



## TOWN OF EASTHAM

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### MINUTES EASTHAM BOARD OF HEALTH MEETING THURSDAY, JULY 30, 2015 AT 3:00pm

**Present:** Jane Crowley, Dr. Joanna Buffington, Susan Barker, Dr. Martin Haspel,  
Chair ~~Glenn Olsen~~, Vicky Anderson

**Absent:** Glenn Olsen

#### I. PUBLIC NOTIFICATION RE VIDEO AND/OR AUDIO TAPE

#### II. VARIANCE

**Peter Kavanagh                      50 Ellis Rd                      Map-22 Parcel-16**

Due to the constraints of the lot size 7,968 sq. ft. and existing 3 bedroom dwelling J.M. O'Rielly has submitted a plan with requests for variances to include 2 reductions of distance from leach area to side lines set back reductions as listed per plan. Variances include 50% reduction in the leach area size with addition of Microfast 0.5 I/A treatment. The property is served by Orleans Municipal Water. The separation from the applicants proposed septic location to the coastal bank is better than what currently exists and therefore provides more environmental protection as it provides secondary treatment with I/A Technology. This is a year round house.

*Dr. Joanna Buffington motioned to approve the variance with the following conditions:*

1. No increase in design flow is allowed. Any increase in habitable square footage would require Board of Health review and abutter notification.
2. Secondary treatment and monitoring under remedial use approval conditions per DEP regulations including testing quarterly (or 2 times per year for seasonal use) for total nitrogen, BOD, TSS, Nitrate-nitrogen not to exceed 19 mg/l. After 2 year period of time reduction of testing could be requested to BOH by owner.
3. Operation and maintenance agreement to be submitted to EBOH.. Operation and maintenance agreement to be required for life of the system. Operator to report results via Carmody Data Base provided through Barnstable County Health or directly to the Eastham Health Department if not available.
4. Deed restriction for 3 Bedroom use and use alternative technology requirement to be recorded on deed
5. Designer to verify proper operation of the system prior to issuance of Certificate of Compliance
6. Subject to Conservation Commission approval

*Vicky Anderson seconded the motion.*

*3-0 Vote*

**John Driscoll**

**385 Harmes Way**

**Map-1 Parcel-112**

Due to the constraints of the lot within the barrier beach resource area and existing 5 bedroom dwelling, East Cape Engineering has submitted a plan with requests for variances. The variance request includes; 100 ft set back for proposed leach area and 50 ft to the septic tank to the barrier beach, 42 ft to the salt marsh, 45 ft reductions of distance to the well as listed per plan. Also, a 25% reduction in the leach area size with addition of Microfast 0.9 I/A treatment and pressure dosing. The secondary treatment and increased separation of the bottom of the leach area to ground water will be better than what currently exists and therefore provides more environmental protection as it provides secondary treatment with I/A Technology. This project will also be going before conservation next month. This property is not used year round but is used more frequently than a seasonal house.

*Dr. Martin Haspel motioned to approve the variance with the following conditions:*

1. No increase in design flow be allowed. Any increase in habitable square footage would require Board of Health review and abutter notification.
2. Secondary treatment and monitoring under remedial use approval conditions per DEP regulations including testing quarterly (or 2 times per year for seasonal use) for total nitrogen, BOD, TSS, Nitrate-nitrogen not to exceed 19 mg/l. After 2 year period of time reduction of testing could be requested to BOH by owner.
3. Operation and maintenance agreement to be submitted to EBOH.. Operation and maintenance agreement to be required for life of the system. Operator to report results via Carmody Data Base provided through Barnstable County Health or directly to the Eastham Health Department if not available.
4. Deed restriction for 5 Bedroom use and use alternative technology requirement to be recorded on deed
5. Designer to verify proper operation of the system prior to issuance of Certificate of Compliance
6. Subject to Conservation Commission approval

*Dr. Joanna Buffington seconded the motion.*

*3-0 Vote*

**Katherine Lester**

**20 and 30 Dirks Dr**

**Map-13 Parcel-107 and 100**

The property located at 20 Dirks Drive consists of 2 lots in common ownership total size 57,708 sq. ft. in size. Ryder and Wilcox has submitted a plan to upgrade the septic system for the existing dwelling and to locate a portion of the leach area on lot 3A which is a separate lot from where the dwelling is located lot 1. Although the lots are separate they are used as one parcel.

The proposed upgrade will represent an improvement in environmental and public health protection.

*Dr. Joanna Buffington motioned to approve the variance with the following conditions:*

1. Any increase in habitable square footage would require Board of Health review and abutter notification.
2. Designer to verify proper operation of the system prior to issuance of Certificate of Compliance
3. Existing well to be tested for routine parameters.
4. Record a notice of variance that the septic system is located on Lot 1 and Lot 3A.

*Vicky Anderson seconded the motion.*

*3-0 Vote*

#### **IV. CORRESPONDENCE & OTHER INFORMATION**

**John Speziale                      70 Deepwood Dr                      Map 9 Parcel 185**

**Appeal of Board of Health Decision-** At the December 29, 2015 Board of Health Meeting the Board decided that the unfinished space above the garage at 70 Deepwood dr would have the following conditions:

1. The space is not to be used as a bedroom.
2. The bathroom is to be removed from the plan
3. A 3 bedroom deed restriction is required
4. There will be no increase in habitable space without abutter notification and BOH review

John Speziale, owner of 70 Deepwood Dr. came before the board to appeal the decision of removing the bathroom from the plans. He does not plan on using the space for a bedroom but rather a room for his instruments. He plans on spending a lot of time in the space and would like the convenience of having a bathroom in his music studio. The Board members expressed their concern of the space being used as a bedroom if plumbing is allowed. They explained that although Mr. Speziale may not have the intention of using it as a bedroom, a future buyer may and this could cause over utilization of the septic.

*Dr. Joanna Buffington motioned to deny the appeal to allow plumbing and a bathroom in the space above the garage.*

*Vicky Anderson seconded the motion.*

*3-0 Vote*

**Notice to Abate Violation of Eastham Board of Health Regulations-**On Tuesday, July 7 2015 it was noted by the eastham Health Agent that the dumpster located in front of 491 Campground rd "Tides Landing", was overflowing with debris and refuse. The owner was notified and took care of the problem in a timely manner.

**V. MINUTES**

The minutes were not approved due to the need for slight mortification. The minutes will be reviewed again at the next Board of Health Workshop.

**VI. ADJOURNMENT**

*Dr. Joanna Buffington motioned to adjourn the meeting at 4:00pm*

*Vicky Anderson seconded the motion*

3-0 vote

**THE NEXT BOARD OF HEALTH MEETING – THURSDAY, AUGUST 20, 2015**