

**Truro Board of Health Minutes
September 16, 2014
4:30 PM-Truro Town Hall**

Members Present: Chair-Dianne Eib, Vice Chair-Tracey Rose, Tim Rose, Alternate-Ansel Chaplin, Clerk-Jason Silva, Mark Peters

Members Absent:

Present: Health Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, Dave Lajoie, Shirley Brothers, Nicole Conrad, Tasia Rego

REVIEW/APPROVE MINUTES

September 2, 2014 minutes

Dianne let the audience know that the meeting was being audio recorded, and asked if anyone else was making a recording. Hearing no answer in the affirmative, she instructed anyone coming before the Board to speak to please give their name for the record.

Mark Peters made a motion to accept the minutes as corrected.

Tracey Rose seconded.

Vote: 5-0, motion carries.

REPORTS

Water Resources Oversight Committee

Per Mark Peters, there is no report at this time.

Health Agent's Report

Pat told the Board that there are two flu clinics scheduled. The first is on October 8th from 1pm to 3pm, and the second is being held on November 5th from 2pm to 4pm. Both clinics will be held at the Community Center. The CERT team will be lending their assistance.

On Wednesday, September 17th, Pat will be sitting in on the interviews for Animal Control Officer. There are four candidates for the position, and it will be a shared position with the Town of Wellfleet.

Tracey asked if the flu clinic was going to include the Truro Central School, and have the children bussed over. Pat explained that she'd sent a letter over to the school, asking if they wanted to participate.

What they have done in the past, is have one of the VNA nurses go over to the school and provide vaccine for the children. She is not sure what this year's school nurse will want to do. That nurse has the vaccine refrigerator, and she can give the vaccine over at the school. Tracey asked if it was the nasal spray. Pat was not sure. She did say that most children are getting the vaccination from their pediatrician. Pat added that they do have pediatric doses of the flu vaccine available. The school would have to order their doses privately, or through the State. The easiest thing to do is to provide it at the clinic, but bussing the children over is a lot, logistically.

Pat told the Board members that the legal ad for 25 Meetinghouse Road had been published in the paper. She has not heard from the property owners.

PUBLIC HEARINGS

1. Truro Education and Enrichment Alliance, Approval of Temporary Food Service Permit for Truro Treasures at Truro Central School, 317 Route 6.

Nicole Conrad and Tasia Rego approached the Board. Tracey pointed out that on Section B of their application for selling food at the booth it stated they were selling “everything”. Nicole stated that she had been unsure how to fill out the application. They will be selling hotdogs, hamburgers, and chowder. Tracey drew a line through “everything” on the application. Pat noted the conditions she had written on the application; Use gloves, have thermometers on-site, and hot holding for the chowder.

Mark Peters made a motion to approve the temporary food service permit for TEEA.

Tim Rose seconded.

Vote: 5-0, motion carries.

Tim asked if the \$25 fee could be waived. Dianne pointed out that TEEA had not requested a waiver, and that it cost that much money to process/issue the license.

2. Shirley Brothers, Request for Meeting RE; August 5, 2014 Decision on Timeframe to Upgrade to Title 5 per June 18, 2014 Order to Upgrade, 586 Shore Rd. (continued from 9/2/14).

Dave Lajoie and Shirley Brothers approached the Board. Shirley is concerned with the cottages not being inhabited. Friends, and neighbors, have seen cars in the driveway. She is worried about liability if someone gets hurt. She would like to be able to use the property, so that she can prepare it for sale. She believes one of the reasons why it has not sold is because it does not have a Title V system. Dianne stated that the owners have to install the system, per their regulations, prior to the sale of the property. If Shirley wishes to have the buyers install the system, it would require a variance. Dave has a septic plan prepared, and he is requesting variances. Tracey asked for clarification on whether it was a two or four bedroom dwelling. Shirley stated that they are not going to put on an addition; they just want to prepare the septic so that if the new owners wish to inquire about constructing an addition, the septic will be in place.

Dave stated that the plan is the same, and it’s delineated as a two bedroom dwelling. They wish to install a four bedroom system, with the understanding that there is no guarantee in the future they can expand to four bedrooms. Pat reiterated what she’d discussed with Dave. The Board does not want to approve something which is new construction. She advised the Board to do a finding of fact. She has reviewed the cottage with the Building Commissioner. The Board could do a finding stating that historically, the cottage was used as a four bedroom, but legally it’s a two bedroom dwelling. Dianne pointed out that the Board established that at their last meeting. Dianne said they could approve the plan with a deed restriction stating it’s a two bedroom dwelling. Pat continued, by saying the owners could go to the Zoning Board of Appeals to dormer the upstairs to make it a legal four bedroom. Pat has offered a suggestion for the current or future owner of the property. Both of the tanks, and pump chamber, are H-10 loading. Pat suggested measures to prevent parking over these components to prevent damage, such as a wheel stop or other barrier.

Variances Requested:

1. 1' from the septic tank to the cellar wall (9' provided, 10' required).
2. 1' from the pump chamber to the cellar wall (9' provided, 10' required).
3. 4' from the septic tank to the property line at parcel 22 (6' provided, 10' required).
4. 3' from the leach area to the property line at parcel 22 (7' provided, 10' required).
5. 3' from the leach area to the property line at parcel 20 (7' provided, 10' required).
6. 4' from the leach area to the property line at street (6' provided, 10' required).
7. The septic system is on a barrier beach.

Dianne asked Dave if there would as many variances if it were a two bedroom system. Dave replied, "No". Mark stated that if the dwelling is maintained as a two bedroom, it will have an oversized septic which will then add to the treatment available of the effluent generated from the premises. A two bedroom house with that type of attic most likely will not lend itself to a year-round operation. That will further limit the impact on that area (Beach Point). Tracey asked if the Board was setting the owners up for an increase in flow. Mark pointed out that there are a number of hurdles the current, or new owners, will have to go through. If the Board only allows a two bedroom system, it does not mean that they cannot come back and upgrade to a four bedroom system. Tim did not see a problem with the larger system. In his opinion, the larger system will last longer.

Mark Peters made a motion to approve the variances as requested and place a deed restriction on the property limiting the number of bedrooms to two.

Tim Rose seconded.

Vote: 4-0, (Tracey Rose recused) motion carries.

Shirley brought up the question regarding the timeframe to install the system. Pat noted that this had gone through the Conservation Commission, and that there was a 10 day appeal period (10 business days). It has to be recorded, and then a recorded copy is given back to the town. Then 48 hour notice needs to be given to the Conservation Commission before starting work. Pat suggested giving the owners until the end of November.

Tim Rose made a motion to grant until November 30th to upgrade the system.

Mark Peters seconded.

Vote: 4-0, (Tracey recused) motion carries.

3. **Felco Engineering Inc. for Shirley A. Brothers Trust, Shirley Brothers, Robert Brothers, and Joan Pizzigno, Request for Title 5 Variances 15.211, Minimum Setback Distances (continued from 9/2/14)**

This item was discussed along with item number 2. Vote is included under item number 2.

AGENDA ITEMS:

1. Discussion: Truro Board of Health Regulation Section III, Article 3, Manager

Pat let the Board know that back on September 7, 2010 they approved an off-site manager for Seaside Inn. Mark was surprised, since Seaside Inn has 26 units. Daniel J. Scholl is the current off-site manager. Tracey reported that she'd had a conversation with Laurie Ferrari from Peters Property Management. Tracey asked when the management company is hired by condominiums, is a contract handed over which is signed. Laurie stated that they do have contracts, and those contracts list what services are covered. Dianne suggested that if a new property manager comes before the Board, they could ask to have a copy of the contract to place in the establishment's file. Mark would like to be pro-active, rather than reactive. He would like to view current contracts, see what they say, and perhaps tweak them to the Board's benefit. Dianne wants their regulations to state that property managers must come before the Board. Tracey asked if the Board was going to allow off site managers for establishments with more than ten units, because right now their regulations do not allow that. Pat added that since she's worked in Truro, she's never had an issue with the condominiums. She has complaints about single family homes. Mark pointed out that people staying at single family homes are usually there for a longer stay, rather than people staying for a few nights at a condominium. Dianne asked to place this on their next agenda, and asked Noelle to try to get copies of current contracts.

2. Discussion: Pay As You Throw

Dianne was approached by Board of Selectmen Chair, Jay Coburn, and member, Bob Weinstein because they are looking into Pay As You Throw (PAYT). They were looking for Dianne's feedback as to how she felt the idea would be received. She spent three years on the Recycling Committee, discussing PAYT. She knows a neighboring town is doing it, and it is rather successful. She did say, as a private citizen, that the private trash hauler issue needs to be addressed. She believes they are throwing glass, and other recyclable materials, into the hopper. She also stated that a scale needs to be purchased. Tim mentioned a problem with not having virgin ground to place a scale onto. It will cost more in the long run due to the need to be recalibrated every two years. The ground will always be settling. Mark pointed out that the Registry of Motor Vehicles uses portable scales. Dianne personally does not want to pay for something when it is unclear if haulers are bringing trash from other Towns. Timmy was concerned with the approximate cost of ¾ of a million dollars to install a scale, which the Town may only really need for three or four months. Will that scale pay for itself? Dianne stated that the Board of Selectmen would be talking with other towns, and also would be waiting for Truro's new DPW Director, before making any changes. She just wanted the Board to be aware that this was coming, and to have some knowledge. Tracey added that a lot of times, it is rejected by the local townspeople, but then accepted. Once it's established, PAYT reduces waste by approximately 50%. Dianne mentioned that Truro is one of the last towns to consider PAYT, and at least they have the history of other towns to look at. The Board of Selectmen will be looking for a representative from the Board of Health to sit on a committee regarding PAYT. A member from the Recycling Committee will be asked to join as well, along with citizens from the town. Pat added that the topic of PAYT is on the Board of Selectmen's agenda for September 23rd, and they are inviting the Board of Health. We will post an agenda as a joint meeting with the Board of Health and the Board of Selectmen.

3. Reorganization of the Board (continued from 9/2/14)

Dianne reminded the Board that at their last meeting, Tracey had been nominated for Chair of the Board of Health. Tracey has thought about the nomination and she will be happy to accept. Dianne stated that they needed a Vice Chair.

**Mark Peters made a motion to nominate Jason Silva as Vice Chair to the Board of Health.
Tim Rose seconded.
Vote: 5-0, motion carries**

Jason accepted the nomination to be Vice Chair.

**Tim Rose made a motion to nominate Mark Peters for Clerk of the Board of Health.
Jason Silva seconded.
Vote: 5-0, motion carries.**

Mark accepted the nomination to be Clerk.

Tracey asked when this would be effective. Dianne suggested making it effective at the first of the year, in order to mentor Tracey.

New terms will be effective January 1, 2015

LICENSING RENEWAL APPROVALS

None

**Tim Rose made a motion to adjourn at 5:10pm.
Mark Peters seconded.
Vote: 5-0, motion carries.**

Chair-Dianne Eib

Vice Chair-Tracey Rose

Clerk-Jason Silva

Mark Peters

Tim Rose

Alternate-Ansel Chaplin