



Falmouth Health Division

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540
(508) 495-7485 • health@falmouthma.gov

BOARD OF HEALTH MEETING

January 27, 2026 at 5:30 p.m.

Town Hall lower-level meeting room (Civil Defense room)
59 Town Hall Square, Falmouth, MA 02540

Note: Board of Health rescheduled from 1-26-2026 to 1-27-2026 and location moved to the Civil Defense Room due to inclement weather.

MINUTES

Times indicated are approximate

In attendance: Kevin Kroeger, George Heufelder, Amy Roth, George Topulos, and Jed Goldstone

Health Agent: Scott McGann

5:33 - Open remarks and Public Comment

Mr. Heufelder read mission of Board of Health

Mr. Kroeger read rules of behavior

No public comments

5:34– 54 Sam Turner Rd – request to approve a tight tank for storage of urine for a urine diversion system. Documents: plan of recently installed septic system, urine tight tank specs, piping schematic.

Doug Brown, contractor representing homeowner. Tear down and rebuild of existing cottage. Voluntary urine diversion to reduce nitrogen loading in the pond.

Mr. Heufelder clarified terminology used, explaining that tight tanks have specific requirements associated with Title 5 that are not necessarily in alignment with this system and suggested terminology be changed to refer to it as a urine storage tank.

Board members discussed how this compares to composting toilets and black water tank systems. Members appreciated the overflow design as it addresses potential concerns about storage volume. They plan to notify Mass DEP and treat this as part of the demonstration project for urine diversion.

Mr. Heufelder made motion to approve use of urine storage tank provided the Board of Health will check with the Massachusetts Department of Environmental Protection SE Region to confirm correct permitting.

Ms. Roth seconded motion.

Mr. Goldstone added clarification to motion that it includes design modifications as discussed.

Mr. Heufelder agreed to reach out to DEP SE Region, as will Health Agent Scott McGann to ascertain code compliance.

All in favor, motion approved.



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5:49 – 352 Main St – Flow Neutral Bylaw Referral. Applicant on town sewer seeking to increase seating in a food establishment Documents: Plan of property with sketch of possible septic location, proposed project.

Devour restaurant is requesting an increase in seating from 12 to 45 seats.

Mr. McGann explained to the board that the sketch of a possible septic location to accommodate a Title 5 system that could support the increase from 12 to 45 seats. He also reminded the board that their role is to determine whether a Title 5 septic system could physically fit on site for existing and proposed flow, which is what the applicant needs to demonstrate for this part of the flow neutral bylaw.

Mr. Heufelder made motion to forward to selectman affirmation that this property could fit Title 5 system for the increased flow.

Mr. Goldstone seconded the motion

All in favor, motion approved.

5:54 - 173 Metoxit Rd – Innovative/ Alternative septic system approval. Assessed existing 4-bedroom home. Applicant seeking to install a 6-bedroom septic system. Applicant proposes to install a Kleen-Tu NitROE 2KS advanced treatment system. Documents: cover letter, plan by Falmouth Engineering dated 12-23-2025, homeowner acknowledgment form

Mike Borselli, Falmouth Engineering, representing applicant. No variances required. Raze and reconstruct meets Board of Health’s definition of “new construction” requiring an I/A.

Mr. Topulos noted that under anyone’s definition the increase in flow is considered new construction.

Mr. Heufelder made a motion to approve I/A requiring a discharge limit of 10 mg/L finding that there were no other Title 5 variances required and that new construction will apply, with the standard set of conditions.

Mr. Goldstone seconded motion.

All in favor, motion approved.

5:59 – 207 Coonamesset Circle – Innovative/ Alternative septic system approval. Assessed existing 3-bedroom home seeking to install a 560 gallon per day septic system serving a 9-room house calculated using 310 CMR 15.002 : Definitions requiring total room count to determine capacity. Applicant proposes to install a Kleen-Tu NitROE 2KS advanced treatment system. Documents: cover letter, plan by Falmouth Engineering dated 1-2-2026, homeowner acknowledgment form

Mike Borselli, representing the applicant. In nitrogen sensitive area. Zone 2 of municipal well. Site can accept a 5-bedroom capacity, decided to plan for that. No other variances required.

Mr. Goldstone made motion to approve use of I/A finding that all necessary setbacks are there for Title 5 and a required system for zone 2 and Falmouth nitrogen sensitive area with standard set of conditions including 10 mg/L.



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Mr. Heufelder added that Health Agent reviewed equation

Mr. Heufelder seconded

All in favor, motions approved.

6:03 – 46 Fox Lane – Innovative/Alternative septic system approval request. Existing 3-bedroom home seeking to install a 6-bedroom septic system with a Kleen-Tu NitROE advanced treatment system.

Documents: cover letter, plan by Merrill Engineering dated 1-14-2026, homeowner acknowledgment form

Mr. Heufelder made motion to continue 46 Fox Lane until Feb 9 meeting

Mr. Goldstone seconded

All in favor, motion to continue approved

6:10 – 85 Brick Kiln Rd – Innovative/Alternative septic system approval request. Shared septic system with 40 units totaling 62 bedrooms. Applicant seeks to install Amphidrome technology. Documents: cover letter, plan by Merrill Engineering dated 5-24-2024

Mr. Topulos made motion to continue to Feb 9 meeting

Mr. Heufelder seconded

Mr. Heufelder added during the discussion that this is a large development, and the Town did not initially have a positive experience with the Amphidrome system installed at the AutoCamp. And that it did not perform as expected, which led to a 2-3 year effort to resolve problems. He expressed concerns about repeating that with a large year-round residential project.

Mr. Kroeger clarified that the major early failure at AutoCamp was due to an improperly installed soil absorption system, not the Amphidrome technology itself. Once the Amphidrome Plus unit was installed and the system properly set up it is now believed to be performing very well.

Mr. Heufelder reiterated that understanding what caused it to not work at the AutoCamp and ensure that misstep will not be repeated. He added that providing evidence that the system is properly engineered for the proposed flow and conditions and provide monitoring, reporting frequency and on-site oversight details, as there were also issues with oversight at the campground). He emphasized that reporting and accountability are important to understand.

All in favor, motion to continue approved.

6:14 – 81 Crystal Springs Ave – Local Upgrade Approval request. Existing 3-bedroom home. Seeking the following setback waivers from 310 CMR 15.405 (Title 5) • Reduce the required 10' setback for a soil absorption system to a lot line down to 5' • Reduce the required 10' setback for a septic tank to a lot line down to 3' • Reduce the required 10' setback for a septic tank to a foundation wall down to 3' • Reduce the required 10' setback for a soil absorption system to a slab foundation down to 5' • Allow



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only 1 deep hole Documents: cover letter and plan by KLIM Land Surveying Inc dated 10-20-2025, staff bedroom count memo

Kenny Kostka property owner.

Mr. Heufelder notes lack of I/A system.

Mr. McGann provided some history on the sewer system, the nearby sewer line was limited by a past legal settlement to only the most groundwater-challenged homes; this property is not eligible for sewer, so an upgraded septic is required.

The board's discussed whether groundwater was observed and agreed the plan must accommodate a future I/A system reserve area and ensure adequate vertical separation from groundwater, to be field-verified at installation. They reviewed front versus rear placement, confirmed setbacks to the foundation and proximity to water and gas lines.

Mr. Kostka and Mr. McGann clarified a few setbacks that would need variances in front of house.

The owner is the abutter so no abutter notifications were needed.

Mr. Heufelder made motion to approve, providing the applicant can show before picking up permit the theoretical placement of an I/A system with standard set of conditions should it ever be required.

Mr. Goldstone seconded

Mr. Goldstone added that the plan should be amended to show H2O loading tank.

Mr. Kroeger asked if Mr. Kostka understands the reserve area, he confirmed he did.

All in favor, motion approved.

6:25 – I/A system monitoring, performance, and data – continued from 12-15-2025 and 1-5-2026- review performance of I/A systems installed in Falmouth and the current monitoring and data collection processes, including that of Barnstable County (MASSTC)

Documents: I/A data of installed systems in Falmouth

Board continued discussion on how to monitor and enforce compliance in legacy systems that are not meeting standards.

Mr. Topulos asked how many operators and if the worst performing could meet with the board.

Board discussed mechanisms to open dialogue in a less contentious way to work together to understand performance issues.

Mr. Goldstone reminded the board that homeowners are ultimately responsible. A mail merge and letter going out to owners of systems that are not in compliance could be a starting point that directs them to resources. Second schedule a conversation with operators.



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Mr. Heufelder said there is no statistical significance with operators and non-compliance. Feels that a letter should require action.

Mr. Topulos asked if it would be reasonable to require the operators to get the water use data and include it in the monthly reports.

The board agreed that it would be beneficial to have a discussion with all operators of I/A systems in town. Synergy and idea sharing.

Board thinks making the meeting hybrid to encourage more attendance is ideal. Board agrees they need to more clearly identify objectives of the proposed meeting.

Mr. Heufelder will draft a letter to operators requesting a meeting to discuss legacy and new I/A systems and that their input is needed to get all of them operating optimally.

Mr. McGann will determine if a hybrid meeting is feasible.

Mr. Heufelder hopes this will provide operators with a road map to help troubleshoot a poor performing system.

7:02– Freshwater Pond Quality – continued discussion on Cyanobacteria and freshwater bodies from 1-5-2026 including a draft of the letter voted to be written on 1-5-2026

Documents: draft letter

Board discussed sending letter directly to Select Board members ahead of joint meeting. There was a side note to submit the old letter from the board regarding fair distribution of cost as an additional discussion topic with Select Board.

Kim Komart, Falmouth Pond Coalition added that the draft letter to select board is terrific. When finalized he requested that Board of Health share it, so that the Coalition can circulate it.

Mr. Goldstone made motion to send letter, as amended to Select Board so that it is available for discussion at next joint meeting

Ms. Roth seconded

all in favor, motion approved

7:15 – Discussion- Falmouth Water Department Drinking Water Notice for lead

Mr. Topulos wants to make sure when board talks to drinking water Superintendent. This letter went out two years ago and it is unknown if it was sent out to the same recipients who already responded.

Mr. McGann clarified that the language is likely set by EPA. Water at street is tested weekly. Water can be tested for lead by Town Health Department.



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Board discussed and agreed that the information is going to a consultant and they do not know what results are.

Mr. Topulos concerned about the town owned bit that may include lead.

Board agrees that they do not know.

The Board discussed the Town's drinking water notice for lead and communication/followup to residents.

Mr. Topulos expressed frustration with the current system as confusing and alarming and that the Federal/DEP-mandated letter about potential lead in service lines was sent to all households, with vague instructions, no clear follow-up process, and no distinction between town-owned and homeowner-owned portions of the service line. He described his own experience submitting photos and only receiving a brief text reply with no evident record-keeping.

Other board members noted that Town water is regularly tested at multiple street locations, and residents can get free lead testing bottles, but acknowledged that this was not clearly spelled out in the notice. The board also noted that the town often doesn't know the material of the town-owned portion of the service line, yet the letter effectively asks homeowners to figure this out.

The board concluded that much of the communication and data appears to go to a consultant, and they do not have visibility into how many service lines are known/unknown or confirmed to have lead.

They agreed this is an important public health and communication issue and should be a topic for discussion with the Water Department and Select Board, seeking clearer data (such as how many lines are known/unknown and how many residences have responded) and improved public messaging about lead and testing options.

7:21 – New business and schedule future meetings

Mr. Goldstone made motion to move this discussion topic out of order in agenda

Ms. Roth seconded

all in favor, agenda item moved

Mr. Kroeger asked if there were any updates about the board's request to meet with the Water Superintendent. There were not.

Mr. Heufelder will finish and send freshwater pond water quality letter to Select Board.

Mr. Kroeger will reattach other letters, and include agenda topics of interest from the Board of Health including Steamship Authority idling monitoring, flow neutral bylaw, water/board of health, and fairness of cost distribution letter.



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Board members indicated that during the discussion with Select Board they want to understand process and factors that go into flow neutral and offset costs for larger development projects. Hope to better understand the procedure for how they determine this.

Mr. Goldstone explained that there are calculations that can be done, it is publicly available and he is happy to share/explain that info.

7:42 – Review and approve minutes 12-15-2025 and 1-5-2026

Mr. Goldstone made motion to approve minutes for 12/15, with no changes

Ms. Roth seconded.

All in favor, minutes approved.

Mr. Goldstone made motion to approve minutes for 01/05, with no changes

Mr. Heufelder seconded.

All but Mr. Topulos in favor, minutes approved.

Topulos abstained, as he was not present

Mr. McGann needs a schedule out of meetings to accommodate FCTV in the Selectboard room.

Next meeting is Feb 9

7:46 - Adjourn

Mr. Heugelder made motion to adjourn

Mr. Topulos seconded

All in favor, meeting adjourned

OUR MISSION

The mission of the Falmouth Board of Health is to protect and promote the health, safety and well-being of residents and visitors of the Town of Falmouth. The primary functions of the Board of Health to achieve our mission are to: prevent and control disease, enforce state and local regulations, promulgate local health regulations, identify and protect from environmental hazards, and advocate for a healthy community.

Chair: Kevin Kroeger