

**Wellfleet Board of Health  
715 Old King's Hwy, Duck Pond Room  
Wednesday February 13, 2019, 6:00PM  
Meeting Minutes**

**Members Present:** Ken Granlund, Chair; Moe Barocas, Janet Drohan

**Members Absent:** Nick Picariello, Gary Locke

**Others Present:** Hillary Greenberg-Lemos, Health Agent; Rebekah Eldridge, Committee Secretary; Jason Ellis, J.C. Ellis; Tom Desmond, Desmond welling

Meeting called to order at 6:00PM

**Animal Permits**

- **Pilar Clements – 45 Peace Valley Road (Map #8, Parcel #239)**

- **Chickens**

Hillary updated the board, Pilar has 2 horses and 6 chickens. No roosters. Ken asked about neighbors having any issues with her chickens and horses, Pilar explained that her neighbors also have horses. Janet asked Pilar about any rat problems and moving forward what were her plans if she encountered a rat issue. Pilar explained that she trenched around her chicken coops down and over a foot. She keeps her food tucked away.

**Barocas moved to approve the 6 chickens; Drohan seconded the motion  
3-0 motion carried.**

**Variances**

- **125 Samoset Ave. Wellfleet, MA (Map #28, Parcel #106) – Arthur Powers**

Tom Desmond, presented to the board, regarding the property. Tom explained he was originally hired for a service call due to low pressure (2 gallons per minute). The well didn't comply to any state regulations. Arthur was given an estimate to try to replace the well with a 4 inch well in the same location that it was at. It was drilled and found that site wasn't given any more pressure. Tom went behind the garage at the property and found a well that will sustain 7.5 gallons of water per minute. He's close to the septic with that site. He has explored the land and is now seeking the board of health's approval for a potable well. Tom showed the map to the board.

The nitrate testing was below the level.

The board would like a potable water test once a year.

**Drohan moved to approve the variance for Arthur Powers at 125 Samoset Ave, Wellfleet MA for the new well which will include a variance of the well being 40 feet from the properties leach field (+ or -) with the condition that an annual potable water test is done by the owners; to be recorded with the Registry of Deeds. Barocas seconded the motion. 3-0 Motion Carried.**

- **135 Old Truro Road Wellfleet, MA (Map #8, Parcel #164) – Lawrence Kaplan & Michele Rose (Continued)**

Jason Ellis presented to the board on behalf of the owners. He explained that he was able to “tweak” the plans. He told the board that he maintained 10 feet off the easement and 25 feet off the catch basin. Which eliminated all the variances. He explained he didn't put a reserve. He is looking for a no reserve variance, if the septic system would need to be replaced it could be ripped out and put back in the exact spot, which is allowed. Hillary asked for a note on the plan that if the septic is to be replaced that it goes in the exact spot of the existing septic.

**Drohan moved to approve the plan with no reserve variance. Barocas seconded the motion 3-0 motion carried.**

Hillary read a letter from an abutter disapproving the construction at the above property. The board acknowledged the letter.

## **Business**

- **Appeal of health agent for a fine – 115 Cahoon Hollow Road, Wellfleet, MA – Dana & Colleen Barisano**

The Barisano's were not present for the meeting, their lawyer Ben Zender was also not present, Hillary called Ben to see if he would be presenting to the board. Hillary explained that they are trying to do a land swap, they need an extension of time for a septic variance. The board agreed they would give them an extension, if there is no occupancy. Ben called and explained there is no one occupying the property at this time. Hillary showed the board the agreement signed by Barisano saying he would upgrade the septic within 6 months of the property transfer back in April of 2018. This property will be postponed until the meeting on March 13, 2019.

- **Outer Cape Health Associates**

Hillary explained to the board that she went to the property and did a final inspection on the septic system; the system went in too deep and requires a variance from the board. Hillary explained they can take out the leach field and raise it back up to what was specked on the plan. Hillary informed the board it is down 3 feet too deep. There was a mistake made but the board along with Hillary agree that the tanks need to be raised up and no variance be granted.

- **Disposition of Town owned Land**

Hillary explained there are two parcels of land that are being transferred from the board of selectmen to the housing authority, one is the property at the old COA building and the other is off Old Chequessett Neck Road.

**Barocas moved to support the transfer from the board of selectmen to the housing authority for the two parcels of land. Drohan seconded the motion 2-1 motion carried.**

Hillary continued with the 3 other parcels of land that are marshland that will not be built on it will be kept as conservation. The board agree 3-0 all in favor of supporting that disposition of land.

### **Licenses**

All licenses were signed.

### **Correspondence**

- Document from Eversource about spraying the powerlines
- National Literature
- Letter from Chatham on gas infrastructure
- Contract on IA system
- Cancer incidence report from 2010-2015
- Letter from Rebecca Noble about the bike path
- Hillary talked about the housing and the Airbnb issues and will return to the board when she has more concrete answers. Discussion continued about taxes and what should be charged.

### **Minutes**

- **January 9, 2019 – Barocas moved to accept the minutes, Drohan seconded the motion 3-0 motion carried**

Meeting adjourned at 6:45Pm