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## Board of Health Minutes 10/02/2014

### Town of Mashpee

*16 Great Neck Road North  
Mashpee, Massachusetts 02649*

#### BOARD OF HEALTH – PUBLIC SESSION

##### Minutes of the Meeting of October 2, 2014

**Board Members Present:**

Lucy Burton, Chair  
Burton Kaplan, Co-Chairman  
Kalliope Egloff, Clerk

**Also Present:**

Glen Harrington, Health Agent

Chair Lucy Burton called the meeting to order at 7:00 PM.

**APPOINTMENTS****7:15 PM – Title V Variance – 164 Ninigret Avenue.**

Peter McEntee, P.E. of Engineering Works, representing 164 Ninigret Avenue, introduced himself to the Board.

Mr. McEntee commented that there is a single cesspool located at the property of 164 Ninigret Avenue. Mr. McEntee is proposing the installation of a Title V Septic System with several variances. The variances requested are:

- A 5' variance from the septic tank to the property line (in front) for a 5' setback.
- A 5' variance from the septic tank to the property line (on the side) for a 5' setback.
- A 5' variance from the Soil Absorption System to the property line (in front) for a 5' setback.
- A 5' variance from the Soil Absorption System to the property line (on the side) for a 5' setback.
- An 11' variance from the Soil Absorption System to the cellar wall for a 9' setback.

A poly liner is proposed to be placed between the Soil Absorption System and the cellar wall to provide some mitigation. The abutters were notified, and there was no public comment.

Burton Kaplan made a motion that the Board of Health approve the five variance requests for 164 Ninigret Avenue as presented on the documentation and plans. Kalliope Egloff seconded the motion. The motion was unanimously approved.

**7:20 PM – Title V Variance – 130 Pond Circle.**

Peter McEntee, P.E. of Engineering Works, representing 130 Pond Circle, introduced himself to the Board.

Mr. McEntee commented that the owners of 130 Pond Circle would like to add an in-law apartment and expand on the existing septic system which was recently upgraded. Mr. McEntee is requesting a variance on the general requirements to maintain the original depth of cover on the existing leaching area to be more than 3 feet, probably about 5 ½ feet of cover. As the proposed addition includes a bedroom, Mr. McEntee is also requesting that no test pit be required for the reserve area since the soils in that area are consistent.

Kalliope Egloff made a motion that the Board of Health approve the variance requests for 130 Pond Circle as presented. Burton Kaplan seconded the motion. The motion was unanimously approved.

## **NEW BUSINESS**

**1. Sign Expense Warrants.** The Board members signed the expense warrant.

**2. Review/Approve BOH Public Session Minutes: September 4, 2014, and September 18, 2014.**

Burton Kaplan made a motion that the Board of Health approve the Public Session minutes of September 4, 2014, as amended. Kalliope Egloff seconded the motion. The motion was unanimously approved.

Kalliope Egloff made a motion that the Board of Health approve the Public Session minutes of September 18, 2014, as amended. Burton Kaplan seconded the motion. The motion was unanimously approved.

**3. Mobile Food Guidelines.**

Glen Harrington stated that there have been several requests for mobile food carts, but there are no written guidelines. At the moment Mr. Harrington hands copies of the regulations to those making inquiries. The Board and Mr. Harrington discussed possible guidelines in licensing a mobile food cart. The Board has requested that Mr. Harrington draft a mobile food regulation.

**4. Cesspool Regulation / Enforceable Agreement: 18 Great River Road (Carol Sherman).**

Carol Sherman, owner of 18 Great River Road, introduced herself to the Board.

Glen Harrington commented that Ms. Sherman informed him that she has purchased the property at 18 Great River Road and that the property has a cesspool. Ms. Sherman is requesting a variance to allow additional time to upgrade the system from a cesspool. Discussion took place regarding the process in which a property transfers without the cesspool being upgraded prior to sale, as required by Board of Health regulation. The existing dwelling on this property is planned to be renovated and occupied thereafter. An enforceable agreement is required for the variance request.

The Board discussed a time frame for the enforceable agreement including engineering, installation, and approval from the Conservation Commission. The Board does not grant extensions on enforceable agreements, and the Certificate of Compliance is to be issued within 90 days from the date of sale of the property.

Burton Kaplan made a motion that the Board of Health approve the variance request for 18 Great River Road with an executed copy of the enforceable agreement provided to the Board of Health and the Certificate of Compliance issued no later than December 31, 2014. Kalliope Egloff seconded the motion. The motion was unanimously approved.

## **OLD BUSINESS**

**1. Refuse Regulation – Draft Amendments.**

The Board and Glen Harrington discussed and commented on the different aspects of the draft Refuse Regulation. Mr. Harrington will make the corrections and present the updated draft Refuse Regulation to the Board at the next meeting.

## **ADDITIONAL TOPICS**

**None.**

## **NEXT MEETING**

The next meeting of the Board of Health is scheduled for Thursday, October 16, 2014, at 7:00 PM. As there was no further business, Burton Kaplan made a motion to adjourn the Public Session Meeting of the Board of Health at 7:49 PM. Kalliope Egloff seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos  
Administrative Assistant  
Mashpee Board of Health

attachments