

Wellfleet Board of Health
Hybrid Meeting: Zoom/ 715 Old Kings Highway
Wednesday, September 13, 2023, at 5:30 pm

Members Present: Nick Picariello (chair), Janet Drohan, Deborah Freeman, Ken Granlaund

Others Present: Dan Gates, Scott Horsely (via Zoom), Anastasia Rudenko (via Zoom), Brian Baumgaretel, Alexi Rudman (via Zoom), Kathleen Bacon, Assistant Health Agent Gary Locke

Chair Picariello called the meeting to order at 5:39 pm. A quorum was present.

Aids Support Group of Cape Cod (ASGCC):

A Letter of Support for the Aids Support Group of Cape Cod to provide services in Wellfleet was read aloud by Chairman Picariello. The letter had been presented to the Board previously, but a decision to wait for a vote until all Board Members were present was made at that time. Picariello made a motion to approve and sign the letter of support as drafted. Drohan seconded, a roll call vote was taken, and the motion passed. 4-0.

Chair Picariello welcomed our new Assistant Health Agent, Gary Locke, who submitted his letter of resignation from the Board of Health on September 8, 2023.

Hearings:

Shaw, 25 Uplands Drive, Map 41, Parcel 135, Variance

Jason Ellis spoke on behalf of the homeowners, who are selling their five-bedroom home. There is currently a failed Title 5 septic at the property. The small parcel where this house sits provides only a small envelope of land for a leach area. There is no room on this site for a reserve area. The Board agreed that there is very little area to work with. Assistant Agent Locke offered a motion for the upgrade of a septic system to serve a five-bedroom structure, using Advantex AX-20 denitrification technology under the remedial, provisional or general use approval category with a 50% reduction in the leach area with the conditions: design flow to be limited to 278.9 GPD to serve five bedrooms, no increase in habitable area without Board approval, no conversion of use without Board approval, well water to be tested and found to be potable prior to the issuance of Disposal Works Construction Permit (DWCP), any restriction in design flow and all conditions shall be recorded on the deed for the property at the Registry in Barnstable, and proof of deed recording shall be submitted to the Health Department prior to the issuance of the DWCP, I/A monitoring requires a copy of the management agreement prior to issuance of DWCP.

Drohan made a motion to approve and grant the two requested variances with the conditions. Freeman seconded, a roll call vote was taken, and the motion passed. 4-0.

Brundage, 84 Kelley Way, Map 29, Parcel 129.3, Variance

Jason Ellis spoke on behalf of his client who is in the process of purchasing this house. There is an existing cesspool and the well is closer than 100 feet. He is asking for a variance to relocate the well and put the leach field of the septic system closer to the house to create as much distance as possible between the well and leach field. The proposed project includes a flow barrier. The proposed septic system is an 1,800 gallon Orenco system that can be retrofitted with Innovative and Alternative technology at a later time. There are two lots on the property which both belong to the owner who passed away. The property

is in an estate. The second lot also has a cesspool on it which will need to be upgraded. Two abutters, Kathy Farrell and Elizabeth Leeland, asked questions about the safety of their wells with regard to the proposed changes. Assistant Agent Locke told the abutters that this change makes their wells safer, and that the soil has very excellent drainage such that there will be no lateral movement of sewage. No sewage will move horizontally toward their wells.

Assistant Agent Locke provided a motion to grant the four variances requested for the upgrade of a septic system to serve the four-bedroom structure. The Conditions for the granting of these variances are: design flow to be limited to 444 GPD to serve four bedrooms, no increase in habitable area without Board approval, no conversion of use without Board approval, well water to be tested and found to be potable prior to the issuance of a DWCP, new well standard testing, restriction in design flow and all conditions shall be recorded on the deed for the property at the Registry in Barnstable, and proof of deed recording shall be submitted to the Health Department prior to the issuance of the DWCP, annual inspection of pumps, alarms, and other equipment.

Drohan made a motion to grant the variances with these conditions. Freeman seconded, a roll call vote was taken, and the motion passed. 4-0

Doucet, 70 King Phillip Road, Map 28, Parcel 174, Well Variance

Mary and Shaun Harrington, of All Cape Well Drilling, spoke on behalf of their client. There is no drinkable water available on the property at present absent the new well. They had asked a previous Health Agent if they could test for water in other areas of the yard, which they did, and found potable water. The clients are asking for the same variance granted to their neighbors. They have received results showing that the potential new well provides safe water. Board members asked about the danger of runoff, considering the topography of the property. The Harringtons spoke of the precautions taken in the building of the well and its connections. This neighborhood is experiencing difficulty in securing good water.

Assistant Agent Locke provided a motion for the upgrade of a well to a new location to serve this residential structure with the condition that the homeowners have their water tested yearly.

Granlund made a motion to grant the variance with the condition. Freeman seconded, a roll call vote was taken, and the motion passed. 4-0.

Scott Horsely, Anastasia Rudenko, Brian Baumgaretel, Alexi Rudman, Targeted Watershed Plan and Responsible Management Entity (RME) presentation.

Each presenter spoke to their area of expertise regarding the Plan and RME. The team submitted the Wellfleet Targeted Watershed Plan to the State after the Plan received approval from the Selectboard. The State returned the Plan with recommendations. Horsely shared the two major recommendations: 1) Shellfish/Aquaculture would not be accepted for credits upfront, and the sewerage plan would need to be increased by 10%, bringing the sewers down through Kendrick Ave and 2) the Plan should be submitted through MEPA so that they may also make comments. Horsely expects to have the Plan ready for resubmission within the next few months.

Wellfleet has received grants from the State to install Innovative and Alternative (I/A) septic technologies. The proposed sewerage system downtown and at 95 Lawrence, as well as the future

Maurice's development have I/A technology included in their proposed septic plans. The is a twenty-year plan. Horsely presented three options for the Plan; Plan A, which includes the use of I/A technology is predicted to cost half of the plan that does not use it. If the Town is proactive, it stands to save about 50% of the cost of becoming more compliant with the Clean Water Act. Rudman proposed an opportunity for the management of I/A septic systems through a Responsible Management Entity (RME). This group, in exchange for Town adoption and homeowner contribution of approximately \$750 per year (which they estimate to be about what average homeowners pay for sewer charges each year), would provide oversight for the installation of the I/A systems, inspections and samples yearly, pumping services, replacement of components, major repairs, and reporting; all the while collecting data. It also provides remote monitoring of the systems, which should also save money. The \$750 yearly using RME was compared to the average price of caring for an I/A system as a single homeowner, which is approximately \$1000 per year.

Selectboard Member, Kathleen Bacon, provided the information that a developer for the 95 Lawrence Project has been chosen, but that the Project is not yet funded. The wastewater plan associated with the Project is going forward regardless of whether the housing development does, and will serve the Police and Fire Stations, as well as the School. The lack of progress in the development of the housing Project does not impact the State approval of the Plan.

The Board asked about the cost of I/A systems, how many are currently in place, and how likely it is to be able to install twenty in five years, as the Plan suggests. Horsely and Baumgaretel asserted that it was a very reasonable expectation to install twenty in five years, that comparing the cost of I/A systems to sewer costs was more fair a comparison than using the cost of a Title 5 system because of the regulations that would be coming from the State, and that in most places, I/A systems cost approximately \$45,000, as opposed to the \$60-80 thousand that people are being charged in our area. Horsely expects the costs to come down as installers become more familiar with the systems. There are also low interest loans offered to install them.

Jude Ahearn opposed the presentation, saying that what had been approved was a different plan than what had been presented. Ahearn stated that Maurice's and a Shellfishing component had not been approved, that the RME is the craziest thing she has ever heard, and that none of this should be approved without being taken to the Town first. Picariello agreed that the Watershed Plan should go to Town Meeting.

Meeting Minutes:

Approval for minutes for the following meetings: August 9, 2023, October 12, 2022, November 9, 2022, June 14, 2023, and July 12, 2023. (Board members were reminded that they should only vote on minutes of meetings at which they were present.)

Drohan made a motion to approve the minutes from June 14, 2023. Freeman seconded, a roll call vote was taken, Granlund abstained, and the motion passed. 3-1-0.

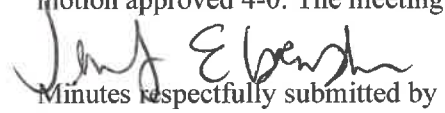
Picariello made a motion to approve the minutes from July 12, 2023. Drohan seconded, a roll call vote was taken, Freeman abstained, and the motion passed. 3-1-0.

Freeman made a motion to approve the minutes from August 9, 2023. Picariello seconded, a roll call vote was taken, Granlund abstained, and the motion passed. 3-1-0.

Freeman made a motion to approve the minutes from October 12, 2022. Drohan seconded, a roll call vote was taken, Picariello abstained, and the motion passed. 3-1-0.

Drohan made a motion to approve the minutes from November 9, 2022. Picariello seconded, a roll call vote was taken, and the motion passed. 4-0.

Freeman made the motion to adjourn the meeting, Granlund seconded, a roll call vote was taken, and the motion approved 4-0. The meeting was adjourned at 7:15 pm.

A handwritten signature in black ink, appearing to read "Jennifer Elsensohn", is written over the text "Minutes respectfully submitted by".

Minutes respectfully submitted by
Jennifer Elsensohn, Committee Secretary

Documents:

Meeting meetings: August 9, 2023, October 12, 2022, November 9, 2022, June 14, 2023, and July 12, 2023

Letter of Support for Aids Support Group of Cape Cod

Shaw variance plan and supporting documentation

Brundage variance plan and supporting documentation

Scott Horsely, Targeted Watershed Plan information and supporting documentation