

Truro Board of Health Minutes
November 17, 2020
4:30pm - REMOTE MEETING

Members Present: Chair Tracey Rose, Vice-Chair Jason Silva, Member Mark Peters, Members Peter Van Stratum, Tim Rose, Alternate Member Meredith Goff

Staff Present: Health Agent, Emily Beebe

Attachment: letter from Patricia Bellinger dated 11-12-2020.

Chair Tracey Rose called the meeting to order at 4:42PM, and explained the procedures for the meeting, which needed to be completed by 5:30 to prevent a conflict with the Select Board scheduled to meet at that time. The Agent suggested that there may be public comment that could be deferred to the December 1 meeting at which

PUBLIC COMMENT. Patricia Bellinger commented that she had provided the Board of Health with a letter. She requested the letter specifically be put on the Agenda of December 1, and that the Cloverleaf be included on the meeting agenda of December 1, then asked that the letter sent to the Board be included with the meeting minutes. She stated her concerns about the cloverleaf project impacting the residents of the Pond Village watershed and asked the Board of Health to intervene before ZBA approves waivers to Board of Health regulations.

AGENDA ITEMS

Definitive Subdivision Plan: #4-H Bay View Road and 3 Laura's Way, Nathan Nickerson, plan dated 9-28-2020, and received by the Town on October 26, 2020

Keith Fernandez, engineer from GFM enterprises developed the plans which show the "re"-subdivision of 2 lots; one at 3 Laura's Way, the second at 4 Bayview Road. The stated goal is to provide access to 4 Bayview Road from Sawyer Grove Road.

Mark Peters asked if a definitive septic and well plan was submitted. The applicants engineer indicated they would put that together after they met with the Planning Board. It was asked if the applicant needed to return to the Board of Health. Mr. Fernandez responded that they must receive planning Board approval before anything else can go forward. The Chair asked the Agent to comment. The Agent responded that the plan before the Board differed from a previous filing made in 2020 for this same property. Formerly the plan showed 3 lots, and a large portion would be sold/donated to the Truro Conservation Trust; a different version was also presented in 2019, and another before that in 2015. The Agent pointed out that this subdivision appeared to be part of the watershed of Standish Pond and asked if it could be further divided. The applicant's representative replied that it could but that the proposal in front of the Board was the re-sub-division as described. There was discussion about conditioning the approval on receipt of a hydrogeological study; and description of the process of review and approval under the MGL. The Board has 45 days from the filing date within which to report to the planning Board and identify issues, or a presumptive approval occurs.

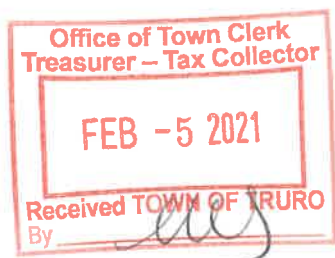
There was discussion by the Board about the potential for further subdividing the property, and a motion by Mark Peters to continue the matter indefinitely; there was no second and the motion was withdrawn. There was a suggestion that the Board continue the matter.

Motion by Mr. Rose: To accept the plan as presented.

Seconded by Mr. Silva;

There was discussion on the motion. Mr. Nickerson, the applicant, asked to comment and stated he had no intention of completing a hydrogeologic study.

The motion was reviewed and **the vote taken, and in favor of the motion, 3-1-1** with Mr. Peters dissenting and the Chair abstaining.



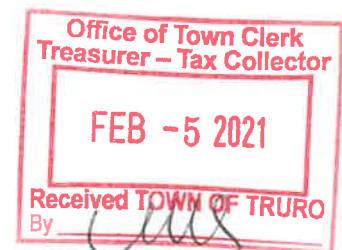
Request for extension to BoH waiver: 40 Highland Road, Christina Dragon

A waiver was previously granted for delayed installation of a septic system pursuant to requirements of transferring the deed. The applicant was present to discuss the circumstances with the Board. They had numerous delays, in part due to COVID, but the house had no water yet and remained vacant. The owner understood that the house could not be occupied until the new septic system was installed. They hoped to have the project completed by the summer.

Motion: Mr. Rose; second Mr. Silva. The vote was 5-0 in favor.

The meeting was adjourned at 5:30 PM

Respectfully Submitted, Emily Beebe



Dear Ms. Rose and Members:

In recent months, Pond Village Watershed residents have come to understand that the sewage treatment system proposed for the Cloverleaf Project will introduce contaminants on a sustained basis -- now and over generations -- at concentration levels that multiple scientific studies confirm are associated with high frequencies of serious life-threatening cancers and non-cancer diseases. The BoH received and is about to hear from the Docs for Truro Safe Water on their report, *Private Wells and Truro Safe Water*, about the nature, findings and implications of this research, but for our urgent purposes, we cite one passage:

To illustrate but not exhaust the known impact, research associates levels of 5 mg/L [of nitrate] with non-Hodgkins lymphoma, bladder and thyroid cancer, and birth defects, and some of these consequences are associated with nitrate levels as low as 0.9 to 3.87 mg/L; other cancers (e.g., colorectal cancer) have been found at and around a nitrate loading level of 1 mg/L. Many other serious health impacts have been identified in the research. The evolution in the scientific understanding of the adverse effects of nitrate contamination has significantly advanced since 1962, with notable changes **since 1996: the trend is clear that low levels of nitrates in groundwater have adverse effects on health and that nitrate levels above 5 mg/L present unacceptable and multiple challenges to public health.**

The proposed system is a "pilot" system that even the Cloverleaf Project developer acknowledges will discharge contaminated effluence with nitrate levels projected at 10 mg/L, well above 3 to 5 mg/L, the now universally accepted maximum safe levels. I refer you to current Town information on this matter.¹ Further, the Pond Village Watershed is also subject to high baseline nitrate levels now, and the cumulative effect will simply be catastrophic for Pond Village if added high nitrates loads are allowed.

When the Select Board quadrupled the scale of the project after voters approved acquiring the land for a projected complex of 12 to 16 units, the volume of wastewater discharge also quadrupled. The projected volume is very close to the 10,000 GPD level requiring a Wastewater Discharge Permit from the MassDEP, and if given the potential for error in current projections, such a permit might be warranted in any case. The volume -- in excess of 2.7 million gallons per year -- together with the high contamination levels poses a doubly serious health risk to the downgradient residents of Pond Village. The siting of the project is hydro-geologically directly upgradient from Pond Village and suffers from other topographical; challenges requiring extensive waivers; it could not be more poorly situated, precipitating this health risk. Pond Village Watershed residents cannot escape this effluent, continuously discharged into our sub-watershed for decades to come.

We understand that this scale of wastewater treatment/sewage plant is new to Truro. The proposed site density is greater than the density of the City of Boston, a density for which our rural community with no experience or regulations to cover this situation. While the Town understood that the quadrupling of this project required small-city capacity wastewater treatment, this issue has not adequately been addressed. As a result, the health and well-being of the Pond Village residents are now in peril.

Truro's Board of Health (BoH) is by law responsible for establishing safe water conditions. At this time, the ZBA is, in effect, *performing this key role* and is very soon about to consider approval of the last waivers for

¹ https://www.truro-ma.gov/sites/g/files/vyhlif3936/f/uploads/consumer_factsheet_on_nitrates.pdf

the Cloverleaf project in its permitting process. This appears to constitute a dereliction of duty by the Board of Health. We in Pond Village ask that the BoH step up and perform the duties of the BoH.

Many Boards of Health address projects of this scope through their ***Small Wastewater Treatment Plant*** regulations. Truro's BoH had this topic on its agenda nine months ago (Feb 4, 2020 agenda) but the matter has not advanced since then. Given the importance of this policy to Pond Village now and to the Town overall, the BoH should delay no longer in order to fulfill its role to safeguard the health and safety of our community and Truro.

We thus respectfully request that the BoH take these steps:

1. Indicate to the ZBA that the BoH is reviewing the matter of regulating safe water standards, particularly with respect to nitrate concentrations, and Small Wastewater Treatment Plant regulations.
2. Request that the ZBA not issue any waivers on water or density standards until BoH work is done.
3. Permit us to present the science and the facts at public hearings, in advance of the BoH and the ZBA finalizing its decisions on the Cloverleaf wastewater treatment plant effluence, as this issue is a matter of grave importance not only to Pond Village, but to the Town of Truro as a whole.

This matter is URGENT and our health and safety are imperiled unless the BoH intervenes immediately, armed with accurate and current information and facts. Thank you for your consideration.

Respectfully,

Patricia S. Bellinger

Patricia Bellinger

A member of the concerned residents of the Pond Village Watershed

