

Truro Board of Health Minutes

July 2, 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 4:40PM. 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**

**Payomet Performing Arts Circus Camp; Recreational Camp for Children**

Kevin Rice, Executive Artistic Director of Payomet Performing Arts Center was present on behalf of the Circus Camp program. Ms. Rose asked the Agent about the health care consultant information; the Agent stated that the application packet was complete, and included the consultant information. Mr. Peters asked Mr. Rice if all employees have CORI checks; Mr. Rice replied in the affirmative. Ms. Rose asked about the public water supply; the Agent confirmed that the property is connected to a public water supply. Mr. Peters asked about the lack of notation in the application regarding prior year operations and if the license has ever been revoked; Mr. Peters further noted the need to complete the application in full. The Agent assured the Board that all the required supplemental information was submitted with the application. **Motion by Mr. Peters to approve the license; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

**15 Cabral Farm Rd, Castle Hill: Variance Request to 310 CMR 15.211 & 15.240 and TBoH Regulations, Section VI Articles 2 & 8**

David Lajoie of FELCO, Inc. came to the table, representing the property owner. Mr. Lajoie requested variances for this upgrade project more than two years ago but the permit was never acted upon. Local regulations have set a 24-month life for variances. The project remains the same other than the location of the water services, which have now been moved to the second floor. The pump chamber for the septic system has been removed and the new system will be gravity fed. Ms. Rose asked why the upgrades weren't completed. Mr. Lajoie was unsure but stated that the area has been cleaned up. Mr. Peters asked if the property has been occupied; Mr. Lajoie responded that he was unaware of any occupancy in the last two years. Ms. Rose asked about the proposed generator; Mr. Lajoie stated that there is no electricity at the property. The Agent asked if there is a hand pump in the house; Mr. Lajoie responded that a new hand pump will be installed. John A. DeMasi, III, of Cabral Farm Road approached. Mr. DeMasi expressed concerns about the structure on the property and that it is his understanding that the property was only to have a garden on it, and never intended to have a structure on it.

Mr. DeMasi further discussed the access roads, the right of way and the use thereof by the applicant. He expressed concern about the condition of the road, the proposed variances that allow the septic leaching area to be less than 10 from his property. He expressed concern about the hill, and the location of the well. Mr. DeMasi is concerned regarding the waiving of the setback for the septic system as it impacts the status of his agriculture land and requested a continuance of the matter. **Motion by Mr. Rose to continue the matter to July 16<sup>th</sup>; seconded by Mr. Peters.** Mr Peters suggested that the Board members visit the site to confirm Mr. DeMasi's assertions; Discussion on the motion ensued: Mr. Lajoie stated that the applicant's proposal was approved two years ago and nothing has changed as far as the proposed use, the leach area or the well location; Mr. Rose stated that he agreed with Mr. Lajoie's plan, but wants to make sure that Mr. DeMasi is comfortable with the proposal to ensure fairness all around; Ms. Rose did not think the continuance was warranted and that the proposed plan is an improvement to property; Mr. Silva acknowledged that the lack of action by Mr. DeMasi during the last two years may have been due to an understanding that the matter was approved and they had no further recourse. The Agent asked if the possibility of tight tanks had been discussed at the original hearings. Mr. DeMasi asked from the audience why the Conservation Trust sold the land, Ms. Rose responded that she can't speak for the Trust on that matter. There was additional discussion regarding the use of tight tanks, and about the suggestion that it would be very difficult to install the system. Mr. Lajoie offered to provide a construction protocol for the next meeting. There was further discussion regarding the allowance of variances for septic systems. Mr. Silva assured Mr. DeMasi that the replacement of the cesspool is a benefit to the groundwater. **Vote: 4-1-0, motion to continue til July 16 carries.**

### **III. AGENDA ITEMS**

#### **Truro Motor Inn; 296 Route 6 – Update on License Renewal/Change of Manager/Septic Inspection**

Carolyn DelGizzi came to the table, representing the property owner. Amy Paine and Nicholas Rose, two of the proposed managers also sat at the table to address the Board. Ms. Rose asked the applicants if they are aware of the responsibilities of the managers. Ms. Paine stated that she has prior experience as a manager. Ms. Rose informed the applicants of the importance of public health and safety; Ms. Rose also noted the importance of connecting with the Health Agent regarding any issues of concern. Mr. Peters asked Ms. Paine about which facilities she previously managed; Ms. Paine replied that she managed Paine's Campground and the Mainstay Motor Inn. The Agent confirmed the mailing addresses of Ms. Paine and Mr. Rose. Mr. Peters asked Mrs. DelGizzi if the employees are given CORI checks; Mrs. DelGizzi stated that they do not. **Motion by Mr. Silva to approve the change of manager for the Truro Motor Inn; seconded by Mr. Rose; Vote: 4-1-0, motion carries.**

The Agent updated the Board about the septic system: rather than go through an inspection, the applicant will go right to designing an upgrade for the septic system. Mr. Peters asked if the current system is passing; the Agent responded most likely not, but through the process of the upgrade, an outcome will be evident. Mr. Peters stated his desire to have the system inspected regardless of the upgrade. The Agent reported that they had received confirmation via email that Jason Ellis of J.C. Ellis Design and Jim Badera, P.E. have been contracted for the septic

system work. **Motion by Mr. Rose to allow the septic system upgrade and that it be completed by October 1, 2019, with an interim inspection and pumping if required;** Discussion occurred on the motion: Mr. Silva thanked Mrs. DelGizzi for her presence at the meeting and acknowledged that she has moved forward in her communication with the Agent, the outstanding property taxes were paid, and the letter of authority requested at the previous meeting was provided. **Mr. Silva seconded Mr. Rose's motion;** Mr. Van Stratum asked the Agent about the proposed design flow for the system; the Agent estimated that the flow would be about 4000 gallons. Mr. Van Stratum agreed with Mr. Peters that he would like the current system inspected prior to the upgrade.

**Vote: 4-1-1, motion carries.**

Ms. Rose asked Mrs. DelGizzi about the trash service at the property. Mrs. DelGizzi said that they have a commercial hauler. Ms. Rose asked if there is also recycling. Mrs. DelGizzi said that the tenants take their recycling to the transfer station. Ms. Rose stated that was doubtful as the tenants would need stickers for the transfer station. The Agent pointed out that commercial refuse haulers are required to provide recycling; Mrs. DelGizzi said she would follow-up with the refuse service about recycling bins.

The Agent provided the Board with an update regarding the 2019 license renewal for the Truro Motor Inn: The Agent received the letter of authorization that the Board previously requested and the change of manager application. A re-inspection of the premises was conducted.

Mr. Peters pointed out that the letter of authorization is not notarized and/or witnessed. Mr. Peters requested a revised letter of authorization that is notarized to be submitted by July 16, 2019.

The Agent summarized the site inspection into three main areas of correction: the exterior cladding on the building to make the building weather tight; a set of stairs in the back of the rec building that needs to be replaced; and interior issues involving space that need to be addressed. The Agent suggested that it would be productive to have Mrs. DelGizzi meet with the building inspector, the Agent and the Fire Chief to address the code requirements for the layout of the units and the occupancy load. Mrs. DelGizzi agreed to schedule a meeting via the Agent. The Agent suggested issuing the license subject to certain conditions.

**Motion by Mr. Rose to grant the license until October 1, 2019 if all outstanding taxes and fees have been paid to date, if progress hasn't been made by October 1<sup>st</sup>, the Board can act accordingly, or if everything is satisfactory, the license can be modified; seconded by Mr. Silva;** Discussion occurred on the motion: Mr. Van Stratum asked the Agent about the gas stoves in the unit that do not have ventilation; the Agent stated that the units all have smoke/CO detectors, and will need to come into compliance with the building and health codes. Mr. Van Stratum also asked about the use of extension cords to power refrigerators, microwaves, etc. The Agent clarified that all inspection matters will be addressed with Mrs. DelGizzi when they meet.

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

**Truro Transfer Station – Request for “swap shop only” permit**

Joan Chaves of 58 Harry Kemp Way, Provincetown came to the table, representing her request. Ms. Chaves owns land in Truro and would like to be able to obtain a swap shop only permit. Ms. Rose asked Ms. Chaves if she sells items that she takes from the swap shop; Ms. Chaves stated that she only obtains clothes and shoes for her own personal use. Mr. Van Stratum stated that he has been informed that Ms. Chaves does sell items she obtained from the swap shop. Ms. Chaves again stated that she only uses the items for her personal use. Ms. Rose impressed upon the applicant that the items in the swap shop are for the use of the inhabitants of the Town. Mr. John DeMasi approached and offered his support of the swap shop, which he thought now has big-city problems. Keith Althous spoke in favor of Mrs. Chaves request.

**Motion by Mr. Peters to approve the issuance of the permit; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

#### **IV. LICENSE RENEWALS**

**Horton's Campground – 67 South Highland Rd**

**North Truro Camping Area – 46 Highland Rd**

The applicants were not present.

**Motion by Mr. Rose to postpone both license renewal requests to July 16, 2019; seconded by Mr. Peters; Vote: 5-0-0, motion carries.**

#### **V. REPORTS**

**Health Agent's Report: 2 Amanda Lane;**

The Agent apprised the Board of her follow-up conversation with the property owner, Mr. Fred Sateriale, regarding 2 Amanda Lane. Subsequent to the last meeting, the property was sold, and an escrow account was set-up with Seamen's Bank for installation of the septic system. The deadline for the upgrade to the septic system is August 1, 2019.

**Report of the Chair**

The Chair did not have a report.

#### **VI. MINUTES**

**June 4, 2019**

**Motion by Mr. Silva to approve; seconded by Mr. Peters; Vote: 4-0-1, motion carries.**

**Motion to adjourn the meeting by Mr. Rose; seconded by Mr. Peters; Vote: 5-0-0, motion carries.**

Respectfully Submitted,


Michelle Fogarty

  
Chair-Tracey Rose

  
Meredith Goff, Member

  
Mark Peters, Member

Vice-Chair, Jason Silva

  
Peter Van Stratum, Clerk

  
Tim Rose, Member

