

**BOARD OF HEALTH  
THURSDAY, SEPTEMBER 11, 2014  
DENNIS TOWN OFFICES  
LARGE HEARING ROOM**

**Present: Chairman Covell, Vice Chairman Perrino, Members Bunce, Chamberlain & Duffy**

**Staff: Health Director Terence Hayes, Office Assistant Jennifer Clarke**

**Mr. Covell called the meeting to order at 7:00 p.m.**

**I. ACTION**

**A. MARK & MARTHA GOWETSKI-Variance Application (ADDITION/ALTERATION)  
13 JOY LANE, DENNIS**

Mr. Covell read the legal notice: A variance application for Mark & Martha Gowetski, 13 Joy Lane, Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Letter to owner from Health Department dated 5/22/2014. Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/2/2014. Letter to Board of Health from Down Cape Engineering dated 9/10/2014. Documents are available for review in the Health Department Septic System File Map 389-34.**

**Town of Dennis**

**Reg. 16.B: Variance requested to allow an addition/alteration/new construction (garage) of habitable space in an Environmentally Sensitive Area.**

Daniel Ojala, Down Cape Engineering was present at the meeting. The property contains an existing, three-bedroom dwelling. The property is currently served by two (2) cesspools that failed a Title 5 septic system inspection on May 7, 2014. The previous owner was sent an order to upgrade the system by May 7, 2016. The roof will be removed and replaced with an increased pitch to allow for increased habitable space on the second floor. The proposed first floor will contain an open kitchen/dining room, a pantry, living room, a den (converted bedroom) and one bedroom. The second floor will contain two (2) bedrooms and a family room. The family room in the basement will remain. The applicants also propose to construct a separate two-car garage with unheated storage space above. The proposed septic system will consist of a 2,000 gallon, two-compartment septic tank and two, 500-gallon, H-20 leaching chambers with 4' of stone all around. The system has been designed for three (3) bedrooms and does not include I/A technology. The Conservation Commission has signed off on the project as approval not required. The septic system has been re-located to closer to where the soil tests were conducted. Revised plans showing this change have been submitted to the Board of Health and Health Department.

**Mr. Duffy moved to approve the variance application for Mark & Martha Gowetski, 13 Joy Lane, Dennis, as per memorandum dated September 2, 2014 with the condition that the revised plan showing the re-location of the septic system and garage be used for the installation and the following conditions:**

- 1. No garbage disposal.**
- 2. Water-saving devices shall be installed and verified by the Health Department.**
- 3. No alteration of the floor plan to the dwelling without further review by the Board of Health.**
- 4. Record variances and conditions at the Registry of Deeds to run with the property with a COPY TO THE HEALTH DEPARTMENT.**
- 5. An engineered report shall be submitted to the Board of Health after any inundation of the system, due to flood or natural causes.**

**Ms. Chamberlain seconded the motion.**

**VOTED**

**IN FAVOR      5**  
**OPPOSED      0**

**B. DONALD & NANCY KOSSACK- Variance Application (NEW CONSTRUCTION)  
 6 SOUTH YARMOUTH ROAD, DENNIS**

Mr. Covell read the legal notice: A variance application for Donald & Nancy Kossack, 6 South Yarmouth Road, Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/3/2014. Documents are available for review in the Health Department Septic System File Map 209-22.**

**Town of Dennis**

**Reg. 16.B:      Variance requested from the standards to allow new construction in an Environmentally Sensitive Area.**

Stephen A. Haas, Stephen A. Haas Engineering, Inc., was present at the meeting. The applicants propose to construct a new five (5) bedroom dwelling. The first floor will contain a mud room, bedroom, living room, an open kitchen/dining room, and family room. The second floor will contain a laundry, four (4) bedrooms and an office. The walk-out basement will contain a lounge and recreation room. There is a separate garage that has been designed to contain a future one-bedroom apartment. The garage will be tied into the septic system for the house. The septic system will consist of a 3,000 gallon septic tank and four, 500 gallon leaching chambers for the soil absorption system. The system has been designed for six (6) bedrooms and does not incorporate I/A technology. The Conservation Commission has signed off on the project as approval not required.

**Mr. Bunce moved to approve the variance application for Donald & Nancy Kossack, 6 South Yarmouth Road, Dennis, as per memorandum dated September 3, 2014 with the following conditions:**

1. **No garbage disposal.**
2. **Water-saving devices shall be installed and verified by the Health Department.**
3. **No alteration of the floor plan to the dwelling without further review by the Board of Health.**
4. **Record variances and conditions at the Registry of Deeds to run with the property WITH A COPY TO THE HEALTH DEPARTMENT.**

Ms. Chamberlain seconded the motion.

VOTED

IN FAVOR        5  
OPPOSED        0

**C.        RICHARD F. RUSSELL- Variance Application (NEW CONSTRUCTION)  
LOT 45 UNCLE STEPHEN'S ROAD, WEST DENNIS**

Mr. Covell read the legal notice: A variance application for Richard F. Russell, Lot 45 Uncle Stephen's Road, West Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/3/2014. Documents are available for review in the Health Department Septic System File Map 12-5.**

**Town of Dennis**

**Reg. 12.C:        Variance requested to allow the septic tank and leaching facility to be less than one foot below the existing natural grade (system in fill).**

**Reg. 16.B:        Variance requested from the standards to allow new construction in an Environmentally Sensitive Area.**

Brian G. Yergatian, P.E., LEED AP., BSC Group, Inc., was present at the meeting. The applicant proposes to construct a new, four (4) bedroom house. The first floor of the dwelling will contain a three-car garage, a study, a mud room, an open kitchen/dining room, a family room and master bedroom. The second floor will contain three bedrooms and a loft. The proposed septic system will consist of a 2,000 gallon septic tank, a MicroFAST 0.50 unit and two, 50' leaching trenches for the soil absorption system. The system has been designed for four (4) bedrooms. The Conservation Commission has issued an Order of Conditions for the project.

Mr. Bunce and Ms. Chamberlain asked about the possible addition of Ultraviolet disinfection to the system.

Diane McIntosh, abutter's daughter, was present at the meeting. She has concerns about possible run off from the proposed properties. She feels that run off and fill will go onto her family's property. Ms. McIntosh submitted a list of concerns and questions to the Board of Health as well as Mr. Yergatian. Ms. McIntosh wants to be sure that the current abutters to the proposed properties will not incur any additional costs when these dwellings are built. Mr. Yergatian stated that the properties are located in a flood zone and FEMA requires that the driveways be pitched at a certain elevation. There will be catch basins placed at the bottom of the proposed driveways. There will be a minimal amount of lawn on the properties which will reduce the nitrogen. There will also be a good amount of

natural landscaping. If the catch basins are not of adequate size, they can be increased in size to accommodate the run off.

Greg Stone, abutter, was present at the meeting. He asked if the Building Commissioner oversees the storm water by-law.

**Ms. Chamberlain moved to approve the variance application for Richard R. Russell, Lot 45 Uncle Stephens Road, West Dennis, as per memorandum dated September 3, 2014 with the conditions that a revised plan showing the addition of Ultraviolet Treatment to the septic system and that all storm water run-off be contained on each individual lot and that appropriately sized catch basins are provided. If the catch basins prove to be undersized, it will be the individual property owner's responsibility to increase the size of the catch basins, as well as the following conditions:**

1. **No garbage disposal.**
2. **Water-saving devices shall be installed and verified by the Health Department.**
3. **No alteration of the floor plan to the dwelling without further review by the Board of Health.**
4. **Record variances and conditions at the Registry of Deeds to run with the property with a COPY TO THE HEALTH DEPARTMENT.**
5. **The design engineer shall submit a certified as-built plan, with elevations, to the Health Department.**
6. **A signed maintenance agreement for the alternative system shall be submitted to the Health Department, prior to any release of the Disposal System Construction Permit. The O & M agreement for the alternative system shall include a requirement for testing. This testing shall be conducted four (4) times per year for TKN, TSS, BOD5, pH, nitrate and temperature. After two (2) years of operation, the applicant shall return to the Board of Health for review of the alternative septic system.**
7. **A signed operation and maintenance agreement for the ultraviolet treatment disinfection unit shall be submitted to the Health Department prior to the release of the Disposal System Construction Permit. The effluent shall be tested for fecal coliform four (4) times per year.**
8. **A time-run meter shall be installed and hard-wired into the main electrical panel.**
9. **An engineered report shall be submitted to the Board of Health after any inundation of the system, due to flood or natural causes.**

Mr. Duffy seconded the motion.

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

**D.        RICHARD F. RUSSELL- Variance Application (NEW CONSTRUCTION)  
LOT 46 UNCLE STEPHEN'S ROAD, WEST DENNIS**

Mr. Covell read the legal notice: A variance application for Richard F. Russell, Lot 46 Uncle Stephen's Road, West Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/3/2014. Documents are available for review in the Health Department Septic System File Map 12-5.**

Town of Dennis

**Reg. 12.C:** Variance requested to allow the septic tank and leaching facility to be less than one foot below the existing natural grade (system in fill).

**Reg. 16.B:** Variance requested from the standards to allow new construction in an Environmentally Sensitive Area.

Brian G. Yergatian, P.E., LEED AP., BSC Group, Inc., was present at the meeting. The applicant proposes to demolish the existing dwelling and garage and construct a new, four-bedroom house. The first floor of the dwelling will contain a garage, laundry, mud room, kitchen/breakfast area, a family room, a dining room and a master bedroom. The second floor will contain three (3) bedrooms and attic space. The proposed septic system will consist of a 2,000 gallon septic tank, a MicroFAST 0.50 unit and three, 33'-6" leaching trenches for the soil absorption system. The system has been designed for four (4) bedrooms. The Conservation Commission has issued an Order of Conditions for the project.

Mr. Bunce and Ms. Chamberlain asked about the possible addition of Ultraviolet disinfection to the system.

Diane McIntosh, abutter's daughter, was present at the meeting. She has concerns about possible run off from the proposed properties. She feels that run off and fill will go onto her family's property. Ms. McIntosh submitted a list of concerns and questions to the Board of Health as well as Mr. Yergatian. Ms. McIntosh wants to be sure that the current abutters to the proposed properties will not incur any additional costs when these dwellings are built. Mr. Yergatian stated that the properties are located in a flood zone and FEMA requires that the driveways be pitched at a certain elevation. There will be catch basins placed at the bottom of the proposed driveways. There will be a minimal amount of lawn on the properties which will reduce the nitrogen. There will also be a good amount of natural landscaping. If the catch basins are not of adequate size, they can be increased in size to accommodate the run off.

Greg Stone, abutter, was present at the meeting. He asked if the Building Commissioner oversees the storm water by-law.

**Ms. Chamberlain moved to approve the variance application for Richard R. Russell, Lot 46 Uncle Stephens Road, West Dennis, as per memorandum dated September 3, 2014 with the conditions that a revised plan showing the addition of Ultraviolet Treatment to the septic system and that all storm water run-off be contained on each individual lot and that appropriately sized catch basins are provided. If the catch basins prove to be undersized, it will be the individual property owner's responsibility to increase the size of the catch basins, as well as the following conditions:**

- 1. No garbage disposal.**
- 2. Water-saving devices shall be installed and verified by the Health Department.**
- 3. No alteration of the floor plan to the dwelling without further review by the Board of Health.**
- 4. Record variances and conditions at the Registry of Deeds to run with the property with a COPY TO THE HEALTH DEPARTMENT.**
- 5. The design engineer shall submit a certified as-built plan, with elevations, to the Health Department.**
- 6. A signed maintenance agreement for the alternative system shall be submitted to the Health Department, prior to any release of the Disposal System Construction Permit. The O & M agreement for**

the alternative system shall include a requirement for testing. This testing shall be conducted four (4) times per year for TKN, TSS, BOD5, pH, nitrate and temperature. After two (2) years of operation, the applicant shall return to the Board of Health for review of the alternative septic system.

7. A signed operation and maintenance agreement for the ultraviolet treatment disinfection unit shall be submitted to the Health Department prior to the release of the Disposal System Construction Permit. The effluent shall be tested for fecal coliform four (4) times per year.
8. A time-run meter shall be installed and hard-wired into the main electrical panel.
9. An engineered report shall be submitted to the Board of Health after any inundation of the system, due to flood or natural causes.

Mr. Duffy seconded the motion.

VOTED

IN FAVOR	5
OPPOSED	0

**E. RICHARD F. RUSSELL- Variance Application (NEW CONSTRUCTION)  
LOT 47 UNCLE STEPHEN'S ROAD, WEST DENNIS**

Mr. Covell read the legal notice: A variance application for Richard F. Russell, Lot 47 Uncle Stephen's Road, West Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/3/2014. Documents are available for review in the Health Department Septic System File Map 12-5.**

Town of Dennis

**Reg. 12.C: Variance requested to allow the septic tank and leaching facility to be less than one foot below the existing natural grade (system in fill).**

**Reg. 16.B: Variance requested from the standards to allow new construction in an Environmentally Sensitive Area.**

Brian G. Yergatian, P.E., LEED AP., BSC Group, Inc., was present at the meeting. The applicant proposes to construct a new, four-bedroom house. The first floor of the dwelling will contain a three-car garage, a study, a kitchen/breakfast area, a family room, a dining room and a master bedroom. The second floor will contain three (3) bedrooms and attic space. The proposed septic system will consist of a 2,000 gallon septic tank, a MicroFAST 0.50 unit and three, 33'-6" leaching trenches for the soil absorption system. The system has been designed for three (3) bedrooms. The Conservation Commission has issued an Order of Conditions for the project.

Mr. Bunce and Ms. Chamberlain asked about the possible addition of Ultraviolet disinfection to the system.

Diane McIntosh, abutter's daughter, was present at the meeting. She has concerns about possible run off from the proposed properties. She feels that run off and fill will go onto her family's property. Ms. McIntosh submitted a list of concerns and questions to the Board of Health as well as Mr. Yergatian. Ms. McIntosh wants to be sure that the current abutters to the proposed properties will not incur any additional costs when these dwellings are built. Mr.

Yergatian stated that the properties are located in a flood zone and FEMA requires that the driveways be pitched at a certain elevation. There will be catch basins placed at the bottom of the proposed driveways. There will be a minimal amount of lawn on the properties which will reduce the nitrogen. There will also be a good amount of natural landscaping. If the catch basins are not of adequate size, they can be increased in size to accommodate the run off.

Greg Stone, abutter, was present at the meeting. He asked if the Building Commissioner oversees the storm water by-law.

**Ms. Chamberlain moved to approve the variance application for Richard R. Russell, Lot 47 Uncle Stephens Road, West Dennis, as per memorandum dated September 3, 2014 with the conditions that a revised plan showing the addition of Ultraviolet Treatment to the septic system and that all storm water run-off be contained on each individual lot and that appropriately sized catch basins are provided. If the catch basins prove to be undersized, it will be the individual property owner's responsibility to increase the size of the catch basins, as well as the following conditions:**

1. **No garbage disposal.**
2. **Water-saving devices shall be installed and verified by the Health Department.**
3. **No alteration of the floor plan to the dwelling without further review by the Board of Health.**
4. **Record variances and conditions at the Registry of Deeds to run with the property with a COPY TO THE HEALTH DEPARTMENT.**
5. **The design engineer shall submit a certified as-built plan, with elevations, to the Health Department.**
6. **A signed maintenance agreement for the alternative system shall be submitted to the Health Department, prior to any release of the Disposal System Construction Permit. The O & M agreement for the alternative system shall include a requirement for testing. This testing shall be conducted four (4) times per year for TKN, TSS, BOD5, pH, nitrate and temperature. After two (2) years of operation, the applicant shall return to the Board of Health for review of the alternative septic system.**
7. **A signed operation and maintenance agreement for the ultraviolet treatment disinfection unit shall be submitted to the Health Department prior to the release of the Disposal System Construction Permit. The effluent shall be tested for fecal coliform four (4) times per year.**
8. **A time-run meter shall be installed and hard-wired into the main electrical panel.**
9. **An engineered report shall be submitted to the Board of Health after any inundation of the system, due to flood or natural causes.**

**Mr. Duffy seconded the motion.**

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

**F.        RICHARD F. RUSSELL- Variance Application (NEW CONSTRUCTION)  
          **LOT 48 UNCLE STEPHEN'S ROAD, WEST DENNIS****

Mr. Covell read the legal notice: A variance application for Richard F. Russell, Lot 48 Uncle Stephen's Road, West Dennis, who seek the following variance(s) from the Town of Dennis Regulations for Subsurface Disposal of Sewage:

**EXIBITS/DOCUMENTS: Completed variance application dated 8/26/2014. Memo to Board of Health from Health Department Staff dated 9/3/2014. Documents are available for review in the Health Department Septic System File Map 12-5.**

**Town of Dennis**

**Reg. 12.C: Variance requested to allow the septic tank and leaching facility to be less than one foot below the existing natural grade (system in fill).**

**Reg. 16.B: Variance requested from the standards to allow new construction in an Environmentally Sensitive Area.**

Brian G. Yergatian, P.E., LEED AP., BSC Group, Inc., was present at the meeting. The applicant proposes to construct a new, four bedroom house. The first floor of the dwelling will contain a three car garage, a study, laundry, mud room, a kitchen/breakfast area, a family room, a dining room and a master bedroom. The second floor will contain three (3) bedrooms. The proposed septic system will consist of a 2,000 gallon septic tank, a MicroFAST 0.50 unit and three, 33'-6" leaching trenches for the soil absorption system. The system has been designed for three (3) bedrooms. The Conservation Commission has issued an Order of Conditions for the project.

Mr. Bunce and Ms. Chamberlain asked about the possible addition of Ultraviolet disinfection to the system.

Diane McIntosh, abutter's daughter, was present at the meeting. She has concerns about possible run off from the proposed properties. She feels that run off and fill will go onto her family's property. Ms. McIntosh submitted a list of concerns and questions to the Board of Health as well as Mr. Yergatian. Ms. McIntosh wants to be sure that the current abutters to the proposed properties will not incur any additional costs when these dwellings are built. Mr. Yergatian stated that the properties are located in a flood zone and FEMA requires that the driveways be pitched at a certain elevation. There will be catch basins placed at the bottom of the proposed driveways. There will be a minimal amount of lawn on the properties which will reduce the nitrogen. There will also be a good amount of natural landscaping. If the catch basins are not of adequate size, they can be increased in size to accommodate the run off.

Greg Stone, abutter, was present at the meeting. He asked if the Building Commissioner oversees the storm water by-law.

**Ms. Chamberlain moved to approve the variance application for Richard R. Russell, Lot 48 Uncle Stephens Road, West Dennis, as per memorandum dated September 3, 2014 with the conditions that a revised plan showing the addition of Ultraviolet Treatment to the septic system and that all storm water run-off be contained on each individual lot and that appropriately sized catch basins are provided. If the catch basins prove to be undersized, it will be the individual property owner's responsibility to increase the size of the catch basins, as well as the following conditions:**

- 1. No garbage disposal.**
- 2. Water-saving devices shall be installed and verified by the Health Department.**
- 3. No alteration of the floor plan to the dwelling without further review by the Board of Health.**
- 4. Record variances and conditions at the Registry of Deeds to run with the property with a COPY TO THE HEALTH DEPARTMENT.**
- 5. The design engineer shall submit a certified as-built plan, with elevations, to the Health Department.**



- 6. A signed maintenance agreement for the alternative system shall be submitted to the Health Department, prior to any release of the Disposal System Construction Permit. The O & M agreement for the alternative system shall include a requirement for testing. This testing shall be conducted four (4) times per year for TKN, TSS, BOD5, pH, nitrate and temperature. After two (2) years of operation, the applicant shall return to the Board of Health for review of the alternative septic system.
- 7. A signed operation and maintenance agreement for the ultraviolet treatment disinfection unit shall be submitted to the Health Department prior to the release of the Disposal System Construction Permit. The effluent shall be tested for fecal coliform four (4) times per year.
- 8. A time-run meter shall be installed and hard-wired into the main electrical panel.
- 9. An engineered report shall be submitted to the Board of Health after any inundation of the system, due to flood or natural causes.

Mr. Duffy seconded the motion.

VOTED

IN FAVOR	5
OPPOSED	0

- G. CRANBERRY KNOLL CONDOMINIUM ASSOCIATION- Cont. Show Cause Hearing for Noncompliance with an Order to Correct a Violation of the State Environmental Code, 310 CMR 15.000, Title 5 (cont. from 8/14/14)  
59 MAIN STREET, BUILDINGS 4 & 6, DENNIS

Mr. Covell read the legal notice: A continued show cause hearing for Cranberry Knoll Condominium Association, 59 Main Street, Buildings 4 & 6, Dennis, for noncompliance with an order to correct a violation of the State Environmental Code, 310 CMR 15.000, Title 5.

**EXIBITS/DOCUMENTS:** Letter to owner from Health Department dated 5/19/2014. Letter to owner from Health Department dated 7/22/2014. Disposal Works Construction Permit dated 7/28/2014. Letter to owner from Health Department dated 8/20/2014. Memo to Board of Health from Health Department Staff dated 9/4/2014. Documents are available for review in the Health Department Septic System File Map 223-2.

A memo submitted to the Board of Health from the Health Department staff states that the repairs were made to the system and inspection on August 29, 2014. The Certificate of Compliance has been issued; therefore, the owners are in compliance with the order.

Mr. Duffy moved to remove the show cause hearing for Cranberry Knoll Condominium Association, 59 Main Street, Buildings 4 & 6, Dennis.

Ms. Chamberlain seconded the motion.

VOTED

IN FAVOR	5
OPPOSED	0

**H. RALPH GIANGREGORIO- Cont. Show Cause Hearing for Noncompliance with an Order to Correct a Violation of the State Environmental Code, 310 CMR 15.000, Title 5 (cont. from 8/14/14)  
8 & 10 MIDDLE STREET, SOUTH DENNIS**

Mr. Covell read the legal notice: A continued show cause hearing for Ralph Giangregorio, 8 & 10 Middle Street, South Dennis, for noncompliance with an order to correct a violation of the State Environmental Code, 310 CMR 15.000, Title 5.

**EXIBITS/DOCUMENTS: Complaint received by the Health Department dated 5/20/2014. Letter to owner from Health Department dated 5/21/2014. Letter to owner from Health Department dated 7/29/2014. Letter to owner from Health Department dated 8/21/2014. Memo to Board of Health from Health Department Staff dated 9/4/2014. Memo to Board of Health from Health Department staff dated 9/11/2014 Documents are available for review in the Health Department Septic System File Map 84-78.**

A memo to the Board of Health from Health Department Staff states that on September 10, 2014, an application for a Disposal System Construction Permit and plans were submitted for the upgrade of the system. The installer plans to install the system upon approval of the permit. The Health Department Staff recommends a continuance of the hearing, pending the installation of the system.

**Ms. Chamberlain moved to continue the show cause hearing for Ralph Giangregorio, 8 & 10 Middle Street, South Dennis, until the October 9, 2014 Board of Health meeting.**

Mr. Bunce seconded the motion.

VOTED

IN FAVOR        5  
OPPOSED        0

**I. GARY W. GUIDI- Request for an Extension to Health Department's Order to Correct a Violation of 310 CMR 15.000, The State Environmental Code, Title 5  
32 CRANBERRY LANE, DENNISPORT**

Mr. Covell read the legal notice: A request from Gary W. Guidi, 32 Cranberry Lane, Dennisport, for an extension to Health Department's order to correct a violation of 310 CMR 15.000, The State Environmental Code, Title 5.

**EXIBITS/DOCUMENTS: Letter to owner from Health Department dated 12/18/12. Dennis Board of Health Variance Approval dated 5/6/2013. E-mail correspondence to owner from Health Department dated 8/18/2014. Letter to owner from Health Department dated 8/26/2014. Documents are available for review in the Health Department Septic System File Map 37-22.**

No one was present at the meeting. Mr. Perrino inquired as to if this property is used as a rental. Staff was unable to provide an answer.

**Mr. Perrino moved to continue the request from Gary W. Guidi, 32 Cranberry Lane, Dennisport, until the October 9, 2014 Board of Health meeting. Mr. Perrino directed the Health Department Staff to re-notify the owner that they must appear at the meeting in order for their request to be heard.**

Ms. Chamberlain seconded the motion.

VOTED

IN FAVOR        5  
OPPOSED        0

- J.        **BRIAN HICKOX- Variance Application from the Habitable Space Requirements of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation**  
**140 OLD WHARF ROAD, UNIT 7, DENNISPORT**

Mr. Covell read the legal notice: A variance application for Brian Hickox, 140 Old Wharf Road, Unit 7, Dennisport, from the Habitable Space Requirements of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation.

**EXIBITS/DOCUMENTS: Application for Rental Occupancy Permit dated 7/7/2014. Town of Dennis Housing Inspection Form dated 7/11/2014. Town of Dennis Rental Occupancy Permit dated 7/11/2014. Letter to Health Department from owner dated 7/25/2014. Letter to owner from Health Department dated 8/26/2014. E-mail correspondence to owner from Health Department dated 9/8/2014. Documents are available for review in the Health Department Housing File Map 19-27.**

Brian Hickox submitted an e-mail to the Health Department requesting a continuance until the October 9, 2014 Board of Health meeting.

Ms. Chamberlain moved to continue the variance application from Brian Hickox, 140 Old Wharf Road, Unit 7, Dennisport, until the October 9, 2014 Board of Health meeting.

Mr. Duffy seconded the meeting.

VOTED

IN FAVOR        5  
OPPOSED        0

- K.        **KNIGHT INVESTMENTS, LLC/KRISTOPHER KNIGHT-Variance Application from the Habitable Space Requirements of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation**  
**209 LOWER COUNTY ROAD, UNIT 1, DENNISPORT**

Mr. Covell read the legal notice: A variance application for Knight Investments, LLC/Kristopher Knight, 209 Lower County Road, Unit 1, Dennisport, from the habitable space requirements of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation.

**EXIBITS/DOCUMENTS: Town of Dennis Application for Certificate to Rent and/or Lease Building for Dwelling Purpose dated 7/29/1981. Application for Rental Occupancy Permit dated 7/24/2014. Town of Dennis Housing Inspection Form dated 7/30/2014. E-mail to owner from Health Department dated 8/25/2014. Letter to owner from Health Department dated 8/26/2014. Documents are available for review in the Health Department Housing File Map 37-48.**

Robert Knight was present at the meeting. They are looking to increase their maximum occupancy from three (3) to four (4) occupants. The property has a rental history of four (4) occupants.

**Ms. Chamberlain moved to approve the variance application for Knight Property Investments, LLC/Kristopher Knight, 209 Lower County Road, Unit 1, Dennisport, to allow for a maximum occupancy of four (4) occupants.**

**Mr. Duffy seconded the motion.**

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

- L.        TERESA WOOD- Cont. Show Cause Hearing for Noncompliance with an Order to Correct Violations of the State Sanitary Code, 105 CMR, 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation (cont. from 8/14/14)  
**363 CENTER STREET, UNIT 4, SOUTH DENNIS****

Mr. Covell read the legal notice: A continued show cause hearing for Teresa Wood, 363 Center Street, Unit 4, South Dennis, for noncompliance with an order to correct violations of the State Sanitary Code, 105 CMR, 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation.

**EXIBITS/DOCUMENTS: Complaint received by the Health Department dated 4/16/2014. Letter to owner from Health Department dated 4/23/2014. Letter to owner from Health Department dated 7/14/2014. Letter to owner from Health Department dated 8/21/2014. Memo to Board of Health from Health Department Staff dated 9/4/2014. Documents are available for review in the Health Department Housing File Map 122-13.**

No one was present at the meeting. Since the August 14, 2014 Board of Health meeting, there has been no further correspondence from the owner.

**Mr. Perrino moved to direct the Health Department Staff to file an application with Orleans District Court for Teresa Wood, 363 Center Street, Unit 4, South Dennis, for noncompliance with an order to correct violations of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation.**

**Mr. Duffy seconded the motion.**

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

- M.        BRENDA-LYN AYLWARD- Cont. Show Cause Hearing for Noncompliance with an Order to Correct Violations of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation  
**520 MAIN STREET, UNIT 1-A, WEST DENNIS****

Mr. Covell read the legal notice: A continued show cause hearing for Brenda-Lyn Aylward, 520 Main Street, Unit 1-A, West Dennis, for noncompliance with an order to correct violations of the State Sanitary Code, 105 CMR 410.000, Chapter II: Minimum Standards of Fitness for Human Habitation.

**EXIBITS/DOCUMENTS: Notice of Bankruptcy Case Filing dated 12/3/12. Letter to owner from Health Department dated 10/28/2013. Letter to owner from Health Department dated 3/18/2014. Letter to owner from Health Department dated 8/27/2014. Memo to Board of Health from Health Department Staff dated 9/5/2014. Letter to Health Department from Paul R. Tradif, Esq., P.C., dated 9/9/2014. Documents are available for review in the Health Department Housing File Map 66-1.**

A letter from Paul R. Tardif, Esq., P.C., was submitted to the Health Department. Mr. Tardif stated that neither his client or himself would be at the meeting. The current tenant is due to vacate the property on October 7, 2014. Ms. Aylward agrees that she will not rent the property again until such time as the Health Department issues are addressed.

**Mr. Perrino moved to take no action for Brenda-Lyn Aylward, 520 Main Street, Unit 1-A, West Dennis. Mr. Perrino directed the Health Department staff to notify Ms. Aylward that she will need to apply for a Rental Occupancy Permit, have an inspection conducted and all violations be corrected before the property is offered for rent and a rental permit is issued.**

Mr. Bunce seconded the motion.

VOTED

IN FAVOR        5  
OPPOSED        0

**N.        BAYRIDGE REALTY, LLC/ DENNIS KERKADO-Show Cause Hearing for Noncompliance with an Order to Correct a Violation of the Town of Dennis Housing Space & Use By-Law  
89 CENTER STREET, SOUTH DENNIS**

Mr. Covell read the legal notice: A show cause hearing for Bayridge Realty, LLC/Dennis Kerkado, 89 Center Street, South Dennis, for noncompliance with an order to correct a violation of the Town of Dennis Housing Space & Use By-Law.

**EXIBITS/DOCUMENTS: Letter to owner from Health Department dated 5/6/2014. Application for Rental Occupancy Permit dated 5/19/2014. Notice to quit dated 5/29/2014. Letter to owner from Health Department dated 8/6/2014. Memo to Board of Health from Health Department Staff dated 9/4/2014. Memo to Board of Health from Health Department Staff dated 9/11/2014 Documents are available for review in the Health Department Housing File Map 84-79.**

A memo to the Board of Health from the Health Department Staff states that the Health Department staff visited the site on September 4, 2014 and the tenant at 89 Center Street appeared to be moving, as there was a U-Haul truck in the driveway and evidence of packing. On September 11, 2014, Health Agent Kristen Keller visited the property and confirmed that the tenant has moved out of the dwelling. The unit was being painted during Ms. Keller's visit. The owner stated that he would schedule the appointment for an inspection, once the tenant moved out. The Health Department staff recommends that the hearing be continued, pending an inspection.

**Mr. Bunce moved to continue the show cause hearing for Bayridge Realty, LLC/Dennis Kerkado, 89 Center Street, South Dennis, until the October 9, 2014 Board of Health meeting.**

Mr. Duffy seconded the motion.

**VOTED**

**IN FAVOR**        5  
**OPPOSED**        0

- O.        HSBS BANK USA, NA/OCWEN LOAN SERVICING, LLC- Show Cause Hearing for Noncompliance with an Order to Correct a Violation of 105 CMR 410.602(A), The State Sanitary Code, Chapter II  
61 GRASSY POND DRIVE, EAST DENNIS**

Mr. Covell read the legal notice: A show cause hearing for HSBS Bank USA, Ocwen Loan Servicing, LLC, 61 Grassy Pond Drive, East Dennis, for noncompliance with an order to correct a violation of 105 CMR 410.602 (A), The State Sanitary Code, Chapter II.

**EXIBITS/DOCUMENTS: E-mail correspondence to Alitsource from Health Department dated 6/30/2014. E-mail correspondence to Altisource from Health Department dated 7/3/2014. Letter to owner from Health Department dated 7/3/2014. Letter to owner from Health Department dated 8/28/2014. E-mail correspondence to Altisource from Health Department dated 8/28/2014. E-mail correspondence to Altisource from Health Department dated 9/2/2014. Memo to Board of Health from Health Department Staff dated 9/4/2014. Letter to Health Department from Hinshaw& Culbertson, LLP dated 9/9/2014. Documents are available for review in the Health Department Housing File Map 232-7.**

A letter from Gregory S. Bombard was submitted to the Health Department. He expects that the dumpster will be moved from the property prior to the October 9, 2014 Board of Health meeting. Mr. Bombard requested an extension until the October 9, 2014 Board of Health meeting.

**Mr. Duffy moved to continue the show cause hearing for HSBS Bank USA/OCWEN Loan Servicing, LLC, 61 Grassy Pond Drive, East Dennis, until the October 9, 2014 Board of Health meeting.**

**Ms. Chamberlain seconded the motion.**

**VOTED**

**IN FAVOR**        5  
**OPPOSED**        0

- P.        GREAT WESTERN SAND & GRAVEL, LLC- Approval/Assignment as a Noisome Trade for Proposed Solid Waste Recovery and Processing Operations  
141 GREAT WESTERN ROAD, SOUTH DENNIS**

Mr. Perrino read the legal notice: A request from Great Western Sand & Gravel, LLC, 141 Great Western Road, South Dennis for approval/assignment as a noisome trade for proposed solid waste recovery and processing operation.

**EXIBITS/DOCUMENTS: Letter to Health Department from Bennett Environmental Associates, LLC dated 8/12/2014. Letter to Health Department from abutters dated 8/14/2014. Letter to Bennett Environmental from Health Department dated 8/21/2014. E-mail correspondence between John Idman& David Bennett dated 8/27/2014. Documents are available for review in the 21E file for 141 Great Western Road, South Dennis, Map 131-6.**

Chairman Covell recused himself and turned the meeting over to Vice Chairman Perrino. David Bennett, R.S., Bennett Environmental Associates Inc., was present at the meeting. Potential buyer Kerry Sullivan was present as well. DEP is looking for recommendations from the Board of Health for conditions that they may consider during their review of their application. As of now, there has been no application submitted to DEP. DEP will hold hearings once their application is received. Any permits and final approval will be issued by the DEP. Once an application is filed, the abutters will have a time period to make their comments.

Mr. Perrino made a motion to close the meeting for public input. Ms. Chamberlain seconded the motion.

Mr. Bennett reviewed the proposed map with the Board and abutters showing where on the property different kinds of work will be done. He explained the different areas of the map and showed the barriers that will be placed in between the work area and the surrounding residential properties.

Mr. Bennett stated that he has spoken with Health Director Terence Hayes and DEP about what exactly is being sought. Mr. Bunce read from a letter dated August 12, 2014. He read the list of responsibilities that the perspective buyers acknowledge. Mr. Bunce questioned the definition of the operation of the facility. Mr. Bennett said that there will be no grinding or production of materials on Saturdays. There will be some retail business once enough products are generated.

Mr. Bunce said that after reviewing the project, he feels that the processing plant should be placed as far east on the property as possible. He understands that there will be a 200' distance from any residential dwelling, but feels that a greater distance would be more favorable. Mr. Bunce suggested that all roads that the trucks will travel on be covered with either woodchips or gravel in an attempt to keep the dust down. He suggested that the roads be watered as often as possible to also try and reduce the amount of dust. Mr. Bunce stated that there should be no production taking place on Saturdays or Sundays and production business should take place Monday-Friday, during regular business hours.

Ms. Chamberlain suggested increasing the height of the berm by 2', which would make the surrounding berm be a total of 8'

Mr. Duffy asked if the hours of business on Saturdays could be restricted to a half day. Mr. Perrino said that we cannot restrict their retail hours on Saturdays. If those hours were to be restricted, it would be done by DEP.

**Ms. Chamberlain moved to direct the Health Department staff to file a letter of support with recommendations to the Department of Environmental Protection for Great Western Sand & Gravel, LLC, 141 Great Western Road, South Dennis. The following recommendations shall be made to the Department of Environmental Protection:**

- 1. The facility will be open six (6) days a week, Monday thru Saturday between the hours of 7:00 a.m. and 4:30 p.m.**
- 2. On Saturdays, the property will be restricted to retail sales only. There will be no processing of materials of any kind.**
- 3. A vegetated buffer of 25' with constructed 8' berm or 8' acoustical fence will be maintained around any abutting private residential property unless permission is granted in writing by the property owner. No trespassing signs will be posted on the berm facing the abutting properties.**
- 4. The wood waste and aggregate processing and screening equipment will be operated as far East on the property as possible, with a minimum of 200' from any residential dwelling.**

5. All recovered areas are to be properly sloped to a minimum of 1:1 sloping and loamed and re-vegetated to prevent erosion.
6. Periodic reporting of the volumes of buried wood waste recovered, wood waste and ABC processed including the provision of receipts for the shipment of unsuitable materials sent to other facilities will be provided to the Dennis Health Department and MA DEP until buried wood waste fully recovered.
7. Periodic monitoring of groundwater monitoring wells for VOC's , MA DEP metals and petroleum hydrocarbons will be provided to the Dennis Health Department and MA DEP until buried wood waste fully recovered.
8. Any roads on the property that the trucks will travel shall be watered down for dust control as frequently as possible.
9. Full compliance shall be met with the Wetlands Protection Act and Dennis Wetlands By-Law.
10. Dennis Board of Health shall be copied on all documents regarding the property.

Mr. Duffy seconded the motion.

VOTED

IN FAVOR        4  
OPPOSED        0

## II. AGENDA ITEMS

1. **KEVIN & PAMELA WOLF- Request to Reduce Testing & Service for SeptiTech Treatment System  
12 FOREHAND DRIVE, DENNIS**

Mr. Covell read the legal notice: A request from Kevin & Pamela Wolf, 12 Forehand Drive, Dennis, to reduce testing and service for SeptiTech Treatment System.

**EXIBITS/DOCUMENTS: DEP Approved Inspection and O & M Form for Title 5 I/A Treatment and Disposal Systems dated 7/24/2012. Letter to Health Department from Rosano Davis Sanitary Pumping, Inc., dated 7/31/2014. Memo to Board of Health from Health Agent Meggan Tierney, dated 8/21/2014. Letter to owner from Health Department dated 8/26/2014. Documents are available for review in the Health Department Septic System File Map 349-9.**

Sharon Quarry from Rosano Davis Sanitary Pumping Inc., was present at the meeting. A memo to the Board of Health from Meggan Tierney states that the SeptiTech system has been tested semi-annually for the past two (2) years with favorable results. Ms. Tierney recommends reducing the testing to one (1) time per year.

**Mr. Bunce moved to approve the request from Kevin & Pamela Wolf, 12 Forehand Drive, Dennis, and require that testing and service of the SeptiTech Treatment System be conducted one (1) time per year to be done in late August or early September.**

Mr. Duffy seconded the motion.

VOTED

IN FAVOR        5  
OPPOSED        0



**2. APPOINT Carrie A. Schoener as Health Agent**

Health Director Terence Hayes submitted a memo to the Board of Health recommending that the Board appoint Ms. Carrie A. Schoener, as a Health Agent, for a term to expire on March 31, 2015.

**Ms. Chamberlain voted to appoint Carrie A. Schoener as Health Agent for a term to expire on March 31, 2015.**

**Mr. Duffy seconded the motion.**

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

**III. MINUTES**

**1. Regular Meeting of August 14, 2014**

**Mr. Bunce moved to approve the regular meeting minutes of August 14, 2014 with the change that the vote for Great Western Sand & Gravel be revised to IN FAVOR 4.**

**Ms. Chamberlain seconded the motion.**

**VOTED**

**IN FAVOR        5**  
**OPPOSED        0**

**The meeting adjourned at 8:33 p.n.**

jmc