

Truro Board of Health Minutes
June 7, 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. 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

May 17, 2016

Mr. Peters moved to approve as amended.

Mr. Chaplin seconded.

Vote: 5-0-0, motion carries.

REPORTS

Water Resources Oversight Committee

Mr. Peters had nothing to report at this time.

Health Agent's Report

Barnstable County Summer Sanitarian has started. He will be helping with Food Service and Pool Inspections.

PUBLIC HEARINGS

1. Proposed Amendments to the Truro Board of Health Regulation, Section V, Transfer Station Rules and Regulations, Article 9 Fee Schedule

DPW Director Jay Norton approached the Board and explained the process behind the fee changes and also felt that they lined up with the neighboring Towns. Ms. Pajaron mentioned that some FY 17 stickers have been already been sold at the existing price and the Town Manager had expressed concern over any issues this may cause. Mr. Norton explained that stickers for the upcoming fiscal year go for sale starting at the beginning of May. Mr. Peters asked if the recycling area had been moved to the Southern side of the hopper; Mr. Norton replied that it will be done prior to July 1, 2016. Mr. Peters asked if it cost the Town to recycle; Mr. Norton replied that it costs \$40 a ton. Ms. Rose asked how many stickers have been sold for this upcoming fiscal year; Mr. Norton replied approximately 25% of what was sold last year (~800). Resident Paul Kiernan approached the Board and expressed concern with taxpayers bearing the majority of the costs when it comes to the Transfer Station and feels that the Town should cover some more of the costs. Ms. Regan McCarthy, Truro Non-Resident Taxpayer Association, questioned when the fee schedule would go in to effect; Ms. Pajaron responded June 8, 2016, as

advertised. Ms. Regan suggested a few changes. Mr. Norton stated that single stream recycling will be coming in to effect within the next few weeks. Rae Ann Palmer, Town Manager approached the table to remind everyone that the raising of the rates was due to the fact that the tipping fees have increased. She also wanted the Board to think about how they will handle the differences of fees for the residents that have bought stickers already under the existing rate versus the residents who will be buying stickers under the new rate. She suggested delaying the implementation of the regular sticker fee. Stephen Williams approached the Board and felt that Board should wait until next season to implement fees because of the rate difference issue. He also did not agree with the fee increase nor fees in general. Mr. Silva addressed some of the concerns from his point of view.

Mr. Rose made a motion to accept the proposed fee schedule with the amendment that replacement stickers be free. (no second, motion does not pass)

Mr. Norton responded to the proposed amendment and said the fee was to deter people from abusing the replacement sticker process.

Mr. Silva made a motion to accept the proposed amendments to the Truro Board of Health Regulation, Section V, Transfer Station Rules and Regulations, Article 9 Fee Schedule as presented.

Mr. Peters seconded.

Vote: 4-0-1, with Mr. Rose abstaining.

2. **Jim Denietolis, Stones Throw Condominiums, 6 Shore Rd, Change of Manager (continued from 5/17/16) and,**
3. **David DiNunno, Stones Throw Condominiums, 6 Shore Rd, Change of Manager**

Ms. Pajaron did not know the status of the last 4 dryer vents that needed to be fixed as of last meeting. The Change of Manager for Mr. Denietolis was never given a full license due to the items that needed to be fixed on the property. As of this date, Stones Throw Condominium would like to have David DiNunno as their permanent manager.

Mr. Peters moved to approve David DiNunno as the Change of Manager for Stones Throw Condominiums at 6 Shore Road.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

4. **Joseph and Robert Fanelli, 24 Pond Road, Appeal of Health Agent's Determination: Bedroom Count (continued from 5/17/16)**

Ms. Rose recused herself.

Prospective buyer, Chris Nagle, approached the Board. A site visit was conducted on Tuesday May 31, 2016 by Ms. Pajaron and Jason Silva, to determine if the room on the first floor labeled as studio/living room per floor plan dated 3/30/16 be considered a second bedroom. Mr. Silva felt that the room met the definition of a bedroom.

Mr. Peters motioned that the structure located at 24 Pond Road is a two bedroom with an art studio.

Tim Rose seconded.

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

Ms. Rose returned to Chair.

5. Charles Grimm, 15 Shore Road, d/b/a Salt Box Candy, Approval of New Business License and Food Service Permit for Residential Kitchen

Mr. Grimm approached the Board for approval of a wholesale business/residential kitchen at his home at 15 Shore Rd. He will run standard business hours, but not necessarily manufacture every day. Ms. Pajaron reported that the inspection of the kitchen resulted in no issues and that the property was served by Town water.

Mr. Rose moved to approve the New Business License and Food Service Permit for a Residential Kitchen at 15 Shore Rd.

Mr. Peters seconded.

Vote: 5-0, motion carries.

6. William Ross, Beach Point Co-Operative Recreational Housing, 169 Shore Rd., Change of Manager and Request for Temporary Motel License

Mr. Ross approached the Board. Ms. Pajaron explained that the request is for a Temporary License because only the South building is ready to be occupied as the North building is still under construction. She also reported the results from the Team Inspection, all which were minor. Mr. Ross informed the Board that some of those minor issues had been taken care of prior to the meeting.

Mr. Peters moved to approve the Change of Manager, appointing Mr. Ross as the new Manager of Beach Point Co-Operative Recreational Housing.

Mr. Rose seconded.

Vote: 5-0, motion carries.

Mr. Dunn approached the Board to discuss a timeline for remaining items that need correcting. The new alarm system shall be finished by next Thursday, June 16, 2016 and the construction on the North building should be finished by the end of this week.

Mr. Peters moved to approve a Temporary Motel License until June 21, 2016 for the South Building only, pending the items in need of correcting have been tended to and contingent upon the alarm system being installed and passing inspection. Subsequent approval for the North Building will be forthcoming.

Mr. Rose seconded.

Vote: 5-0, motion carries.

7. Nearen and Cubberly Nominee Trust, 617 Shore Road, Request for Title 5 Variances, 310 CMR 15.211(1) Minimum Setback Distances and Truro Board of Health Regulation Section VI, Article 8: Required Setbacks for System Components

Ms. Rose recused herself.

Gary Locke of William N. Rogers II, PE, and Attorney Snow approached the Board. Mr. Locke explained the five variances requested: **310 CMR 15.211(1)** 1. proposed SAS to be located less than 10 feet from a property line (10' required, 5' provided), 2. proposed SAS to be located less than 20 feet from the existing cellar wall (20' required, 16' provided); **310 CMR 15.404(3)(b)** 1. allow proposed SAS to be a minimum of four (4') from estimated high groundwater elevation (4 ft required, 4.52 provided); **Truro Board of Health Regulation, Section VI, Article 8- Required Setbacks for System Components** 1. proposed septic tank to be located less than 100 ft from wetlands (100' required, 50' provided); **Truro Board of Health Regulation, Section VI, Article 8- Required Setbacks for System Components** 1. proposed SAS to be located less than 150 ft from wetlands (150' required, 52' provided). Ms. Pajaron explained that in order to mitigate the reduction in vertical separation between the bottom of the SAS and groundwater, pressure distribution will be used.

Mr. Peters moved approve the variances as requested with the condition that a deed restriction limiting the number of bedrooms to four be placed on the property. Such deed restriction, with evidence of recording, must be presented to the Health Agent prior to issuance of the Disposal Works Construction Permit for the system.

Mr. Chaplin seconded.

Vote: 4-0-1 with Ms. Rose abstaining.

Attorney Snow requested that a 6 month waiver be given after the sale of the property, to put the system in to the ground. Mr. Peters questioned whether or not it would be occupied. Attorney Snow replied in the affirmative. Ms. Pajaron informed the Board that it is not an item on the Agenda so it would have to be placed on a future Agenda. Attorney Snow said he was aware, he was just taking a poll. He will fill out a Waiver of Time request and come back at a later meeting.

AGENDA ITEMS

None

LICENSING RENEWAL APPROVALS

1. David DiNunno, Stones Throw Condominiums, 6 Shore Rd, Motel License

Mr. Rose moved to approve the Motel License.

Mr. Peters seconded.

Vote: 5-0, motion carries.

2. Mary Lou Santos, Mgr., Little Skipper Condominiums, 642 Shore Rd., Motel License

Mr. Peters moved to approve the Motel License.

Mr. Rose seconded.

Vote: 5-0, motion carries.

3. Greg & Brandon Currier, Mgrs., North of Highland Camping Area, 52 Head of Meadow Rd., Campground License

Ms. Pajaron informed the Board that the campground has been operating without a license.

Mr. Currier explained that he had been waiting on his electrician to do the fire inspection and he apologized for the delay. Ms. Rose wanted to point out to the Applicants that the Board could impose a doubled fee for this type of situation, but they are choosing not to, based upon his exemplary record with the Board.

Mr. Peters moved to approve the Campground License and waive the double fee.

Mr. Rose seconded.

Vote: 5-0, motion carries.

4. Barbara Golding, Hayman's Hillside Cottages, 17 Great Hollow Rd., Motel License

Ms. Pajaron informed the Board that the Application is complete but is delinquent since the property is a Cottage Colony and is licensed year round.

Mr. Peters moved to approve the Motel License and waive the double fee. He also suggested sending a letter to Ms. Golding to try and make sure she gets her paperwork in on time for next year.

Mr. Chaplin seconded.

Vote: 5-0, motion carries.

5. Puck Markham, Camp Operator, Camp Lightbulb at Truro Youth Hostel, N. Pamet Road, Recreational Camps for Children and Temporary Food Service Permit

Ms. Pajaron requested a continuance to the next meeting because she is still missing a few items from his application.

Mr. Peters moved to continue the hearing to the June 21, 2016 meeting.

Mr. Rose seconded.

Vote: 5-0, motion carries.

6. Bette Shapiro, Mgr., Wind and Wave Condominiums, 432 Shore Rd., Motel License

Ms. Pajaron stated everything was in good standing.

Mr. Peters moved to approve the Motel License.

Mr. Chaplin seconded.

Vote: 5-0, motion carries.

Mr. Peters brought up Horton's Campground and the current upgrade to a Wastewater Treatment Plant along with the additional excavation/clearing work being done and suggested that the Board of Selectmen through the Building Department keep a close eye on the property. Ms. Pajaron informed him that it was already being done.

Mr. Rose motioned to adjourn.

Mr. Peters seconded.

Vote: 5-0-0, motion carries.

Respectfully submitted,

Arozana Davis, BOH Secretary

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Ansel Chaplin

Tim Rose