

**Truro Board of Health Minutes
January 20, 2015
4:30 PM-Truro Town Hall**

Members Present: Chair-Tracey Rose, Vice Chair-Jason Silva, Clerk-Mark Peters, Dianne Eib, Tim Rose
Members Absent: Alternate-Ansel Chaplin
Present: Health Agent-Pat Pajaron, Jason Ellis, Claire Perry

REVIEW/APPROVE MINUTES

January 6, 2015

Tracey Rose called the meeting to order at 4:30PM. She informed the audience that the meeting was being recorded, and asked if anyone else was recording. Hearing no answer in the affirmative, she continued by asking anyone coming up to speak to state their name for the minutes.

Dianne Eib made a motion to accept the minutes as presented.

Mark Peters seconded this motion.

Vote: 4-0, (*Tim Rose abstained*) motion carries.

REPORTS

Water Resources Oversight Committee

Per Mark Peters, this meeting was mostly for housekeeping matters. The group went over certain areas, priorities, and how to address the public to ensure support. Tracey added that the Chair of WROC and the Engineer, Blake Edwards, will be going before the Board of Selectmen the first week of February to present the final report from Phase 1, close that out, and receive an endorsement for Phase 2. Mark continued, by stating that the whole committee was called upon to give suggestions, corrections, or deletions.

Health Agent's Report

Pat gave an update on 586 Shore Road. John F. Noons is going to do the work. They have given a 48 hour notice to begin the work. Work should be complete in 1-2 weeks.

Tracey asked for an update on the two campgrounds who came before the Board two years ago asking to do a shared system. Pat states that they did get an extension from DEP. She is unsure of the date, but will bring that information to the next meeting.

PUBLIC HEARINGS

1. William Aiken, 21 Bayberry Road, Request for Title 5 Variance, 310 CMR 15.211.

Jason Ellis approached the Board. Mr. Aikman wishes to construct a new attached garage to an existing house. Due to the layout of the house, and its orientation, setbacks, and septic system location, the prime location for the garage requires a couple of variances to the existing septic system. There is a '78 code, 1000 gallon tank, dbx and leach pit which was designed and installed in 1988. This was a varianced system at the time, designed by Felco. Jason has gone out, located the components and plotted them out with the proposed garage. In order to get the garage to fit, they are asking for;

- 2' variance from proposed garage slab to existing leach pit. (10' required, 8' provided).
- 8' variance from proposed garage slab to existing septic tank. (10' required, 2' provided).

Per Mr. Ellis, the leach pit is in good condition. He is providing a 40 mil poly flow barrier (waterproof barrier) which will be installed against the foundation wall from elevation 89.5' to below the bottom of the footing elevation where the foundation wall is within 10' of the septic components. Dianne questioned the placement of the barrier within 10' of septic components. Mr. Ellis explained that to her satisfaction. Mark asked what types of facilities were in the garage. Mr. Ellis stated that there was no plumbing; there is just a hallway and the garage, and no second floor. Tracey asked for an explanation for note #11 on the site plan, which reads:

"Building sewer to be changed if necessary to location shown. Provide ¼" pitch from septic tank inlet invert to proposed building sewer location."

Mr. Ellis explained that he is not 100% sure where the sewer line enters the building. There could be some sewer lines that extend out from the house, in the area where the proposed garage will attach to the house. In that case, those sewer lines would have to be rerouted, according to normal practice with a ¼" pitch. Tracey also asked what type of wetland was there. Mr. Ellis said that it is a low area with some standing water in it, probably a vernal pool, however has never been certified as such. Mark asked if the vernal pool backed up to the other property on Fishermans Road. Mr. Ellis stated that it's a very small area.

Dianne Eib made a motion to grant the two variances as presented.

Tim Rose seconded this motion.

Vote: 5-0, motion carries.

2. Claire Perry, Request for Monitoring Reduction for SeptiTech Wastewater Treatment System at 37 Corn Hill Road.

Claire Perry approached the Board. She owns a home which is on a lot that does not meet nitrogen loading limitations. The Board of Health approved a Septi-Tech I/A system under provisional use, approved by the DEP on November 23, 2006. The provisional use approval allows nitrogen credits for a 1 bedroom design flow, and the system was installed (certificate of compliance issued) in 2008. At the time of installation, the provisional use approval required sampling for PH, influent BOD5, CBOD5, TSS, TN and alkalinity twice per year as the property is occupied seasonally for less than 6 months per year. The provisional use approval was revised 7/8/2013 and again in May 2014 which allows after 3 years of performance evaluation a reduction in monitoring parameters for at least the TN at a minimum of twice/year. Claire is coming before the Board to request that they approve the reduction in monitoring. Dianne discussed the summary of seventeen inspection reports. The Nitrate Nitrogen concentrations were, on average, 21.67mg/L. Total Nitrogen concentrations were on average, 24.8mg/L. The acceptable limit is 19 mg/L. Dianne feels that they should not reduce the monitoring at this time. That would allow Claire to go back to the system operator, in consultation with the manufacturer Septitech, to perhaps make adjustments to increase performance in the de-nitrifying process.

Dianne Eib made a motion to deny the request for monitoring reduction for 37 Corn Hill Road.

Mark Peters seconded this motion.

Vote: 5-0, motion carries.

3. Carolyn Delgizzi, David J. Delgizzi and Daniel R. Delgizzi, The Highland Inn at 4 Moses Way and The Beacon at 101 Shore Rd., Licensing Requirements per BOH Regulation, Section III, Article 3.

Tracey summarized that the Delgizzi's had been invited to appear before the Board to explain why they are perpetually late in sending in their license renewal applications. She asked Pat if she had received any form of communication from the Delgizzi's. Pat has not received any letter, email or phone call. They are being fined. Dianne asked what the next step would be. Pat stated that they could hold a Show Cause hearing.

Dianne Eib made a motion to hold a Show Cause hearing for Carolyn Delgizzi, David J. Delgizzi and Daniel R. Delgizzi, The Highland Inn at 4 Moses Way and The Beacon at 101 Shore Road.

Mark Peters seconded this motion.

Vote: 5-0, motion carries.

AGENDA ITEMS:

- 1. Discussion: Truro Board of Health Regulation Section III, Article 3, Manager Regulation (continued from 1/6/15).**

Tracey opened the conversation, stating that the Board needs to decide on whether to entertain a change in their Manager Regulation. Mark requested to look at the agreements under which non on premise managers work for their tenants. He maintains that the current method of determining on site or off site managers should be followed. He would like to find out exactly what is required of these managers. Tracey summarized the proposed amendments, and a discussion ensued. Dianne believes that new management companies should come before the Board with a contract which can be reviewed by them. Mark proposed having the contract sent to the Board earlier for review, and possible re-working. Pat stated that she does not believe the Board is allowed to get into changing contracts, and she can check with legal counsel. Pat suggested the Board write up an addendum which could be added to a contract. Mark still has concerns about social issues, and would like those addressed in any management company's contract.

Dianne Eib made a motion to continue this discussion to look at and revise the Truro Board of Health Manager Regulation.

Mark Peters seconded this motion.

Vote: 5-0, motion carries.

LICENSING RENEWAL APPROVALS

- 1. Roberta Schnabel, Mgr of Pilgrim Beach Condos, 174 Shore Road, Condominium License.**
- 2. Sonja Soderberg, Mgr of East Harbor Motel & Cottages, 618 Shore Road, Motel License.**
- 3. Russell Braun, Mgr of Sea Haven Condos, 510 Shore Road, Condominium License.**
- 4. Russell Braun, Mgr of Sunrise Cottages Condos, 497 Shore Road, Condominium License.**
- 5. Jack Peak & Joan Ford, Mgrs of Harbor View Village, 168 Shore Road, Condominium License.**
- 6. Jon & Denise Seager, Mgrs of Sea Song Condos, 525 Shore Road, Condominium License.**
- 7. Wayne Klekamp & James Bourne, Mgrs of Adventure Bound Camping Resort at Hortons, 67 South Highland Road, Campground/Commercially Packaged Foods (snacks)/Ice Cream Licenses.**
- 8. Wayne Klekamp, Mgr of North Truro Camping Area, 46 Highland Road, Campground/Food Establishment/Ice Cream Licenses.**
- 9. Frederick Dunn, Mgr of Fuller's Package Store, 300 Route 6, Food Establishment (commercially pre-packaged foods) and Tobacco License.**

Tracey asked Pat if all renewal applicants were in good standing. Pat replied that all applicants were in good standing.

Mark Peters made a motion to approve all 9 license renewal applications.

Tim Rose seconded this motion.

Vote: 5-0, motion carries.

Tim Rose requested that when vendors who sell food at the public beaches pick up their license, that they be told to make sure they do not block entrances/exits to the beach in order for emergency personnel to gain access. Tim suggested that a notation be placed on the licenses received.

Tim Rose made a motion to adjourn the meeting at 5:32PM.

Jason Silva seconded this motion.

Vote: 5-0, motion carries.

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Dianne Eib

Tim Rose

Alternate-Ansel Chaplin