***Wellfleet Board of Health***

***Hybrid Meeting***

***Zoom/715 Old Kings Highway (ACC)***

***Wednesday November 9, 2022; 5:30 pm***

***Meeting Minutes***

**Members Present:** Nick Picariello, Chair; Ken Granlund, Vice Chair; Janet Drohan, Deborah Freeman, Gary Locke

**Others Present:** Hillary Greenberg-Lemos, Meredith Ballinger, Scott Horsely, and Anastasia Rudenko

Chair Picariello called the meeting to order at 5:30 pm

***Permit***

**8 Golden Rod Rd, Wellfleet, MA; Map #8, Parcel #98 ~ Charles and Ashley Rogers ~ Stable Permit Application**

Ashley Rogers read a statement addressing her history of owning horses, her relationship with her current neighborhood, that she has been current on all of the necessary certifications, has always satisfied the Town’s requirements for keeping horses, and that her plan has been approved by the State.

Abutters and concerned residents were given a chance to provide their comments. Those who were not in support of her permit’s being granted shared the following concerns:

Smells, potential damage to wells, rats, insects, disease, increased nitrogen, the other wildlife in the area, their enjoyment of their yards and trails, and protecting the lifestyle that they have purchased by moving to Wellfleet. They felt having a stable and three horses would affect the value of their “pricey, well-maintained homes” and change the character of the neighborhood for the worse.

Several supporters of the permit offered reminders that horses have always been a part of the Wellfleet’s culture and life. All supporters attested to the impeccable care that the Rogers’ take of their horses and property. They reminded the objectors that permits of this nature are renewed yearly, inspected, and conditional. One supporter suggested that sometimes when people move here from other places they might come with attitudes and expectations that are not in keeping with the bylaws or culture of the Town.

An objector expressed his belief that decisions of this nature should be based on what Wellfleet has become, not what it once was.

The Board reminded the speakers that their purview is to focus on Health—not social issues. The Board affirmed that the Rogers’ filing was extremely well-done and satisfied all of the requirements, that the site visit confirmed excellent care of their animals and property. The Board reminded persistent objectors that this proposal will still have to go before the Zoning Board of Appeals, and the Board is addressing Health only.

When the possible future impact on abutters’ wells continued to be brought up, Kurt Felix asserted that horse manure has far less impact on a well than a septic system would have because the manure remains above ground.

Freeman moved to approve the application as submitted with conditions: annual permit, regular inspection, manure plan be approved. Picariello seconded, a vote was taken and the permit was approved 4-0.

***Business:***

**Targeted Watershed Management Plan Presentation by Scott Horsley & GHD**

Scott Horsley provided a review of the Watershed Plan, which will be converted to a Watershed Permit. The plan has been submitted to the State. The plan includes wastewater treatment and management, restoration of the salt marshes, development of a downtown sewer system, Herring River restoration, inclusion of a project at the Transfer Station, the 95 Lawrence project which will provide a net quality improvement, Route 6 MDOT stormwater improvement, a shellfish propagation project, and enhanced I/A (Innovative and Alternative) septic systems. The shellfish project is not officially included, but is functionally part of the plan. Scott’s PowerPoint presentation is available for viewing on the Town website on the Board’s page and is called, “Wellfleet Targeted Watershed Plan”.

Anastasia Rudenko offered a presentation on Massachusetts Environmental Protection Threshold Compliance Approaches for Sewershed. There are two approaches: hybrid and backup. The traditional plan is available to supplement the hybrid plan as needed. The next steps are to begin the 95 Lawrence facility design, and begin a downtown sewer plan.

Discussion was opened up to residents. The following concerns were discussed. The question of whether the town has accounted for the Maurice Campground project in this new plan. It had not, but is part of the discussion now. Whether new contaminants like PFA’s will be addressed by the new plan. It’s still in the research phase, but so far, the data supports evidence that it does. A question was raised about the tradeoffs between old systems with I/A. Surface vegetation does not, in fact, treat nitrogen, but the I/A systems do. Places where the I/A systems have been installed are showing improvement. At the October 12 meeting, a resident offered a practice in New Hampshire which includes residents installing a grinder pump that can be tied into a town’s sewer system. Can that be an option? The Board is already looking into it as a possibility. Seasonal industries (specifically restaurants) pose a threat to the environment when the latent septic systems are suddenly reactivated. Scott recommended the Responsible Management Entity (RME) from Barnstable County address this. The health of the Town’s ponds was discussed. The role of seals/other aquatic life in contamination was discussed, and the importance of coastal restoration was emphasized.

**Wellfleet Board of Health Rules and Regulations Discussion on Draft Changes**

Greenburg-Lemos ran through the changes made to the draft regulations. The Board has been soliciting comments on the regulations since August 10, but welcomes more. A plea was made to the residents attending the meeting to get the word out that more insights and questions are welcome as the document is shaped. The Board is aware, and agrees, that the cost of applying the new regulations is a major concern. New, income-based, financing will be made available through the county. Coming soon is an online viewer provided by the Cape Cod Commission which will allow residents to see maps of septic, sewershed, watershed, and individual properties dating back, so far, to 2017 and will go back further. It will be rolled out as the rest of the information, plans, financial assistance available, and regulations are more complete to avoid confusion and conflicting information.

Details of the changes to the draft regulations document were addressed, and residents were encouraged to ask questions as they went along. The sections that were included in this discussion were: definition section, 600-602, 605, 608, 609, and 610.

It was noted that a quorum of the Selectboard was present via Zoom and in person.

Concerns included: why cesspools are considered to be in automatic failure even if they are working. The response to which is that cesspools are incapable of treating nitrogen and do not process waste, and there are no plans on record for cesspools to know where they are in relation to groundwater. There is no way to regulate cesspools. They are a health risk. The difference between cesspools and Title 5 systems was discussed at length. Another issue raised was the lack of qualified engineers to address the septic problems locally. The current engineers are retiring and there’s no one to replace them because of a lack of affordable housing. Clarifying language was discussed. A subsidy has been approved for enhanced systems. A suggestion was made that residents who install enhanced systems be treated as if they had connected to the sewer. The State is requiring addressing of the watershed. This plan is the means to becoming compliant, and obtaining a permit affords the Town the ability to do so within its own proposed timeline, rather than being required to accomplish this within five years. If the Town did not have a plan, the State would require a town-wide sewer system, which is far more expensive than the proposed plan. Greenburg-Lemos introduced the Administrative Consent Form, which is an agreement between a resident and the Board that the resident will tie into the sewer system when it becomes available, preventing the resident from having to spend extra money on an upgrade to their system while they wait for the new sewer to reach them. The Town is participating in a county grant for five years that will also help defray the costs of upgrading (systems and participating in the sewer).

***Minutes***

• August 10, 2022 • August 24, 2022 • September 7, 2022 • September 14, 2022

Drohan requested a change on the August 24 minutes, and Freeman requested a change on the September 14 minutes. Granlaund made a motion that the minutes be approved, and Drohan seconded. A vote was taken and the minutes were approved 4-0.

***Reminder to the Board***

On Wednesday, December 14, the BOH will participate in a hybrid meeting with Truro and Provincetown at 5:00 pm and then have their business meeting after. The meetings will occur at the ACC.

***Adjournment***

Granlaund made a motion to adjourn; Drohan Seconded; and it was voted to adjourn.

Roll Call Vote: 4-0

Meeting Adjourned: 8:51 pm

Minutes Respectfully Submitted by

Jennifer Elsensohn, Committee Secretary

Documents:

Map 8/ Parcel 98 Variance Permit Application and backup materials

Targeted Watershed Management PowerPoint

Board of Health Regulations Draft

Draft Minutes: 8/10/22, 8/24/22, 9/7/22, 9/14/22