-named Alternative System Owner(s).

[Alternative System Owner(s) Signature(s)]	
--	--

Print Name(s): \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, \$\$

On this \_\_\_\_\_day of \_\_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

(official signature and seal of notary)

Approved and Accepted By:

Terri A. Guarino, R.S., C.H.O. Health Agent Town of Bourne



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker Governor

Karyn E. Polito Lieutenant Governor Matthew A. Beaton Secretary

> Martin Suuberg Commissioner

### **APPROVAL FOR REMEDIAL USE**

Pursuant to Title 5, 310 CMR 15.000

Name and Address of Applicant:

J & R Sales and Service 44 Commercial Street Raynham, MA 02767

Trade name of technology and models:

Geoflow Subsurface Drip Wastewater Disposal System – Geoflow WASTEFLOW Classic WF16-4-24, WF16-4-12, WF – Special Order and Geoflow WASTEFLOW PC WFPC16-4-24, WFPC16-4-12.WFPC16-4-6, WFPC16-2-24, WFPC16-2-12, WFPC16-2-6 and WFPC-Special Order Subsurface Disposal System (hereinafter called the "System"). A schematic drawing of a typical System, Design Manual and inspection checklist are available from the manufacturer.

Transmittal Number:	W032585
Date of Issuance:	June 22, 2011, revised March 20, 2015
	Modified November 8, 2018 (changed ownership)

### **Authority for Issuance**

Pursuant to Title 5 of the State Environmental Code, 310 CMR 15.000, the Department of Environmental Protection hereby issues this Approval for Remedial Use to: J&R Sales and Service, 44 Commercial Street, Raynham, MA 02767 (hereinafter "the Company"), approving the System described herein for remedial use in the Commonwealth of Massachusetts. Sale and use of the System are conditioned on compliance by the Company and the System owner with the terms and conditions set forth below. Any noncompliance with the terms or conditions of this Approval constitutes a violation of 310 CMR 15.000.

/signed/

Marybeth Chubb, Section Chief Bureau of Water Resources Wastewater Management Program November 8, 2018 Date

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TTY# MassRelay Service 1-800-439-2370 MassDEP Website: www.mass.gov/dep

### I. Purpose

- 1. The purpose of this Approval is to allow use of the System in Massachusetts to repair subsurface sewage disposal systems, on a Remedial Use basis.
- 2. With the necessary permits and approvals required by 310 CMR 15.000, this Approval for Remedial Use authorizes the use and installation of the System in Massachusetts.
- 3. The System may only be installed on facilities that meet the criteria of 310 CMR 15.284(2). The System is used to dispose of wastewater from an alternative system approved in accordance with 310 CMR 15.280 through 15.289 with effluent discharge concentrations that meet or exceed secondary treatment standards of 30 mg/L biochemical oxygen demand (BOD5) and 30 mg/L total suspended solids (TSS).
- 4. This Approval for Remedial Use authorizes the use of the System where the local approving authority finds that the System is for upgrade of a failed, failing or nonconforming system and the design flow for the facility is less than 10,000 gallons per day (GPD).

### II. Design and Construction Standards Standards

- 1. The System, a subsurface drip distribution technology, is equivalent to a pressure distribution system designed in accordance with the Department's Pressure Distribution Guidance. In the event of conflict between the terms and conditions of this System's technology approval and Title 5, this approval shall control.
- 2. The System is a pressure distributed subsurface wastewater drip dispersal (disposal) system that replaces a soil absorption system (SAS) designed in accordance with 310 CMR 15.000. The System is designed to distribute effluent from an innovative treatment system and discharge it at a minimum depth of 6 inches below finished grade; it includes a pump, control panel, a filter module/hydraulic unit and drip dispersal zone(s). The dispersal zone includes small diameter flexible polyethylene tubing turbulent flow emitters regularly spaced inside the line. The System can be designed with either Classic turbulent flow emitters or with pressure compensating emitters typically located at one or two foot spacing within the tubing. The tubing is extruded with an inner lining of an anti-microbial agent to prevent bacterial growth. Dispersal field dosing is timed and controlled electronically to provide pre-programmed volumes of effluent for discharge to each dispersal zone. The System includes a return line that allows periodic flushing of the dispersal tubing. All drip zone supply and return pipes that are maintained filled with effluent after a pump cycle shall be buried below the frost line or properly insulated. All drip tubing and shallow manifolds shall be designed to drain into the soil or back to the pump chamber upon completion of the pump cycle. Each zone shall have air release valves at the high points of manifolds and check valves on each return manifold in multi-zone systems. The system shall be equipped with a totalizing flow meter.
- 3. The System may be installed in the A, B or C soil horizon or in fill material meeting the specifications at 310 CMR 15.255(3) at a minimum depth of 6 inches below the finished grade.
- 4. All access ports and manhole covers shall be installed and maintained at grade to allow for maintenance of the System.

- 5. The control panel including alarms and controls shall be mounted in a location always accessible to the System operator.
- 6. The System may be installed in soils with a percolation rate of up to 90 minutes per inch (MPI). The System shall not be installed in Class IV soils as defined in 310 CMR 15.243.
- 7. Effluent loading rates shall be as specified in 310 CMR 15.242(1)(a) and (b)with the exception of Class IV soils.
- 8. The System shall be designed and constructed with drip tubing with a spacing of 24 inches unless obstructions are encountered or in cases where more than the required tubing is provided and equally distributed within the approved appropriately sized subsurface disposal area in which case a minimum separation of 12 inches is allowed. As much as possible the System shall be designed to provide equal distribution across the designated disposal area.
- 9. The System does not require a five foot over dig as indicated at 310 CMR 15.255(5).
- 10. The System includes the following:
  - a. Pumps capable of providing pressure of 10-45 psi throughout the dispersal zone(s). Each drip dispersal zone shall be dosed a minimum of six times per day, or as recommended by the Company. Duplex pumping shall be provided for facilities with design flows of 2000 gpd or greater. The pump chamber, combined with available storage in the pretreatment units, shall provide at least one-day storage as required by 310 CMR 15.231.
  - b. Timed dosing for the drip system with a timer controller capable of operating the system during peak flow events without high-level alarms.
  - c. A self cleaning filter capable of screening particles larger than 100 microns prior to discharge of the effluent to the drip tubing. Filter(s) backwash shall be conveyed back to the pump tank, a separate settling tank or to the septic tank.
  - d. Air vents in a zone shall be placed at a higher elevation than the drip tubing in that zone but below the ground surface. Air vents shall be accessible from finished grade and insulated to prevent freezing.
  - e. Drip tubing lines installed as level as possible on contour and a minimum of 6 inches below finished grade. Drip line spacing is typically 24 inches with drip tubing emitters spaced 24 inches on center. More than the minimum length of tubing may be utilized within a properly sized soil absorption system. When the drip lines spacing is greater than 24 inches by 24 inches, the size of the dispersal field shall be increased to provide equal distribution with adequate tubing separation. All drip line flushwater shall be conveyed back to the pump tank, a separate settling tank or to septic tank.
  - f. The effective effluent dispersal area is calculated using the total area of the drip tubing system including a one-foot addition on each side or two square feet per foot of drip tube when tubing is spaced two feet apart. No sidewall credit shall be given for this System.
  - g. The dispersal area shall not be installed under a paved surface, or in areas of routine traffic, parking or storage of heavy equipment. In addition no planting or soil excavation shall be done in or within 5 feet of the drip disposal area after its installation. The system

may be designed to allow for installation of drip tubing up to five feet from a building cellar wall.

- h. No change in existing surface slope over the dispersal field is required to comply with 310 CMR 15.240(10).
- 11. All System control units, valve boxes, drip dispersal lines, conveyance lines and other System appurtenances shall be designed and installed to prevent freezing per the Company's recommendations.
- 12. The System designer shall provide plans and specifications prepared in accordance with 310 CMR 15.220 for all proposed System installations to the approving authority with required standard details and installation instructions.
- 13. Drip tubing may be installed with a vibratory plow, a static plow, a narrow trencher (<6" width), by hand trenching, or by scarifying the surface and bedding the drip tubing in clean sand meeting the requirements for fill material in Title 5 at 310 CMR 15.255(3) with cover consisting of sand and topsoil meeting the 6 inch minimum depth requirement. Vegetative cover must be replaced for installations where it is removed or buried during installation.
- 14. Drip tubing shall not be installed when soils are frozen or saturated.
- 15. Prior to System start up, a clean water test of the System shall be performed in the presence of the Company's representative and the approving authority to check for leaks and to ascertain and verify system design flush and dose rates.
- 16. System unit malfunction and high water alarms shall each be connected to an independent power source from the operating pump(s) run from the main power source of the facility.
- 17. For Systems with a design flow of 2,000 gpd or greater, the System shall be equipped to provide a flow meter and automatic remote telemetric notification to the operation and maintenance (O&M) provider.
- 18. Installation of inspection ports is not required for this System.

### III. Allowable Soil Absorption System Design

1. Any reduction in System design sizing or setbacks shall be based on the MassDEP approved reduction allowed for the alternative treatment system that precedes the System or by variance or local upgrade approval in accordance with Title 5.

## IV. General Conditions

- 1. All provisions of 310 CMR 15.000 are applicable to the use of this System, the System owner and the Company, except those that specifically have been varied by the terms of this Approval.
- 2. Any required operation and maintenance, monitoring and testing shall be performed in accordance with a Department approved plan.

- 3. The facility served by the System and the System itself shall be open to inspection and sampling by the Department and the local approving authority at all reasonable times.
- 4. In accordance with applicable law, the Department and the local approving authority may require the System owner to cease operation of the system and/or to take any other action as it deems necessary to protect public health, safety, welfare and the environment.
- 5. The Department has not determined that the performance of the System will provide a level of protection to public health and safety and the environment that is at least equivalent to that of a sewer system. No System shall be installed, upgraded or expanded, if it is feasible to connect the facility to a sanitary sewer, unless as allowed by 310 CMR 15.004. When a sanitary sewer connection becomes feasible, the facility served by the System shall be connected to the sewer, within 60 days of such feasibility, and the System shall be abandoned in compliance with 310 CMR 15.354, unless a later time is allowed, in writing, by the approving authority.
- 6. Design, installation and operation shall be in strict conformance with the Company's DEP approved plans and specifications, 310 CMR 15.000 and this Approval.

### V. Conditions Applicable to the System Owner

- 1. The System is approved for the treatment and disposal of sanitary sewage only. Any wastes that are non-sanitary sewage generated or used at the facility served by the System shall not be introduced into the System and shall be lawfully disposed.
- 2. Effluent discharge concentrations from the treatment unit that discharges to the System shall meet or exceed secondary treatment standards of 30 mg/l BOD5 and 30 mg/l TSS. The effluent pH shall not be less than 6.0 or more than 9.0 unless approved by the Department.
- 3. Any effluent discharge samples shall be taken at a flowing discharge point, i.e. distribution box, pump chamber or other Department approved location downstream of the treatment unit. The System designer, subject to written approval by the Department, shall determine sampling locations.
- 4. The System owner shall have the Company or its designee conduct a design review for any proposed non-residential System or any residential System with a design flow 2,000 GPD or greater to ensure that the proposed use of the System is consistent with the unit's capabilities.
- 5. Operation and Maintenance Agreement:
  - A. Throughout its life, the owner shall operate and maintain the System in accordance with the Company and designer's operation and maintenance requirements and this Approval. To ensure proper operation and maintenance (O&M), the owner shall enter into an O&M agreement. No O&M agreement shall be for less than one year.
  - B. No System shall be used until an O&M agreement is submitted to the approving authority which:
    - i. Provides for the contracting of a person or firm trained by the Company as provided in Section VI (5) and competent in providing services consistent with the System's

specifications, with the operation and maintenance requirements specified by the Company and the designer, and with any specified by the Department;

- ii. Contains procedures for notification to the Department and the local board of health within five days of a System failure or alarm event and for corrective measures to be taken immediately;
- iii. Provides the name of an operator, which must be a Massachusetts certified operator if one is required by 257 CMR 2.00, that will operate and monitor the System;
- iv. For residential Systems installed with a reduced SAS the operator must inspect, field test and maintain the System at least every six months and anytime there is an alarm event. For residential Systems with standard sized SAS inspection and field testing shall be conducted once per year. For all other Systems the operator must inspect, field test and maintain the System at least every three months and anytime there is an alarm event. The System owner shall notify the Department and the local approving authority in writing within seven days of any cancellation, expiration or any other change in the terms and/or conditions of their O&M agreement.
- 6. Prior to transferring any or all interest in the property served by the System, or any portion of the property, including any possessory interest, the System owner shall provide written notice of all conditions contained in this Approval to the transferee(s). Any and all instruments of transfer and any leases or rental agreements shall include as an exhibit attached thereto and made a part thereof a copy of this Approval for the System.
- 7. By January 31<sup>st</sup> of each year for the previous year, the System owner shall submit to the local approving authority all data collected in accordance with item 5, above, including all Department Title 5 IA O&M checklists and System technology checklists completed during the previous calendar year by the System operator for each inspection performed.
- 8. After final inspection of the System by the Approving Authority but prior to the issuance of a Certificate of Compliance for the System, the System owner shall record and/or register in the appropriate Registry of Deeds and/or Land Registration Office, a Notice disclosing both the existence of the alternative septic system subject to this Approval on the property and the Department's approval of the System. If the property subject to the Notice is unregistered land, the Notice shall be marginally referenced on the owner's deed to the property. Within 30 days of recording and/or registering the Notice, the System owner shall submit the following to the Department and the local approving authority: (i) a certified Registry copy of the Notice bearing the book and page/instrument number and/or document number; and (ii) if the property is unregistered land, a Registry copy of the owner's deed to the property, bearing the marginal reference.

### VI. Conditions Applicable to the Company

1. The Company shall notify the Director of the Wastewater Management Program at least 30 days in advance of the proposed transfer of ownership of the technology for which this Approval issued. Said notification shall include the name and address of the proposed new owner and a written agreement between the existing and proposed new owner containing a specific date for transfer of ownership, responsibility, coverage and liability between them. All provisions of this Approval applicable to the Company shall be applicable to successors and assigns of the Company, unless the Department determines otherwise.

Remedial Use Approval – revised November 8, 2018 Geoflow Drip Dispersal System

- 2. The Company shall develop and submit to the Department within 60 days of the effective date of this Approval: minimum installation requirements; an operating manual, including information on substances that should not be discharged to the System; and a recommended schedule for maintenance of the System essential to consistent successful performance of the installed Systems.
- 3. The Company shall make available, in print and electronic format, the referenced procedures and protocol in Sections V (5) and VI (3) to owners, operators, designers and installers of the System.
- 4. The Company shall institute and maintain a program of operator training and continuing education, as approved by the Department. The company shall update the list of qualified operators and make the list known to users of the technology.
- 5. The Company or its designee shall conduct a design review for any proposed nonresidential System or any residential System with a design flow 2,000 GPD or greater to ensure that the proposed use of the System is consistent with the unit's capabilities.
- 6. The Company shall furnish the Department any information that the Department requests regarding the System within 21 days of the receipt of that request.
- 7. The Company shall include copies of this Approval and the procedures and protocol described in Sections V (5) and VI (3) for each System that is sold. Also, in any contract executed by the Company for distribution or re-sale of the System, the Company shall require the distributor or re-seller to provide each purchaser of the System with copies of this Approval and the procedures and protocol described in Sections V (5) and VI (3).
- 8. The Company shall comply with 310 CMR 15.000 and all the Department policies and guidance that apply and as they may be amended from time to time.

### VII. Reporting

1. All notices and documents required to be submitted to the Department by this Approval shall be submitted to:

Director Wastewater Management Program Department of Environmental Protection One Winter Street - 5th floor Boston, Massachusetts 02108

### VIII. Rights of the Department

 The Department may suspend, modify or revoke this Approval for cause, including, but not limited to, non-compliance with the terms of this Approval, non-payment of the annual compliance assurance fee, for obtaining the Approval by misrepresentation or failure to disclose fully all relevant facts or any change in or discovery of conditions that would constitute grounds for discontinuance of the Approval, or as necessary for the protection of public health, safety, welfare or the environment, and as authorized by applicable law. The Department reserves its rights to take any enforcement action authorized by law with respect to this Approval and/or the System against the owner, or operator of the System and/or the Company.



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK Governor

TIMOTHY P. MURRAY Lieutenant Governor RICHARD K. SULLIVAN JR. Secretary

> KENNETH L. KIMMELL Commissioner

#### **REVISION OF APPROVAL FOR REMEDIAL USE** Pursuant to Title 5, 310 CMR 15.00

Name and Address of Applicant:

Bio-Microbics, Inc. 8450 Cole Parkway Shawnee, KS 66227

Trade name of technology and models: MicroFAST® Treatment System Models *MicroFAST*® 0.5, 0.75, 0.9, 1.5, 3.0, 4.5 and 9.0; HighStrengthFAST® Treatment System Models *HighStrength FAST*® 1.0, 1.5, 3.0, 4.5 and 9.0 and NitriFAST® Treatment System Models *NitriFAST*® 0.5, 0.75, 1.0, 1.5, 3.0, 4.5 and 9.0 (hereinafter called the "System"). Schematic Drawings illustrating each System, a design and installation manual, an owner's manual, an operation and maintenance manual, and an inspection checklist are part of this Approval.

Transmittal Number:W 072367Date of Issuance:June 16, 20Revision date:November

W 072367 June 16, 2006 (modified January 23, 2008) November 05, 2012

#### **Authority for Issuance**

Pursuant to Title 5 of the State Environmental Code, 310 CMR 15.000, the Department of Environmental, Protection hereby issues this Approval for Remedial Use to: Bio-Microbics, Inc.,8450 Cole Parkway, Shawnee, KS 66227, (hereinafter "the Company"), approving the System described herein for Remedial Use in the Commonwealth of Massachusetts. The sale, design, installation, and use of the System are conditioned on compliance by the Company, the Designer, the Installer, the Service Contractor, and the System Owner with the terms and conditions set forth below. Any noncompliance with the terms or conditions of this Approval constitutes a violation of 310 CMR 15.000.

David Ferris, Director Wastewater Management Program, Bureau of Resource Protection

November 05, 2012

Date

Bio-Microbics, Inc. - MicroFAST®, HighStrengthFAST®, NitriFAST® Revision of Approval for Remedial Use Revision Date: November 05, 2012 Page 2 of 3

#### **Technology Description**

The System is a Secondary Treatment Unit (STU). The Systems, MicroFAST® 0.5, 0.75, 0.9, 1.5, 3.0, 4.5 and 9.0, and HighStrengthFAST® 1.0, 1.5, 3.0, 4.5 and 9.0, and, NitriFAST® 0.5, 0.75, 0.9, 1.5, 3.0, 4.5 and 9.0 units are installed in a tank or tanks having a primary settling zone and an aerobic biological zone. Solids settle in the primary settling zone that is quiescent. In the aerobic zone, the sewage is continually agitated and aerated. Bacteria in the sewage attach to the surface of a submerged plastic media; they reproduce by consuming the organic material in the sewage.

#### **Conditions of Approval**

The term "System" refers to the STU in combination with the other components of an on-site treatment and disposal system that may be required to serve a facility in accordance with 310 CMR 15.000.

The term "Approval" refers to the technology-specific Special Conditions, the conditions applicable to all STU's with Remedial Use Approval, the General Conditions of 310 CMR 15.287, and any Attachments.

For Secondary Treatment Units that have been issued Remedial Use Approval for the upgrade or replacement of an existing failed or nonconforming system., the Department authorizes reductions in the effective leaching area (310 CMR 15.242), the depth to groundwater (310 CMR 15.212), and/or the depth of naturally occurring pervious material (310 CMR 15.240(1)) subject to the conditions that apply to all Secondary Treatment Units Approved for Remedial Use and subject to the Special Conditions applicable to the Technology.

#### **Special Conditions**

- 1. The System is Secondary Treatment Unit Approved for Remedial Use. In addition to the Special Conditions contained in this Approval, the System shall comply with all the "Standard Conditions for Secondary Treatment Units Approved for Remedial Use", except where stated otherwise in these Special Conditions.
- 2. The System is approved for facilities where the local approving authority finds that:
  - a) there is no increase in the actual or proposed design flow;
  - b) the System is for the upgrade of a failed, failing or nonconforming system; and
  - c) a conventional system with a reserve area, designed in accordance with the standards of 310 CMR 15.100 through 15.255, cannot feasibly be built on-site.

- 3. The MicroFAST® 0.5, 0.75 and 0.9, HighStrengthFAST® 1.0 and NitriFAST® 0.5, 0.75 and 0.9 are installed in the second compartment of a two-compartment tank with a total liquid capacity of at least 1,500 gallons constructed in accordance with 310 CMR 15.226.
- 4. The MicroFAST®, HighStrengthFAST® and NitriFAST® 1.5 are installed in the second compartment of a two compartment 3,000-gallon tank constructed in accordance with 310 CMR 15.226.
- 5. The MicroFAST®, HighStrengthFAST® and NitriFAST® 3.0, 4.5, and 9.0 units are installed in a separate tank constructed in accordance with 310 CMR 15.226. The units are located between a standard Title 5 septic tank, designed in accordance with 310 CMR 15.223 and 15.224, and the soil adsorption system (SAS).
- 6. Access shall be provided to all tanks in the primary settling and aerobic biological zones in accordance with 310 CMR 15.228 (2). The primary settling tank shall have at least three manholes with readily removable impermeable covers of durable material provided at grade. Two manholes, over the inlet and outlet of the primary settling tank, shall have a minimum opening of 20 inches. All access ports and manhole covers shall be installed and maintained at grade to allow for maintenance of the System.





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TOWN OF BOURNE Board of Assessors 24 Perry Avenue Buzzards Bay, MA 02532 (508) 759-0600 Ext. 1510 & Fax (508) 759-8026



Rui Pereira, MAA Director of Assessing

Michael Leitzel, Chairperson Ellen Doyle Sullivan, Clerk Donna Barakauskas, Member

March 31, 2022

Christina Winterfeldt c/o Bracken Engineering, Inc. 49 Herring Pond Rd. Buzzards Bay, MA 02532

Re: Abutters List for Map 47.1 Parcel 45 Property address: 4 Kennebec Ave.

As required by the Bourne Board of Health, pursuant with section 310 CMR 15.411(1), this is to certify that the attached list of names and addresses constitutes all of the parties in interest as shown on the most recent tax list of the Town of Bourne.

Abutting properties are: Map 47.1 Parcels 44 & 46.

Your payment of \$10.00 has been received by the Bourne Assessor's Office.

Please be advised that this abutters list is only good for 30 days from the date on this letter. Expired abutters list can be recertified for an additional filing fee.

See enclosed for abutters mailing addresses.

Board of Assessors

Sun Ju Sin -Dinnatorikawskie Micha Beife

Extract: Database: Filter: Sort:	1 Abutters List LIVE Key IN 10188,10190	Report #24: Owner Listing Report Fiscal Year 2023	Bourne MA
Key Parcel ID	Owner	Location LCI/CI Bk-Po(Cert) /Dt Mailing Street Mailing City	ST Zip Cd/County
10188 47.1-44-0	LUETH DWIGHT & SALLY LUETH & CHARLES LUETH	8 KENNEBEC AVE N 28522/304 39 EMERSON ROAD WELLESLEY 1010 11/21/2014	MA 02481
10190 47.1-46-0	MCPHERSON CAROLINE & GREGG TRS OF MCPHERSON FAMILY TRUST	531 CIRCUIT AVE N 30965/79 12207 LAWLER STREET LOS ANGELES 1010 12/15/2017	CA 90066

Total Records

2

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MAIN OFFICE: 49 Herring Pond Road Buzzards Bay, MA 02532 TEL: (508) 833-0070 FAX: (508) 833-2282



April 20, 2022

### **CERTIFIED MAIL**

RE: Notice of Public Hearing

Dear Abutter:

In accordance with the State Environmental Code, Title 5: 310 CMR 15.00, you are hereby notified that **The Brennan Family Trust c/o Christina Winterfeldt** has requested a hearing before the Bourne Board of Health for relief from the Bourne Board of Health Regulations for the installation of an upgraded Innovative/Alternative Septic System. The location of the property for which approval is sought is **<u>4 Kennebec Avenue (Map 47.1, Parcel 45), Pocasset</u> where you are listed as an abutter. At said hearing the Board will discuss and possibly vote on:** 

• CMR 15.401(1)(a) – reduction in the required setback to existing abutting property lines.

Septic Component	Setback Object	Proposed Setback Distance (ft)	Relief Requested (ft)
SAS	#531 Circuit Ave	6+	4+
S.A.S.	Circuit Ave Layout	5±	5±
S.A.S.	Kennebec Ave Layout	5±	5±
Septic Tank (MicroFAST)	#531 Circuit Ave	6±	4±
Septic Tank (MicroFAST)	#8 Kennebec Ave	6±	4±
Pump Chamber	#8 Kennebec Ave	6±	4±

• CMR 15.401(1)(b) – reduction in the required setback to existing cellar wall, crawlspace or slab foundation for #4 Kennebec Avenue

Septic Component	Setback Object	Proposed Setback Distance (ft)	Relief Requested (ft)
Septic Tank (MicroFAST)	Crawlspace Wall	6±	4±
Pump Chamber	Crawlspace Wall	6±	4±

- CMR 15.401(1)(f) a 50'+ reduction in setback for a 0'+ setback to a Coastal Bank.
- A variance to local setback requirements is requested for a 150'<u>+</u> reduction in setback for a 0'<u>+</u> setback to a non-eroding Coastal Bank from a Soil Absorption System.

This hearing is <u>tentatively</u> scheduled for Wednesday, May 11, 2022 at <u>5:00 p.m.</u> in Conference Room #2 at the Bourne Veteran's Memorial Community Building, 239 Main Street, Buzzards Bay. Information regarding

the hearing may be available for your review one week prior to the meeting by contacting the Bourne Health Department at 508-790-0600, Ext. 1513, Monday through Friday from 8:30 a.m. until 4:30 p.m.

Meeting agendas are posted on the Town of Bourne website, <u>www.townofbourne.com/health</u> no less than 48 hours in advance of the hearing. Please confirm the date, time, and location of the meeting with the Town, in case of any changes. Should you have any questions or concerns, please do not hesitate to contact the undersigned at <u>zac@brackeneng.com</u> or the Bourne Health Department at 508-790-0600, Ext. 1513.

Sincerely, **BRACKEN ENGINEERING INC.** 

3 May C She

Zachary L. Basinski, PE, C.F.M Project Manager Agent for the Applicant







