

Truro Board of Health Minutes  
September 16, 2015  
4:30 PM-Truro Town Hall

**Members Present:** Chair-Tracy Rose, Vice Chair-Jason Silva, Member Tim Rose, Member Ansel Chaplin  
**Absent:** Clerk-Mark Peters  
**Others Present:** ATA Charleen Greenhalgh

Chair Tracy Rose called the meeting to order at 4:30PM. Ms. Rose stated that the meeting was being recorded and asked if anyone from the public was recording as well. No one replied in the affirmative.

**REVIEW/APPROVE MINUTES**

July 7<sup>th</sup> minutes were moved to the next meeting in hopes of a quorum to approve them.

July 21<sup>st</sup>

Mr. Rose motioned to approve the July 21 meeting minutes as submitted.

Mr. Chaplin seconded.

Vote: 3-0, motion carries with Ms. Rose not voting.

September 1, 2015

Mr. Silva motioned to approve the September 1 meeting minutes as submitted.

Mr. Rose seconded.

Vote: 3-0-1, with Ansel Chaplin abstaining.

**REPORTS**

**Water Resources Oversight Committee**

Ms. Rose stated that WROC has not had a meeting, so there was nothing to report.

**Health Agent's Report**

Ms. Pajaron was absent.

**PUBLIC HEARINGS**

- 1. Willie J. Cater and Gloria J. Cater, Fisher Road Realty Trust, Approval of Definitive Subdivision Plan, 9B Benson Rd**

Mr. Chaplin recused himself.

Mr. Snow (Counsel) & Mr. Clark (Engineer) approached the Board. Mr. Snow informed the Board that not much has changed on the plans since they Board last reviewed them and that there were still no plans for a building or septic for review at this time. Ms. Greenhalgh said she felt Ms. Pajaron's proposed conditions were warranted and that a portion of leach field is shown under the roadway,

which is an issue that will need tending to on the future plans. Ms. Rose read Ms. Pajaron's recommendations, they were as follows: *Even though no new lots are being created, the Definitive Subdivision Plan of Land for 9B Benson Road requires BOH approval. I would recommend approval of the subdivision plan with the condition that a site and sewage plan be prepared in accordance with 15.220 of Title 5, to include location of locus and abutting wells and septic components and be submitted to the Health Agent for review prior to construction of the road.*

**Mr. Rose motioned to approve the definitive subdivision plan for 9B Benson Rd with the following recommendation from the Health Agent: *Even though no new lots are being created, the Definitive Subdivision Plan of Land for 9B Benson Road requires BOH approval. I would recommend approval of the subdivision plan with the condition that a site and sewage plan be prepared in accordance with 15.220 of Title 5, to include location of locus and abutting wells and septic components and be submitted to the Health Agent for review prior to construction of the road.***

**Mr. Silva seconded.**

**Vote: 3-0, motion carries (with Mr. Chaplin recusing)**

- 2. John Petraborg, 390 Shore Rd/RT6A, Request for Title 5 Variance, 15.211, Minimum Setback Distances, Truro Board of Health Regulation, Section VI, Article 8, Required Setbacks for System Components and Article 3(1)a. Require Upgrade Upon Transfer**

Ms. Rose turned the Chair to Mr. Silva and recused herself.

Mr. Chaplin rejoined the group.

Mr. Schnaible was running late. Mr. Rose moved the hearing to the end of the Agenda or until such a time that Mr. Schnaible arrived. He turned the Chair back to Ms. Rose.

- 3. Robert and Cornelia Wells Family Trust, Robert and Cornelia Wells, Trustees, 5 Old Firehouse Road, Show Cause Hearing for Noncompliance with an Order Issued by the Health Department to Correct a Violation of 310 CMR 15.00, The State Environmental Code, Title 5**

Mr. Wells approached the Board and explained that he was out of State, but has since returned and hired FELCO, Inc. He should be receiving the engineering portion from FELCO, Inc. by the 29<sup>th</sup> of September. Ms. Rose asked if the property was occupied, Mr. Wells replied in the affirmative and also informed the Board that he has recently had the system pumped by Nauset Septic. Mr. Rose made the recommendation that the system gets checked and pumped every two weeks. Ms. Pajaron's recommendation was once a week (via a written agenda action memo). Ms. Rose read the rest of Ms. Pajaron's recommendation for the record.

**Mr. Rose motioned to uphold the Health Agent's recommendation which was as follows: *I recommend that the Board uphold my Order issued on July 23, 2015 to the Wells. If a septic system was never installed on the property, I further recommend that the cesspool be checked by a licensed septage hauler and pumped as needed on a weekly basis and file a weekly report to the health agent and require that the Wells return to the Board at the October 6<sup>th</sup> meeting with a contract a registered professional engineer or registered sanitarian for the upgrade of the system in conformance with Title 5. The contract should include a timeframe when the PERC test will be performed, submittal of the site and sewage plan to the BOH and the date when the system will be installed.***

In addition to Ms. Pajaron's recommendation the Board requested that the Applicant appear at the October 6<sup>th</sup> meeting to update them on the status of the upgrade.

Mr. Chaplin seconded.

Vote: 4-0-0, motion carries.

4. John Petraborg, 390 Shore Rd/RT6A, Request for Title 5 Variance, 15.211, Minimum Setback Distances, Truro Board of Health Regulation, Section VI, Article 8, Required Setbacks for System Components and Article 3(1)a. Require Upgrade Upon Transfer (continued from earlier in the meeting)

Mr. Schnaible from Coastal Engineering approached the Board and gave them a rundown of the existing property and the proposal before them. No increase in footprint, no increase in bedrooms.

Ms. Rose handed the meeting over to Mr. Silva and recused herself.

Mr. Silva ask if the Conservation Commission had approved the project. Mr. Schnaible replied in the affirmative. Mr. Rose asked if the residence was occupied at the present time, Mr. Schnaible replied no.

Mr. Rose moved to approve the BOH variances requested with the following conditions: 1.) upgrade should occur no later than 2 weeks from the closing date of October 31st, 2.) there shall be no occupancy until the septic system has been installed, and 3.) No increase in square footage of the existing dwelling served by the subsurface sewage disposal system that results in an increased design flow.

Mr. Chaplin seconded.

Vote: 3-0, motion carries (with Ms. Rose recusing)

Mr. Silva returned the Chair back to Ms. Rose.

#### **AGENDA ITEMS**

1. Jay Norton, DPW Director, Update on Operation of the Transfer Station (continued from 9/1/2015)

Mr. Norton approached the Board and updated them Board on the Transfer Station operations. Scales have been working out great. Within the first 3 weeks since installment of the scales, they have billed out close to \$4,000, mainly from the tradesmen pick-ups. The amount of coupons sold in one year was \$4205. He continued to give revenue/tonnage statistics. Conduit installation is still under investigation. DEP certification has been put on hold until conduit issue has been taken care of (AT&T had conduit installed without DEP approvals).

#### **LICENSING RENEWAL APPROVALS:**

None

#### **OTHER BUSINESS**

Mr. Chaplin said he should not have been listed on the July 7<sup>th</sup> minutes because not was not technically a part of the Board at the moment in time. Ms. Greenhalgh informed him that it would be corrected.

**Mr. Rose motioned to adjourn.**

**Mr. Chaplin seconded.**

**Vote: 4-0-0, motion carries.**

**Respectfully submitted,**

**Arozana Davis**

**BOH Secretary**

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**Chair-Tracey Rose**

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**Vice Chair-Jason Silva**

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**Clerk-Mark Peters**

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**Tim Rose**

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**Ansel Chaplin**