

TRURO BOARD OF HEALTH

MINUTES OF REMOTE MEETING HELD April 20, 2021

Board members in attendance: Chair Tracey Rose; Members Brian Koll, Helen Grimm; Member Tim Rose called in at 4:40.

Also Present: Health and Conservation Agent Emily Beebe

The meeting was called order at 4:33.

The Chair announced the remote meeting procedures and asked for the cooperation of the members and public.

3 Dune Way- Title 5 Variance Hearing; this hearing was continued from April 6. The applicant submitted water test results for both prior to treatment and after treatment. The water quality was satisfactory. The failed system upgrade design variances were discussed and the Board determined that the grant of the variance will not pose a risk to the public health, safety or the environment.

Motion: to approve the proposal as presented; moved by Brian Cole; second from Helen Grimm. The roll-call vote was unanimously in favor, 4-0.

58 Shore Road- Title 5 Variance Hearing- Jason Ellis presented his plan for an upgrade for the existing 3 Bedroom house with a failed leaching pit. The new proposed leach area is sited in the front of the house. The house is a legal 2 family dwelling with one 1 -bedroom unit and one 2-bedroom unit. Variances from title 5 setback requirements were to allow the proposed leaching area to be closer to lot lines, foundation walls and the water line. Mitigation included a polyvinyl barrier at the foundation.

Motion: to approve the proposal as presented; moved by Tim Rose; second from Helen Grimm. The roll-call vote was unanimously in favor, 4-0.

12 Highland Avenue- Title 5 Variance Hearing- Jason Ellis presented his plan to upgrade to title 5 for the existing 3 Bedroom house that has a cesspool. The proposed leach area is sited more than 100 feet from all abutting wells but cannot meet the required separation to their own well. 88 feet can be provided with a well replacement. Variances requested were from the setback requirements between the proposed leaching area and lot lines and the proposed well location. There is a 24% reduction in size requested for the SAS; this is allowed under local upgrade approval. There was discussion about Town Water in this area, which has not been installed as the street is a private road, although some houses do get municipal water from Arrowhead Road. The chair asked if the house was rented weekly in the summer. The owner, Joan Moriarty replied that it's just a summer house and is rented beginning in June. The applicant had sent an email requesting that the Board consider allowing the present well to remain, due to the added cost. The Agent commented that this would not meet maximum feasible compliance. The Board asked if there was water quality analysis data for the well, and there was not. The owner volunteered to test her well. The Chair pointed out that this was in a Zone 2, for the Knowles Heights PWS. She suggested the Board be very careful to address that. The Agent informed the property owner about the Barnstable County Septic Loan Program, which could be used for this upgrade as the cesspool is failed. Tim Rose suggested that if the well water test comes back with good quality perhaps the existing well could stay for 3 years to let them defer the cost for a short period. It was suggested that the matter be continued to the May 18, 2021 meeting to allow time for the water to be turned on, sampled and analyzed.

Motion : to Continue the hearing until May 18, ; moved by Tim Rose; second from Helen Grimm. The roll-call vote was unanimously in favor, 4-0.

Request for local Title 5 variance extension: 405 Shore Road- Ben Zhender was present to describe the delay in installing the system. Presently the building permit is pending receipt of an elevation certificate;

the applicant does not want to tear down the garage until all the permits have been issued. On May 7, 2021 the variances will expire; they seek a 3-month extension. The Agent stated that the Conservation Commission approval did require a sequenced project that started with the septic in the back of the lot and moved forward to the street so as not to disturb the entire lot. There were no public comments.

Motion : to grant the extension request until August 20, 2021 moved by Helen Grimm; second from Tim Rose. The roll-call vote was unanimously in favor, 4-0.

Change of Manager, 496 Shore Road, Crows' Nest Resort

There are 21 units at this location. No one was present from the resort to talk to the Board. The Agent tried to contact the owner, James McCusker to speak to the matter, but had no response. The Board paused on this item to take up the next proposal.

Change of Manager 608 Shore Road, Crow's Nest Cottages , Michelle and Brice McCain; the Chair asked if the new owners were to be the new on-site managers, Michelle McCain answered no, it would be Peters Property Management, and they were still discussing a contract. No one from Peters Property management was on the call. Mr. Rose pointed out that the applications submitted for both properties appeared to have the same information on them. A last-minute submittal had some cross-outs and new information, but the changes were not clear to the Board or Agent. The Agent had not heard back from Jim McCusker, and since the applications were not clear and ready for the Board to vote on, the Agent suggested that the matter be continued to May 4, 2020; **Motion: to continue the Matter until May 4,** moved by Tim Rose, second from Helen Grimm. The vote was unanimously in favor 4-0.

Public Hearing on Proposed regulations, continued from April 6 – The Agent stated that the review from Town Counsel was still pending, however, the comments and discussion from the last meeting had been incorporated as revisions to Section 6. Also included was feedback from Chris Lucy regarding the inspection requirements. The floor plan sketch requirements were dropped, and changes were made to the form. The discussion on the regulations was tabled until the next meeting.

Motion to continue the Public Hearing until May 4, motion by Tracey Rose, second by Tim Rose; the vote was unanimously in favor 4-0.

PUBLIC COMMENT- Peter Fields of Phat's Valley Road expressed concern about the requirement to upgrade the cesspool at their property, the Chair suggested that he reach out to the Agent with concerns.

The Health Agent's Covid report included the draft letter to the Barnstable County Commissioners that was included in the packet for the Board to comment on, or to send in support of the proposal to remove the interest charged on the septic loans. The Select Board was also considering sending support for the proposal as well. The Agent had little comment on COVID, other than it had been a discouraging week. Brian Koll suggested that the J and J vaccine would be reauthorized after the investigation was complete.

Motion: To adjourn the meeting- moved by Tim Rose; second by Brian Koll, the vote was unanimously in favor 4-0, the meeting adjourned at 4:58.

Minutes prepared by Emily Beebe