

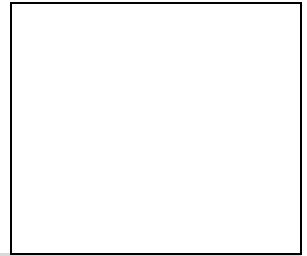


MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed, and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)



Committee/Board/s	Nantucket Board of Health, 131 Pleasant Street Nantucket, MA 02554
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Day, Date, and Time	Thursday, May 18, 2023 4:00PM
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Location / Address	First Floor Community Room 4 Fairgrounds Road, Nantucket, MA Remote Participation Via YouTube and Zoom Information on viewing the meeting can be found at: https://www.nantucket-ma.gov/138/Boards-Commissions-Committees Zoom Link: https://us06web.zoom.us/webinar/register/WN_-VWCsDQBQ0KzzDH_WhUxxw
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Signature of Chair or Authorized Person	Stephen Visco, Chair
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WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

YouTube Link: <https://youtu.be/DYJtdE2Z4ws>

Commissioners: Stephen Visco (Chair), Meredith Lepore (Vice-Chair)
James Cooper, Malcolm McNabb, Kerry McKenna

AGENDA:

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

1. Public Announcement – This meeting is being audio and visual recorded
2. Public Comment
3. Approval of Minutes April 20, 2023
4. Cliffside Beach, beach sampling variance
5. 56 Arkansas Avenue, Map: 59.4 Parcel: 156, Septic setbacks variance
6. 141R Hummock Pond Road, Map: 65 Parcel: 4.1, nitrogen loading variance
7. 1 Sheeps Commons Lane, Map: 54 Parcel: 280, nitrogen loading variance
8. 49 Polpis Road, Map: 54 Parcel: 21, sewer connection variance
9. Directors Report
10. Adjournment



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

BOARD OF HEALTH REGULATION VARIANCE REQUEST

\$20 per request

I am requesting: (Check one.)

☒ **A variance of a Local Board of Health Regulation**

☐ **A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)**

Please write an explanation of the variance requested (use separate paper if needed):

See attached Variance Request Letter

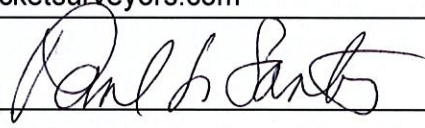
Requestor Name: Paul J. Santos, PLS

Company Name: (if applicable) Nantucket Surveyors, LLC

Address: 1 Sheep Commons Lane MAP: 54 PARCEL: 280

Phone No. 508-228-0240 Fax No. 508-228-9856

Email: psantos@nantucketsurveyors.com

Requestor's Signature: 

Date: 5/11/23

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: _____

Date: _____



P.O. Box 3627, Nantucket, Massachusetts 02584-3627
Tel. (508) 228-0240 Fax (508) 228-9856
www.nantucketsurveyors.com
nslinfo@nantucketsurveyors.com

May 11, 2023

Nantucket Board of Health
131 Pleasant Street
Nantucket, MA 02554

**Variance Request – 1 Sheep Commons Lane
Map 54 Parcel 280**

Dear Board Members:

On behalf of the property owner Steven and Carrie Phillip Nantucket Surveyors, LLC kindly requests a variance from the following regulations:

64.04 B.1. No system serving new construction in nitrogen sensitive areas as defined in Regulation 50.00 shall be designed to receive or shall receive more than 110 gallons of design flow per day per 10,000 square feet of lot area.

64.04 B.2. No system serving new construction in areas where the use of both on-site systems and drinking water supply wells is proposed to serve the facility may be designed to receive or may receive more than 110 gallons of design flow per day per 10,000 square feet of lot area from residential uses provided that any cumulative flow exceeding 330 gallons of design flow per day demonstrates a minimum 25% TN effluent reduction.

1 Sheep Commons Lane is located in Zone B of the Nantucket Harbor Watershed Protection District, The Public Wellhead Protection District, and a DEP Zone II. 1 Sheep Commons Lane also is served by an on-site drinking water supply well.

These regulations, along with Title V, limit the property to 298 gallons per day loading rate or 2 bedrooms on a lot size of 27,180 square feet. The "Blueberry Pasture" Cluster Subdivision has the benefit of 31.55 acres of open space which was not accounted for in any Nitrogen Aggregation Plan for the subdivision due to the subdivision pre-dating the current Title V regulations. The Nantucket Board of Health has previously granted variances via unanimous vote to allow 440 gallons per day (4 Bedrooms) loading rates for 2 Sheep Commons Lane on January 19, 2017 and 5 Sheep Commons Lane on March 24, 2022. Board of Health minutes for each approval are attached herewith.

Office located at 5 Windy Way • Nantucket, MA 02554

Land Surveying • Topographic Surveys • Civil Engineering • Construction • Marine • Environmental Permitting

A 440 gallons per day (4 Bedrooms) loading rate would also comply with 310 CMR 15.214 & 15.217 Nitrogen Loading Regulations irrespective of the 31.55 acres of open space. This is because the subject property has an approved MicroFAST De-Nitrification Septic Tank, which allows 660 gallons per day per acre (40,000 square feet) under the Massachusetts DEP Certification for General Use Transmittal #X232831 revised March 20, 2015. This rate would allow the subject property of 27,180 square feet to have a maximum allowable loading rate of 448 gallons per day exceeding the 440 gallons per day proposed loading rate.

The applicants respectfully submit that

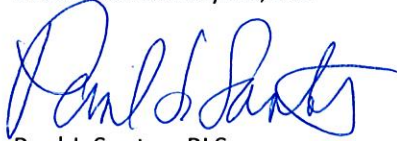
- (1.) The person requesting the variance has established that enforcement of the provisions of these regulations from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances of the individual case; and
- (2.) The person requesting a variance has established that a level of environmental protection that is at least equivalent to that provided under these regulations can be achieved without strict application of the provision of these regulations from which a variance is sought.

I will be available to discuss in more detail the variance request at the Board of Health meeting on May 18, 2023

Thank you in advance for your consideration.

Respectfully,

Nantucket Surveyors, LLC



Paul J. Santos, PLS

Enclosures

Cc Steven and Carrie Phillip

3. Variance Local Regulation 64 – 31 Quidnet Road

Sitting MacNab, Visco, Cooper, Weld, Atherton

Discussion **Santamaria** – The representative has asked this to be tabled for a month without opening.

4. Variance Local Regulation 64 – 128 Hummock Pond Road

Sitting MacNab, Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:13) **Art Gasbarro**, Nantucket Engineering & Survey – This is in the Hummock Pond Watershed District; they are asking to install a six-bedroom I/A system the meets nitrogen loading. An I/A system for six bedrooms would have lower nitrogen loading than a conventional four-bedroom system. The applicant has stated that if this is not approved, he will install a nine-bedroom system for which he has approval.

Santamaria – He and Mr. Gasbarro did a lot of calculations and this makes sense; an I/A is to our benefit.

Action **Motion to Approve the variance.** (made by: Visco) (seconded by: Weld)

Vote Carried unanimously

5. Variance Local Regulation 64 – 2 Sheep Commons Road

Sitting MacNab, Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:18) **Art Gasbarro**, Nantucket Engineering & Survey – This in the Nantucket Harbor Watershed District which requires an I/A system. A permit was issued for a four-bedroom system; the lot size allows only two bedrooms, however an I/A for four bedrooms meets the Title V regulations. There is 31.5 acres of open space in this subdivision but a formal nitrogen aggregation plan was never done.

Cooper – Asked how an approval would affect the built-out lots in the subdivision.

Gasbarro – When the septic permits for the existing structures were issued, no one was considering nitrogen loading. If they up-grade to I/A, they have to come before this board.

Action **Motion to Approve.** (made by: Weld) (seconded by: Cooper)

Vote Carried unanimously

6. Variance – 100 Sankaty Road

Sitting MacNab, Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:26) **Don Bracken**, Bracken Engineering, Inc. – This is the Sankaty Head Golf Course; they want to increase one of the employee residences from two to four bedrooms so are adding a system. In order to get that increase, they designed a second trench; based upon the elevation of the existing trench, the top of the new trench will be greater than three feet below grade, which is not accepted under Title V. The trench will be constructed with infiltrated polyethylene chambers.

Cooper – Suggested keeping the tank but rebuilding the entire trench so that it complies.

Crowley – This is new construction; the board has to think about granting a variance on new construction and setting a precedent. In this case they do have other options. This is an opportunity to bring into compliance a trench that was constructed wrong.

Bracken – It comes down to what is reasonable and the need to meet Title V. In his opinion, there is no environmental detriment; however, correcting the issue it would quadruple the cost of the project. Noted that the existing trench is nowhere near groundwater, which is very deep.

Cooper – Our purview is compliance; this is an opportunity to bring the system into compliance.

Visco – He supports granting the variance. He doesn't see a detriment to the environment.

Crowley – As of May 2015, it was in compliance; the system was put in ten to twelve years ago. His concern is the variance on new construction. He doesn't agree there is no environmental impact.

3. Variance Request for 5 Sheep Commons, 54-278, nitrogen loading Local BOH Reg 64.04 B. 1 & 2.

Sitting Visco, MacNab, Cooper, Lepore
 Documentation Supporting documents and plans, staff recommendations.
 Representative Don Bracken, Bracken Engineering
 Discussion **Bracken** – This is the last vacant lot in the subdivision, which was created in 1989. Most of these lots were given 4-bedroom septic approvals after 1997. A similar variance was granted in 2017. The lot is over 27,0000 square feet (sf) and with an I/A system, it will comply with Title 5. This is within the Nantucket Harbor Watershed District.
LaFavre – Under current regulations, they would get only 2 bedrooms; she did some research and there is another lot given an extra bedroom. All other lots are 3 or 4 bedrooms. Given the history and land there should be no issue with granting the variance.
 Action **Motion to Approve.** (made by: Cooper) (seconded)
 Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

4. Variance Request for 6 Nichols Road, 92.4-65, 15.405 (1)(a) set back to property line.

Sitting Visco, MacNab, Cooper, Lepore
 Documentation Supporting documents and plans, staff recommendations.
 Representative Don Bracken, Bracken Engineering
 Discussion **Bracken** – This is a septic upgrade to I/A triggered by future renovations; there is no increase in bedrooms. This is a private road with ownership to the center of the road; the septic is sited next to the road but is designed for H-20 to withstand normal traffic.
Cooper – Asked who has say in what happens to the private road.
Bracken – Everyone has rights to use the road; no permission from other residents is required for the positioning system.
Lepore – Asked how being in the road would affect the system should the road be widened.
Bracken – That's why it was designed to handle normal traffic, so they could widen the road over this.
 Action **Motion to Approve.** (made by: Cooper) (seconded)
 Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

5. Variance for 105 Tom Nevers Road, 91-25, nitrogen loading aggregate plan

Sitting Visco, MacNab, Cooper, Lepore
 Documentation Supporting documents and plans, staff recommendations.
 Representative Gerald Buzanoski, for the owner
 Ken Gullicksen, Reade, Gullicksen, Hanley, & Gifford LLP
 Discussion **Buzanoski** – The system is approved for 3 bedrooms; his client wants to construct a 4-bedroom house with the property 1,000' shy for allowance of the 4th bedroom. We propose to supplement that by taking an easement on 107 Tom Nevers Road.
Cooper – Suggested it would be simpler for the owner to transfer the 1000 sf to 105 and be done with it.
Buzanoski – Both lots are pre-existing, nonconforming; doing that would make 107 less conforming than it is.
Visco – 107 is a 22,000sf lot which would support only a 3-bedroom septic with I/A.
LaFavre – Requested that in the recorded document 105 be limited to 4 bedrooms and 107 limited to 3 bedrooms.
Buzanoski – That would be one of the requirements for that section of Title 5.
Visco – This has been done in other places; it's not an unusual request.
Lepore – Could 107 request a 4th bedroom. The GIS says that house already has 4 bedrooms.
Buzanoski – That's a 3-bedroom dwelling. The ownership of 105 and 107 is 2 distinct entities but the same people; it's easy to grant the easement. Both systems will be I/A.
 Action **Motion to Approve with bedroom restrictions outlined by Ms. LaFavre.** (made by: Cooper) (seconded)
 Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

PAID 3/10/23

No. 25-23

THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF HEALTH
TOWN OF NANTUCKET

Fee \$250

APPLICATION FOR DISPOSAL WORKS CONSTRUCTION PERMIT

Application is hereby made for a Permit to Construct () or Repair (✓) an Individual Sewage Disposal System at:

1 Sheep Commons Lane

Map 54 Parcel 280

Location - Address

Assessors map and parcel no.

Phillip J. & Claire S. Raneri

1 Sheep Commons Lane Nantucket, MA

Owner

Address

Nantucket Land Management LLC

dave@nantucketlandmanagement.com

Installer

Address

508-221-7361

Type of Building

Dwelling ✓

No. of Bedrooms

3

Size Lot

27,180 ±

Sq. feet

Expansion Attic ()

Garbage Grinder ()

Other Type of Building No. of persons

Showers () - Cafeteria ()

Other fixtures

Design Flow 55 gallons per person per day. Total daily flow 330 gallons.

Septic Tank ✓ Liquid capacity 1500 gallons Length 10'-6" Width 5'-8" Diameter Depth 6'-7"

Disposal Trench No. Width Total Length Total Leaching area sq. ft.

Seepage Pit No. Diameter Depth below inlet Total Leaching area gal.

Other Distribution box () Dosing tank ()

Percolation Test Results

Performed by

Date

Test Pit No. 1 minutes per inch Depth of Test Pit Depth to ground water

Test Pit No. 2 minutes per inch Depth of Test Pit Depth to ground water

Description of Soil

Nature of Repairs or Alterations — Answer when applicable Upgrade pursuant to 64.04 F.2.

"Transfer of Property" Install Micro FAST Model MA 0.5

Agreement:

- (1) The undersigned agrees to install the aforescribed Individual Sewage Disposal System in accordance with the provisions of new Title 5 of the State Sanitary Code.
- (2) A representative of the Nantucket Board of Health shall be present at all percolation tests whenever possible. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to performing the percolation test.
- (3) A representative of the Nantucket Board of Health shall inspect the Individual Sewage Disposal System prior to covering. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to covering the system.
- (4) The undersigned further agrees not to place the system in operation until a Certificate of Compliance has been issued by the Board of Health.

Signed

3/9/23

Application Approved By

3/21/23

Application Disapproved for the following reasons:

NOTES: Recorded 1/4 deeds notice and OTH required.

Issued

3/21/23

Date

SCALE: 1" = 20'
LOT AREA= 27,180 S.F.±

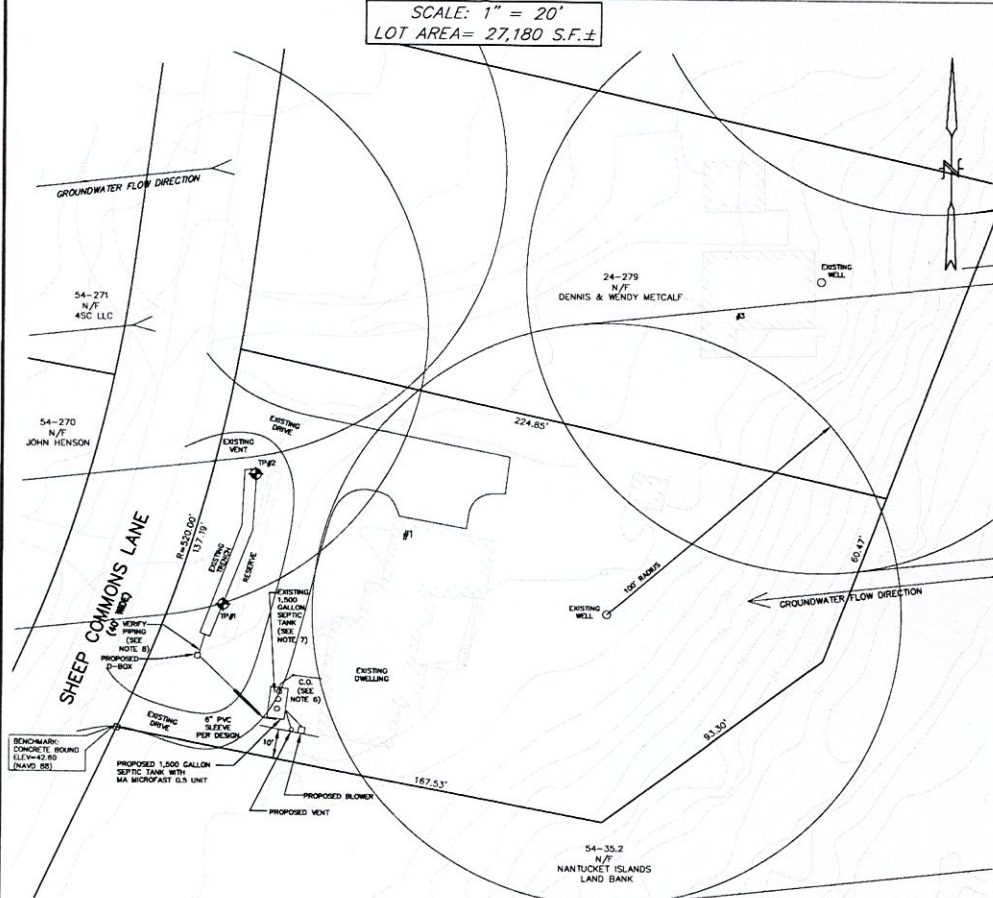


Diagram illustrating the components and specifications of a 4-inch PVC vent pipe assembly:

- 4" PVC THREADED FLANGE
- STAINLESS STEEL WIRE & CORD (STAINLESS STEEL WIRE OR CORD)
- FRONT BRASS
- 4" PVC FEMALE SHORTER (SLIP SOCKET & PLUGS THREADED)
- 4" SCH. 40 PVC PIPE
- 4" PVC OF ELBOW (WELL & SPINDLE)
- 4" x 1/2" OF PVC WIRE
- 4" PVC BRASS ELBOW (AS SHOWN ON BUTT JOINT SLIP)

THE PROPOSED STRUCTURE(S) AS SHOWN HEREON DO(ES) NOT REPRESENT OR IMPLY CONFORMANCE WITH THE NANTUCKET ZONING BYLAW OR RESTRICT			
DESIGN BY	FIELD CREW	N/R & DATE	ASSESSORS MAP & RAD

DESIGN BY	FIELD CREW	N/B & DATE	ASSESSORS MAP & PARCEL	DEED	PLAN	OWNER	# BEDROOMS	N.S.LLC	CHECKED BY
KGS	BL/ML	456/751 3/8/2023	ASSESSOR'S MAP 54 PARCEL 280	L.C.C. P20287	LCPL 36941-F LOT 22	PHILIP J. & CLARE S. RANER TRUSTEES OF C/O SHEEP COWBOYS LANE NOMINEE TRUST	3 BDRMS NO G.G.	N-11514	PJS/DML

Unit Size	A	B	C	V1	V2	L1	L2	L3	W1	W2	W3	R1
	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN	MIN
0.5	500	1000	2	7.1 m	59.5'	54'	29.75'	31.25'	25'	15.125'	16.375'	
0.75	500	1000	3	7.1 m	40'	54'	31.5'	44.25'	32'	21.5'	16.375'	
0.9	500	1000	3	7.1 m	39'	54'	31.25'	54.5'	49'	26.625'	16.375'	
1.0	500	1000	4	9 m	36'	54'	31.25'	54.5'	49'	26.625'	16.375'	
1.5	750	2000	4	9 m	83.5'	75.75'	42.875'	55.75'	49'	27.625'	16.375'	

A MIN	Setting time (with Liquid Capacity)
B MIN	ASTM Compressive (1500psi) Capacity
V1 MIN	Went Diameter (MIN)
V2 MIN	Went grade open area (MIN)
L1	FASTB length and MIN Tank length
L2	Length of tank opening for hanging FASTB
L3	FASTB length from edge of liner to center of orifice.
W1 MIN	FASTB MIN Tank Width
W2	Width of tank opening for hanging FASTB.
W3	FASTB width from edge of liner to center of orifice.
H1 MIN	Clearance from center of orifice to inside top of tank (for heel and tail only)

DESIGN FLOW: 3 BEDROOM * 110 GPD/BR = 330 GPD
SEPTIC TANK VOLUME
330 GPD * 200% = 660 GAL. (1,500 GAL. MINIMUM)
EXISTING SEPTIC TANK = 1,500 GALLONS
TANK TO BE REPLACED WITH 1,500 GAL. H-20 WGGN MEANS T1500FH OR EQUAL
DESIGN REQUIRES THE USE OF MicroFAST MODEL MA 0.5

1. SEE AS-BUILT OF EXISTING SYSTEM BY COX ENVIRONMENTAL ENGINEERING, INC. DATED 7/25/1996.
2. SEE SEPTIC SYSTEM INSPECTION REPORT/ CERTIFICATE OF COMPLIANCE DATED 12/13/2022 BY STEPHEN J. VISCO.

EXISTING/PROPOSED SCHEDULE OF ELEVATIONS	AS-BUILT SCHEDULE OF ELEVATIONS
INVERT AT DWELLING <u>39.66</u>	INVERT AT DWELLING <u>39.66</u>
INVERT INTO SEPTIC TANK <u>39.35</u>	INVERT INTO SEPTIC TANK _____
INVERT EXIT SEPTIC TANK <u>39.10</u>	INVERT EXIT SEPTIC TANK _____
INVERT INTO D-BOX <u>39.58</u>	INVERT INTO D-BOX _____
INVERT EXIT D-BOX <u>38.43</u>	INVERT EXIT D-BOX _____
INVERT LEACH TRENCH BEGIN <u>38.29</u>	INVERT LEACH TRENCH BEGIN <u>38.29</u>
INVERT LEACH TRENCH END <u>37.72</u>	INVERT LEACH TRENCH END <u>37.73</u>

1. UPGRADE PURSUANT TO LOCAL REGULATION 6.04-0. SITE LOCATED IN THE NANTUCKET HARBOR WATERSHED PROTECTION DISTRICT ZONE 18. SITE LOCATED IN PWR AND DEP ZONE II.
2. ALL WORK SHALL COMPLY WITH THE MASSACHUSETTS ENVIRONMENTAL CODE SECTION 5.04. THE NANTUCKET BOARD OF HEALTH REGULATIONS.
3. MICROFAST TANK ACCESS COVERS SHALL BE BROUGHT TO GRADE USING APPROPRIATE RISER SECTIONS AND MANHOLE FRAMES WITH COVERS.
4. MEASUREMENTS FOR RECORD PLANS (AS-BUILT) ARE REQUIRED BY THE NANTUCKET BOARD OF HEALTH. CONTRACTOR SHALL CALL NANTUCKET SURVEYORS, INC. AT 228-0240 BEFORE COVERING ANY OF THE SYSTEM COMPONENTS.
5. CONTRACTOR SHALL CONTACT DIG-SAFE AT (508-344-7233) AT LEAST THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
6. CONTRACTOR TO LOCATE CLEANNOUT OR INSTALL ONE IF NONE EXIST (SEE CLEANNOUT DETAILS).
7. EXISTING SEPTIC TANK TO BE REMOVED ACCORDING TO 310 CMR 15.000 (TITLE V) AND NANTUCKET BOARD OF HEALTH REGULATIONS.
8. CONTRACTOR TO VERIFY EXISTING DISTRIBUTION LINES FIT WITH PROPOSED 0-BOX. IF THEY DO NOT CONTRACTOR MUST ADD PIPING AS SPECIFIED IN THE PROFILE ABOVE.

PREPARED FOR:
PHILLIP J. & CLAIRE S. RANERI, TRUSTEES
OF THE ONE SHEEP COMMONS LANE NOMINEE TRUST
DATE: MARCH, 10 2023 SCALE: AS NOTED

NANTUCKET SURVEYORS, LLC
5 WINDY WAY, NANTUCKET, MA 02554



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

Staff Recommendation

Meeting Date: 5/18/2023

Property Location: 1 Sheeps Common Lane

Map & Parcel: 54/280

Subject: Nitrogen Loading Limitations

Staff Recommendation: No concerns. The board has approved this same type of variance in this area. The property needs to be limited to 4 bedrooms.



NANTUCKET HEALTH DEPARTMENT

3 EAST CHESTNUT STREET
NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

BOARD OF HEALTH REGULATION VARIANCE REQUEST

\$20 per request

I am requesting: (Check one.)

☒ A variance of a Local Board of Health Regulation

☒ A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)

Please write an explanation of the variance requested (use separate paper if needed):

DUE TO THE EXPENSE, I WOULD LIKE TO SUBMIT A VARIANCE FOR MY PROPERTY.
THE ONLY ACCESS TO THE PROPERTY, IS APPROXIMATELY 700' LONG, RUNNING
BENEATH SAID DRENNAY, IS ALL THE ELECTRICAL AND CABLE FOR THE
SURROUNDING NEIGHBORHOOD, PLUS THE GIRLS SCOUT CAMP. THERE ARE 4 BUILDINGS
ON THE PROPERTY.

Requestor Name: INEZ C. HUTTON

Company Name: (if applicable) _____

Address: 49 POLPIS RD MAP: 54 PARCEL: 21

Phone No. 508-221-6974 Fax No. _____

Email: nbcich@gmail.com

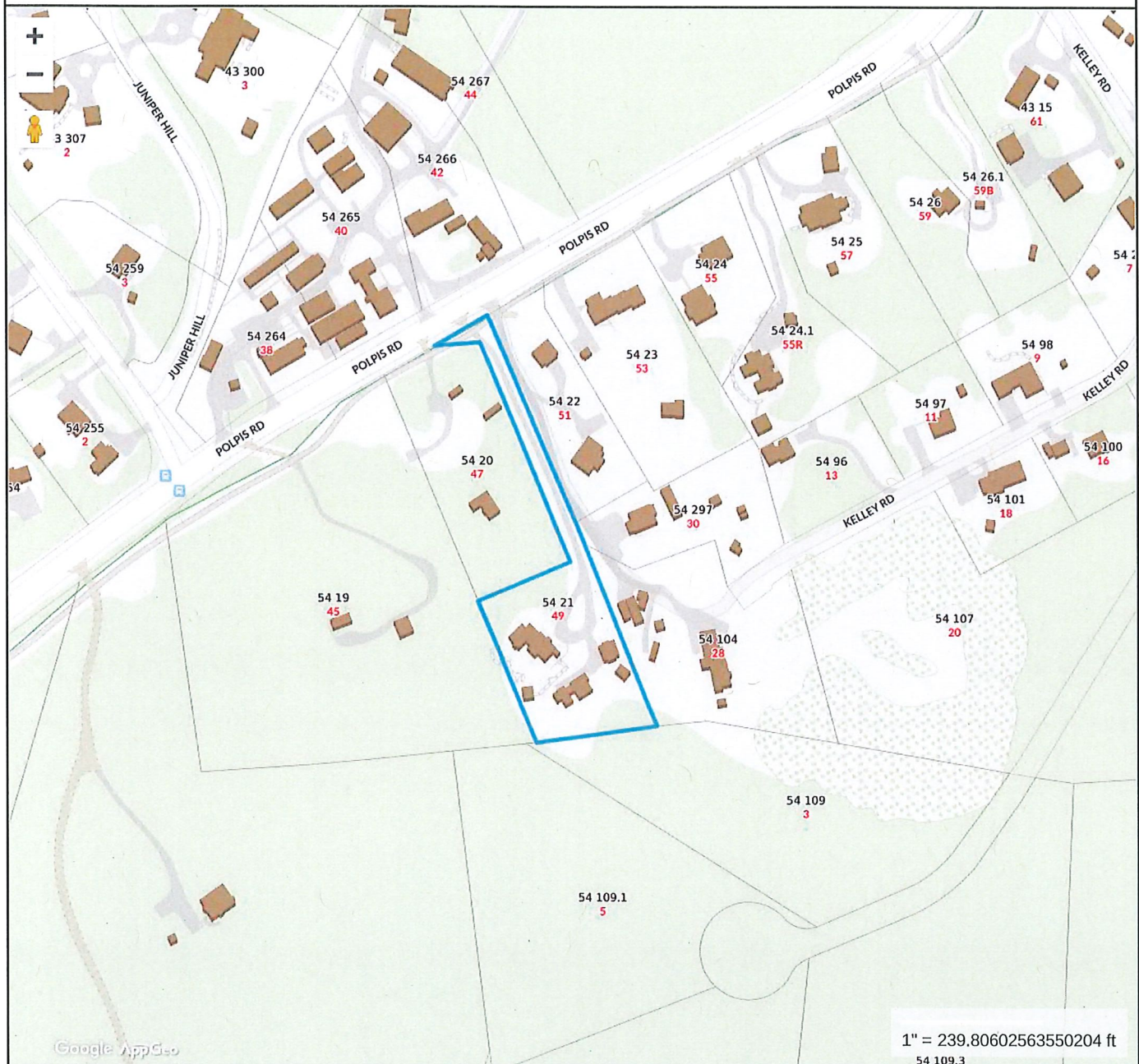
Requestor's Signature: [Signature] Date: 5/11/23

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: [Signature]

Date: 5/12/2023

- Variance from Chapter 332: connection to new and existing publicly owned sanitary sewers.



Property Information

Property ID 54 21
Location 49 POLPIS RD
Owner HUTTON INEZ CHAPIN



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/14/2022
Data updated Jan. 2021

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

Staff Recommendation

Meeting Date: 5/18/2023

Property Location: 49 Polpis Road

Map & Parcel: 54/21

Subject: Variance for connection to town sewer, Town Code Chapter 332.

Staff Recommendation: Deny variance. This property is located in the Nantucket Harbor Watershed District and Wellhead Protection District, designated nitrogen sensitive areas. The Town Code Chapter 332 states: "No variance shall be granted for environmentally sensitive areas or areas defined by the Nantucket Board of Health as groundwater or harbor and water bodies protection districts." The property is currently served by two separate conventional systems. One system serves a single family dwelling and the other system serves a building which has been used in the past as a food catering business. The property owner would now like to utilize the building for an ice making business.

MAIN OFFICE:

49 Herring Pond Road
 Buzzards Bay, MA 02532
 TEL: (508) 833-0070
 FAX: (508) 833-2282

**NANTUCKET OFFICE:**

19 Old South Road
 Nantucket, MA 02554
 TEL: (508) 325-0044
www.brackeneng.com

May 2, 2023

FEDEX & ELECTRONICALLY

Mr. John Hedden
 Chief Environmental Health Officer
 Nantucket Board of Health
 131 Pleasant Street
 Nantucket, MA 02554-4001

**Re : Variance & Local Upgrade Approval Request
 56 Arkansas Avenue (Map 59.4, Parcel 156)**

Dear John:

Please accept this letter as a variance request/local upgrade approval for the above referenced property. The applicant proposes to replace the existing 3-bedroom soil absorption system (SAS) with a new 3-bedroom system that utilizes a MicroFAST 0.5 denitrification system for a septic upgrade for the existing dwelling.

Per Chapter 223 Section 1 of the Code of the Town Nantucket Board of Health Regulations, we are requesting that the below identified variances be granted.

	Required	Proposed
<u>Ch303-3A:</u> <i>Well to S.A.S.</i>	150'	131' (#56 Arkansas Avenue) 131' (#54 Arkansas Avenue) 130' (#52 Arkansas Avenue)
<u>Ch303-3B:</u> <i>S.A.S to property line</i>	50'	4' (#54 Arkansas Avenue) 3' (#58 Arkansas Avenue) 0' (Arkansas Avenue Map 59.4 Parcels 37 & 37.1)
<u>Ch303-3B:</u> <i>S.A.S. to property line</i>	50'	20' (#52 Arkansas Avenue) 36' (#50 Arkansas Avenue) 48' (Arkansas Avenue Map 59.4 Parcel 37.2)
<u>Ch303-3C:</u> <i>A variance is requested to not require a reserve area for the primary soil absorption system.</i>		
<u>Ch303-4:</u> <i>A variance is requested to not require a soil absorption system to be located upon the same lot of land as the dwelling which it serves.</i>		

We are requesting that the below identified divergences from full compliance with the State Environmental Code 310CMR15.000 be granted, in accordance with 310CMR15.403, Local Upgrade Approvals, to provide maximum feasible compliance for the upgraded system, based upon setback reductions to the property lines in accordance with 310CMR15.405(1)a:

	Required	Proposed
<u>310CMR15.504(1)a:</u>		
<i>S.A.S. to property line</i>	10'	4' (#54 Arkansas Avenue) 3' (#58 Arkansas Avenue) 0' (Arkansas Avenue (59.4 /37 &37.1))
<i>Septic tank to property line</i>	10'	5' (#54 Arkansas Avenue) 5' (#58 Arkansas Avenue)

These variances/local upgrade approval requests are justified for the following reasons:

- The proposed MicroFast system will provide a substantial reduction in Nitrogen loading into the ground water;
- The system has been designed to allow the best feasible upgrade within the borders of the lot and existing septic easement and provides the least effect on public safety, health, and the environment.

Please call our office if you have any questions or require any further information regarding this project.

Sincerely,

Bracken Engineering, Inc.



Donald F. Bracken, Jr., P.E
President



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

BOARD OF HEALTH REGULATION VARIANCE REQUEST

\$20 per request

I am requesting: (Check one.)

- ☒ **A variance of a Local Board of Health Regulation**
- ☒ **A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)**

Please write an explanation of the variance requested (use separate paper if needed):

Variance Request to Local Board of Health Regulations

Local Upgrade Approval - See attached letter dated 5/2/2023.

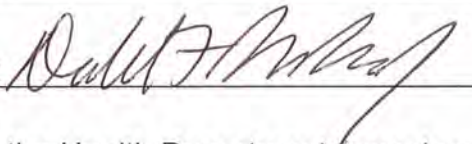
Requestor Name: Donald F. Bracken, Jr., PE

Company Name: (if applicable) Bracken Engineering, Inc.

Address: 56 Arkansas Avenue MAP: 59.4 PARCEL: 156

Phone No. 508-325-0044 Fax No. 508-833-2282

Email: Don@brackeneng.com

Requestor's Signature: 

Date: 5/3/23

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: _____

Date: _____

Notice of Alternative Sewage Disposal System

M.G.L. c. 21A, § 13 and 310 CMR 15.287(10)

NAME(S) OF OWNER OF PROPERTY SERVED BY ALTERNATIVE SYSTEM:

ABRAHAM I. GORDON and MARILYN S. GORDON

ADDRESS OF PROPERTY SERVED BY ALTERNATIVE SYSTEM:

56 Arkansas Avenue, Nantucket, MA
(Lot 464 on LC Plan 3092-40)

TITLE REFERENCE FOR PROPERTY SERVED BY ALTERNATIVE SYSTEM:

Certificate of Title No. 12866 issued by the Land Registration Office of the Nantucket Registry District

WHEREAS, Section 15.280 of Title 5 of the State Environmental Code (“Approval of Alternative Systems”), provides for the Massachusetts Department of Environmental Protection (the “Department”) to approve or certify, as appropriate, all proposals to construct, upgrade or replace on-site sewage disposal systems using alternative systems;

WHEREAS, owners and/or operators of approved or certified alternative systems are subject to general conditions, as specified in Section 15.287 of Title 5 of the State Environmental Code, 310 CMR 15.287, and may be subject to special conditions, as specified in the Department’s approvals or certifications; such general and special conditions potentially including, without limitation, requirements relating to the use of trained operators, periodic inspections, maintenance, sampling, reporting and/or recordkeeping;

WHEREAS, Section 15.287(10) of Title 5 of the State Environmental Code, 310 CMR 15.287(10), requires that “prior to obtaining a Certificate of Compliance for installation of a new or upgraded system, the system owner shall record in the chain of title for the property served by the alternative system in the Registry of Deeds and/or Land Registration Office, as applicable, a Notice disclosing both the existence of the alternative on-site system and the Department’s approval of the system. The system owner shall also provide evidence of such recording to the Nantucket Board of Health and;

WHEREAS, the Property is served by an alternative sewage disposal system.

NOW, THEREFORE, Notice of an alternative sewage disposal system is hereby given for the above-referenced Property, as follows:

1. Existence. An alternative system has been installed as a new or upgraded alternative sewage disposal system, on or adjacent to the Property, and serves the Property. The trade name and model number(s) of the alternative system are as follows:

Trade name of technology:	<i>MicroFAST®</i>
Manufacturer Name:	Bio-Microbics, Inc.
Model number(s):	MicroFAST 0.5 Unit

2. Approval/Certification. On 12/29/2010, revised 3/20/2015, the Department, pursuant to its authority under the section of Title 5 as specified below, approved or certified the technology used in the above referenced alternative system, under MassDEP Transmittal Number X232831.

X Certified for general use under 310 CMR 15.288

3. Existence. An alternative system has been installed as a new or upgraded alternative sewage disposal system, on or adjacent to the Property, and serves the Property. The trade name and model number(s) of the alternative system are as follows:

Trade name of technology: Eljen GSF System®

Manufacturer Name: Eljen Corporation

Model number(s): A42

4. Approval/Certification. On 09/26/2014, modified 09/19/2018, modified 09/03/2021 and last modified 03/30/2022, the Department, pursuant to its authority under the section of Title 5 as specified below, approved or certified the technology used in the above referenced alternative system, under MassDEP Transmittal Number X280580.

X Certified for remedial use under 310 CMR 15.288

A copy of the Department's Approval/Certification is available from the Department in person or online at the Department's website: www.mass.gov/guides/approved-title-5-innovativealternative-technologies

WITNESS the execution hereof under seal this ____ day of _____, 20__, made by the above-named Alternative System Owner(s).

Print Name(s): _____

_____ of _____

_____, ss

On this ____ day of _____, 20__ before me, the undersigned notary public, personally appeared _____ and _____ proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

(Official signature and seal of notary)

BOARD OF HEALTH

TOWN OF NANTUCKET

No. _____

Fee _____

APPLICATION FOR DISPOSAL WORKS CONSTRUCTION PERMIT

Application is hereby made for a Permit to Construct ☒ or Repair ☐ an Individual Sewage Disposal System at:
56 Arkansas Avenue Map 59.4, Parcel 156

Location - Address
Abraham I Gordon and Marilyn S. Gordon

Assessors map and parcel no.
960 Burr Street, Fairfield, CT 06430

Owner
AH Construction, LLC (Shane Valero)

Address
8 Spruce Street, Nantucket, MA 508-367-9104

Installer

Address

Type of Building _____ Size Lot 5,064+/- Sq. feet _____
 Dwelling ☒ No. of Bedrooms 3 Bedrooms Expansion Attic ☐ Garbage Grinder ☐
 Other _____ Type of Building _____ No. of persons _____ Showers ☐ - Cafeteria ☐
 Other fixtures _____

Design Flow 110 GPD/Bedroom gallons per person per day. Total daily flow 330 GPD

Septic Tank ☒ Liquid capacity 1,500 MicroFast gallons Length _____ Width _____ Diameter _____ Depth _____

Disposal Trench ☒ No. 21 Units Width 9' Total Length 30' Total Leaching area 450 sq. ft.

Seepage Pit No. _____ Diameter _____ Depth below inlet _____ Total Leaching area 333 gal.
 Other Distribution box ☒ Dosing tank ☐

Percolation Test Results Performed by Donald F. Bracken, Jr., P.E. - Bracken Engineering, Inc. Date 2/7/2023

Test Pit No. 1 <2 minutes per inch Depth of Test Pit 116" Depth to ground water 108"

Test Pit No. 2 _____ minutes per inch Depth of Test Pit _____ Depth to ground water _____

Description of Soil See Soil Report for full description.

Donald F. Bracken, Jr.
 COMMONWEALTH OF MASSACHUSETTS
 DONALD F. BRACKEN, JR.
 CIVIL
 No. 37071
 PROFESSIONAL ENGINEER

Nature of Repairs or Alterations _____ Answer when applicable _____ Variance Request _____

Installation of a new 1,500 gallon MicroFast 0.5 septic tank and Soil Absorption System

Agreement,

- (1) The undersigned agrees to install the aforescribed Individual Sewage Disposal System in accordance with the provisions of new Title 5 of the State Sanitary Code.
- (2) A representative of the Nantucket Board of Health shall be present at all percolation tests whenever possible. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to performing the percolation test.
- (3) A representative of the Nantucket Board of Health shall inspect the Individual Sewage Disposal System prior to covering. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to covering the system.
- (4) The undersigned further agrees not to place the system in operation until a Certificate of Compliance has been issued by the Board of Health.

Signed Shane Valero 5-3-23
 Date

Application Approved By _____ Date _____

Application Disapproved for the following reasons: _____

NOTES:

Issued _____ Date _____

MAIN OFFICE:

49 Herring Pond Road
 Buzzards Bay, MA 02532
 TEL: (508) 833-0070
 FAX: (508) 833-2282

**NANTUCKET OFFICE:**

19 Old South Road
 Nantucket, MA 02554
 TEL: (508) 325-0044
www.brackeneng.com

May 3, 2023

CERTIFIED MAIL

Ian S. Stewart
 Margaret E. Naylon
 58 Arkansas Avenue
 Nantucket, MA 02554

Dear Mr. Stewart & Ms. Naylon:

Abraham I. Gordon and Marilyn S. Gordon have filed with the Town of Nantucket Board of Health for the following Local Upgrade Approvals to upgrade the existing soil absorption system at #56 Arkansas Avenue. We are requesting that the below identified divergences from full compliance with the State Environmental Code 310CMR15.000 be granted, in accordance with 310CMR15.403, Local Upgrade Approvals, to provide maximum feasible compliance for the upgraded system, based upon setback reductions to the property lines in accordance with 310CMR15.405(1)a:

	Required	Proposed
<u>310CMR15.504(1)a:</u>		
<i>S.A.S. to property line</i>	10'	4' (#54 Arkansas Avenue)
		3' (#58 Arkansas Avenue)
		0' (Arkansas Avenue (59.4 /37 &37.1))
<i>Septic tank to property line</i>	10'	5' (#54 Arkansas Avenue)
		5' (#58 Arkansas Avenue)

This hearing (HYBRID Participation, In-Person or Via Zoom Webinar) is tentatively scheduled for **Thursday, May 18, 2023** at 4 p.m. at the PSF Community Room, 4 Fairground Road, Nantucket. Information about the Public Hearing and/or copies of the septic design plans may be examined at the Nantucket Health Department located at 131 Pleasant Street, Nantucket, MA 02554. The office hours for the Nantucket Health Department Monday through Friday, 8:30 am – 4:30 pm. Notice of this Public Hearing, including its date, time and place will be posted at the Town Clerk's Office not less than 48 hours in advance of the hearing.

Information on viewing the meeting can be found at: <https://www.nantucket-ma.gov/138/Boards-Commissions-Committees>

Sincerely,

Bracken Engineering, Inc.

Donald F. Bracken, Jr., P.E.
 President (Agent of Applicant)

MAIN OFFICE:
49 Herring Pond Road
Buzzards Bay, MA 02532
TEL: (508) 833-0070
FAX: (508) 833-2282



NANTUCKET OFFICE:
19 Old South Road
Nantucket, MA 02554
TEL: (508) 325-0044
www.brackeneng.com

May 3, 2023

CERTIFIED MAIL

Caroline P. Pollard, Trustee
54 Arkansas Avenue Realty Trust
227 Congress Avenue
Landsdowne, PA 19050

Dear Ms. Pollard:

Abraham I. Gordon and Marilyn S. Gordon have filed with the Town of Nantucket Board of Health for the following Local Upgrade Approvals to upgrade the existing soil absorption system at #56 Arkansas Avenue. We are requesting that the below identified divergences from full compliance with the State Environmental Code 310CMR15.000 be granted, in accordance with 310CMR15.403, Local Upgrade Approvals, to provide maximum feasible compliance for the upgraded system, based upon setback reductions to the property lines in accordance with 310CMR15.405(1)a:

	Required	Proposed
<u>310CMR15.504(1)a:</u>		
<i>S.A.S. to property line</i>	10'	4' (#54 Arkansas Avenue) 3' (#58 Arkansas Avenue) 0' (Arkansas Avenue (59.4 /37 &37.1))
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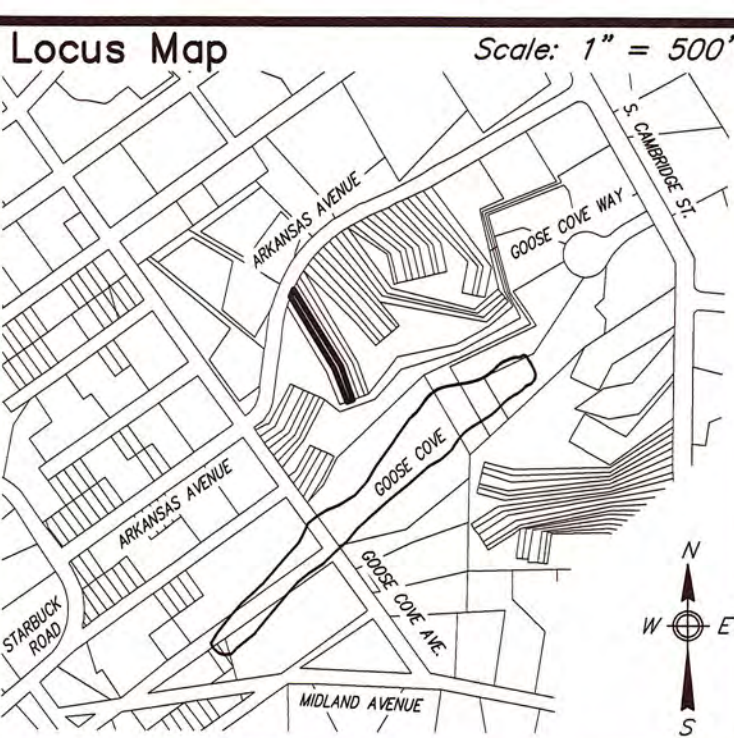
Information on viewing the meeting can be found at: <https://www.nantucket-ma.gov/138/Boards-Commissions-Committees>

Sincerely,

Bracken Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Donald F. Bracken, Jr.', written in a cursive style.

Donald F. Bracken, Jr., P.E.
President (Agent of Applicant)



BENCHMARK: ELEVATION = 12.47 (NAVD88)
FIRST FLOOR (THRESHOLD)

2. ALL CONSTRUCTION METHODS AND MATERIALS TO CONFORM TO TITLE 5 AND THE TOWN OF NANTUCKET BOARD OF HEALTH REGULATIONS.
3. ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC TAPE OR COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
4. NO FIELD MODIFICATION TO THE SYSTEM SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE DESIGN ENGINEER AND BOARD OF HEALTH.
5. ALL JOINTS AND COVERS TO BE WATERTIGHT.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ANY EXISTING UTILITIES.
7. A CERTIFICATE OF COMPLIANCE MUST BE OBTAINED PRIOR TO BACKFILLING SYSTEM.

OWNER: ABRAHAM I. GORDON and
MARILYN S. GORDON
960 BUREK STREET
FAIRFIELD, CT 06430

9. DEED REFERENCE: Cert. #12866
10. PLAN REFERENCE: L.C. Plan #3092-40 (LOT 464)
11. EASEMENT REF: L.C. Doc. #58993 & #58994

THE DESIGN IS INTENDED TO MEET TITLE 5 AND OTHER APPLICABLE REQUIREMENTS. THIS PLAN DOES NOT GUARANTEE THAT THE SYSTEM WILL BE INSTALLED AS DESIGNED, NOR DOES THIS PLAN GUARANTEE THE OPERATION OF THE SYSTEM.

13. THIS SYSTEM IS NOT DESIGNED NOR INTENDED FOR USE WITH A GARBAGE GRINDER.
14. THE SYSTEM OWNER SHALL BE RESPONSIBLE TO PUMP THE SEPTIC TANK AT LEAST ONCE EVERY THREE YEARS.
15. LOCUS DOES FALL WITHIN ZONE "A" OF THE MADAKET HARBOR WATERSHED PROTECTION DISTRICT.
16. LOCUS DOES NOT FALL WITHIN A ZONE II WELLHEAD PROTECTION AREA.
17. LOCUS DOES NOT FALL WITHIN A HIGHER PRIORITY HABITAT OF RARE SPECIES OR AN ESTIMATED HABITAT OF RARE WILDLIFE.
18. LOCUS DOES NOT FALL WITHIN ANY SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP NO: 25019C-0064-0 dated 06/09/2014.

CONTRACTOR TO REFER TO ALL MANUFACTURER'S REQUIREMENTS AND SPECIFICATIONS FOR INSTALLATION OF THE MICROFAST 5.0 UNIT.

SOIL TEXTURAL CLASS:	<u>CLASS I</u>
PERC. RATE:	<u>< 2 MINUTES/INCH (C1)</u>
NO. OF BEDROOMS:	<u>3 (EXISTING)</u>
DESIGN FLOW REQUIRED:	<u>330 GPD</u>
SEPTIC TANK REQUIRED:	<u>1,500 GALLONS</u>
SEPTIC TANK PROVIDED:	<u>MicroFAST 0.5 UNIT 1500 GAL.</u>

(LOT WITHIN MADAKET HARBOR WATERSHED ZONE "A")

EFFECTIVE LEACHING: (BASED ON REMEDIAL USE APPROVAL X280580)
 333 GPD / (0.74 GPD/S.F.) = 446 S.F.
 446 S.F. x 60% = 268 S.F. (REQUIRED USE EJLJEN GSF IN BED CONFIG.
 9 L.F.)(30 L.F.) = 270 S.F. PROVIDED
 270 S.F. / 0.60 = 450 S.F. EQUIVALENT PROVIDED
 EFFECTIVE LOADING RATE = 0.74 GPD/SF
 FLOW PROVIDED: 333 GPD > 330 GPD (REQUIRED)

Diagram illustrating a cross-section of a well with various soil layers and elevations. The diagram shows a vertical shaft with several distinct layers of soil and rock, labeled with their respective elevations and descriptions.

TP NO.	1
GRD. EL.	10.3
GW. EL.	1.34

The well is shown with the following layers and elevations:

- 0'**: FILL (Elevation: 10.3)
- 21'**: 0/4/E LOAM/ SAND 10YR 3/3 (Elevation: 8.6)
- 30'**: B LOAM/ SAND 10YR 4/6 (Elevation: 7.8)
- 38'**: C1 FINE TO MEDIUM SAND 2.5Y 7/6 (Elevation: 7.1)
- 108'**: WATER WEAVING, 108" WATER STANDING, 110"
- 116'**: (Elevation: 0.6)

DATE PERFORMED: FEBRUARY 7, 2023
SOIL EVALUATOR: DONALD F. BRACKEN Jr., P.E.
WITNESSED BY: KATHY LoFAVRE, HEALTH INSPECTOR
PERC. RATE: < 2 MINUTES/INCH (C1)
SOIL CLASS: CLASS I
MAX. GROUND WATER ELEV.: 1.3±
METHOD OF DETERMINATION: WATER WEEPING

(SEE SOIL REPORT FOR MORE DETAILED DESCRIPTION)

NOT TO SCALE

SCH 40 PVC PERFORATED PIPE
H O R I F I C E S AT 4 & 8 O'CLOCK
(CENTERED OVER MODULES)

GEOTEXTILE FABRIC (TYP.)
PROVIDED BY MANUFACTURER

4" SCH 40 PVC INSPECTION
(PERFORATED WITHIN SAND)
SCREW CAP WITHIN 3" OF F.O.
WITHIN IRRIGATION BOX COVER
(SEE PLAN VIEW FOR LOCATION)

WIRE CLAMP
1 PER MODULE

ESTABLISH

VEGETATED COVER

CLEAN FILL

12" MIN.
36" MAX.

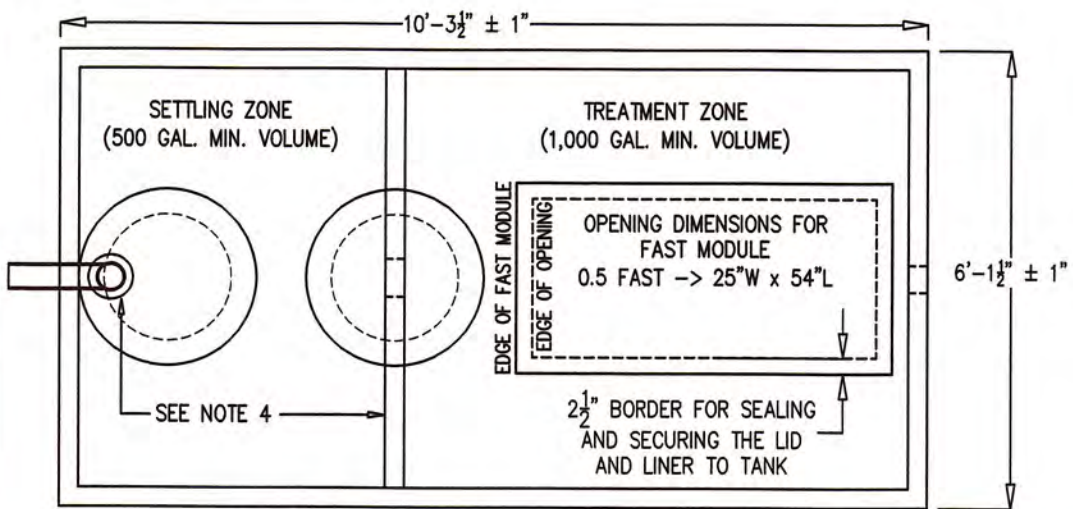
7"
6"

6" 24" 12" 24" 12" 24" 6"

SAND MEETING ASTM C33
SPECIFICATIONS OR SAND
CONFORMING TO 310CMR15.255,
CONSTRUCTION IN SITU

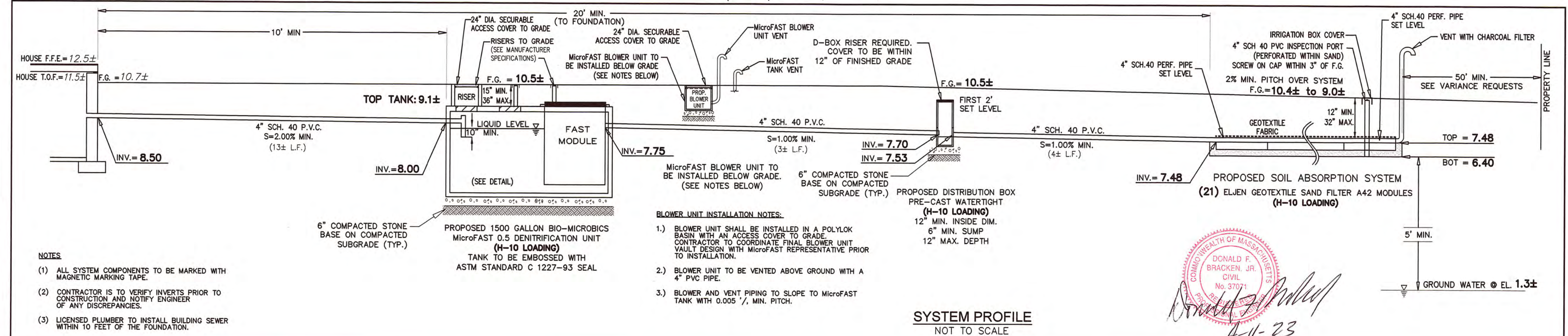
ELVEN GSF A42 MODULE
(24" W x 48" L x 7" H)
(TYP.)

BIO-MICROBICS
INCORPORATED

[illegible]

PLAN SCALE

1 inch = 20 feet



SYSTEM PROFILE
NOT TO SCALE



BRACKEN
ENGINEERING, INC.

49 HERRING POND ROAD
BUZZARDS BAY, MA 02532

(tel) 508 833 0070 (tel) 508 325 0044

(fax) 508.833.2282 www.brackeneng.com

PROPOSED

PROPOSED
SUBSURFACE SEWAGE
DISPOSAL PLAN
NANTUCKET, MASSACHUSETTS

Prepared For:

ABRAHAM I. GORDON
MARILYN S. GORDON
#56 ARKANSAS AVENUE
MAP 59.4 PARCEL 156

No.	Date	Revision Description			By
Date:	APRIL 11, 2023	Drawn:	Checked:	Sheet:	
		ERC/BEI	DFB/AMG	1 of 1	



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

Staff Recommendation

Meeting Date: 5/18/2023

Property Location: 56 Arkansas Avenue

Map & Parcel: 59.4/156

Subject: Septic Setbacks

Staff Recommendation: Approval. This meets maximum feasible compliance.



NANTUCKET HEALTH DEPARTMENT

131 PLEASANT STREET
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200
Fax 508.325.6117

BOARD OF HEALTH REGULATION VARIANCE REQUEST \$20 per request

I am requesting: (Check one.)

☒ **A variance of a Local Board of Health Regulation**

☐ **A variance of a State Public Health Regulation (310 CMR 15, 105 CMR 590, etc...)**

Please write an explanation of the variance requested (use separate paper if needed): ____

T.O.N. Regulation chapters 288-11(A) & 332-19(B)(1)- Maximum effluent flow rates in the Hummock Pond Watershed Protection District and Nitrogen Sensitive Areas shall be limited to 110 gallons per day per 10,000 S.F. of lot area. The proposed septic system design incorporates a MicroFAST nitrogen reducing treatment system which has DEP approval for use on a lot which does not meet the Nitrogen Loading Limitations and is allowed an increase in calculated loading per acre as long as the design flow shall not exceed 660 gpd per acre and total nitrogen concentration in the effluent shall not exceed 19 mg/L. A conventional septic system would contribute about 40 mg/L of total nitrogen, whereas this proposed system would only contribute at maximum 19 mg/L of total nitrogen. The proposed 2 BR I/A system will provide a net benefit of a 50% reduction to the total nitrogen entering the ground versus a conventional 2 BR system. We request the board allow a flow rate increase for this property, incorporating Innovative / Alternative technology in order to reduce the total nitrogen produced onsite.

Requestor Name: Jeffrey Blackwell

Company Name: (if applicable) Blackwell & Associates, Inc.

Address: 141 R Hummock Pond Road MAP: 65 PARCEL: 4.1

Phone No. 508-228-9026 Fax No. N/A

Email: jeff@blackwellsurvey.com

Requestor's Signature: Jeff Blackwell

Date: 4-20-2023

Please be advised that the Health Department accepts variance requests up to one week before a scheduled Board of Health meeting. Applications received after this deadline will be placed at the subsequent scheduled meeting.

Received by: _____

Date: _____

THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF HEALTH
TOWN OF NANTUCKET

#150-501 Tel
#150-1/A
#150-Plan Rev
#300-Capacity

No. _____

Fee \$750

APPLICATION FOR DISPOSAL WORKS CONSTRUCTION PERMIT

Application is hereby made for a Permit to Construct (X) or Repair () an Individual Sewage Disposal System at:

141 R Hummock Pond Road

65-4.1

Location - Address

Assessors map and parcel no.

Nanahumacke LLC

11 Nanahumacke Lane Nantucket, MA

Owner

Address

Holdgate Partners

1 Barnard Valley Road Nantucket, MA

Installer

Address

Type of Building

Dwelling

No. of Bedrooms

2 (for flow purposes)

Size Lot

16,161/-

Sq. feet

Expansion Attic ()

Garbage Grinder () NO

Other

Type of Building

No. of persons

Showers ()

Cafeteria ()

Other fixtures

Design Flow

110

gallons per person per day. Total daily flow

220

gallons.

Septic Tank

Liquid capacity

1,500

gallons

Length

10'-10"

Width

5'-8"

Diameter

—

Depth

5'-8"

Disposal Trench

No. 2

Width

3'

Total Length

56.25'

Total Leaching area

432.3 sq. ft.

Seepage Pit No. —

Diameter —

Depth below inlet —

Total Leaching area

324 gal.

Other Distribution box (X)

Dosing tank ()

Percolation Test Results

Performed by

Jeffrey Blackwell

Date

3-17-2023

Test Pit No. 1

LS

minutes per inch

Depth of Test Pit

10'

Depth to ground water

None obs.

Test Pit No. 2

LS

minutes per inch

Depth of Test Pit

10'

Depth to ground water

None obs.

Description of Soil

TP#1: A-Stripped, 0"-18" B Loamy Sand 10 x R 6/6j

Loamy Sand 10 x R 6/6j

18"-120" C Med. Sand 2.5 x 6/4j TP#2: A-Stripped, 0"-15" B

Nature of Repairs or Alterations — Answer when applicable

Agreement:

- (1) The undersigned agrees to install the aforescribed Individual Sewage Disposal System in accordance with the provisions of new Title 5 of the State Sanitary Code.
- (2) A representative of the Nantucket Board of Health shall be present at all percolation tests whenever possible. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to performing the percolation test.
- (3) A representative of the Nantucket Board of Health shall inspect the Individual Sewage Disposal System prior to covering. The undersigned agrees to notify a representative of the Nantucket Board of Health no less than 24 hours prior to covering the system.
- (4) The undersigned further agrees not to place the system in operation until a Certificate of Compliance has been issued by the Board of Health.

Signed

[Signature]

4-21-2023

Date

Application Approved By

Date

Application Disapproved for the following reasons:

NOTES:

Issued

Date

LETTER OF TRANSMITTAL

BLACKWELL & ASSOCIATES, INC.

Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASSACHUSETTS 02554

(508) 228-9026

DATE: April 21, 2023

ATTENTION: Heather Nardone

RE: B.O.H. Regulation Variance Request

#141 R Hummock Pond Road

MAP & PARCEL: 65-4.1

Job #: B8780

TO: Nantucket Health Dept.

131 Pleasant Street

Nantucket, MA 02554

****BY HAND DELIVERY****

WE ARE SENDING YOU X Attached the following items:

COPIES	DATE	NO.	DESCRIPTION
1	04/21/23	1	\$20.00 Filing Fee Check #26869
1	04/20/23	1	Board Of Health Regulation Variance Request
1	04/20/23	2	Proposed Plan of A 2 BR Subsurface Sewage Treatment & Disposal System with Innovative / Alternative Technology

THESE ARE TRANSMITTED as checked below:

 X For approval For your use As requested For review and comment

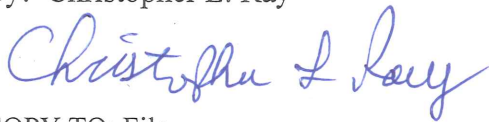
REMARKS:

Please feel free to contact me with any questions or concerns regarding this matter.

Sincerely,

Blackwell & Associates, Inc.

By: Christopher L. Ray



COPY TO: File

LETTER OF TRANSMITTAL

BLACKWELL & ASSOCIATES, INC.

Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASSACHUSETTS 02554

(508) 228-9026

DATE: April 21, 2023

ATTENTION: Heather Nardone

RE: Disposal Works Permit App.

#141 R Hummock Pond Road

MAP & PARCEL: 65-4.1

Job #: B8780

TO: Nantucket Health Dept.

131 Pleasant Street

Nantucket, MA 02554

****BY HAND DELIVERY****

WE ARE SENDING YOU X Attached the following items:

COPIES	DATE	NO.	DESCRIPTION
1	04/21/23	1	\$750.00 Filing Fee Check #26868
1	04/21/23	1	Application for Disposal Works Construction Permit
1	03/17/23	9	Soil Suitability Assessment Forms
1	04/20/23	2	Proposed Plan of a 2 BR Subsurface Sewage Treatment & Disposal System With Innovative / Alternative Technology

THESE ARE TRANSMITTED as checked below:

 X For approval For your use As requested For review and comment

REMARKS:

Please feel free to contact me with any questions or concerns regarding this matter.

Sincerely,

Blackwell & Associates, Inc.

By: Christopher L. Ray



COPY TO: Nanahumacke LLC

Holdgate Partners

File

CURRENT ZONING CLASSIFICATION:
Limited Use General 2 (LUG 2)

Existing:
MINIMUM LOT SIZE: 10,000 S.F.*
MINIMUM FRONTAGE: 20 FT.*
FRONT YARD SETBACK: 10 FT.*
REAR/SIDE SETBACK: 10 FT.*
GROUND COVER %: 35%

29,770 S.F.± (LOTS 16, 21 & 23)
SEE PLAN
SEE PLAN
SEE PLAN
7% ±

* REFERENCE DOCUMENT #114742
ALSO SEE SPECIAL PERMIT DOCUMENT #174708

NOTE:

—CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE START OF CONSTRUCTION.
—CONTRACTOR SHALL VERIFY WASTE PIPE EXIT LOCATIONS, ELEVATIONS, AND INVERTS AT STRUCTURE PRIOR TO SETTING SEPTIC COMPONENTS.
—CONTRACTOR SHALL VERIFY ALL WASTE LINES ARE ACCOUNTED FOR AND INSPECTED FOR STRUCTURAL INTEGRITY, REPLACE IF REQUIRED.
—CONTROL PANEL WITH ALARM FOR MICROFAST UNIT SHALL BE INSTALLED BY LICENSED ELECTRICIAN PER THE MANUFACTURER'S SPECIFICATIONS.
—*MICROFAST SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH ALL MANUFACTURER'S SPECIFICATIONS. SEE GENERAL CONSTRUCTION NOTE #25*

NOTE:

—THE LOCATION OF ELECTRIC, TELEPHONE AND CABLE TELEVISION WIRES ARE UNKNOWN. IT IS THE RESPONSIBILITY OF THE INSTALLER TO DETERMINE THESE LOCATIONS BY MARKOUT PRIOR TO EXCAVATION & TO PRESERVE OR RELOCATE THEM AS MAY BE REQUIRED. DIGSAFE MARKOUT SHOULD BE USED FOR ELECTRICAL, CABLE AND PHONE LOCATIONS.

NOTE:

—WATER AND SEWER SEPARATION: SEWERS SHALL BE LAID AT A MINIMUM OF 10 FT. HORIZONTALLY FROM THE WATER LINE. WHENEVER SEWERS MUST CROSS UNDER WATER MAIN, THE SEWER SHALL BE LAID AT LEAST 18 INCHES BELOW THE BOTTOM OF THE WATER MAIN. WHEN THE ELEVATION TO THE SEWER CANNOT BE ADJUSTED TO COMPLY WITH THE ABOVE REQUIREMENT, THE CONTRACTOR SHALL CONSTRUCT THE SEWER OF CLASS 150 PRESSURE PVC PIPE FOR AT LEAST A DISTANCE OF 10 FT ON EACH SIDE OF THE WATER MAIN.

NOTE:

NO FIELD CHANGES ARE PERMITTED WITHOUT THE WRITTEN CONSENT OF GERALD G. BUZANOSKI, P.E.

NOTE:

—FINISH GRADES OVER SOIL ABSORPTION SYSTEM SHALL APPROXIMATE EXISTING GRADES.
—CONTRACTOR SHALL ENSURE THAT GRADING OVER THE S.A.S. SHALL PROVIDE A MIN. 2% SLOPE ACROSS THE S.A.S..

HYDRAULIC CEMENT NOTE:

—THE CONTRACTOR SHALL SEAL ALL TANKS, PIPING, RISERS, CONSECUTIVE RISERS AND METAL FRAMES WITH BUTYL RUBBER, HYDRAULIC CEMENT OR APPROVED EQUAL.
—CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING PHOTOS OF ANY SEAL NOT VISIBLE AT THE TIME OF INSPECTION.

MICROFAST PIPING NOTE:

—ALL BLOWER AND VENT PIPING SHALL BE INSTALLED TO ALLOW ANY WATER ACCUMULATION TO DRAIN BACK TO THE TANK.

NOTE:

SEPTIC SYSTEM AND WELL LOCATIONS SHOWN HEREON ARE BASED UPON RECORD FILES AT THE NANTUCKET HEALTH DEPARTMENT.

NOTE:

REFERENCE CONSERVATION RESTRICTION Doc. #137858

NOTE:

PRIOR TO WATER SERVICE INSTALLATION, THE CONTRACTOR SHALL RECEIVE APPROVAL AND DIRECTION FROM WANNACOMET WATER COMPANY REGARDING PIPE SIZE, MATERIAL AND ASSOCIATED COMPONENTS

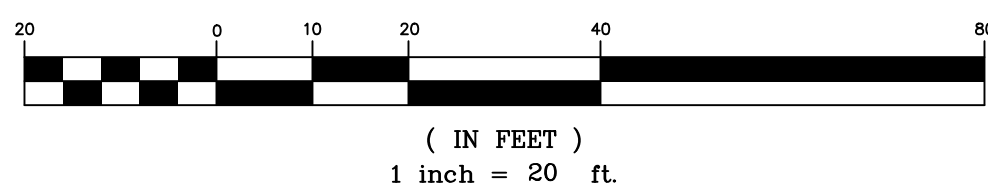
OWNER INFORMATION

NANAHUMACKE, LLC
CERT. #23,384
L.C.C. 39280-E, LOT 16
CERT. #28,984
L.C.C. 39280-F, LOT 21
#11 NANAHUMACKE LANE
ASSESSOR'S MAP 65, PARCEL 84
CERT. #28,208
L.C.C. 39280-G, LOT 23
#141R HUMMOCK POND ROAD
ASSESSOR'S MAP 65, PARCEL 4.1

DIRECTION OF
GROUNDWATER FLOW
PER H.W.H. MAP #2

LOT AREA (L.C.C. 39280-G, LOT 23): 16,161± S.F.
LOT CREATED (L.C.C. 39280-G, LOT 23): OCTOBER 4, 2021

GRAPHIC SCALE

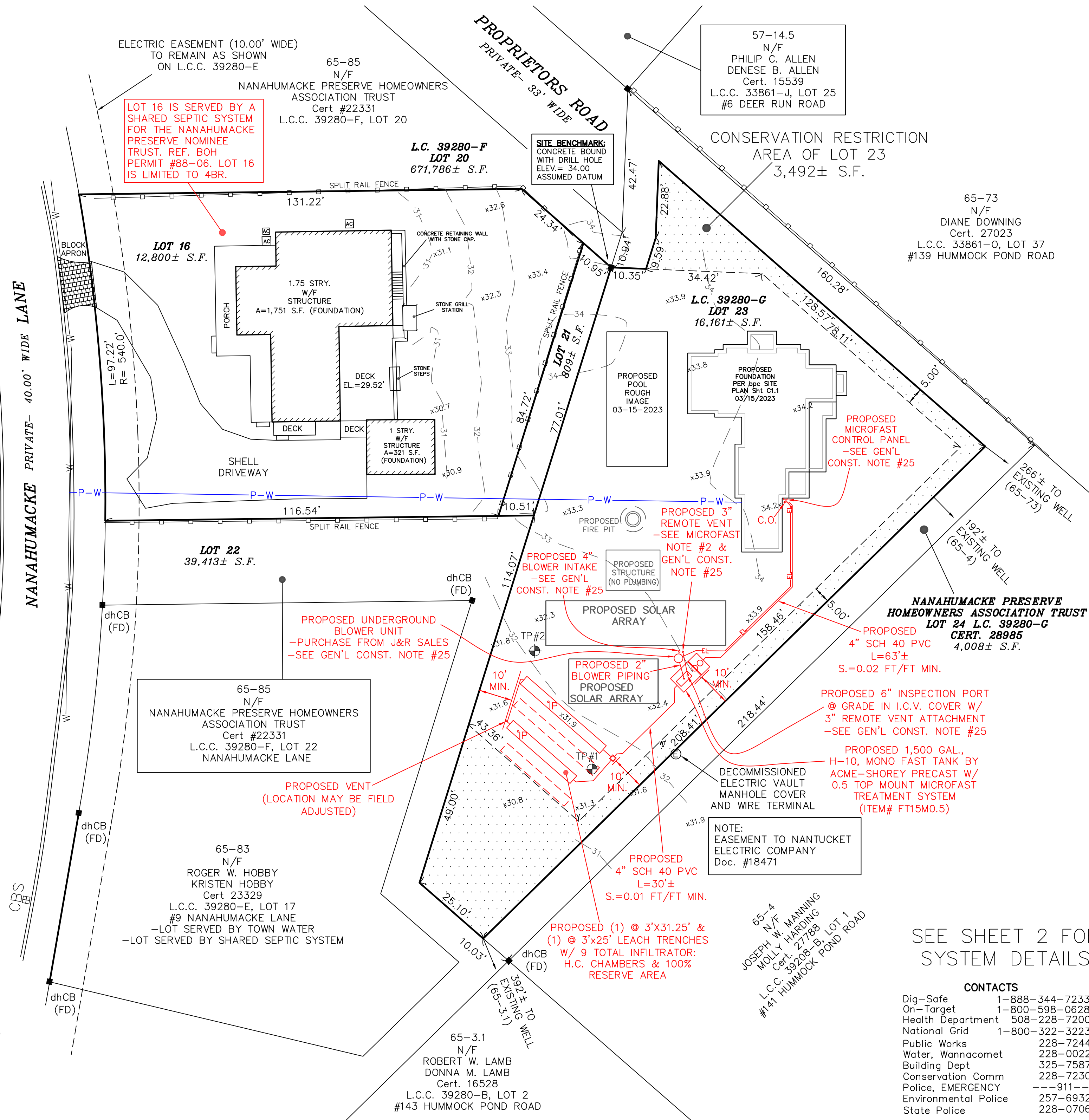


PROPOSED STRUCTURE SHALL BE SERVED BY TOWN WATER. PROPOSED SERVICE LINE LOCATION SHOWN. IF CONFLICTING WITH SITE FEATURES AND/OR SEPTIC COMPONENTS, CONTRACTOR SHALL FOLLOW SEWER, WATER AND DRAIN CROSSING PROCEDURES AS DETAILED HEREON AND/OR RELOCATE AS NECESSARY.

EXISTING STRUCTURES SERVED BY TOWN WATER. EXISTING SERVICE LINE LOCATIONS UNKNOWN. IF CONFLICTING WITH SITE FEATURES AND/OR SEPTIC COMPONENTS, CONTRACTOR SHALL FOLLOW SEWER, WATER AND DRAIN CROSSING PROCEDURES AS DETAILED HEREON AND/OR RELOCATE AS NECESSARY.

NOTE:

EXISTING UNDERGROUND UTILITY LOCATIONS, INCLUDING WATER, ELECTRICAL AND CABLE ARE UNKNOWN AND SHALL BE DETERMINED BY DIGSAFE PRIOR TO CONSTRUCTION.



TOWN OF NANTUCKET BOARD OF HEALTH REGULATION VARIANCE REQUIREMENTS

VARIANCES REQUIRED:

—TOWN OF NANTUCKET REGULATION CHAPTER 288-11(A): EFFLUENT FLOWS W/IN HUMMOCK POND WATERSHED PROTECTION DISTRICT— NO SYSTEM SHALL BE CONSTRUCTED OR RE-CONSTRUCTED TO RECEIVE DESIGN FLOWS OVER 110 GALLONS OF EFFLUENT FOR EVERY 10,000 S.F. OF LOT AREA.
—TOWN OF NANTUCKET REGULATION CHAPTER 332-19(B)(1): NITROGEN LOADING LIMITATIONS— NO SYSTEM SERVING NEW CONSTRUCTION IN NITROGEN SENSITIVE AREAS SHALL BE DESIGNED TO RECEIVE MORE THAN 110 GALLONS OF DESIGN FLOW PER DAY PER 10,000 S.F. OF LOT AREA.

LEGEND

- dhCB (FD) ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
▽ DENOTES WIRE TERMINAL FOUND
⊕ DENOTES ELECTRIC MANHOLE FOUND
x18.6 DENOTES EXISTING GRADE SPOT ELEVATION
30 ——— DENOTES EXISTING GRADE CONTOUR LINE
—W—W— DENOTES APPROXIMATE LOCATION OF MUNICIPAL WATER
—TRUE LOCATION UNKNOWN
⊙ DENOTES EXISTING SOIL TEST PIT
C.O. ○ DENOTES PROPOSED CLEANOUT AT-GRADE (SEE DETAIL)
—EL— DENOTES PROPOSED ELECTRICAL AND ALARM SERVICE
—LOCATIONS CAN BE ADJUSTED PER OWNER/SITE LAYOUT
—CONTRACTOR SHALL CONFIRM W/ ELECTRICIAN WHERE POWER FEED WOULD ORIGINATE FROM PRIOR TO SETTING CONDUIT
—SEE GENERAL CONSTRUCTION NOTE #25
IP ○ DENOTES PROPOSED INSPECTION PORTS
P-W ——— DENOTES PROPOSED WATER SERVICE

U/A NOTES:

—THE RECORD PROPERTY OWNER SHALL FILE A DEED NOTICE OF ALTERNATIVE SEWAGE DISPOSAL SYSTEM WITH THE NANTUCKET COUNTY REGISTRY OF DEEDS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE.
—THE HOMEOWNER SHALL ESTABLISH AN OPERATION AND MAINTENANCE AGREEMENT WITH A QUALIFIED SYSTEM OPERATOR CERTIFIED BY THE COMPANY FOR THE ALTERNATIVE TECHNOLOGY INSTALLED. ALL SYSTEM TESTING, MONITORING & REPORTING SHALL BE CONDUCTED IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MassDEP) USE PERMITS.

DESIGN CERTIFICATION:

I CERTIFY TO THE NANTUCKET BOARD OF HEALTH THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DESIGN OF THE ONSITE SEWAGE DISPOSAL SYSTEM SHOWN HEREON CONFORMS TO ALL APPLICABLE SECTIONS OF THE MASSACHUSETTS ENVIRONMENTAL CODE, TITLE 5 (310 CMR 15.000), "STANDARD CONDITIONS FOR ALTERNATIVE SOIL ABSORPTION SYSTEMS WITH GENERAL USE CERTIFICATION AND/OR APPROVED FOR REMEDIAL USE" ISSUED BY MASS DEP ON 3/5/18, "STANDARD CONDITIONS FOR SECONDARY TREATMENT UNITS CERTIFIED FOR GENERAL USE" ISSUED 03/20/15, AN "APPROVAL FOR GENERAL USE" ISSUED TO INFILTRATOR WATER TECHNOLOGIES, LLC. ON 06/12/15, A "CERTIFICATION FOR GENERAL USE" ISSUED TO BIO-MICROBICS, INC. ON 03/20/15, AND ALL DESIGN GUIDANCE PROVIDED BY THE RESPECTIVE COMPANIES.

Gerald G. Buzanoski

SEE SHEET 2 FOR
SYSTEM DETAILS

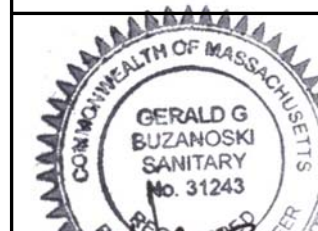
CONTACTS

Dig-Safe 1-888-344-7233
On-Target 1-800-598-0628
Health Department 508-228-7200
National Grid 1-800-322-3223
Public Works 228-7244
Water, Wannacomet 228-0022
Building Dept 325-7587
Conservation Comm 228-7230
Police, EMERGENCY —-911—
Environmental Police 257-6932
State Police 228-0706

PROPOSED PLAN OF A 2BR
SUBSURFACE SEWAGE TREATMENT & DISPOSAL SYSTEM
WITH INNOVATIVE / ALTERNATIVE TECHNOLOGY

PREPARED FOR
NANAHUMACKE LLC

#141R HUMMOCK POND ROAD
MAP: 65, PARCEL: 4.1
NANTUCKET, MA



CHECKED BY: GGB/JLB	MAP: 65 PARCEL: 4.1
DESIGNED BY: GGB	DRAWN BY: CLR
SCALE: AS NOTED	JOB NO.: B8780
	DATE: 04/20/2023
	SHEET: 1 OF 2

BLACKWELL & ASSOCIATES, INC.

20 TEASDALE CIRCLE — NANTUCKET, MA 02554
(508)228-9026

B8780

SHEET 1 OF 2



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

Staff Recommendation

Meeting Date: 5/18/2023

Property Location: 141R Hummock Pond Road

Map & Parcel: 65/4.1

Subject: Nitrogen Loading Limitations

Staff Recommendation: No concerns. These types of variances have been approved in the past.

Application for Extension of Sampling Variance for a Massachusetts Tier 3 Beach

City/Town: Nantucket _____ Beach name: Cliffside Beach _____

Original variance granted on: 05/16/2007 _____

Expiration of most recent variance or variance extension: 06/18/2023 _____

Water Quality Over the Past Four Years:

Year	Number of Samples Collected	Average Sample Result	Highest Sample Result
2022	3	31.33	64
2021	4	7.5	10
2020	4	5	<10
2019	4	6.25	18

Over the past four years, have there been any changes to the beach or surrounding area that could impact the water quality, either positively or negatively? (Examples: construction of a wastewater treatment plant in the area or a recent bylaw that prohibits dogs on the beach [positive], or construction of a marina lacking pump out facilities or a suspected failing septic system in the area [negative].)

The undersigned hereby believes that reduced testing at this beach does not constitute a greater risk to public health than swimming at beaches sampled on a weekly basis under Massachusetts regulations 105 CMR 445.000.

Extension granted by: _____

Name

Dept.

Recommended sampling frequency: _____

Variance extension granted by the Board of Health on _____ and ends on _____, pending a recertification of the survey.

MDPH approval: _____

Name

Date

Reviewed 2017



NANTUCKET HEALTH DEPARTMENT

131 Pleasant Street
NANTUCKET, MASSACHUSETTS 02554
Telephone 508.228.7200

Staff Recommendation

Meeting Date: 5/18/2023

Property Location: Cliffside Beach

Map & Parcel:

Subject: Beach Sampling requirements

Staff Recommendation: Approval. This has been approved in the past.