

Truro Board of Health Minutes  
August 2, 2016  
4:30 PM-Truro Town Hall

**Members Present: Chair Tracey Rose, Member Mark Peters, Vice Chair Jason Silva, Member Ansel Chaplin, Member Tim Rose, Alternate Member Peter Van Stratum**  
**Absent: Agent Pat Pajaron**

Chair Tracey Rose called the meeting to order at 4:30PM. Ms. Rose stated that the meeting was being recorded and asked if anyone from the public was recording as well. No one replied in the affirmative. Chair Rose introduced alternate member Peter Van Stratum and thanked him for joining the Board. Chair Rose also informed the Board that Agent Pajaron could not attend the meeting due to a hearing in court and Assistant Health/Conservation Agent Emily Beebe has a scheduling conflict so she also could not be present.

**PUBLIC COMMENTS**

Ms. Rose stated that the public comment period is an opportunity for the public to comment or bring an issue forward the Board. Ms. Rose stated that the Board could listen to the concern or issue but could not discuss it, however the topic may be placed on a future agenda. Tracey asked anyone in the audience if they had an issue or concern to bring forward to the Board. No one in the audience replied.

**REVIEW/APPROVE MINUTES**

July 19, 2016

**Mark Peters moved to approve the minutes as presented.**  
**Tim Rose seconded.**  
**Vote: 5-0-0, motion carries.**

**REPORTS**

**Water Resources Oversight Committee**

Mr. Peters stated he will defer to Kevin Kuechler, Chair of the Water Resources Oversight Committee who will give a presentation later in the meeting.

**Health Agent's Report**

No report given as Ms. Pajaron is absent.

**PUBLIC HEARINGS**

1. Leedara Zola, Habitat for Humanity of Cape Cod Inc., 143 Route 6, Review and Approval of Nitrogen Aggregate Plan and Innovative/Alternative System: Composting/Greywater System for Lot 2

Leedara Zola and Carl Brotman of the Truro Housing Authority approached the Board.

Ms. Zola explained to the Board that Habitat for Humanity worked with the Community Preservation Committee and the Truro Housing authority on this project to create additional housing for Truro. Ms. Zola further added that the CPC committee awarded Habitat a grant to purchase land located at 143 Route 6 consisting of 1.34 acres. Ms. Zola looked at options to get a third home on this property. Using an innovative/alternative system such as a FAST system with the increased expense of maintenance would be a burden on the potential homeowner therefore the option of a composting toilet with a greywater system for Lot 2 was explored. Mr. Brotman stated that he met with Habitat several times to discuss the model of using a composting toilet and greywater system to obtain a 1 bedroom home on Lot 2.

Ms. Zola stated that the project received approval through the Zoning Board of Appeals under the Massachusetts General Law Chapter 40B process of which waivers from local regulations are granted to create affordable housing. Mr. Peters questioned about future of the properties after they are purchased. Ms. Zola stated that the deed rider requires principal residency.

Ms. Rose reviewed the Nitrogen Credit Land Plan prepared by JM O'Reilly & Associates, dated July 21, 2016 showing the credit land and facility land (land that will contain the SFR). Using a portion of Lot 4 and all of Lot 5 will allow three bedroom home on Lot 1 and portion of Lot 4 will allow a two bedroom home on Lot 3. Ms. Zola addressed raised by Ms. Rose regarding the monitoring and annual inspection of the composting toilet and greywater system that the homeowner will bear the responsibility. Mr. Van Stratum asked what the cost of the composting toilet is. Ms. Zola stated they cost around \$10,000 and the life of the system is approximately 20-30 years. Ms. Zola explained to the Board that 690 square feet of Lot 4 was not needed for the computation which is why it was excluded. Ms. Rose asked if there any other questions. Hearing none, Ms. Rose read the recommendations from the Health Agent.

Mark Peters made a motion to approve the Nitrogen Aggregate Plan and the installation of a Composting Toilet/Greywater System for Lot 2 at 143 Route 6 as presented with the following conditions:

1. Any changes to the plan will require further approval from the Board of Health.
2. The Grant of Title 5 Nitrogen Loading Restriction and Easement shall be recorded and/or registered with the appropriate Registry of Deeds or Registry District of the Land Court within 30 days of approval and submission of final documents.
3. To obtain the nitrogen credits for Lot 2, the property owner shall have the residuals/compost material from the system be disposed of by a licensed septage hauler and that there be no discharge of blackwater.
4. The system shall be inspected annually in accordance with 310 CMR 15.300(5); "Facilities with an increase in the nitrogen loading rate in accordance with 310 CMR 15.262(6) and (7) shall be inspected annually. The inspection shall document at a minimum: whether the system has been continually operated as approved; if the system consists of a greywater filter, whether it is operating properly; and whether compost and blackwater are disposed of off-site in accordance with all applicable laws and regulations. The results of each annual inspection shall be

submitted to the Department and the Local Approving Authority by January 31st of the following year.”

Jason Silva seconded. Vote 5-0-0, motion carries

2. Estate of Joyce Johnson, c/o Charles Melcher, 15 Cabral Farm Road, Request for Title 5 Variances, 310 CMR 15.211 and 15.240 and to Truro Board of Health Regulation, Section VI, Article 2 and 8 (continued from 7/5/16)  
*Ansel Chaplin recused himself.*

Cherie Mittenthal, Director of Truro Center for the Arts at Castle Hill and David Lajoie, R.S of Felco Engineering approached the Board. Mr. Lajoie presented a revised plan dated July 22, 2016 showing the abutting well at parcel 177. No other changes are proposed for the location of the system or the design. Mr. Lajoie addressed the issues raised at the July 5<sup>th</sup> regarding the electrical issues, upland area calculations, groundwater flow and generator. Mr. Lajoie stated that the upland area is approximately 14, 887 square feet, the groundwater flow from Route 6 travels westerly towards Cape Cod Bay. Mr. Lajoie explained that the generator is an air cooled standby generator, powered by a 200 gallon above ground propane gas tank.

The well at parcel 177 was located with a setback distance over 100 feet from the proposed septic system at the locus property. Mr. Lajoie looked at adjusting the size of leach area to meet the 10 foot property line setback, however this would require a retaining wall between building and leach area. Mr. Lajoie would like to proceed with the requested variances as proposed. Mr. Peters asked many days would the 200 gallon propane tank last and whether having an underground electrical line installed was explored. Ms. Mittenthal explained that she contacted Eversource and that the closest pole is at the end of Cabral Farm Road and Anderson Way which is 515 feet from the property. The closest transformer is Marsh Hawk Trace approximately 108 feet away, however the line would have to run along Great Hollow Road and Route 6 to Cabral Farm Road. Discussion of whether a tight tank could be used, however Mr. Lajoie explained that even a system designed with variances is preferred over a tight tank. A tight tank is the last option.

Ms. Mittenthal explained that the property will be 1 bedroom artist residence to be used just in the summer months and not year round. Mr. Peter raised concerns about a wood stove and fireplace used as a heat source. Mr. Lajoie explained that the generator can power a heating system. Ms. Rose asked the Board if with there any questions. Mr. Van Stratum asked whether the well has been driven, and if it is drinkable water. Mr. Lajoie explained the plan must be approved, then the well is installed and sample taken before a septic permit is issued.

David DeWitt (not acting Agricultural Commission Chair ) and John A. Demasi III, Demasi Family Realty Trust of Cabral Farm Road approached the Board and raised the same concerns at the July 5<sup>th</sup> meeting concerning the proposed leach field 4-6 feet from his property line located on a unstable sandy bank. Mr. Demasi stated that the failure of the system would be detrimental to his agricultural land and groundwater.

Mr. Lajoie explained that a poly vinyl liner as flow barrier is proposed on the downslope of the leach area. Mr. Demasi stated he was also concerned about the number of variances being requested. Ms. Rose added that the proposed system with variances is an improvement over the existing system along with a 1 bedroom deed restriction. Mr. Silva commented on the capacity of the 200 gallon propane which may not be adequate, revegetating the slope and providing a deed restriction limiting the use of the property.

Mark Peters moved to approve the variances as requested with an additional condition to allow occupancy from May 1<sup>st</sup> to October 1<sup>st</sup>. Ms. Rose asked Mr. Peters to hold the motion until the applicants can state any more to add. Mr. Lajoie and Ms. Mittenthal re-approached the Board and stated that there will be no changes on the property and it will be used as an artist residence, and extend occupancy for another month. Ms. Rose read the Health Agents recommendations.

Mark Peters moved to approve the variances as requested with the following conditions:

1. that a deed restriction limiting the number of bedrooms to one be placed on the property. Such deed restriction, with evidence of recording, must be presented to the Health Agent prior to issuance of the Disposal Works Construction Permit for the installation of the system.
2. a walkthrough of the property be conducted or a floor plan that meets the BOH Floor Plan Policy be submitted prior to the issuance of the Disposal Works Construction Permit for the installation of the system
3. approval of a generator for power is contingent upon the applicant demonstrating that the property meets the exemption for electrical service per 105 CMR 410.258. The generator shall be of sufficient kilowatt size to provide the necessary power for the sewage ejector pumps, well pump, lighting and appliances and be installed in accordance with accepted electrical wiring standards.
4. a deed restriction to allow occupancy from May 1<sup>st</sup> to October 31<sup>st</sup>. Such restriction shall be on the deed prior to issuance of any permits from the Health Agent.

Tim Rose seconded. Vote 4-0-0, motion carries.

#### **AGENDA ITEMS**

1. Kevin Kuechler, Chair of the Water Resources Oversight Committee:
  - a. Update to the Board on the Integrated Water Resources Management Plan Phase II Work
  - b. Proposed Workshop with the Water Resources Oversight Committee and Board of Health on Wastewater Management Strategies

Mr. Kuechler approached the Board. He stated that the Water Resource Oversight Committee (WROC) has been working on Integrated Water Resources Management Plan for the last 4 years, collecting nitrate data, ground water and surface water data from Pamet Harbor and East Harbor since 2007. A groundwater model looking at wastewater was developed. The WROC is now ready to start developing a wastewater plan. Based on the model that was built, assuming strict adherence to Title 5, the engineers concluded that a centralized sewer system is not needed at this time in Truro. Beach point area is being evaluated separately. Mr. Kuechler is

requesting a 1 or more workshops with the Board beginning mid to late September to work the potentially increasing wastewater regulations in the following areas: 1.) cesspools and nonconforming systems, should anything be done now; 2.) considering additional overlay and restrictions in sensitive areas such as the Pamet River and Beach Point. This may involve the use of innovative/alternative systems; 3.) adding additional triggers for Title 5 upgrades; such as requiring upgrade to 1995 Title 5 Code; 4.) increasing the intensity of Title 5 inspections; add requirements in addition to the state requirements and 5.) develop a process to review wastewater management in general, such as new technology and regulation changes periodically.

Ms. Rose thanked WROC for the hard work that has been done. Mr. Kuechler added that groundwater data from East harbor is being analyzed.

Board agreed to schedule a workshop with WROC Committee for Tuesday, September 27<sup>th</sup> at 4:30PM and have a representative from Weston and Sampson (WROC consultant) attend the workshop.

#### **LICENSING RENEWAL APPROVALS**

None

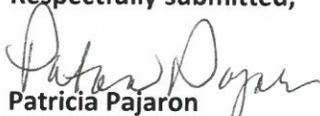
**Mr. Peters motioned to adjourn.**

**Mr. Rose seconded.**

**Vote: 5-0-0, motion carries.**

**Meeting adjourned at 5:48PM**

**Respectfully submitted,**



**Patricia Pajaron  
Agent to the Board of Health**



Chair-Tracey Rose

Vice Chair-Jason Silva



Clerk-Mark Peters



Ansel Chaplin



Tim Rose

Peter Van Stratum (Alternate Member)