



## TOWN OF EASTHAM

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Accepted  
4/27/23  
(10)

MINUTES  
EASTHAM BOARD OF HEALTH MEETING  
THURSDAY MARCH 30, 2023 AT 3PM  
EARLE MOUNTAIN ROOM AT TOWN HALL

Present: Adele Blong, Francie Williamson, Dr. Fredric Leary, Lois Bryant, Hope Plavin, Susan Barker, Karen Chimwaza

I. NOTIFICATION OF VIDEO/AUDIO RECORDING  
II. OPENING STATEMENTS

Susan Barker provided a summary of Health Department Activities:

- The annual Rabies Clinic will be held on 4/22/23 at the Eastham Vet. More information can be found on the website.
- A choke saver class will be held on May 2, 2023. Contact the Health Department to sign up.
- Household Hazardous Waste Day will be held on May 13, 2023 at the Eastham Department of Public Works on Old Orchard Rd. Eastham residents may also participate in September at the Orleans DPW.
- Seasonal rental renewals have been sent out.

III. VARIANCE - VOTE MAY BE TAKEN

1. ANNE FINKELSTEIN 15 HATCH WAY M14 P101

Pete McEntee of Engineering Works presented a plan to upgrade the cesspool to a septic system with advanced treatment on the 25,200 sq. ft. environmentally sensitive lot. The proposed system would include a septic tank with a Singulair bio-kinetic treatment unit model 960-N (remedial use), 1000 gallon pump chamber, and perc-rite drip dispersal system with general use approval. The following variance was requested:

1. 310 CMR 15.405 (1) – A 2' reduction to the required 5' separation between maximum seasonal high groundwater and bottom of soil absorption system for 3' of separation under remedial approval of a Singulair Bio-kinetic Wastewater Treatment System.

Jason Carey of 30 Hatch Way expressed concern over the variance and the distance to groundwater. Ms. Blong explained the Board can balance the benefits of upgrading a cesspool with the variance requested, which in this case the upgrade septic system would offer additional environmental protection.

Dr. Leary moved to approve with the following conditions:

1. No increase in design flow be allowed. Any proposed change in habitable square footage would require Board of Health review with 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 sampling, reduction of testing could be requested to BOH by property owner or system operator.

3. Operation and maintenance contract required for the life of the system. Operator to report results via Barnstable County Management Program database.
4. Deed restriction with use of Singular Bio-Kinetic Treatment System Model 960-DN, and Perc-Rite Drip Dispersal System, and 3 bedroom use to be recorded with the Barnstable County Registry of Deeds.
5. Designer to verify proper operation of the system prior to issuance of COC.
6. Connection to municipal water supply to be provided.

Ms. Plavin seconded the motion.

### **Approved 5-0**

2. ASA & ELIZABETH DECKER                      25 LIMERICK WAY                      M17 P705 B

Stephanie Sequin of Ryder and Wilcox presented a plan to upgrade the soil absorption system on the 20, 706 sq. ft. lot. The proposed septic system would include the existing 1000-gallon septic tank, proposed H-20 distribution box, and two leaching trenches for a 29'4" x 8' x 2' soil absorption system.

The following variances were requested:

1. 310 CMR 15.211(7) – the proposed soil absorption system shall be approximately 4' below grade where 36" (maximum) is allowed. (1' increase)
2. 310 CMR 15.211(7) – the proposed distribution box shall be approximately 4' below grade where 36" (maximum) is allowed. (1' increase)

The options of adding a pump chamber or moving the existing septic tank in order to eliminate the requested variances were discussed. Ms. Sequin stated a pump chamber would result in additional costs and maintenance. She also stated the tank could be moved and the system placed in a different area of the yard, but the distance to groundwater from the bottom of the soil absorption system would decrease.

Ms. Blong moved to approve:

1. No increase in design flow be allowed. Any proposed change in habitable square footage would require Board of Health review with abutter notification.
2. Existing septic tank to be inspected to confirm structural integrity.
3. Deed restriction for 3 bedroom use to be recorded with the Barnstable County Registry of Deeds.

Ms. Bryant seconded the motion.

### **Approved 4-1 (Plavin)**

3. ANNE MARIE KRAWCHUCK                      880 N SUNKEN MEADOW RD                      M1 P77

Eric Mitchell of JC Ellis Design presented a plan to upgrade the cesspools to a septic system with advanced treatment on the 30, 064 sq. ft. lot. The proposed septic system includes a 1500 gallon septic tank with Advantex AX20 treatment unit, pump station, H-20 distribution box, and 21.5' x 14' x 0.5' soil absorption system. The following variances were requested:

1. 310 CMR 15.211 – proposed leach area 9' from lot line (road) (10' required, 9' provided, 1' variance requested).
2. 310 CMR 15.248 - No reserve area provided.
3. Eastham Board of Health Regulations: Sec. I C 3 b ii – proposed SAS located within 100' of wetland (100' required, 96' provided, 4' variance requested).
4. Eastham Board of Health Regulations: Sec. I C 3 b iii – proposed septic tank located within 50' of wetland (50' required, 38' provided, 12' variance requested).
5. Eastham Board of Health Regulations: Sec. I C 3 b iii – proposed pump vault located within 50' of wetland (50' required, 41' provided, 9' variance requested).

Dr. Leary moved to approve the presented plan with the following conditions:

1. No increase in design flow be allowed. Any proposed change in habitable square footage would require Board of Health review and abutter notification.
2. Secondary treatment and monitoring under general 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 property owner or system operator.
3. Operation and maintenance agreement required for the life of the system. Operator to report results via Barnstable County Septic Management Program.
4. Deed restriction with use of secondary treatment technology to be recorded on the deed and 2 bedroom deed restriction to be recorded with the Barnstable County Registry of Deeds.
5. Designer to verify proper operation of the system prior to issuance of Disposal Works Construction Certificate of Compliance.
6. Connection to municipal water supply to be provided.

Ms. Blong seconded the motion.

#### **Approved 5-0**

#### **IV. REVIEW - VOTE MAY BE TAKEN**

4. KEN & ERICA TABER

2120 STATE HWY

M15 P3

Stephanie Sequin of Ryder & Wilcox presented a plan to upgrade the septic system on the 55, 570 sq. ft. environmentally sensitive lot. The addition of a fourth bedroom on the property is included in the proposal. The proposed septic system includes a 1500 gallon septic tank with MicroFast 0.75 treatment unit, distribution box, and a 48' x 12' x 2' soil absorption system.

Ms. Williamson moved to approve with the following conditions:

1. No increase in design flow be allowed. Any proposed change in habitable square footage would require Board of Health review and abutter notification.



V. TRANSFER STATION REGULATIONS – VOTE MAY BE TAKEN

A workshop was scheduled for April 25, 2023 at 3pm.

VI. OTHER BUSINESS - VOTE MAY BE TAKEN

VII. MINUTES - VOTE MAY BE TAKEN

The minutes from 2/23/23 were accepted.

VIII. ADJOURNMENT

Ms. Plavin moved to adjourn.

Ms. Blong seconded the motion.

**Approved 5-0**

