



Minutes of the Truro Board of Health, Tuesday April 5, 2022

This was a remote meeting. Board members in attendance:

Chair Tracey Rose, Vice Chair, Jason Silva, Board members: Helen Grimm, Tim Rose. Also Present: Health and Conservation Agent Emily Beebe.

The meeting was called to order at 4:33PM by the Chair, Tracey Rose; she announced the remote meeting procedures and described the process for public participation.

Public comment: There was no public comment.

Variance Request/ Local Upgrade Approval: 45 Corn Hill Road: Project designer Jason Ellis was on the call to represent the request. There was brief discussion about the property water supply, and that it was currently connected to the Public Water supply well, serving the property next door. It was suggested that the Health Agent write a letter to the operator to alert them of the matter of non-compliance. There was discussion about the proposed well being installed to obtain a water test for the Board to review as part of the variance request. Mr. Ellis requested a continuance till the May 3rd, 2022, Board of Health meeting. **Motion:** Board member Helen Grimm moved to approve the request for a continuance; **Second:** Board member Jason Silva; **Vote:** 3-0-1; Board member Tim Rose abstained; the motion was approved.

Variance Request/Local Upgrade Approval: 127 & 133 South Pamet Road: Attorney Ben Zehnder was on the call to represent the owner, and they requested a continuance until the April 19th, 2022, Board of Health meeting as they needed more information on the site plan. **Motion:** Board member Tim Rose moved to approve the request for a continuance to April 19; **Second:** Board member Jason Silva; **Vote:** 4-0-0; The vote was unanimous, and the motion was approved.

Discussion on Annual Town Meeting 2022: April 30th and outdoors:

The Health Agent shared a bullet point presentation to the Board of Health members covering the safety protocols that would be in place during the Town Meeting. Chair Tracey Rose agreed with the safety protocols. Board member Jason Silva explained that he felt that due to the zero-case count and the masking mandates having been lifted in schools and businesses, the Annual Town Meeting safety protocols were a hard-sell and felt that the meeting should be indoors but stated he would agree with them at this time. Chair Tracey Rose inquired about why the Annual Town Meeting was moved from indoors to outdoors. The Agent stated that members of the public had been concerned about safety indoors. Board member Helen Grimm stated that she understood the health protocols and that there was still heightened anxiety among the vaccinated population about getting infected.

Local Board of Health Regulation Review

Section VI – local title 5: ACO regulation-draft: The Agent Presented a draft of the edited and upgraded local title 5 regulations that included a new addition to the regulations defining an Administrative Consent Order (ACO) and the process involved to qualify and managing it. The following highlights specific points that were addressed during the discussion:

- An ACO is a recorded document that affords a property owner an opportunity to defer major repair, replacement and/or upgrade to a failed on-site wastewater treatment system until a municipal plan is available to direct the course of action for that owner and requires that funds for a septic upgrade be placed in an escrow account.
- A septic inspection will be the basis to determine whether a property owner is eligible for an ACO, apart from properties that are serviced by cesspools. Cesspool properties will be required to

obtain a letter from a licensed inspector describing the condition of the cesspool and its components. All on-site septic systems will have a deadline of 180 days to upgrade their systems but reserve the right to file a variance/request to extend the time limit when they enter an ACO.

- The Board members suggested removing the financial threshold on the determination of whether one needs a septic inspection and changed the language to read: any addition of living space would trigger the need for a septic inspection.

The Agent suggested that a sample ACO letter/agreement could be reviewed by the Board to help them see how this tool would be used.

The balance of the local title 5 regulations had been edited for clarification.

Control of placement of septic systems in relation to drinking water wells

A version of this regulation exists in Brewster and Nantucket. The Agent explained that the source of most of those elevated concentrations of Nitrate nitrogen found in drinking water wells is from upgradient septic systems; they can be located 100 feet away but if aligned with the groundwater may still impact the well. The implementation of a regulation to control the placement of wells and septic system and soil absorption systems would create a more effective private well protection zone and require engineers and designers to include the direction of groundwater flow to their plans.

Chair Tracey Rose expressed her support for any attempts to clean up and the groundwater, reminding members that there were no fences underground. Board member Jason Silva asked whether this regulation was being considered because there were already problems with the groundwater or whether this regulation would serve as an extra layer of protection. The Health Agent explained that there were properties where it was evident that the well and septic placements were aligned with the well was downgradient from the septic system, which will create future contamination. Board member Helen Grimm stated that she felt this was a great regulation to adopt for future installations, however, felt that incorporating it to address pre-existing situations might prove to be difficult. The Board decided to continue the subject to the next meeting under the Water Resources Discussion.

Motion: Board member Tim Rose Moved to adjourn the meeting; **Second:** Board member Jason Silva;

Vote: 4-0-0; the vote was unanimous, and the meeting was adjourned at 6:13 PM.

Minutes compiled by Nina Richey

