



Terri A. Guarino
Health Agent

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TOWN OF BOURNE BOARD OF HEALTH

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MINUTES September 26, 2018

Members in attendance: Kathleen Peterson, Chairperson; Stanley Andrews, Vice Chairperson; Galon Barlow Jr.; and Donald Uitti

Support Staff in attendance: Terri Guarino, Health Agent; Kayla Davis, Heath Inspector; Cassie Hammond Administrative Assistant

Meeting was called to order at 6:01 pm

Ms. Peterson asked if anyone was recording at this time, no one acknowledged they were recording.

1. 165 Jefferson Rd— *Continued from September 12, 2018*--Jack Landers-Cauley, P.E. on behalf of owner, William Russell---Hearing to request variances from Title 5, 310 CMR 15.00 and the Bourne Board of Health Regulations for the installation of an I/A septic system to accommodate the raze and rebuild of one of two dwellings on property. Requesting a 56 foot variance from local regulations for the placement of a leaching facility within 94 feet of the coastal bank. Ms. Peterson recused herself and stepped off. Mr. Andrews reviewed that at the last meeting the Board closed the hearing for deliberations, and asked for revised plans to depict the retaining wall properly spaced out from the over dig. Ms. Guarino replied that the office has received the updated plans dated revised September 18, 2018; received September 19, 2018. No questions from the Board. **Mr. Barlow made a motion to approve a 56ft variance from local regulations for the placement of a leaching facility within 94 feet of the coastal bank for 165 Jefferson Rd, received amended plans showing the strip out around the septic received September 19th 2018, due to the overall improvement to the system and property. Mr. Uitti seconded the motion.** Attorney Alec Joyce had a question from the audience and said that there are general concerns with revised plan with positioning of the tanks and fast system, and that the retaining wall of the field is close to the tanks. Mr. Andrews confirmed it will be tight for the components and rinse station. Attny Joyce said he would like to see an improvement to the septic system and the environment. It is two dwellings going from seasonal to year round. Attny Joyce referred to the documents Mr. Bertolo submitted for previous hearings and added that we would like to see the I/A testing requirements documented. Attny Joyce submitted a document for the Board to review with possible approval conditions. **Mr. Barlow stated that he would like to add inclusion of the Town of Bourne's I/A septic system testing requirements to his motion. Mr. Andrews concurred. Mr. Uitti amended his second to include this. All in favor and it was a unanimous vote to approve.**
2. 819 Head of The Bay Rd, Lot 1— *Continued from September 12, 2018*--Christopher Gilbert on behalf of Trustee, Brent Warren---Hearing to request variance from the Bourne Board of Health 150 Foot Setback Regulation for a reduction in the setback of the soil absorption system from a coastal bank from 150' to about 110' to serve new construction of a 4 bedroom dwelling. Ms. Peterson stepped back on and joined the meeting as Chair, Mr. Barlow recused himself. Ms. Guarino asked if the lots are still combined. Mr. Gilbert, EIT on

behalf of Brent Warren, confirmed. Mr. Gilbert discussed the revisions to the plans as requested by the Board at the last meeting. The variances are the same but now they are proposing a microFAST system approved for nitrogen reduction. Ms. Peterson clarified what was requested at the last meeting and asked if it is sufficient. Ms. Guarino confirmed the plans have been updated to reflect the requests of the Board. Mr. Andrews asked if there are architectural plans. Mr. Gilbert stated there are no architectural plans at this time. Ms. Guarino said she is comfortable administratively approving the architectural plans, provided the dwelling is no more than four bedrooms and within the footprint approved by the Board of Health and Conservation Commission. Ms. Peterson agreed and requested that Ms. Guarino is to review the architectural plans prior to issuance of a building or septic permit. Ms. Peterson asked for public comment and there was none. **Mr. Andrews made a motion to approve the variance of 40ft provided a 110ft setback to the coastal back on the north side of the system, a 2ft variance on the east side of the system from the 150ft to 148ft, and plans dated March 20, 2018 latest revision dated September 19th 2018, received by the office September 20th including the Boards IA testing regulations. Mr. Uitti second the motion. All in favor and the motion passed unanimously.**

3. **819 Head of The Bay Rd, Lot 2— Continued from September 12, 2018--Christopher Gilbert on behalf of Trustee, Brent Warren—Hearing to request variance from the Bourne Board of Health 150 Foot Setback Regulation for a reduction in the setback of the soil absorption system from a coastal bank from 150' to about 104' to serve new construction of a 4 bedroom dwelling.** Mr. Barlow recused himself for this agenda item. Mr. Gilbert reviewed the details of this project which are similar to the last. The revisions to the plans include proposing a MicroFAST system for this site. Ms. Peterson clarified that it is not a shared septic system between the lots. Mr. Gilbert agreed and added that the owner is hoping to subdivide the property. Ms. Guarino explained the difference between the two septic systems being minimal, one there are three rows of trenches vs two. Ms. Peterson asked for questions or comments from the Board or audience. Being none, **Mr. Andrews made a motion to approve the variances for 819 Head of the Bay Rd lot 2, take 46ft from 150ft local requirements received, plans dated March 20, 2018; revised September 19, 2018, received by the office September 20th 2018, and the Boards alternative testing and recording policies. The architectural plans will be administratively approved by the office provided it has the same footprint. Mr. Uitti second the motion. All in favor and the motion passed unanimously.**
4. **New Food Establishment Permit— The Wheelhouse @ Gallo Ice Arena, 231 Sandwich Road—William Ferreira & Robert Weekes, owners--Discussion and possible vote to approve new food establishment permit in accordance with 105 CMR 590.012. Permit contingent upon pre-operational inspection, compliance with all laws, and other Town approvals.** Mr. Barlow stepped off for this agenda item. Robert Weekes, co-owner, is present. Ms. Davis reviewed the walkthrough, minor corrections completed promptly, the establishment will have 20 seats, and the application was complete when submitted. Mr. Weekes spoke about his communication with the Health Departments he owns establishments in and his understanding the need of this. Ms. Peterson reviewed the recent increase in vigilance with the Boards focus on food establishments. Mr. Weekes again discussed his commitment to communication with the Health Department. No questions from the Board. Mr. Johnson spoke from the audience, Board of Recreation Authority, general manager, extended a thanks for reviewing the application. Reviewed how Mr. Ferreira and Mr. Weekes were chosen for the 5-year lease. Mr. Weekes asked for a date for the inspection. Ms. Davis asked if he could call the office tomorrow. **Mr. Andrews made a motion to approve the license at Galo Ice Arena for Calendar year 2018, renewing the 1st of the year. Mr. Uitti second the motion.**
5. **594 Circuit Ave— Zenith Consulting Engineers, LLC, representing the owner, Beth Vendice--is requesting variances and local upgrade approvals from the provisions of 310 CMR 15.00 Title V and Local Regulations.** Mr. Barlow rejoined the meeting. Jamie Bissonette, P.E. from Zenith Consulting Engineering submitted the certified mail receipts. Ms. Guarino stated that there was a project previously approved by the Board of Health and Conservation Commission. The Conservation Agent stated that the resource delineation was

approved with the previous project, but the current application with the different house footprint is still under consideration of the Conservation Commission. Ms. Guarino explained that the property has been sold within the last month and the new owner wanted to make changes to the septic system and house layout. Mr. Bissonette discussed the changes to the plans and that there is no increase in flow. Mr. Andrews asked if a perc has been done. Ms. Guarino said she witnessed the title 5 inspection earlier this year and that groundwater was determined using a monitoring well. Mr. Bissonette said that all that information is on the plans along with the former soil logs. They are asking for a waiver from doing a perc test and will conduct a sieve analysis. Additionally, they are proposing a MicroFAST de-nitrification system with a Presby Advanced Enviro-Septic leach field for advanced treatment. This alternative soil absorption field is approved for disposal and treatment. It has a separate sampling port. Ms. Peterson asked for any questions or comments from the Board. Ms. Guarino added that this property will be subject to a 2 bedroom deed restriction due to the design flow being less than 330 gallons/ day. Ms. Peterson clarified that one was recorded with the Land Court which references different architectural and septic plans. There was further discussion between Board members and the professional staff on the past deed recording. The leaching field is a different technology, however, the design flow is the same and it is the same number of bedrooms. Ms. Peterson said they cannot rescind what is recorded with Land Court and this decision should include a letter of approval attached to the certificate. **Mr. Andrews made a motion to grant the following 7 variances and local upgrade approvals for 594 Circuit Ave, plans dated September 6, 2018; received by the Health Department September 17, 2018. This system is an improvement to the previous proposal and substantial improvement to the property and resource. A letter of approval will be recorded and attached on the certificate. Mr. Uitti seconded the motion. All in favor and the motion passed unanimously.**

6. **65 Winsor Rd— Holmes and McGrath representing the Moore Winsor Rd Realty Trust-- Hearing to request variances from Title 5, 310 CMR 15.00 and the Bourne Board of Health Regulations for the installation of an I/A septic system to accommodate renovations to existing 5 bedroom dwelling.** Tim Santos from Holmes and McGrath was present representing the applicant. The certified mail receipts were submitted. Mr. Santos reviewed the project and what they were requesting for variances. The proposal is to renovate the home, leave the distribution box and leaching field, and replace the septic tank with a denitrification system and RUCK filter. This project has been before Conservation Commission and received approval. They have submitted architectural plans to the building department and along with this application. Ms. Peterson had questions about the new attic floor plan. Greg Siroonian, of RESCOM Architectural, Inc.; clarified the design and presented pictures of what the house looked like originally, they are working with the historic department as well to restore it to its former condition. They are aware of the 25/50 rule and the attic will be for duct work and a furnace. The goal is to recreate what was there. Ms. Peterson asked about the bath house on the plans. Paul Paccella, from Bortolotti Construction said the bath house is technically just a boat house, there is no water or plumbing facilities or tie in to any septic. Mr. Andrews asked for clarification on the basement design. Mr. Pacella explained the main house is a 5 bedroom dwelling and will remain that way. There were no further questions from the Board. Ms. Guarino added that this system will be subject to the I/A septic system testing regulations. **Mr. Andrews made a motion for 65 Winsor Rd, to approve the following 3 variances; 4ft setback for septic tank and pump chambers to a coastal bank, 0ft setback for the treatment unit (RUCK filter) to a coastal bank, 0ft setback for the denitrification tank and pump chamber to a coastal bank; including the Bourne Board of Health I/A testing and reporting policy, referencing architectural plans by RESCOM received by the office on September 13, 2018 and the septic disposal plan by Holmes and McGrath received by the office on September 13, 2018. Mr. Barlow second the motion. All in favor.**
7. **Approve the Minutes— Approve the minutes from the previous meeting dated September 12, 2018. Not complete for review at this time.**
8. **Set tentative date for next meeting and adjourn.** Next Meeting October 10, 2018 at 6:00pm.

Mr. Andrews made a motion to adjourn the meeting. Ms. Peterson seconded his motion. All were in favor and the meeting adjourned at 7:02pm.

Taped & Typed by Cassie Hammond, Administrative Assistant

Kathleen Peterson

Stanley Andrews

Galon Barlow Jr.

Don Uitti

Kelly Mastria