



# Town of Barnstable

## Board of Health

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### BOARD OF HEALTH MEETING MINUTES Tuesday, July 14, 2009 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on July 14, 2009. The meeting was called to order at 3:00 pm by Chairman Wayne Miller, M.D. Also attending was Junichi Sawayanagi. Paul Canniff, D.M.D. was unable to attend. Thomas McKean, Director of Public Health, and Sharon Crocker, Division Assistant, were also present.

#### **I. George Heufelder – Performance of I/A systems.**

George Heufelder presented a Power Point Presentation. The presentation analyzed the current I/A systems in the Town of Barnstable and on the Cape.

The presentation discussed the pluses and minuses of the various systems in our town: Fast System, Bioclere, Recirculating Sand Filters, Singular, Ruck, and Single Family Septi-Tech. In George's analysis, I/A generally cost an additional \$10K above the standard Title V system for the system itself.

Costs:            Operating and Maintenance Contract \$ 1,200/yr  
                      Electric Cost \$ 350/yr  
                      Effluent Sampling 400 (included in the O&M Contract)  
                      Total Annual \$ \$ 1,550

Assumptions:    \$10K for additional cost - I/A portion of system  
                          20 year life expectance of system  
                          5% interest rate  
                          Total present value of I/A system = \$ 35,000\*  
                          \*this does not include the cost of someone to monitor the  
                          systems at the County to ensure systems are in compliance.

Mr. Heufelder discussed alternatives available among which included composting toilets, urine diversions and composting. One alternative he mentioned which has consistent results is Nitrex and can get its nitrate readings as low as 5 mg/L instead of the required 19 mg/L. The State has approved the use of 50 Nitrex systems. Currently four systems exist in MA including one in Mashpee for a

cluster of homes and one in Eastham. Nitrex has 15 units installed across the country.

\*The Board of Health will schedule a series of meetings apart from the regular Board of Health monthly meetings to determine whether Innovative Alternative Systems can offer an alternative to sewer treatment.

(also see last item – Lombardo Associates.)

**II. Hearing – Housing:**

Jason Ethier, owner – 15 Highland Street, Hyannis, ceiling height.

Jason Ethier and Ken (father) Ethier were present. He purchased the house with a 6'8" ceiling. He added a drop-down ceiling himself, not aware of the ceiling height regulation. The house was built in 1945-1950.

Mr. McKean read the violation letter which has 10 violations, one of which is the ceiling height. Tim O'Connell, Health Inspector, wrote that he does not believe the owner ever intended to have anyone sleep in the basement. The hearing today is only for the ceiling height. The room is about 10 x 15ft.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Miller, the Board voted to Continue to the September 8, 2009 Board of Health meeting and will measure the ceiling boards to verify whether they can get 6'8" from it. (Unanimously, voted in favor.)

**III. Septic Variance (Cont.):**

A. Brian Yergatian, BSC Group, representing Timothy and Eila Desrocher, owners – 3072 Falmouth Road, Marstons Mills, Map/Parcel 099-029, 2.2 acre parcel, requesting variance from 310 CMR 15.203 (4) to vary the design flow rate for the daycare facility.

Withdrew.

**IV. Septic Variance (New):**

A. Darren Meyer representing Robert Hallett, owner – 20 Tree Top Circle Marstons Mills, Map/Parcel 150-035, 0.91 acre parcel, four setback to wetlands variances.

Darren Meyer and Robert Hallett were present and discussed the plans.

Dr. Miller noted there is an issue with the entrance to the bedroom over the garage. The Building code does not allow the only entrance to a bedroom to be from the garage. (The septic has been repaired as it was an emergency repair.)

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Miller, the Board of Health voted to approve the variances with the following conditions: approval of the plan's entrance to the bedroom from garage must be received by the Building Commissioner. (Unanimously, voted in favor.)

**V. Variance – Food (New):**

- A. Karl Keppler, Keppler Mgt Co d/b/a McDonald's – (three locations: Rte 132, 175 North St, Cape Cod Mall), Hyannis, temperature of foods.

Karl Keppler was not present.

Thomas McKean read the code and stated there is a variance needed from the federal 1999 Food Code of 3-501.19 to accept the prepackaged

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Miller, the Board of Health duly made a motion to approve a variance from the federal 1999 Food Code 3-501.19 adopted by the State of Massachusetts. (Unanimously, voted in favor.)

- B. Kenneth Foster representing Cape Cod Community Education Foundation – temporary food application for July 17 annual event with hamburgers and hot dogs at Cape Cod Community College.

Ken Foster was present and Liz Lewis.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Miller, the Board of Health voted to approve the annual temporary food permit with the menu of hamburgers and hot dogs. (Unanimously, voted in favor.)

**VI. INFORMAL REVIEW:**

- A. Robert Anderson, owner - 71 Midway Drive, Hyannis, Map/Parcel 252-069, 0.26 acre parcel, installing a White Knight treatment system.

Robert Anderson was present and explained that his house was built in 1966 as a 2 bedroom with an unfinished upstairs. The septic was not increased at the time the additional bedrooms were built in.

Dr. Miller stated there are issues to be resolve: 1) need a septic system designed for four bedrooms provided they are not in a restricted zone, or if the property is limited to expansion, Mr. Anderson will have to convince the Board of Health historically that the bedrooms upstairs were put with proper permits even though the size of the septic was an oversight by the town. With the small system, the owner is aware that he will most likely need to replace the whole system.

Mr. Anderson said the Building Division has the proper permit in their file. He also mentioned that he is interested in using his property for the White Knight System since he needs to change his entire system.

The Board stated that Mr. Anderson will have to have his engineer look into the MA DEP's approvals for the White Knight. The MA DEP must approve it before the product is permitted to be used in our town.

B. John Whiteley - septic treatment products including digestase.

John Whiteley has contracted with Athea to distribute their products. There are no chemicals, only enzymes.

The Board stated the company's product must appear on the list of Mass DEP's list (currently of 64 additives approved to be used in this state). Mr. Whiteley will obtain the necessary paperwork.

**VII. ADDITIONAL ITEM – DISCUSSION:**

Pio Lombardo, PE, , Lombardo Associates, spoke on the Nitrex System. He had recently done a big presentation to Mashpee Board of Health. He spoke of the Nitrex systems results. The longest functioning Nitrex System has been in the ground for 17 years, and a product designed quite similar to Nitrex has been in use for 25 years. Mr. Lombardo stated he expects the system to last 40-50 years. Parts which need replenishing are the wood chips as they are actually consumed in the process. Every ten years, the owner should add to the wood chip supply. Mr. Lombardo said George Heufelder, Barnstable County Board of Health, tested the Nitrex for three years at his test center and results were very consistent.

Mr. Lombardo stated the Nitrex can save money from the cost of hooking up to sewer treatments. The cost of the home's hook up is included in his analysis. Dr. Miller pointed out that the cost of hooking up to our town's sewer is not as high as his analysis because we already have room in our sewer system to expand. The cost benefit would be smaller, however, Mr. Lombardo estimates a 25% savings can be acquired and more if a cluster of homes are used.

Dr. Miller stated that today's discussions are the first steps in the Board's desire to find alternatives to sewer treatment. He said he is interested in gathering people together including Mark Ells, along with the Town Wastewater Subcommittee and Brian Dudley, MA DEP, to discuss the alternatives.

Voted to adjourn 4:45pm.