

TOWN OF TRURO  
9:14 AM

JUL 20 2022

**Minutes of the Truro Board of Health, Tuesday May 17, 2022**

This was a remote meeting. Board members in attendance:

Chair Tracy Rose, Vice Chair Jason Silva, Board Members: Helen Grimm, Brian Koll, Candida Monteith, Tim Rose. Also Present: Health and Conservation Agent Emily Beebe.

The meeting was called to order at 4:30 PM by the Chair, Tracey Rose; she was ill, and transferred her duties to Vice Chair Jason Silva. Mr. Silva announced the remote meeting procedures and described the process for public participation.

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**PUBLIC COMMENT:**

Karen Ruymann commented about the number of cesspool conversions completed to date and asked if these statistics could be posted on the Town's web site.

**Change of Manager: Sladeville Cottages:**

The Health Agent read a request for continuance on behalf of the applicant. **Motion:** Board member Brian Koll; **Second:** Board member Helen Grimm **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**Change of Manager: Lexvest 104 LLC:**

The Health Agent read a request for continuance on behalf of the applicant. **Motion:** Board member Brian Koll; **Second:** Board member Helen Grimm **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**Farmers Market: New Applicant – NAHUI Foods, Laura Espinoza:**

There was no one available to represent the application. The Board of Health issued a continuance of the application for the June 7<sup>th</sup>, 2022, meeting. **Motion:** Board member Tracy Rose moved to approve the continuance; **Second:** Board member Brian Koll. **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**Farmers Market: New Applicant – Sea & Soil Medicinals, Sarah Naciri:**

Sarah Naciri was on call to represent the application. She stated that she is planning to sell dried peas, herb peas, and spiced peas, fresh herbs, an external salve containing herb oil and flax seed and syrup. The salve will be made at home and the syrup will be made in the commercial kitchen at Preservation Hall in Wellfleet. **Motion:** Board member Chair Tracy Rose moved to approve the application; **Second:** Board Member Helen Grimm; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**Bathing Beach Tier III sampling variance:**

The Health Agent described the bathing beach regulations that include bathing beach water sampling requirements. The code allows a reduced sampling frequency if the water quality at a beach is exceptional. The state facilitates this process when it is warranted. Cold Storage Beach has been a tier III beach for many years; the original waiver was approved in 2015, and has continued to show excellent water quality ever since. Vice Chair Jason Silva asked how long the variance period lasts if granted. The Health Agent replied that the variance would be valid for four years. **Motion:** Board member Brian Koll moved to approve the request.

**Second:** Board Member Tim Rose; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

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*(continued from the 5/3/2022 meeting)*

Attorney Ben Zehnder and PE David McNevitch presented the project. The Health Agent provided a brief overview when asked to open the discussion and stated that the plans presented to the Board are not variances. The proposed plan would maintain the approved design flow at the property of 5-bedrooms. Mr. McNevitch explained that the proposal includes removal of the one-bedroom studio cottage from the property, and connection of the boathouse building to the septic system served by the existing four-bedroom main house. Vice Chair Jason Silva summed up the project as a one-for-one swap of the boathouse for the cottage. The Health Agent explained that the Board of Health discussion should include an assessment of the application and any triggers for I/A treatment, however, I/A may not be best at this location as it is seasonal. The Agent suggested that a better alternative such as a pressure distribution system with a deed restriction to maintain seasonality could be appropriate. Chair Tracy Rose asked how the property would be utilized and wanted the future use of the property to be considered so the Board could understand how that would affect the environment. Attorney Ben Zehnder stated that the property would only be utilized as a single-family residence; there was no intention to use the Boathouse property as a rental. He agreed that a pressure distribution system would be complied with if that is what needs to be installed to preserve the area. Attorney, Ian Henchy, representing an abutter provided some history on recent activities and the zoning concerns about the project and requested that the Board of Health not approve any further filings. The Health Agent commented that the Board of Health can consider factors such as wastewater flow increase, use of the proposed building, and triggers for septic system upgrades. A site plan should be submitted reflecting the reduction of the boathouse and removal of the existing cottage on the property. The Health Agent suggested a deed restriction that iterates the conditions that had been suggested. Owner Tom Dennis explained that he had not advertised it as a rental. Chair Tracy Rose asked whether the boathouse had been moved. Attorney Ben Zehnder answered that the boathouse was moved initially to a more secure location but was not in its permanent location yet. Chair Tracy Rose also stated that the boathouse has been a two bedroom for a long time and was bought with the understanding that it was a two bedroom and stated that the Board of Health would need to determine whether the house qualifies as a two bedroom or a one bedroom currently. Abutter Cammie Watson was on the call and asked why the boathouse was put on pilings if it wasn't in its permanent location yet. Tom Dennis stated that the boathouse had not been put on pilings yet but was moved in order to preserve it as it was in an unstable location and was currently very close to its permanent location. He also stated that there were restrictions in place set forth by the ZBA in the order of conditions which is why it was moved to where it currently is. **Motion: Board Member Tim Rose moved to continue the filing until the June 6<sup>th</sup>, 2022, meeting; Second: Board member Brian Koll; Vote: 5-0-0; the vote was unanimous, and the motion passed.**

**Local Board of Health Regulation Review: Discussion on the ACO draft and regulation about separation to drinking water wells.** The board decided to continue the discussion until Attorney Gregg Corbo could review the drafts. **Motion: Board member Tim Rose moved to continue the review until the June 6<sup>th</sup>, 2022, meeting; Second: Board member Brian Koll; Vote: 5-0-0; the vote was unanimous, and the motion passed.**

**Groundwater Resources Discussion:** The board was asked to continue this discussion. **Motion:** Board Member Tim Rose moved to continue the filing until the June 6<sup>th</sup>, 2022, meeting; **Second:** Board member Brian Koll; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**Minutes:**

**January 4, 2022-Motion:** Board Member Tracey Rose moved approve the minutes. **Second:** Board member Brian Koll. **Vote:** 4-0-1; Board member Tim Rose abstained. The vote carried, and the motion passed.

**February 1, 2022 Motion:** Board Chair Tracey Rose moved approve the minutes. **Second:** Board member Brian Koll; **Vote:** 3-0-2; Board members Tim Rose and Helen Grimm abstained; the vote carried, and the motion passed.

**February 15, 2022 Motion:** Board Member Brian Koll moved approve the minutes; **Second:** Board Chair Tracey Rose; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**March 1, 2022 Motion:** Board Member Tracey Rose moved approve the minutes. **Second:** Board member Brian Koll; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**March 15, 2022- Motion:** Board Member Brian Koll moved approve the minutes. **Second:** Board member Helen Grimm; **Vote:** 5-0-0; the vote was unanimous, and the motion passed.

**April 5, 2022 - Motion:** Board Member Tracey Rose moved approve the minutes. **Second:** Board member Jason Silva; **Vote:** 4-0-1; Board member Brian Koll abstained, the vote carried, and the motion passed.

**The Chair's Report** Chair Tracy Rose attended a water and sewer board meeting in Provincetown and asked to include the minutes from that meeting in the packet for the June 7<sup>th</sup>, 2022, Board of Health meeting.

**Health Agent's Report** The Health Agent described the Health Needs Assessment, which is located on the Health Department webpage, and asked the Board members to Health take the survey and to share it with family and friends.

**Motion:** Board Member Tim Rose Moved to adjourn the meeting. **Second:** Board Member Brian Koll; **Vote:** 5-0-0; the vote was unanimous, and the meeting was adjourned at 6:18 PM.

Respectfully submitted by Nina Richey

