

Wellfleet Board of Health
715 Old King's Highway, Long Pond Room
Wednesday December 11, 2019, 5:30 PM
Meeting Minutes

Members Present: Janet Drohan, Jed Foley, Nick Picariello

Members Absent: Ken Granlund, Gary Locke

Others Present: Hillary Greenberg-Lemos, Health Agent; Rebekah Eldridge, Committee Secretary; Stephanie Sequin, Engineer at Ryder & Wilcox; Ann Suggs, owner 46 Nauhaught Bluff Rd.; Jason Ellis, JC Ellis Engineering; George Gardner, co-owner 87 Gull Haven Lane; Todd Emerson, a water representative for Harborside Villages

Drohan stepped in as chair in Granlund's absence.

Drohan called the meeting to order at 5:32pm

Variances:

- **81 Hiller Avenue, Wellfleet, MA 02667 (Map#20, Parcel #77) ~ David Weintraub & Maggie Morehouse**
Stephanie Sequin engineer for Ryder & Wilcox presented to the board on behalf of the owners. She is asking the board for variances regarding the installation of a new septic system, she informed the board that this property abuts the Harborside Village Property. She informed the board that this property is at the top of the coastal bank. There is a locust well at the southern part of the property and another well to the west. There is a public water supply for the Harborside Village. She gave some background on the property, it is a seasonal property. There is no central heat and the house is not insulated. She gave the board a site plan for the Harborside Villages showing the location of the public water supply, there was testing for the ground water flow and found that it is influenced by the tides but primarily flows to the south/southwesterly direction. She explained to the board that she has positioned the new leaching system so that she was able to maintain the 100-foot set back from the two private wells and maximize the distance from the top of the coastal bank. By Maintaining gravity flow from the existing waste-pipe where it exits the building as it is on a concrete slab, she explained that they can't redo plumbing. They used the pipe as a starting point. Sequin went on to tell the board after figuring all that out they ended up with the top of the leaching system more than 3-feet below finished grade and is closer to 4-4.5-feet. The variances are listed on the plan.
 - Going with the title five septic, they are requesting to allow the leaching system to be 11-feet from the top of the coastal bank where a 50-set back is required, they are requesting a 39-foot variance.
 - The system is being upgraded within the zone 1 public water supply well which requires a variance.

- The soil absorption system is to be installed greater than 4 foot 3 inches below finished grade and they are asking for a 15-inch variance from the 3-foot maximum
- The soil testing that was done where the leaching system is proposed they found fill, a layer of silt and sandy loam down 10/11-feet and then a verified four-feet layer of sand beneath that. She explained to the board that it was too deep to do a perk test, so they went ahead and took a soil sample and sent it to a soil lab and they performed a Siv analysis and confirmed it is a class one soil (sand) and based on that she assumed a perk rate of less than 8-minutes per inch. She is requesting a variance under local upgrade approval to be able to use the Siv analysis rather than the perk test for sizing the leaching system.
- Requesting a variance from the board of health regulations 505 to allow the soil absorption system to be 93-feet from the public water where the regulations require 100 foot minimum. They are requesting a 7-foot variance
- She stated that she recognizes that the biggest concern for the board will be the lack of separation between the soil absorption system and the well to the north. Sequin went on to say that based on the site plan for the Harborside Village property the ground water flow from the leaching system is likely to flow in a South Westerly direction which is away from the well. She asked the board to look on the plan that she gave them showing the elevation distance between the area up on the hill where the leaching system is going which is 32-feet above mean sea level and the grade at the bottom of the hill where the well is located is closer to about elevation 6 or 8 feet-mean sea level, she is estimating at least 20-feet between the bottom of the proposed leaching system and the grade at the well. She wasn't clear on the depth of the well but there she was certain there was ample vertical separation between the bottom of the leaching system and the well.
- Hillary read two letters from abutters, Ed & Ilene Golden and Lucy Andrews both in favor of the septic system. Todd Everson who was representing Harborside Village from Bennet Environmental Associates he stood up and spoke with the board as their public water supply operator. He stated Harborside Village is objecting to the proposed septic system due to the lack of separation from the source well to the proposed SAS as well as there being no proposed innovative or alternative treatment for the affluent discharge. He said they acknowledge that no matter where you go on the property you will be within the zone 1 of 230-feet he stated that is even more reason to insist on some form of treatment and seek maximum separation from the public water supply well to the proposed SAS. He stated he would like to seek at least 115-feet of separation and

have innovative alternative treatment that would satisfy Harborside Village.

- The board asked Sequin if an alternative system had been discussed. She explained that it had but the owners wanted to go with this system first due to cost. Drohan stated that an IA system would be a good thing to consider for the well being of the public water supply. The board discussed an IA system for the property. They asked Sequin to go back and revisit looking into an IA system so it is possible to keep the public water supply safe. The board would like them to try and get 115-foot adjustment to the leaching well which would bring them closer to the locust well. She will come back in January with a revised plan including an IA system and trying to get closer to the 115-foot setback.
- **This will be continued to the January meeting**

○ **46 Naughtaught Bluff Road, Wellfleet, MA 02667 (Map #21, Parcel #17) ~ Ann Suggs**

- Ann Suggs presented to the board regarding her property. She began with her revised plan. She explained to the board that she will be using the Fugi Clean system that is designed with the infiltrator leach field. The board overlooked the revised plan and looked over the meeting minutes from the last meeting making sure the concerns of the board were addressed on the revised plan. The new plan addressed all the previous concerns. Suggs asked the board that if the plan is approved under piloting use could it be considered to be moved from piloting to provisional when and if the provisional approval is granted because it is in the process. Hillary explained that the health department isn't allowed to do that because this goes through the state, DEP. The sampling changes the system from piloting to provisional. Suggs would need to go to the state to have the status changed. Hillary read to the board the rules and regulations for a piloting system.
- **Drohan moved to approve CSN plan #2019222 dated December 2, 2019 and grant the 13 variances requested for the construction of a septic system to serve a three-bedroom structure. For IA technology using FUGI clean CEN 5 denitrification technology under the piloting use approval category. Subject to the following conditions:**
 - **Design flow to be limited to 330 gallons per day to serve three-bedrooms**
 - **25% reduction in the leach area with 248.6 gallons per day provided**
 - **No increase in habitable area**
 - **No conversion of use**
 - **Well water testing per standards**
 - **Shall be recorded on the deed at the registry of deeds.**
 - **The IA monitoring as required by the company and the system shall be done.**

Picariello seconded the motion, motion carried 4-0

- **130 Peace Valley Lane, Wellfleet, MA 02667 (Map #8, Parcel #21) ~ Leone Noddin**
 - Jason Ellis presented the board representing the owner. He reported that the house is for sale with two cesspools and they are looking to upgrade to a septic system to comply. He stated the property is abutted by a wetland on the entire south side of the property. He stated he has located a new septic tank and leach field to the north of the property towards Peace Valley Road, to get it as far away from the wetland as he possibly can. The existing well is located in the center of the house they are looking to abandon that well and install a new 4-inch well down toward the wetland on the south edge of the property. He is asking for a 9-foot variance from the proposed leach area to the foundation given the constraints of the property. There is a 20-foot requirement and they are providing 11-foot separation. No reserve area provided and are asking for a 6-foot variance from the proposed leach area to the edge of the wetland, 100-foot is required they are providing 94-feet. Foley asked if the proposed well has been tested. Ellis stated nothing has been tested yet, but they are planning on drilling the well very delicately because of the wetland. Ellis stated once the plan has been approved, he must go before the conservation committee and then put the well in and then have a water test performed. Hillary stated that the owners currently have a two-bedroom dwelling and the lot is capable of a three-bedroom dwelling with the leach field system. She asked the board if they would be willing to entertain a three-bedroom dwelling in case in the future the owners want to expand. Ellis explained that he had been through the home and the basement is partially finished but didn't see it as a three-bedroom. The board will leave it as a two-bedroom and if the owners wish to make a three-bedroom in the future they will need to come before the board.
 - **Picariello moved to approve JC Ellis Plan dated November 5, 2019 and grant the three variances requested in the letter dated November 25, 2019 for the upgrade of a septic system to serve a two-bedroom structure. Subject to the following conditions:**
 - Design flow to be limited to 330 GPD to serve a two-bedroom structure**
 - No increase in habitable area**
 - No conversion of use**
 - Well water testing per standards requirements**
 - Well to be tested and results to be given to the board of health**
 - Shall be recorded with the Barnstable registry of deeds**
- Foley seconded the motion, motion carried 4-0**

Business

- **48 Nauhaught Bluff Road, Wellfleet, MA 02667 (Map #21, Parcel #16) ~ Gina Longo**
Hillary gave an update to the board regarding the property. She explained to the board that Longo had emailed her telling Hillary that she has been reaching out to engineers regarding a tight tank. She asked the board if she could be given a little more time. The board would like her in front of the board at the January meeting.
- **87 Gull Haven Lane, Wellfleet, MA 02667 (Map #9, Parcel #620) ~ Annie Gardner**
George Gardner presented to the board on behalf of his seven siblings who own the property together. He referenced the letter written by his sister in November. He explained that the new septic system that was put in was designated for a three-bedroom but there was an error stating the cottage was a two-bedroom when in fact they have been using it as a three-bedroom. He is asking the board to reclassify the cottage as a three-bedroom. Hillary explained to the board that the leaching field is designated to as a three-bedroom 340 gallons per day. She stated that she did a walk through and there are two-bedrooms on the first floor and there is a bedroom on the second floor. Hillary reported there have been no permits pulled to change the structure.

Picariello moved that the board of health determined that the property at 87 Gull Haven Lane is a three-bedroom dwelling shall be recorded with the Registry of Deeds once a letter from the board of health has been issued

Foley seconded the motion, motion carried 4-0

Licenses:

- To be signed by the board ~ All licenses were signed.

Minutes:

- **November 13, 2019**
Drohan moved to approve the minutes as amended, Foley seconded the motion, motion carried 4-0

Correspondence

Meeting adjourned 6:45pm