

Truro Board of Health Minutes  
May 21, 2019  
4:30 PM-Truro Town Hall

**Members Present:** Chair Tracey Rose, Member Mark Peters, Vice-Chair Jason Silva, Clerk Peter Van Stratum, Member Tim Rose, alternate member Meredith Goff  
**Others Present:** 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.

**I. PUBLIC COMMENTS**

There were no public comments.

**II. PUBLIC HEARING**

**296 Route 6: Truro Motor Inn; (43/116) enforcement discussion, regarding housing violations**

The owner of the property was not present at the meeting. Ms. Rose requested to move the public hearing to before the report section of the agenda.

**Motion by Peters; seconded by Mr. Silva; Vote: 5-0-0, motion carries.**

**III. AGENDA ITEMS**

**Request for extension: waiver of time for septic system installation at 157 Slough Pond Road**  
Stephanie Sequin of Ryder & Wilcox approached. Ms. Sequin discussed her prior appearance before the Board of Health. The property owners are in the process of obtaining approvals from the Zoning Board of Appeals and the Planning Board. The property is unoccupied. An extension to June 1, 2019 to upgrade the system was previously granted; Ms. Sequin is requesting an additional extension. Ms. Rose inquired about the delay in the applicant's process. Ms. Sequin discussed the various approval processes the applicant is involved in. Mr. Silva noted that the Board does not know at this time what the final structure and floor plan will be. Mr. Silva suggested that the applicant return once the Zoning and Planning approvals have been completed. Ms. Sequin stated that the normal application process for the septic system will be adhered to.

**Motion by Mr. Peters to grant an extension to December 31, 2019; second by Mr. Silva; Vote: 5-0-0, motion carries.**

**660 Shore Road: Change of Manager at Bay Point Condominium**

Deborah Cavalier of 660 Shore Road, Unit 2 approached. Ms. Rose asked Ms. Cavalier if she is aware of the requirements of the manager; Ms. Cavalier replied in the affirmative.

**Motion by Mr. Silva to approve Deborah Cavalier as the new manager for Bay Point Condominium; seconded by Mr. Peters; Vote: 5-0-0, motion carries.**

**169 Shore Road: Change of Manager at Beach Point Coop**

Jayson Farina approached. Ms. Rose asked Mr. Farina if he had any questions or concerns; Mr. Farina replied that he does not and apprised the Board of his professional experience. The unit owners were present in the audience in support of Mr. Farina.

**Motion by Mr. Peters to approve Jayson Farina and all co-managers; seconded by Mr. Silva;**

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

**II. PUBLIC HEARING**

**296 Route 6: Truro Motor Inn; (43/116) enforcement discussion, regarding housing violations**

The Agent provided the Board with a timeline of communication and correspondence with the property owner. The Agent has been following up with the property owner in an effort to secure the 2018 license to operate. *[Mr. Tim Rose joined the meeting.]* The property owner was served with a Notice to Correct, resulting from an inspection of the property, which was sent to the property owner via email and certified mail in January of 2019. The Agent discussed the transient non-community Public water supply well utilized by the property and directed the Board to an email sent to MA DEP, about the non-transient use of the property. The Agent discussed the evidence that the property is not being used for transient purposes but instead in a year-round capacity. The property has historically been licensed as a motel until 2018. The Agent discussed the difficulty in gaining access to the property for inspection purposes. The Agent referred the Board to the letter to the property owner of January 26, 2019. The rooms in the building do not meet the kitchen component requirements and minimum square footage requirements for habitation. The Agent suggested a finding that the use of the property has shifted from transient use to non-transient use, which therefore, constitutes a change of use. The Board of Health regulations state that upon a change of use, a septic inspection is required. The Agent further noted that the property owner did ask the Agent to ask the Board to consider continuing the matter to a future agenda. Ms. Rose stated that there is a long history of non-compliance and non-communication on behalf of the property owner. Mr. Peters asked if the square footage for the 36 units was available. The Agent directed the Board to the assessor's records and sketch plans from the files; there are no records of any septic system upgrades. Mr. Peters discussed problems with the heat; inadequate cooking facilities and rooms that are too small for the density and numerous structural violations. Mr. Peters suggested the property owner appear at the next meeting, and if not, the Board should request Town counsel's advice on how to pursue the matter. Mr. Van Stratum requested that the Agent investigate how to condemn the property. The Agent noted the difficulty in serving the property owner. Ms. Rose emphasized the importance of this matter and the negligence on the part of the owner. Mr. Silva noted that the property owner has recently appeared at other Town board meetings to voice their opposition to a neighboring project. Mr. Silva also noted that the living conditions at the property are unfair to the tenants. Ms. Rose asked if the pool is shut down; The Agent confirmed that she has checked, and the pool is not operational. Ms. Goff noted that the tenants need a safe place to reside. Ms. Rose stated that the property owner has had plenty of notice and has blatantly chosen to disregard the requests of the Board. The Agent requested that the Board issue a finding regarding the change of use; instead, Mr. Rose suggested that

finer be issued for operating without a license dating back to 2017. Ms. Rose said that she would like to impose the fines and require a septic system inspection.

**Motion by Mr. Rose to authorize The Agent to issue citations to the property owner for being in violation of operating without a license since 2017 and to order a septic system inspection as soon as possible and to report to the Board within two weeks for progress on where the septic system inspection order is; the septic inspection to be completed within 30 days; seconded by Mr. Peters; Vote: 6-0-0, motion carries**

**Motion by Mr. Van Stratum to order The Agent to speak with the Town Manager about requesting Town counsel's opinion on how to proceed with condemning the property; seconded by Mr. Peters; Vote: 6-0-0, motion carries.**

#### **IV. REPORTS**

##### **WROC update**

There was no update regarding WROC.

##### **Health Agent's Report**

The Agent direct the Board to an updated list of licenses issued. The Agent provided the Board with a SWAP report(Source Water Assessment and Protection) for the Provincetown Water system.

##### **Report of the Chair**

Ms. Rose informed the Board that she won't be present at the June 4<sup>th</sup> meeting.

#### **V. MINUTES**

##### **May 7, 2019**

**Motion by Mr. Peters to continue the minutes to the next meeting; seconded by Mr. Rose; Vote: 6-0-0, motion carries.**

**Motion to adjourn the meeting by Mr. Rose; seconded by Mr. Peters, Vote: 6-0-0, motion carries. The meeting adjourned at 5:37pm.**

**Respectfully Submitted,**

**Michelle Fogarty**

*Tracey Rose*

Chair-Tracey Rose

*Mark Peters*

Mark Peters, Member

*Peter Van Stratum*

Peter Van Stratum, Clerk

*Meredith Goff*

Meredith Goff, Member

*Jason Silva*

Vice-Chair, Jason Silva

*Tim Rose*

Tim Rose, Member

