

Wellfleet Board of Health

Hybrid Meeting: Zoom/ 715 Old Kings Highway

Wednesday, December 14th, 2022 at 5:00 pm

Meeting Minutes

Members Present: Nick Picariello (Chair), Janet Drohan, Ken Granlaund, Deborah Freeman, Gary Locke (virtual)

Others Present: Hillary Greenberg-Lemos (Agent), Lezli Rowell (Provincetown Health Agent), Provincetown Board of Health, Patrice Barrett, Barnstable County Department of Health and Environment, Jim Starbard, Madison Wellman, Brad Malo

Chair Picariello called the meeting to order at 5:05 pm.

New Business:

Outer Cape Public Health Needs Assessment: *Presentation by Patrice Barrett (MPH), Barnstable County Department of Health and Environment*

Patrice Barrett from the Barnstable County Department of Health and Environment presented on the Public Health Needs Assessment and associated survey that was conducted as a joint effort between the Wellfleet, Truro, Provincetown Health Department. Topics that were discussed as a result of the assessment were mental health, substance abuse, COVID-19 effects and experiences, food security, nutrition and preventative health screenings. Patrice also gave an overview of what are the social determinants of health and recommendations for future health interventions to result in a healthier community.

RCAP Solutions Wellfleets's Private Well Testing Results: *Presentation by Jim Starbard*

Jim Starbard, regional Director of RCAP solutions, presented on results of the free well testing that took place in Wellfleet. RCAP solutions is a nonprofit dedicated to helping rural communities address economic and environmental concerns. Funding through the Health Foundation of Central Massachusetts for private well testing over the next 5 years. Tested 40 different homes and took most of the tests from the kitchen sink and had the test results analyzed at the Barnstable County Lab. Wellfleet overall has some of the best test results RCAP solutions had seen. 3 out of 40 had any health based standards exceed the standard. 37 (92.5%) of well have no levels of contaminants exceeding MassDEP public drinking water health-based limits. Loans are available for septic and well loans for up to 15,000\$ with 1% interest between SERCAP, RCAP and USDA.

Madison Wellman coalition coordinator for RCAP Solutions shared there is no statewide standard to private wells and local boards of health may adopt their own regulations to set a standard for testing or well water quality. Wellman shared some towns had contamination rates as high as 57% of wells showing some sort of contamination that exceeded health standards.

Variances:

600 Chequessett Neck Road; Map #19, Parcel #63

Jason Ellis presented on behalf of Edward Miller, a septic variance request to upgrade the existing cesspool in failure to an existing 4-bedroom dwelling using Advantex AX-20 denitrification. Due to the configuration of the lot and the proximity of existing wells, building, and wetland, 7 variances are requested. The entire property is on or within the buffer of a coastal bank. There is a shrub swamp wetland to the east of the property that the system will be more than 100 ft away from. This system is performing at 19 mg/L of nitrogen. This property is not compatible for use of a Nitrore or Enhanced I/A system due to the fact that this property requires variance requests.

Deborah Freeman moved to accept the septic plan with variances. Janet Drohan seconded the motion. Motion passes 5-0.

90 Way #112; Map #29, #302

Jason Ellis presented on behalf of Iris and Valdi Margariti, a septic variance request to upgrade the existing septic system to a septic system utilizing I/A technology, Orenco Advantex AX-20, located at 90 Way #112 to an existing 4 bedroom dwelling. Due to the configuration and size of the lot, and proximity to existing wells variances are requested to the lot line and locus well.

Janet oved to accept the septic plan with variances. Chair Picariello seconded the motion. Motion passes 5-0.

385 Pilgrim Spring Road; Map #29, Parcel #238

Jason Ellis presented on behalf of Doris Bishop to upgrade the existing Septic System located at 385 Pilgrim Spring Rd. There is currently a 4 bedroom dwelling on a 39,000 sq ft lot. The variances include setbacks from the lot line and a 24 % reduction in the size of the leach field. The current design keeps the leach field outside the 100 ft buffer to the abutting salt marsh. The board expressed concern due to the proximity to Chipman's Cove and asked for a design that would incorporate nitrogen reduction technology. Jason agreed to submit a design using nitrogen reduction technology that could be incorporated in the future when regulation requires them to do so.

Deborah Freeman moved to approve JC Ellis design plan with a future revised plan. Seconded by Janet Drohan. Motion passes 5-0.

30 Lookout Road; Map #35 Parcel #3

Brad Malo of Coastal Engineering Company presented on behalf of John Hagerty and Monica Ruehli to install an E I/A (nitROE or NITREX) sewage Disposal System upgrade to replace the existing septic system. Variances are being requested for horizontal separation, a variance to the edge of the low marsh as well as a variance to the top of the coastal bank. Agent Lemos shared this plan will need to go to the DEP for approval because it is required that a fully complaint title V system be able to be sited in order to use Enhanced I/A technology.

The cost of this system is estimated to be around 75,000\$. The board informed the engineer that there is a 12,500\$ subsidy available to go towards the cost of installing this septic system with enhanced I/A technology.

Ken Granlaud moved to approve the septic plan. Chair Picariello seconded the motion. Motion passes 5-0.

15 Heron Point Road; Map #40, Parcel #6

Brad Marlo of the Cape Associates represents Brian Magierski and Marlene Romanczak asking for a variance for a septic upgrade to install an Enhanced I/A (NitROE or NITREZ) sewage disposal System Upgrade to replace an existing system at the above referenced property. Requested variances include setback to the saltmarsh and wetland. This project was previously approved by the Conservation Commission with an enhanced I/A system. Agent Lemos wonders if MassDEP will require the tank to be upgraded to a 1500-gallon tank. Brad Marlo indicated that the designer of the technology indicated they would allow the currently designed system with the 1000-gallon tank to suffice.

Chair Picariello moves to approve the septic plan. Ken Granlaud seconded the motion. Motion passes 5-0.

The board expressed concern over the cost of the systems going in are much too expensive for the people currently living in town and worry over people being forced out of their home because they can no longer afford to live here.

Request for BOH Review

1130 Browns Neck Road; Map #40, Parcel #6

Steve Phillips of Geiger Phillips architect is representing the owners at Browns Neck, who is designing an addition for the home at the aforementioned property. The plan is to expand the home by 660 sq ft by expanding the existing kitchen, dining room, and expanding an existing master bedroom. There is no plan to expand the number of bedrooms in the home.

Janet approved the increase in habitable area. Ken Granlaud seconded. Motion passes 5-0.

New Business:

Alex Nelson of Outer Cape Community Solution introduced herself to the board. She explained the mission of Outer Cape Community Solutions, a group that was developed in 2019 by a group of community nonprofit leaders to coordinate and open up communication between all these Outer Cape nonprofits. Alex meets with the health agents of Eastham, Wellfleet, Truro, and Provincetown.

Old Business:

none

Janet Drohan motioned to adjourn. Debbie Freeman seconded the motion. Motion carried 5-0.

Wellfleet Board of Health

Hybrid Meeting: Zoom/ 715 Old Kings Highway

Wednesday, January 11th, 2023 at 5:30 pm

Meeting Minutes

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

Others Present: Hillary Greenberg-Lemos, Matthew Farrell (virtual), Susan B. Reverby (virtual), Kathleen Bacon

Chair Picariello called the meeting to order at 5:35 pm

Variances:

117 Samoset Ave., Map 28, Parcel 107;

Matthew Farrell represented Beth Faulk and Raul Marques-Pascual asking the Board of Health to review and approve new floor plans for the proposed dwelling and new variance request for a proposed Nitroe sewage treatment system. Minor changes to the septic system include swapping the previously approved FAST septic system to a Nitroe septic system. This revised plan will need to also be approved by the state after it has gone through the board of health to allow for a reduction in the leech field.

The board asked if the well being down gradient from the Soil Absorption System (SAS) would affect the wells water quality. Agent Lemos clarified that the SAS flows towards the bay and away from the well. The board expressed concern about what would happen to the abandoned cesspool. The original plan was to pump and fill the abandoned cesspool with sand as is standard practice. The board asked that the contaminated sand and cesspool be removed.

Agent Lemos previously reached out to the DEP to ask about these systems that are in provisional use and will require variances, in hopes that DEP will provide feedback about what is allowable and what is not allowable. In the case that this plan is not approved by DEP there is a backup plan that was previously approved utilizing the FAST system.

Ken Granlaund moved to approve the JM O'Reilly plan #JMO-8808 dated 9/10/21 revised 12/23/22 and grant the 11 variances requested including the conditions that monolithic tanks be used, and the cesspools are to be removed from the site. Nick Picariello seconded the motion. The motion carries 4-0.

The total cost for the installation of this system is estimated to be 60,000\$.

Old Business:

Wellfleet Board of Health Rules and Regulations

Agent Lemos said these rules and regulations have not been redrafted yet because she wanted to continue to review incoming comments. The most common comment has been concern about the cost of the E I/A and I/A systems. The costs of these systems are becoming increasingly more expensive, with estimates coming in around 65,000\$. The board expressed concerns about what the state is ultimately going to ask for as not put the extra burden on costs on the individual homeowner. Agent Lemos

said she is confident the state would approve the Watershed permit plan. Agent Lemos would like some reassurance from the state that the provisional use systems will be approved on some of the lots that will require variances that have been increasingly coming before the board. There are currently more unknowns than knowns for the public inquiring about next steps forward regarding wastewater regulations when they are looking to purchase homes or lots in Wellfleet.

The board discussed if there have been comments or suggestions about best how to distribute funds from the Clean Water Fund moving forward. Agent Lemos shared she is working with Andrew Gottlieb to have a financing plan ready so that money can be used in places that will not see a sewer go by it.

Select Board member Kathleen Bacon shared the county is hoping to provide zero interest loans for individuals looking to upgrade their septic systems. She expressed she is the 208 Watershed permit will be approved by the state and will use that as a blue print moving forward. The Board of Health expressed the concern that the 208 plan is not user friendly for the average person to understand. They were in agreement that there needs to be some more education and outreach about what this plan means in terms of addressing wastewater moving forward.

The board would like to see some research surrounding costs of these Enhanced Innovative Alternative systems and Innovation Alternative systems. Agent Lemos expressed that trying to pin down a cost can be difficult because we are seeing different cost proposed for each unique property ranging from 65,000\$ to \$90,000. It is not as simple as retrofitting each system with the new I/A technology because in many cases these systems need an entire upgrade which can be quite costly.

New Business:

Agent Lemos updated the board that Barnstable County has increased the COVID risk category to high. There are no new requirements or mask orders in town. The Health department distributed the majority of free antigen COVID tests that the department received from the state into the community.

Winter Wednesdays is currently up and running and there is a Zumba class being offered at Preservation Hall. Free transportation is available to residents interested in participating in Winter Wednesdays.

Deborah Freeman motioned to adjourn at 6:08pm. Janet Drohan seconded the motion. Motion carried 4-0.

Wellfleet Board of Health

Hybrid Meeting: Zoom/ 715 Old Kings Highway

Wednesday, February 8th, 2023 at 5:30 pm

Meeting Minutes

Members Present: Nick Picariello (Chair), Janet Drohan, Ken Granlaund, Debbie Freeman

Others Present: Hillary Greenberg-Lemos, Health Agent, Stephanie Sequin (Engineer), Kathleen Bacon (Select Board), Tom Desmond (Virtually)

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

Variances:

3064 Baker Ave., Map 20, Parcel 54; Septic System Upgrade- Steve and Shirley Blanchard

The Blanchards are requesting approval for BOH approval to upgrade a converted cesspool to a title V compliant septic system. There is an existing 3 bedroom dwelling on an 11,400 sq ft. The property is on a steeply flowing lot with the house located on the downward end of the property. To maximize the distance between the SAS and the existing well they are requesting a multitude of variances to the setbacks from lot line, cellar wall and well as well as a reduction in the Soil Absorption System (SAS). The groundwater flows down gradient away from the SAS and away from the well.

The Board asked about how the system addresses nitrogen mitigation. This type of system does not do anything additionally to reduce nitrogen. Stephanie Sequin brought additional plans utilizing a MicroFast 0.5 denitrification tank instead of the stand septic tank to result in a reduction of 35 mg/L of nitrogen to 19 mg/L of nitrogen. Chair Picariello moved to approve the plan with the additional condition that the Well Water be tested annually. Deborah Freeman seconded the motion. Motion passed 4-0.

49 and 57 Tecumseh Rd Map 28, Parcel 166 and 165; Well Relocation

Tom Desmond is requesting a variance to have the well servicing the dwelling at Map 28, Parcel 165, be relocated to an abutting lot Map 28, Parcel 166. The current well at Map 28, Parcel 165 is high in tannins and sodium. The current homeowner bought the abutting lot (map 28, Parcel 166) to provide better water to the dwelling. The owner has no intention of building on the undeveloped lot. The existing well is to be abandoned at Map 29, Parcel 165 is to be abandoned.

Chair Picariello moved to accept the relocation of the well and Ken Grandlaud seconded. Motion passed 4-0.

Request for Board of Health Review

New Business:

Review of Departmental Fees

The Board reviewed the list of proposed fees and it was identified that the fees go into the general fund. The Board inquired if the fees are labeled as coming from the Board of Health. The Board feels as though the fees should be increased to represent the number of hours that go into permit review and

other services associated with the fee. There was discussion that the board would like the fees to be earmarked so that they can be used to fund future Public Health programming needs instead of it going to one big pot. There was discussion that the fees be reviewed every 5 years so that there isn't such a great jump, for example the last fee schedule was revised in 2008. It was noted that the fees were reviewed since then and it was determined that they were in line with surrounding towns. It was suggested that some research should be conducted before the next meeting to propose a new fee schedule that is in line with surrounding towns. The septic review and septic reinspection, food permitting, and recreational camps and pools were identified as being the most labor intensive. It was suggested that all the fees be increased by 13.8% for inflation across the board. It was indicated that the select board was encouraging each department to reassess if their fee schedule should be raised.

Agent Lemos shared with the board that the department was applying for a state funded grant to install a community fridge as well as 2 hand pump wells to increase resiliency in the Wellfleet Community.

The board expressed concern about homes that are being rented out and advertised well past the capacity of their existing septic tank. It was discussed you could possibly track where those people are staying based off the beach sticker sales.

The Board discussed having a rental occupancy program based off the capacity of the septic tank and Agent Lemos expressed concern about the current capacity of the staff in the department and not having the time to properly inspect and permit without more staff.

Ken Granlaud motioned to adjourn at 5:50, Janet Drohan seconded, 4-0

Wellfleet Board of Health

Hybrid Meeting: Zoom/ 715 Old Kings Highway

Wednesday, March 8th, 2023 at 5:30 pm

Meeting Minutes

Members Present: Nick Picariello (Chair), Janet Drohan, Gary Locke, Ken Granlaund, Debbie Freeman (virtual)

Others Present: Hillary Greenberg-Lemos, Health Agent; Virtually David Alpell (neighbor), Virtually David Lajoie (engineer)

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

Septic Variances:

25 First Ave and 156 Long Ave Map 30 and Parcel 129, 130

The aforementioned property is an existing 4-bedroom dwelling and 2 bedroom cottage with a surrounding wells impacting the plan. There are 3 wells on this site, as a result of effort finding a well with good water quality due to a variety of issues, including salt intrusion, contributing to the difficulty in designing this system. They are requesting two variances regarding set back to property line. The property will be going on the market soon and they wanted to upgrade the system in preparation. The board indicated concern about the property being close to a nitrogen sensitive area, Black Fish Creek, and wanted to know if there was consideration about putting in an Innovative Alternative System. The Engineer, David Lajoie, indicated that the plan is compliant with current Title V regulations and local by laws. He informed the board it will cost \$25,000 to install the standard Title V system plus another \$15,000 to install innovative alternative (I/A) technology. The chair indicated that there is a subsidy, \$12,500, available now to install an Enhanced Innovative Alternative System.

The chair asked if it would be possible to design the system with the I/A component ready to be installed at the time of the regulation. David indicated that there is room to install the I/A component in the future. The board asked if it would be possible to have a plan designed for the future with the Enhanced I/A system component so that the design work is completed, done, and approved so that whoever the property owners at the time would be ready to move forward at the time of regulation change.

David Alpel, a neighbor at 140 Long Ave, expressed concern about the driveway, otherwise known as A Street, being accessible during installation of the septic. David Lajoie indicated there would be no issue accessing the driveway during installation of system. It would take a day and a half to install the new system.

Agent Lemos asked why the system could not be redesigned without variances for the setback. David Lajoie indicated that it would be possible to redesign. David Lajoie asked for the hearing to be continued until the next month. Gary Locke motioned that the hearing be continued until April 12th. Janet Drohan seconded, motion passes 5-0.

Old Business:

Review of Departmental Fees

Agent Lemos shared a Board of Health fee schedule that shows the previously discussed 13.8% increase in fees and another column showing an increase in fees in line with Neighboring towns. Agent Lemos stated that the board was only discussing the departmental operational fees and that they would be reviewing the transfer station fees at a later date. The Chair indicated that the 13.8% was based off the current rate of inflation.

The Board asked Agent Lemos if she had clarification about whether fees can be kept within the department for public health initiatives. Agent Lemos indicated she had not had a chance to have that discussion.

The board are in favor of the fee schedule Agent Lemos put together based off surrounding towns fees. Gary Locke indicated that the septic reinspection fee should be increased to 100\$ and Agent Lemos responded she would change that fee accordingly.

Chair Picariello proposed that the proposed fee schedule be presented at a future public hearing. Ken Granlaund seconded. Motion passes 5-0.

Department Updates:

Agent Lemos shared with the board that the department applied for a state grant for the installation of a community fridge and hydroponic garden to stock the fridge. Barnstable County are supplying Public Health nurses and staff to provide health services including at blood pressure screenings and glucose tests, and nutritional counseling at the Wellfleet Library and the 246 Kitchen.

Chair Picariello motioned to adjourn at 5:31, Gary seconded, 5-0

Wellfleet Board of Health

Hybrid Meeting: Zoom/ 715 Old Kings Highway

Wednesday, April 12th, 2022 at 5:30 pm

Meeting Minutes

Members Present: Janet Drohan, Ken Granlaund (chair), Deborah Freeman, Gary Locke

Others Present: Hillary Greenberg-Lemos (Agent), Peter Crosen, Stephanie Sequin, Jason Ellis

Chair Granlaund called the meeting to order at 5:36 pm.

Variances:

25 First Ave & 156 Long Ave (Map 30, Parcels 129 & 130)– *withdrawn*

This variance request has been requested to be withdrawn without prejudice.

370 Ocean View Drive & 360 Ocean View Drive (Map 24, Parcels 56 & 55) Well Variance

Mr. Crosen is asking for a variance for the well at 370 Ocean View Drive to serve the house at 360 Ocean View Drive. In 2018 the board of health previously approved the variance to put in the well at 370 Ocean view. The old well is set to be completely removed including the water pipe and electrical, after the water connection is established.

Gary Locke motioned to approve the well variance at 370 Ocean View, and Janet Drohan seconded the motion. The motion carries 4-0.

100 Hamblen Farm Rd (Map 12, Parcel 39)

Jason Ellis is representing the owners at 100 Hamblen Farm Road. The home is currently for sale and in the process of being sold. There is currently a 3-bedroom house with an existing cesspool and the property owners are asking for a variance for a septic upgrade at this property. The Board expressed concern about the proximity to the wetland across the street. Mr. Ellis explained there is a flow barrier installed around the system due to the steep slope and the barrier would serve to protect the surrounding environment from any contaminants. The board indicated in the future the property owners may be required to install I/A technology. Mr. Ellis indicated that he could switch out the 1500 galloon tank with a 1000-gallon tank so that the system can be easily retrofitted with enhanced treatment unit.

Mr. Granlaund moved to approve the JC Ellis plan dated 2.22.23 with a future revision date, design to include the enhanced treatment unit. Subject to the following conditions design plan to be submitted with enhanced I/A technology when the future Board of Health regulations come into effect. Janet seconded the motion. Motion is carried 3-1

212 Holbrook Ave. (Map 14, Parcel 162)

Jason Ellis is representing 4 Bedroom house currently being served by a cesspool and the property is to be transferred in the future. Design includes Orenco Advantex AX-20 technology to allow for a reduction in the leech area. The property is currently being served by a well but will be serviced by town water in

the future. Due to the size of the lot and proximity of the existing wells and isolated vegetated wetland variances are being requested.

Mr. Grandlaund moved to approve the JC Ellis plan dated March 21, 2023 granting the 3 variances for the upgrade of a septic system to serve a 4 bedroom dwelling. Janet Drohan seconded the motion. Motion is carried 4-0.

55 Harvard St (Map 36, Parcel 67)

Stephanie Sequin of Ryder Wilcox represents the owner at 55 Harvard Street. Requesting approval to upgrade the current septic system that was last upgraded in 2000. During a septic inspection 2 wells were identified within 100 ft of the leech field at 55 Harvard Street. The total nitrogen for the locus well at 55 Harvard Street was less than 5 mg/L but the total nitrogen at 44 Cypress Street is testing greater than 10 mg/L. The owner at 55 Harvard Street came before the board in 2022 and it was decided that the well at 44 Cypress Street would be tested quarterly for a year at which point the board would reevaluate the plan moving forward. The engineer is proposing to install a denitrification, FujiClean unit, between the existing septic tank and the SAS. Agent Lemos indicated that there are two Fuji Clean units in the Town of Wellfleet currently and they are performing very well.

Chandler Crowell asked to clarify if the new system is installed, will the new owner at 55 Harvard Street will no longer be responsible for testing the water at 44 Cypress Street due to the denitrification mitigation at 55 Harvard Street? Agent Lemos said the owners at 44 Cypress Street will be responsible for testing their own well water moving forward.

Mr. Grandlaund moved to approve the variance at 55 Harvard Street. Deborah Freeman seconded the motion. Motion passes 4-0.

Old Business:

Review of Departmental Fees: *Transfer Station Fees*

The Transfer Station fees increase discussion will be postponed until the May Board of Health meeting.

New Business:

The board asked if there were any updates from DEP regarding Maurice's campground. Agent Lemos responded the town has not heard any comments from the state regarding Maurice's. The campground will open and has a camp manager in place. The town has been actively trying to secure a meeting date with the DEP to discuss the TDML plan. Will need a zero-growth bylaw in place. The town will also need to take the plan to MEPA for approval. In order to do all these things, the town will need to wait to review DEP's comments, adjust and then take the plan to a town meeting.

Mr. Grandlaund motioned to adjourn at 6:08pm. Mr. Locke seconded the motion. Motion carried 4-0.