

Truro Board of Health Minutes
October 3, 2017
4:30 PM-Truro Town Hall

Members Present: Chair Tracey Rose, Member Mark Peters, Member Peter Van Stratum, Member Tim Rose, Vice-Chair Jason Silva
Others Present: Interim Health Agent Emily Beebe

Chair Tracey Rose called the meeting to order at 4:30PM. Ms. Rose requested that everyone speak clearly for the video recorder. She asked if anyone in the audience was recording. No one replied in the affirmative.

PUBLIC COMMENTS

None.

REVIEW/APPROVE MINUTES

September 19, 2017

Mr. Peters moved to approve the minutes as submitted.

Mr. Rose seconded.

Vote: 4-0-1 motion carries, with Mr. Silva abstaining.

REPORTS

Water Resources Oversight Committee

Mr. Peters reported that the Board of Selectmen have begun discussion again regarding the year round use of condominiums. With WROC's data showing nitrate seepage into East Harbor, he felt that discussion on the subject should be on the next Board of Health agenda. Ms. Rose added that the Board of Selectmen have asked current management to answer the following question: out of the 515 condominiums that could convert to year round, how many of them would be able to convert without having to invest a large financial sum into said conversion?

Health Agent's Report

Ms. Beebe asked to switch places on the Agenda with the DPW Director.

Mr. Peters moved to defer the Health Agent's Report to Agenda Item #1.

Mr. Silva seconded.

Vote: 5-0-0, motion carries.

AGENDA ITEMS

2. Update on Transfer station operations from DPW director

Mr. Cabral reported that through capital improvement, a larger closed-top trailer to haul recyclables has been purchased, which will result in less trips (57 down to 14). Along with the new trailer, the Town has switched vendors which will result in a \$5 savings per ton delivered. He also noted that a retaining wall is currently under construction, the installation ramp/platform for commercial haulers is on hold pending an engineered drawing, and the DEP signage and the main entrance sign will be updated soon. Ms. Rose asked how the Transfer Station staff prohibits recycle only permit holders from dumping trash. Mr. Cabral informed her that the recycle only permit holders have a different tone on the alert system than the recycle/trash permit holders do so that the staff can be aware of who is allowed to do what.

PUBLIC HEARINGS

1. Joe Fiorello, 7 Pond Road, Order to Correct violations – extension

Mr. Fiorello stated that he had met with Ms. Beebe, Interim Health/Conservation Agent, and Mr. Braun, Building Commissioner, in the office and on site with regards to a plan for the property. Ms. Beebe informed the Board that Mr. Fiorello has been working on making the property safe. She was in favor of giving him an extension, as he has been willing to do the items that Mr. Braun and she had requested. Ms. Beebe asked the Board if and when Mr. Fiorello has corrected all the items from the Order to Correct, if she could close out the Order without having Mr. Fiorello come back before the Board. The Board agreed.

Mr. Peters moved to approve a 60 day extension from October 3, 2017, with the condition that the property not be occupied.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

2. Andre and Gisella Sipos, 5 Daisy Lane; Request for Waiver of Time to Upgrade

Rose Kennedy, Realtor, approached the Board on behalf of her clients requesting a 60 day waiver of time. She stated that the sellers are an older couple and the install would be a financial strain. A cesspool currently serves the property, a plan has been designed, and the buyers are willing to install the septic. The closing is scheduled for October 13, 2017. The Board was concerned with the fact that the plan was not in front of them.

Mr. Silva moved to approve a 60 day waiver of time to upgrade from October 3, 2017, contingent upon a plan being submitted to Agent Beebe, no occupancy of the property, and no increase in bedrooms.

Mr. Peters moved.

Vote: 4-0-1, motion carries, with Ms. Rose abstaining.

3. Peter W. and Stephen B. Lang, 258 Shore Road; Appeal of Health Agents decision

Peter Lang, homeowner, and Billy Rogers of William N. Rogers, approached the table. Mr. Lang stated that the cesspool serving his cottage collapsed and needed to be temporarily repaired. The property (two lots combined into one in 1981) currently serves two cottages, each with their own cesspool. Since Mr. Lang's cesspool collapsed, it triggered a complete septic upgrade for the property including the second system which serves his brother's (Stephen Lang) cottage. Stephen Lang's system was found to be in good working order per a septic inspection. Therefore Mr. Lang requested an appeal to the 90 day

order that required both systems to be upgraded. He felt that since his brother's cesspool was in working order, that he should not have to upgrade. Ms. Beebe suggested that it may be more beneficial to the surrounding resource areas, to install one septic system in place of the two cesspools. The homeowner adamantly stated that they will NOT be installing one system. After further discussion Mr. Lang and Mr. Rogers left the conversation. The Board discussed giving the Applicant the winter to install both systems. Mr. Rogers returned to the table and said that he informed the Applicant that it would be best to go through the whole approval process for both systems at the same time. Mr. Rogers left the table.

Mr. Peters moved to deny the appeal of the Health Agent's decision, giving them 120 days to upgrade both systems with the condition that neither cottage shall be occupied.

Beth Lang approached the Board and requested that the "no occupancy" condition start as of November 1, 2017 because she felt that it did not make sense for her family to have to rent a hotel room when they are back in Town to close up the cottages.

Mr. Peters moved to deny the appeal of the Health Agent's decision, requiring both cesspools to be upgrade, with the condition that neither cottage shall be occupied as of November 1, 2017.

Mr. Rose seconded.

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

4. Helena Mota Haskins, 345 Shore Road, White Village Cottages; Change of Manager

Ms. Haskins was not present.

Mr. Peters moved to defer the hearing to the end of the meeting.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

5. Sherry Wilkinson, 276 Shore Road, water service connection for condominium units 1-23

Ms. Beebe reported that the request for water service connection was so that all condominiums could have their own water line/meters, as required.

Mr. Peters moved to approve the water service connection.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

6. Stephen Williams, 15 Truro Center Road, appeal regulation restricting # transfer station permits/household

Mr. Williams approached the Board. Ms. Beebe stated that she had done a walk-through of the property and that Mr. Williams already had three permits for the three vehicles in his household, but was looking for a fourth permit for his renter. Ms. Rose clarified for the Board that Mr. Williams does not run the property as a bed and breakfast anymore, just as a single family residence with a rental apartment. Ms. Rose stated that since Mr. William's tenant is considered a separate household on the property, that she could buy a sticker at the \$100 rate.

Mr. Peters moved to remove the hearing from the agenda without prejudice.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

7. Helena Mota Haskins, 345 Shore Road, White Village Cottages; Change of Manager (continued from earlier in the meeting)

Applicant had still not arrived.

Mr. Peters moved to continue the hearing to the October 17, 2017 agenda.

Mr. Silva seconded.

Vote: 5-0-0, motion carries.

AGENDA ITEMS

1. Health Agent's Report

The Health Department has been working closely with the Board of Selectmen licensing entity to streamline the licensing process.

2. Revisions to Transfer Station Regulations- discussion on final draft revisions

David Sylvia approached the Board with concerns regarding commercial hauler fees, specifically compacting trucks versus un-compacted trucks. The Board explained that the fees were broken down to specifically address those differences and that the scales will eventually be in place and at that point, it will all be based on weight.

3. Herring River restoration

Mr. Peters moved to continue the discussion to the October 17, 2017 meeting.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

Mr. Rose moved to adjourn.

Mr. Silva seconded.

Vote: 5-0-0, motion carries.

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Peter Van Stratum, Member

Tim Rose, Member