

Truro Board of Health Minutes

June 10, 2014

4:30 PM-Truro Town Hall

Members Present: Chair-Dianne Eib, Vice Chair-Tracey Rose, Mark Peters, Jason Silva, Tim Rose, Alternate-Ansel Chaplin, Mark Peters (arrived at 4:35PM)

Members Absent: None

Present: Health Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, Fred Dunn, Fred Sateriale, Michael Roderick, Rosemary Lum, Leedara Zola, Carl Brotman

REVIEW/APPROVE MINUTES

May 27, 2014 minutes

Dianne called the meeting to order at 4:30PM. She advised the audience that the meeting was being videotaped, and asked if anyone else were making a recording. Hearing no response in the affirmative, Dianne proceeded by asking all people coming up to speak to state their name for the minutes.

Tim Rose made a motion to accept the minutes as presented.

Ansel Chaplin seconded.

Vote 5-0: unanimous, motion carries.

REPORTS

Water Resources Oversight Committee

Pat stated that the committee reviewed the draft of the Phase 1 plan. The committee was given a copy of that plan, and their consultant asked them to go over the document, and make any changes or suggestions. They will then discuss again on June 19th.

Health Agent's Report

The pool and restaurant inspections are going well. Beach sampling is occurring on a weekly basis. Final approval was received from DPH for the variance for Cold Storage Beach. That is posted on the lower level's bulletin board for thirty days, in order for the public to view. Pat will also post it on the town website under the Board of Health section.

An update was given on 25 Meetinghouse Road. Pat is working with town counsel to draft a final notice to the owners to make those corrections. If they do not comply, the Board of Health can schedule a Show Cause Hearing. At that point, the Board can make a final determination on whether to deem a portion of the dwelling, or all of it, unfit for human habitation. Legal action could be pursued in court. Once the draft notice is finalized, Pat will forward it to Dianne. There will be a fourteen day final notice to correct. Dianne asked if the owner would be coming to the Board's next meeting. Pat stated that if they do not comply, she will schedule a show cause hearing.

PUBLIC HEARINGS

1. Frederick Dunn, Approval of New Business, Food Service Permit and Tobacco Sales Permit, 300 Route 6.

Frederick Dunn approached the Board. Dianne confirmed that the type of food Mr. Dunn was selling would be pre-packaged. Mr. Dunn confirmed that was correct.

Tracey Rose made a motion to approve the New Business, Food Service Permit and Tobacco Sales Permit for Fuller's Package Store, 300 Route 6.

Tim Rose seconded.

Vote: 5-0, motion carries.

(Mark Peters arrived at 4:35PM)

Dianne noted that an inspection report on 300 Route 6 listed that an emergency light needed to be installed. She wanted to know if that had been completed. Dianne instructed Noelle to contact the owner to ensure that gets done.

2. Fred Sateriale and Michael Roderick, Approval of New Business and Change of Manager, South Wind Court, 121 Shore Road.

Fred Sateriale, and Michael Roderick approached the Board. Fred told the Board that he and Michael have purchased South Wind Court Cottages from Pamela Coelho. He is doing a change of ownership, and a change of manager. Their intentions for the property are not to run it as a rental cottage colony, but to complete the condo conversion process that the prior owners had started. Dianne asked what kind of septic system the property has. Fred told her that it is Title V, with two systems which were installed in 1999. There is a four- bedroom system for the house, and a ten- bedroom septic system for eight cottages (two of the cottages are two-bedroom, hence the 10 bedroom system). Team inspections have been done. Dianne asked which unit would be the manager's. Fred let Dianne know that before they have customers coming in, they will determine which unit will be the manager unit and he will let them know. Right now, the manager's unit is the main house, which Michael is remodeling, and expects to be doing so for the next three months. Tracey asked if any of the cottages were currently occupied, to which Fred replied, "no". He has some reservations from the prior owners which he will honor. A total of seven weeks will be rented out. None of the reservations are in July or August. He is not sure if they are going to hang their "vacancy" sign up this season. Dianne has some concerns about a manager's unit not being designated. Pat explained that South Wind Court has not converted to condos yet. The recording at the Registry of Deeds has not been done. They are still a cottage colony. Pat and Dianne agreed to issue the permit with the condition that it be held until Fred designated a manager's unit.

Tim Rose made a motion to grant the license to Fred Sateriale, with the condition that it be held until Fred designates a manager's unit.

Jason Silva seconded.

Vote: 4-1, motion carries.

Fred stated that he plans on having someone responsible 24-hours a day, on the property. He had a question for the Board regarding the person who will be hired to watch over the property when Mike Roderick is not there. That person will be living in one of the cottages. Does the Board want that cottage listed as the manager's unit? Dianne stated that Mike Roderick was just approved as the manager, so the Board needs to know where he will be staying.

3. Andrew Todoroff, Cape Abilities, Inc. Approval of Farmers Market Retail Food Permit.

Andrew Todoroff was not in the audience.

Tracey Rose made a motion to move this public hearing item to the end of the meeting.

Jason Silva seconded.

Vote: 4-1, motion carries.

This item was revisited at the end of the meeting. Andrew Todoroff did not appear.

Mark Peters made a motion to place this on the next agenda (June 24, 2014).

Tim Rose seconded.

Vote: 5-0, motion carries.

4. Aidan Davin, Moonlight Farm, Approval of Farmers Market Retail Food Permit.

Aidan Davin was not in the audience.

Tracey Rose made a motion to move this public hearing item to the end of the meeting.

Mark Peters seconded.

Vote: 5-0, motion carries.

This item was revisited at the end of the meeting. Aidan Davin did not appear.

Mark Peters made a motion to place this on the next agenda (June 24, 2014).

Tim Rose seconded.

Vote: 5-0, motion carries.

5. Rosemary Lum, Request for Extension of Time to Upgrade to Title 5, 11 Pond Rd.

Rosemary Lum approached the Board. She explained that they have had some delays, including a medical emergency, so they are requesting an extension of time to upgrade. They have GFM Enterprises lined up to install the septic on June 18th. Tracey asked what the expiration date was on the

original 30 days that had been granted. That date was June 6th. Mark asked if the house was occupied, to which Rosemary replied, "no". Mark confirmed that Rosemary was asking for an extension of time from the June 6th date, and that the new expiration date would be July 6th.

Mark Peters made a motion to grant a thirty day extension to Rosemary Lum to upgrade to Title 5 at 11 Pond Road from June 6th to expire July 6th.

Tim Rose seconded.

Vote: 5-0, motion carries.

6. Leedara Zola, Habitat for Humanity of Cape Cod, Inc., Preliminary Approval of a Nitrogen Aggregate Plan, 181 Route 6.

Leedara Zola and Carl Brotman approached the Board. Habitat for Humanity is hoping to take title to 181 Route 6. They have gone through MGL Chapter 40B permitting. They are carving the lot up, by virtue of the affordable housing permitting, into three small lots. There will be a common area/open space. The individual home lots don't meet the needs for the septic system, but the whole lot area does meet the needs, therefore the request for preliminary approval of a nitrogen aggregate plan. The reason why this is preliminary is that they are trying to get as many of their ducks in a row. They have been given a substantial amount of funds from Truro to purchase the land. Habitat wants to do as much permitting before they take title. Tracey asked if the units would be for sale outright, or did Habitat have a process where they had applicants who would live there. If the units were to be sold, Tracey (being in the real estate business) would recuse herself. Leedara explained that they would be deed restricted, affordable in perpetuity, using the Department of Community Development DHCD local initiative program. They are home ownership units. Part of the program includes State approved affirmative fair housing marketing. Habitat serves as its own marketing, and lottery agent. At this point in time, Habitat has not determined when they will open their application period. Dianne asked Pat if the Board could approve this request when they are not yet the owner. Pat explained that they could approve a preliminary plan. They can ask for them to come back when the plan is finalized. Pat continued by saying they would be approving a Nitrogen Aggregate Plan for nitrogen loading limitations for those three lots. Mark asked if this is a plan, required on approval by the Planning Board. Leedara stated that this actually goes through the Zoning Board, not the Planning Board. The Zoning Board sits in the place of all local boards. They have received approval, but have not yet recorded the subdivision plan.

Tracey Rose made a motion to approve the preliminary Nitrogen Aggregate Plan for 181 Route 6, with the condition that the Board of Health receives the final plan, after the property is conveyed.

Mark Peters seconded.

Vote: 5-0, motion carries.

AGENDA ITEMS:

None

LICENSING RENEWAL APPROVALS

- 1. David Lewis, Lewis Brothers Ice Cream, Farmers Market Retail Food Permit.**
- 2. Kathryn/Owen Macnutt, Box Lunch, 300 Route 6, Food Service, Ice Cream, Bakery Licenses.**

Dianne confirmed with Pat that Kathryn is taking the ServSafe course on the 11th. Pat explained that if there is a change of permit holder or food manager, they have thirty days to submit the certification. Participants can get their results in ten days, and the certificate is received in three to four weeks.

- 3. Diane Rose/Bonnie Brown-Rose, Topside Cottages, 3 Knowles Heights Rd, Motel License.**
- 4. Betty Shapiro, Wind and Wave Condos, 432 Shore Rd, Condo License.**
- 5. Nick Schirmer/Wade Saley, Shirmer Cottages, 9 Castle Terrace, Motel License.**

Dianne asked if all applicants were in good standing. Noelle and Pat replied, "yes".

Mark Peters made a motion to grant licenses to applicants one through five.

Tim Rose seconded.

Vote: 5-0, motion carries.

An unanticipated discussion was held on Truro Motor Inn. Noelle stated that it appeared that Truro Motor Inn was preparing to open, however no application has been turned in yet. Mark wanted to state for the record that Truro Motor Inn does not have a license at this point. There are cars there, which are believed to belong to people getting the motel open, and no application has been submitted.

Tracey Rose made a motion to adjourn at 5:00PM

Tim Rose seconded.

Vote: 5-0, motion carries.

Chair-Dianne Eib

Vice Chair-Tracey Rose

Clerk-Jason Silva

Mark Peters

Tim Rose

Alternate-Ansel Chaplin