



TRURO BOARD OF HEALTH

MINUTES OF REMOTE MEETING HELD April 6, 2021

Board members in attendance: Chair Tracey Rose; Members Brian Koll, Helen Grimm, Jason Silva and; Tim Rose alternate Candida Monteith;

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, Dune Partners LLC - Title 5 Variance Hearing; this hearing was continued from March 16, 2021 for the purpose of obtaining analysis of a sample from the well. Concern about the water quality arose due to the request for a well variance, meaning the separation between the well and proposed leaching area. There are 2 water test results; one dated March 29, 2021, noted as a raw water sample, show results of 1.2 mg/l. on Nitrate N, Sodium 21 with a pH of 9.8, and there was a later test on April 5. As the representative was not present, Jason Silva made a motion: **Motion:** to move the matter to the end of meeting; **second:** Helen Grimm; Vote was unanimously in favor

Change of Manager: 169 Shore Rd; Beach Point Recreational Housing. A recent team inspection was held, and the report came from the inspection about a water leak from a freeze-up that had occurred over the winter and a restoration company was working on the cleanup, anticipating completion within the week and ready for re-inspection at that point.

The new manager Francis Mita lives in unit 3 - 4 in building 1. There were no questions from the Board. Motion to approve, Jason Silva, second by Brian Koll; the vote was unanimous in favor.

Change of Manager: 570 Shore Rd; Sandbars Inn; Anthony Flatt, who lives in unit 8; there was a team inspection the previous summer; there were no questions about the transfer of manager from the Board or the new manager. **Motion:** to approve the new manager: Jason Silva; second by Tim Rose. Vote was unanimously in favor.

Letter to Barnstable County Commissioners in Support of the Appeal made by APCC to eliminate interest on septic loans issued by Barnstable County: The Board discussed this briefly, and the Agent suggested some points for a draft letter to which the Board agreed. A draft letter with those points will be in the next BoH packet.

PUBLIC HEARING:

Proposed regulations regarding: Section 6 -local supplement to title 5; Section 8 – well regulations; Section 17- fees

Review of the proposed draft of Title 5 Regulations, draft dated 4-1-2021:

The chair read out the proposed amendments. The Agent provided context for the proposed change to the definition of upland, which would allow nitrogen credit in Riverfront "in exchange" for the addition of nitrogen reducing I/A treatment. The rationale was to make way for additional treatment of the wastewater for a net decrease in nitrogen in proximity to marine resources. Candida Monteith asked whether this in essence meant that there would be more development in the Riverfront- the answer was yes, but only with the addition of I/A, which would lower the net nitrogen level below what would be produced with the lower bedroom count from excluding the area of Riverfront and using a traditional system only. The regulation change would not result in more land made available upon which to build but would add more use to the structure.

The Agent continued with the read-out of the definitions. The Chair pointed out a conflict in the language for the cesspool definition regarding failure, edits were suggested.

A new process for corrections to a non-performing I/A system has been added to the regulations.

The Chair paused for comments from the public throughout the read-out.

A new requirement for upgrades upon demolition of a house was added.

An inspection prior to renewal of an annual operating permit for motels and cottage colony, cabin, campground, lodging house or restaurant, once every 3 years; shared systems shall be every 3 years.

Inspection requirement changes include the use of a local form/checklist, and the requirement that the inspector provide a sketch of the floor plan.

Chris Lucy provided comment about the requirement for the inspector to provide a bedroom count and floor plan, and the difficulty navigating the Truro regulations defining bedrooms, as well as capturing the use of the space- which may be a library; he also thought it would be an invasion of privacy. He further described the difficulty when there's a discrepancy between assessor's records and Health records, and the difficulty in drawing up a large facility such as the Crow's Nest with many, many rooms.

He suggested that this be a job of the Health Agent if there is a discrepancy in the records.

The Agent responded that the suggestions made sense and that maybe requiring a sketch was not appropriate.

The Chair agreed that the comments were very constructive and underscored that the reason the department needed to find discrepancies in bedroom count supports the protection of groundwater.

Jason Silva suggested that the larger properties would have the hotel rooms/floor plans reviewed at such time as team inspections were completed. The Agent agreed that those larger commercial properties are a known quantity, but the smaller residential properties are where most issues of non-compliance/poor records are identified. The Agent asked if Health Department staff could work on this issue off-line and return to the topic at the next meeting.

Article 9: I/A, part 2.b proposes upgrades with I/A for all dwellings where the flow rate exceeds the nitrogen loading standard of 110 gpd/10,000 sf, or, an "upside-down" property. This provision also offered addition of pressure distribution with the I/A requirement. This was considered because of the benefit of pressure distribution regarding treatment, but the cost of adding the extra pump for the pressure distribution would be an estimated additional \$5-7k to the system. Jason Silva asked if it would improve the results. There was agreement that it would. Helen Grimm asked if it might be applied in certain circumstances, and the Chair suggested that it might be used for a small lot with a larger flow, or in a more environmentally sensitive location. Tim Rose added that it might be the requirement when variances such as property line variance is requested. It was agreed that more information might be needed, and that the conversation would continue.

Section 8- water wells

There was a brief description of the new permitting triggers for water analysis results submittal, such as building permits, septic permits and rental registrations in 2022. Fees for the inspection report review were also proposed.

The Agent stated that the review from Town Counsel was still pending, and it should be continued to the next meeting.

At the next hearing the septic inspection report form will be reviewed by the Board

Jason Ellis emailed during the hearing, writing that he wished for a continuance of the 3 Dune way hearing.

Motion: Tim Rose moved to hold the variance hearing to the April 20 agenda; **Second** by Jason Silva. The vote was unanimously in favor.
The Chair closed the public hearing until the next meeting.

Public Comment: Danny Field, of 18 Phat's Valley Road was present to represent his family who are concerned about the unexpected and large cost of the upgrade of the cesspool at their property.

Jason Silva expressed frustration with the matter of the rental tax money, which is paid by the business owners in the Town, monies that are leaving the town, when people in Town could really use it. Danny Field asked for more information about this, and the Agent suggested that it was something that could be on a future agenda.

March 2 meeting minutes. Motion: Brian Koll moved to approve as presented; **Second** by Jason Silva. The vote was unanimously in favor.

March 16 meeting minutes; there was a typo, and no other changes. **Motion:** Helen Grimm moved to approve as presented; **Second** by Tracey Rose; The vote was unanimously in favor

Report of the Chair- continued to the next meeting;

The Agent asked Helen Grimm, PH Nurse at Truro Central School if she'd comment about compliance at the Truro Central School. She reported that during this school year there had been very low numbers of positive cases for staff and students, with none happening at the school. There are 3 overseeing agencies CDC, DESE and DPH with guidance that does not always agree, which can be challenging. The Town also works with the school on standards that work for TCT. As an example, she mentioned the travel guidance and that TCT required 14 days Q after travel versus 10 from the State requirements, but that those kids quarantining for travel could take remote learning until completed. They also had a stricter Q for close contacts but felt that these measures had protected the school. The constant changing guidance has been difficult to navigate. The vaccine availability is steady but the general population eligibility opening will keep the vaccine supply sparse. The Agent will present another Covid update at the upcoming Select Board meeting.

Motion: To adjourn the meeting- moved by Tim Rose; second by Brian Koll, the vote was unanimously in favor 5-0, the meeting adjourned at 5:01.

Minutes prepared by Emily Beebe

