

Wellfleet Board of Health
715 Old King's Hwy, Long Pond Room
Wednesday April 10, 2019, 6:00PM
Meeting Minutes

Members Present: Kenneth Granlund, Chair; Moe Barocas, Nick Picariello, Janet Drohan, Gary Locke

Others Present: Hillary Greenberg-Lemos, Health Agent; Rebekah Eldridge, Committee Secretary; Jude Ahern, member of the community; Chris Wixon, East Cape Engineering; Benjamin Zehnder; lawyer from Latanzi Law Firm

Meeting called to order at 6:00PM

Variances

- **1115 Cahoon Hollow Rd Wellfleet, MA (Map #17, Parcel #10) – Dana & Colleen Barisano**
- Wixon presented to the board on behalf of the Barisano's. He explained that there is an existing two-bedroom house on the way and the owners have decided to remove the existing house and construct a new two-bedroom house further back on the lot in compliance with zoning regulations. They are proposing to upgrade the existing septic system and install a new well. The well is being proposed as an easement as shown south of the property, which would allow the well to be greater than 50 feet from the new leach area. There is a micro-fast treatment unit for the septic.
- The chair asked Hillary her thoughts; she expressed there was a letter from an abutter (John Regan – 1105 Cahoon Hollow Rd, Parcel 9) Regan expressed his concern regarding this property and asked the board to postpone judgement until after the zoning committee meeting has taken place. Hillary gave some background on the property. Locke asked if there was a thought to raise the tank and install a drop manhole. Wixon explained that the way the plumbing is in the building at this point the variance for the cover is over the inlet of the tank, so they can do cleaning and pumping from there. Locke stated that he would like to see something other than plastic risers, he stated he would like to condition concrete risers. Wixon explained that on the plan it called for two H2O Risers.
- The board would like a copy of the easement language from the zoning board. The well would be on Parcel 9, the abutter does not want this to happen. The board would like to hear from the abutter. The board asked Mr. Zehnder to speak, he explained there was originally going to be a land swap but that didn't happen. They are now just putting on a second floor. He doesn't believe the Regan's (abutters) would agree to this.
- Barocas suggested that this matter be tabled until the matter has been heard in front of the zoning board. Hillary reminded the board that there is still an outstanding vote of the board regarding the septic system. The board agreed to have this matter tabled until the June meeting. They asked Wixon to eliminate

the easement and come back with a new and updated plan for the May meeting. Hillary asked to have the gallons per day added to the plan.

- **Locke moved to deem the property uninhabitable until the septic system is installed, Barocas seconded the motion; motion carried 5-0-0**

Business

- **Letter – 3 Kendrick Ave (Map #21, Parcel #112) – Extension**

Wixon presented for the above property. He explained the existing septic system was inspected last year. The inspection report passed the septic. The original design plan in 1995, had a 4.1-foot separation as an old code system, the inspection report indicated by referencing the old plan, in a subsequent plan that was prepared in 2011 the water elevation appeared to be different. Based on the health agent's data there was a 3.9-foot separation. His firm was asked to investigate. They found that the separation was 4.2-feet. He explained that at that time (March 7, 2019) if you apply the adjustment under the Cape Cod Commission technical bulletin the adjustment is almost 2 feet, which brings it to a 2.4-foot separation. Wixon cannot confirm that the separation exists all the time. He explained the reason the owners are asking for an extension is that the repair is they don't have a final plan for the property. They are asking to let it go for now and let the septic be used for the summer season and hopefully have a decision and then upgrade the septic system. They have asked until December 31, 2019 to decide on this property.

The board discussed how frustrating this was for them as the owners received notification back in October that the septic had failed. They are now at six months asking for more time. The location of the property was discussed. Hillary stated that the septic was inspected after the purchase of the property and had it been inspected before the owners would have been aware of the failed septic. She asked Wixon if the owners had a plan for the property, he didn't know of any plans at this time. Ahern addressed the board expressing her concern for the property.

- **Drohan moved that the property be given the extension, with no rental and no occupancy until that time, Barocas seconded the motion. Motion carried 3-2-0**

- **Letter Thomas & Lisa Cohn – 40 First Ave (Map #30, Parcel #124) – Plumbing Variance**

A letter is requested by the plumbing board to say the Board of Health is okay with this type of plumbing variance. Zehnder has drafted a letter for the plumbing board and has asked the chair of the Board of Health to sign the letter to be submitted to the plumbing board. Chair Granlund signed the letter to the plumbing board.

Licenses

- All licenses signed

Correspondence

- Farm Inspections have taken place by the health agents – with calls due to rats, letters were sent to owners, the farms that have been inspected all look clean and well taken care of.
- Notice from Cape Cod Commission about the herring river and the regional impact scoping decision.
- Nacho newsletter
- Letter written to NSTAR by Hillary for the conservation commission and the Board of Health about the pesticide spraying.
- Failing septic system second notice, mailed to 587 State Highway, test holes have been done.
- Gina Longo was ordered to upgrade her septic system in 2007. It has not been upgraded, her lot is very tiny. The board gave her more time (6 months) a letter went out in November reminding her to upgrade her septic. Compost toilets were recommended to her. She will come in front of the board by the next meeting.
- 2018 Annual Report from the transfer station
- Letter from Mary Ellen Manning regarding rats.
- Comprehensive permit application and notice of public hearing from Habitat for Humanity to construct four new affordable homes on Old King's Highway. Each lot of land meets the board's code.
- Questions on the Town Warrant, Article 36-consultant. The board discussed the new wording on this article.

Barocas motioned to recommend Article 36 as written Locke seconded the motion; motion carried 3-2-0

Minutes

- **February 13, 2019** – Barocas moved to approve minutes, Picariello seconded the motion; motion carried 5-0-0
- **March 13, 2019** – Locke moved to approve the minutes, Picariello seconded the motion; motion carried 5-0-0

Barocas motioned to adjourn the meeting, Locke seconded the motion; motion carried 5-0-0

Meeting adjourned 7:10PM