

Note book



TOWN OF EASTHAM

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MINUTES EASTHAM BOARD OF HEALTH MEETING THURSDAY, AUGUST 20, 2015 AT 3:00pm

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

Absent: Glenn Olsen

I. PUBLIC NOTIFICATION RE VIDEO AND/OR AUDIO TAPE

II. OPENING STATEMENTS

- This month Jane Crowley has been working with our consultants on waste water planning. She hopes that by next month they will have two technical memos updating the 2009 in term or preliminary waste water reports.
- Those documents will be basis of the waste water flow evaluation and will explain what our responsibility is for this project.
- She hopes to have some hard info by the end of September
- Jane and the consultants are working on many fronts, one being storm water problems. She has gone to the Mass. DOT in an effort to get this project started. She is also working with the Cape Cod Commission to accomplish this task.
- Jane has also been dealing with the water shed problem at Salt Pond and Schoolhouse/Ministers pond. They are currently developing water shed plans
- Schoolhouse/Ministers pond is significantly impaired.
- Great Pond and Herring Pond were treated but Schoolhouse/Ministers Pond was not. Friends of schoolhouse/Ministers pond put together a list of ideas of potential resolutions to the water shed problem and how to clean up Schoolhouse/Ministers pond.
- Jane has had the consultant look at these suggestions. Unfortunately alum treatment is not going to work on Schoolhouse/Ministers pond due to the depth of pond.
- NStar/EverSource have submitted yearly operator plans and home owners are being notified as they are conducting their work under their right of way. There are maps available on the health website under the NStar Tab to describe their yearly operational plans.

III. VARIANCE

1 Bayberry Lane

Joseph and Helen Morcaldi Family Trust

M- 13 P-143

The property located at 1 Bayberry Lane is a 13,504 sq. ft. environmentally sensitive lot with 3 existing bedrooms. Moran Engineering has submitted a plan to upgrade the cesspool for the existing dwelling to a 5000 gal tight tank. The existing well is located 15 ft from the proposed tight tank. Although no discharge will be released if the holding tank is functioning properly, if the well could be relocated it would provide additional 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 including a 24 hr. water tightness test
3. Existing well to be tested for routine parameters if not replaced and tested on a yearly basis.
4. Design to comply with all provisions of 310 CMR 15.260 including Deed Restriction for use of tight tank to be recorded at Registry of Deeds
5. Operation and maintenance plan to be submitted prior to operation

Vicky Anderson seconded the motion.

3-0 Vote

145 Foxwood Drive

Joseph Moran

Map: 18

Parcel: 179

The property located at 145 Foxwood Drive is a 20,980 sq. ft. lot with 5 existing bedrooms. East Cape Engineering has submitted a plan to upgrade the leach pit with a new leach area. The variance request is to allow the leach area to be installed 5.5 ft below grade. There are no well variances. The plan calls to reuse the existing septic tank however the tank does not provide 200% capacity (550 gpd x 2 = 1100 gal). Therefore, a new 1500 gal tank may need to be included in the upgrade.

Vicky Anderson motioned to approve the variance with the following conditions:

1. Existing septic tank to be replaced with 1500 gal tank to provide 200% holding capacity.
2. Any increase in habitable square footage would require Board of Health review and abutter notification.
3. Proper operation to be certified by designer prior to COC.

Dr. Joanna Buffington seconded the motion.

3-0 Vote

IV. REVIEW

105 Bay view Drive

John Hickey Map: 10

Parcel: 278

The property located at 105 Bay view Drive received approval from the Board of Health on January 9, 2013 for the proposed project which included adding I/A Fast technology as part of the design. The installer began work prior to expiration of the permit for the variance (before 12/9/14) but failed to obtain a construction works disposal permit prior to beginning work. The house is still unoccupied and under construction. The BOH is being asked to consider the procedural error and allow the permit to be dated to retroactively coincide with the beginning of work. If this is allowed the applicant will not have to re-advertise and notify abutters and come back for re-approval.

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

1. The same condition stated in the December 12, 2013 approval letter will still apply
2. Any increase in habitable square footage would require Board of Health review and abutter notification.
3. Installer to be sent letter to reiterate that prior to construction of a septic system a permit must be obtained from the health department. The installer/contractor should have the permit and a signed copy of the plan on the job site when work is performed.

Vicky Anderson seconded the motion.

3-0 Vote

V. REDUCTION REQUEST

Thomas O'Brien

125 Bay Rd

Map 7 Parcel 521

On behalf of Tom O'Brien J.M. O'Reilly & Associates, Inc. requested a reduction in the testing requirements for the existing I/A treatment system which is used seasonally. The current requirements call for the system to be tested 2 times a year. J.M. O'Reilly & Associates requested that the Board of Health reduce the sampling to once a year. They also requested that the testing requirements be dropped to only: Total Suspended Solids (TSS), Biochemical Oxygen Demand (BOD) and Total Nitrogen (TN) and that they no longer be required to sample the well located on Map-7 Parcel-522.

Dr. Joanna Buffington motioned to approve the reduction request. The request was approved for the following parameters:

1. Testing the system once a year during the month of September.
2. Testing parameters will be reduced to Total Suspended Solids (TSS), Biochemical Oxygen Demand (BOD) and Total Nitrogen (TN) only.
3. The Homeowners of 125 Bay Rd will no longer be required to test the well located on Map-7 Parcel-522.

Vicky Anderson seconded this motion

VI. CORRESPONDENCE & OTHER INFORMATION

Notice to Abate Violation of Eastham Board of Health Regulations-

- **Richard Clark 135 So. Eastham St Map-21 Parcel -14**

On Monday August 10, 2015 a rental inspection was conducted as part of a Rental Inspection Program at the property owned by Richard Clark at 135 So Eastham St, Eastham MA. Violations of Eastham Board of Health Regulations were found as a result of a review of the property file after the inspection was conducted. The violations were as follow:

Eastham Board of Health Regulations, Section III, Human Habitation

- Failure to conduct the required annual water quality analysis.

As a result of the failure to conduct the required routine water quality analysis the annual rental certificate was put on hold with the Town Clerk's department. The water quality analysis was been submitted to the Barnstable county lab but the results have not come back as of yet. Once the Health department receives passing water results the hold on the rental certificate will be lifted.

- **Richard Clark 95 So. Eastham St Map-21 Parcel -13**

On Monday August 10, 2015 a rental inspection was conducted as part of a Rental Inspection Program at the property owned by Richard Clark at 95 So Eastham St, Eastham MA. Violations of 105 CMR 410 State Sanitary Code II, Minimum Standards for Human Habitation and Eastham Board of Health Regulations were witnessed at the time of the inspection. The violations were as follow:

105 CMR 410.750(N)

- Failure to provide smoke detector or carbon monoxide alarm required by 105 CMR 410.482.

The above violations have been corrected by the homeowner and a re-inspection was conducted by the Assistant Health Agent.

V. 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, SEPTEMBER 24, 2015

11/19/15

Marta Vilela