

**Minutes of the Truro Board of Health, Tuesday February 15, 2022**

This was a remote meeting. Board members in attendance:

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

The meeting was called to order at 4:32 PM by the Chair, Tracey Rose; she announced the remote meeting procedures and described the process for public participation.

**Public Comments:** Karen Ruymen expressed concern about the Board of Health meeting link stating she couldn't find it on the calendar. Jack Riemer also expressed difficulty logging on, and questioned whether it was a legally posted meeting under the Open Meeting Law. It was confirmed that the citizens could enter the meeting and that the towns had met its legal obligations of the open meeting law. It appeared that the deficiency was a link that was not "live".

**AGENDA ITEMS**

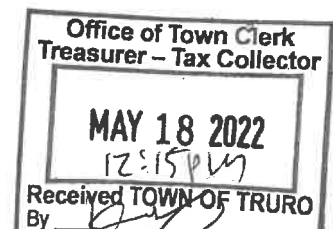
**Variance Requests/Local Upgrade Approval: 45 Corn Hill Road**

Jason Ellis was available to represent the project. Jason Ellis requested a continuance on the project but had a question concerning the water supply. The property is being served by the Roseville Cottages public water supply well. It appeared that there is an easement for the water supply across this property that is not shown on the plan. Jason Ellis suggested installing a new well and disconnecting the property from the public water supply it is currently on. The Agent expressed concern that the public water supply well is located to ensure that the proposed septic system is sited outside of the PWS Zone 1. Jason Ellis stated that the septic was about 700 feet from the public water supply. Mr. Ellis also asked if this property would need an I/A system. The proposed septic tank is a 3-bedroom septic; however, the property is currently only utilizing 2 bedrooms. Board Member Jason Silva stated that if the property is a 2-bedroom dwelling, then he would only need to see what the upland is on the property to determine whether I/A system is required. Board Member Candida Montheith expressed that because of the parcels location, and I/A system should be suggested. Jason Ellis explained that the septic tank would be in the 100-foot buffer zone to a coastal bank and the leach field would be in the 150-foot buffer zone, the proposed area of installation is all subject to coastal storm flooding.

**Motion:** Board Member Brian Koll moved to continue the matter to the next Board of Health meeting on March 1, 2022; **Second:** Board Member Helen Grimm; vote: 4-0-1 with Tracey Rose abstaining; the motion was approved

**Variance Requests/Local Upgrade Approval: 6 Francis Road**

Jason Ellis representing the property which is a duplex with a lot line through the middle, and owned by family members. The eastside of the property upgraded to a title V in recent years and the current project will upgrade the cesspool located on the lot. The variance requested pertains to the 100-foot set-back requirement for the septic tank and the pump chamber to the isolated vegetative wetlands on the northside of the property. Jason Ellis stated that he is seeking a 48-foot variance for the tank and a 41-foot variance for the pump chamber. The proposed location of the septic tank would create the least disturbance on the site. The Agent did suggest, due to the duplex sharing a well, that an easement stating that the well is shared would be important to address responsibilities for costs. The Chair inquired whether there was anything recorded with the Barnstable Registry on the shared well. Jason Ellis suggested that a condition for an easement be part of an approval by the Board of Health, it would state that if either side of the property is sold an easement would be developed recorded stating that the well is shared.



**Motion:** Board Member Jason Silva moved to approve the septic upgrade with the condition that prior to transfer of either side of the property is transferred, an easement be created to protect both properties regarding the shared well.

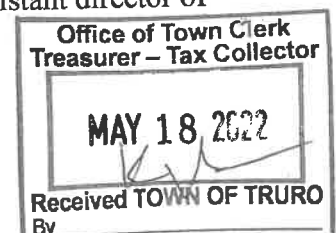
**Second:** Board Member Brian Koll vote: 5-0-0: The vote was unanimous, and the motion was approved.

**Discussion:** Upgrade process for business establishments for the 2022 licensing year The Health Agent stated that she had discussed the issue with Attorney Corbo and is in the process of drafting and codifying an outline for the upgrade process for businesses but will need to be worked on in congruence with the town counsel. The Agent requested a continuance.

**Discussion:** Current COVID-19 guidance and review of the "*Rule and Order requiring use of masks and other protective measures*" dated 12-21-2021. Chair Tracey Rose suggested that the public commented that the public were chomping at the bit to be free of masks, and that the State and the school would relax mask mandates. The Agent suggested the Board discuss both the Rule and Order, and the State lifting the mask mandate on February 28<sup>th</sup>. Board Member Jason Silva expressed that we have gone through various stages from recommendations to requirements to mandates since the pandemic started and believes that Truro should not be out of step with relaxing the mask mandates. Board Member Helen Grimm supported the idea of relaxing mask mandates and stated that if needed things could be reevaluated, but at this point giving businesses and people the choice to enforce masking requirements would be desirable. Chair Tracey Rose affirmed her fellow Board Members thoughts and stated that if cases were to increase in the future, the Board could reassess and enforce mandates again. Board Member Brian Koll stated that Barnstable is still considered a high-risk county, and also suggested finding a harmony between neighboring towns to avoid confusion and to support businesses. The Agent stated that Wellfleet recently lifted mask mandates and Provincetown is still enforcing indoor mask mandates. The Agent offered that the current case number had remained at zero in Truro for the past few days, which is lower than that of our neighboring towns which would support the relaxation of mask mandates going forward.

There was brief discussion about masking at Truro Central School; the school COVID team had suggested that they would likely wait until after the return to February vacation to relax masking. Board Member Helen Grimm stated that putting out a survey to the parents to gauge their comfort level and preferences for mask requirements would be ideal. Board Member Brian Koll supported this suggestion for a survey. The Chair suggested that the Board could provide a recommendation concerning town buildings and the school. Chair Tracey Rose suggested keeping the mandate as is and then revisiting the subject on the next Board of Health meeting on March 1, 2022. Board Member Candida Montheith expressed that given the current state of Covid-19 in Truro and its low infection rate, it would make most sense to follow the States timetable which would lift mask mandates on February 28<sup>th</sup>. The Chair asked to amend number 1, to remove language Brian Koll suggested that the language sent from Assistant director of

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DPH, Marylou Sudders should be pulled into the Order to provide recommendations to those individuals who are immunocompromised and unvaccinated. (see language below)

There was agreement by the Board members about amending number 1 by removing the requirements for businesses to mask and to keep public buildings as status quo for now. Board Member Helen Grimm suggested that the language from DPH be added as a new #2; Board Member Jason Silva agreed and suggested that the language about this would become effective immediately. The new language would state, "in concurrence with MA DPH, the BoH advises a fully vaccinated individual should wear a mask when indoors and not in your own home if you have a weakened immune system or you are at increased risk for severe disease, or if someone in your household has a weakened immune system or is at increased risk for severe disease

Board Member Brian Koll reminded the Board that the State was scheduled to relax the mask mandate February 28, and that we needed to make a recommendation prior to that time. There was discussion about waiting until March 1 to address the School and Town Buildings, but to address businesses at this meeting. **Motion:** Board Member Helen Grimm moved to approve the proposed changes to the mask requirements for the Town noting that those changes don't include changes for public buildings at this time, and to reevaluate the public buildings and the school masking requirements with results from any survey information at the March 1, 2022, Board of Health meeting.

**Second:** Jason Silva **Vote:** 5-0-0; the vote was unanimous, and the motion was approved.

### **Groundwater Resources Discussion**

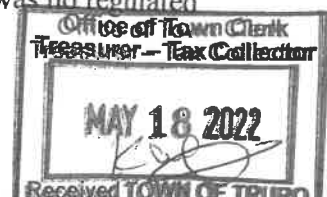
The Agent provided a brief overview of the DEP private well PFAS sampling program. Thirty-two Truro applicants were approved for the program and have had their wells tested. Four residents out of the thirty-two tested positive for PFAS, and those levels were all below maximum contaminant levels. The DEP and UMASS sought out applicants for the program in locations with private wells within proximity to DEP sites. The Agent stated that she looked forward to filling the assistant Health Agent position that has been advertised on the town webpage to focus more resources on educating the public about our groundwater resources.

### **Local Board of Health Regulation Review**

**Section IIX- Well Water Testing (proposed amendment to Rental Registration water test validity schedule:** Proposed amendment to article 6 states that rental registration testing will be accepted if it taken within the previous calendar year. **Motion:** The Chair moved to approve the change as recommended; **Second:** Board Member Brian Koll **Vote:** 5-0-0: the vote was unanimous, and the motion was approved.

**Section VI- local title 5:** There was discussion about maintenance requirements. The Agent described the language about maintenance as written in title 5, and that there was no regulated

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interval for required septic maintenance. Jack Riemer stated that the current septic inspection trigger is limited. The Agent stated that regular septic maintenance does not specifically reduce the concentration nitrates in the groundwater, but it does improve the degree of treatment within the septic system. The Agent explained that regular maintenance within the recommended 3–5-year timeframe is a great tool for detecting any issues that are happening and improving the water quality. Chair Tracey Rose mentioned that there are efforts to educate the public on septic maintenance and tools that homeowners can implement to contribute to cleaner ground water in the real estate world. Board Member Jason Silva stated that casting a broad net requiring everyone to pump their tanks every 3 years would most likely not protect the groundwater accurately, rather the worst offenders need to be inspected and fix their tanks and continue pumping to ensure cleaner groundwater. Chair Tracey Rose stated that the Board Members and the Health Agent will continue to review and clarify section VI local title 5 Board of Health regulation at the March 1, 2022, Board of Health meeting.

**Minutes: October, November:**

**October 5, 2021: Motion: Jason Silva moved to approve the minutes.**

**Second: Helen Grimm seconded Vote: 3-0-1: Brian Koll abstained due to his absence at that meeting, the motion was approved.**

**October 19, 2021: Motion: Board Member Brian Koll moved to approve the minutes**  
**Second: Board Member Helen Grimm Vote: 4-0: the vote was unanimous, and the motion was approved.**

**Report of the Health Agent-** The Agent reported on 127 South Pamet Road, and that the septic tank had ended up on the beach but had been pumped before the storm, and now was removed from the beach. The engineer is drafting plans about the existing system and the system that will be installed. The house has been relocated.

The Agent briefly noted that the Town of Truro had recently attended a contempt hearing regarding the Truro Motor Inn on February 9<sup>th</sup>, 2022. The hearing went longer than expected and it was continued for March 2<sup>nd</sup>, 2022. Greg Corbo scheduled an executive session with the Town Counsel, The Select Board, and the Health Agent March 1<sup>st</sup>, at 4:30. The Chair reiterated the importance of keeping confidentiality during an active litigation.

**Motion: Board Member Jason Silva moved to adjourn the meeting**

**Second: Board Member Helen Grimm vote: 4-0; the meeting adjourned at 6:35 PM**

Respectfully Submitted by: Nina Richey

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