

Truro Board of Health Minutes  
May 17, 2016  
4:30 PM-Truro Town Hall

**Members Present:** Chair Tracey Rose, Member Mark Peters, Vice Chair Jason Silva, Member Ansel Chaplin, Member Tim Rose  
**Others Present:** Agent Pat Pajaron

Chair Tracey Rose called the meeting to order at 4:30PM.

**REVIEW/APPROVE MINUTES**

May 3, 2016

**Mr. Peters moved to approve as amended.**

**Mr. Chaplin seconded.**

**Vote: 5-0-0, motion carries.**

**REPORTS**

**Water Resources Oversight Committee**

Members from WROC have started stuffing envelopes with water sample bottles to prepare for the next mailing for nitrate sampling.

*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.*

**Health Agent's Report**

-Head of the Meadow Citgo Station Violation: Ms. Pajaron conducted a compliance site visit on May 5<sup>th</sup> and all of the tobacco products had been removed from the shelf.

-Letter from James McCusker dated May 16<sup>th</sup>, stating that the old manager will now be managing Crow's Nest again. He requests a Change of Manager without having to go through the standard procedure. Ms. Pajaron informed Mr. McCusker that the paperwork would need to be completed and the Change of Manager advertised. The Board felt the Team Inspection could be waived due to the recent Team inspection, but the rest of the formal procedure should be followed.

**PUBLIC HEARINGS**

- 1. Dyer Realty Trust, Nancy A. Dyer, Trustee, 8 Sam's Way, Request for Title 5 Variance 15.211, Minimum Setback Distances and Truro Board of Health Regulation Section VI, Article 10, Buildable Upland Calculations for Nitrogen Loading Limitations (continued from 5/3/16)**

*Ms. Rose recused herself.*

Attorney Jay Murphy and David Lajoie of FELCO, Inc. approached the Board. Mr. Murphy emphasized that in order for them to meet the Zoning requirements, the variances requested would be necessary.

Mr. Silva felt it was more beneficial to keep the leach field back from the bank, even if that meant a variance needed to be given. Mr. Peters felt it was the best possible solution given the circumstances.

**Mr. Peters moved to approve the variances as requested: 1.) 8' from the proposed leach area to the property line (cul-de-sac) 310 CMR 15.211; 2.) 10' from the reserve to the property line (cul-de-sac) 310 CMR 15.211; 3.) Buildable upland calculations for nitrogen loading limitations –Truro Board of Health Regulation, Section VI, Article 10 (use coastal bank area); 4.) Truro Board of Health Regulation, Section VI, Article 2(1)(c) Variances. The proposed leaching facility does not meet the Minimum Setback Distances per 310 CMR 15.211.**

**Mr. Rose seconded.**

**Vote: 4-0-1, motion carries with Ms. Rose's recusal.**

*Ms. Rose returned to Chair.*

**2. Jim Denietolis, Stones Throw Condominiums, 6 Shore Rd, Change of Manager (continued from 4/20/16)**

Ms. Pajaron updated the Board regarding the required dryer vent upgrades. There are 4 more units that still need to be completed. Three of them have contracts/dates set for the work to be done. The owners of unit #15 will not be down until mid-June. Theresa Moran, one of the Trustees for the property, is trying to get in touch with the owners to allow the association access to the unit so the work gets done in a timelier manner. Ms. Pajaron also gave the Board a heads up that Mr. Denietolis was a temporary manager and Stones Throw has now hired a new manager. They will be coming before the Board for the Change of Manager process on June 7<sup>th</sup>.

**Mr. Peters moved to extend the Temporary License for Stones Throw Condominiums to June 7, 2016.**

**Mr. Rose seconded.**

**Vote: 5-0-0, motion carries.**

**3. Joseph and Robert Fanelli, 24 Pond Road, Appeal of Health Agent's Determination: Bedroom Count**

*Ms. Rose recused herself.*

Prospective buyer, Chris Nagle, approached the Board and requested that the room on the first floor labeled as studio/living room per floor plan dated 3/30/16 be considered a second bedroom. Ms. Pajaron stated that based upon Assistant Health Agent Emily Beebe's site inspection, the room did not meet the definition of a bedroom because it had a 4' cased opening and it did not have the minimum isolation necessary for sleeping purposes. She stated that the property is unique because it had always been used as a studio/school and not a single family home. Mr. Peters felt it would be beneficial for the Board to do a walk through.

**Mr. Peters moved to continue the hearing to the June 7, 2016 meeting pending a site visit conducted by the Board of Health.**

**Mr. Rose seconded.**

**Vote: 4-0-1, motion carries with Ms. Rose's recusal.**

*Ms. Rose returned to Chair.*

### **AGENDA ITEMS**

#### **1. Discussion: Save Money and Reduce Trash /Pay as You Throw (SMART/PAYT) Program**

*Ms. Rose paused the meeting for a moment to help a citizen find the right meeting that she was looking to attend.*

Ms. Rose informed that Board that she had put their opinion on SMART/PAYT in the May 1, 2016 E-Newsletter until she realized that it would go out before the Board of Selectmen had heard it straight from the Board of Health themselves. She asked that it not be published until the June 1, 2016 newsletter instead, but it did not happen. She just wanted her fellow Board members to be aware of what happened to clear up any confusion that it may have caused.

### **LICENSING RENEWAL APPROVALS**

- 1. Jim Denietolis, Stones Throw Condominiums, 6 Shore Rd, Motel License**
- 2. William Evaul, The Moorlands, 11 Hughes Rd., Motel License**
- 3. Margaret Sovek, Sladeville Cottages Condominium, 2 Meetinghouse Rd., Motel License**
- 4. Diane Rose & Bonnie Brown-Bonse, Topside Cottages, 3 Knowles Heights/150 shore Rd, Motel License**
- 5. Tom Scherer, Bay View Condominiums, 658 Shore Rd, Motel License**

Ms. Pajaron stated that all renewals were in good standing.

**Mr. Peters moved to approve licensing renewals 2-5. (License renewal #1 was given a temporary license earlier in the meeting.)**

**Mr. Rose seconded.**

**Vote: 5-0-0, motion carries.**

**Mr. Chaplin motioned to adjourn.**

**Mr. Silva seconded.**

**Vote: 5-0-0, 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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**Ansel Chaplin**

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**Tim Rose**