

**Truro Board of Health Minutes
November 5, 2014
4:30 PM-Truro Town Hall**

Members Present: Chair-Dianne Eib, Vice Chair-Tracey Rose, Tim Rose, Clerk-Jason Silva, Mark Peters
Members Absent: Ansel Chaplin
Present: Health Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, Jason Ellis, Gigi Borges, Paul Kelly

REVIEW/APPROVE MINUTES

Dianne called the meeting to order at 4:30PM. She informed the audience that the meeting was being recorded, and asked if anyone else was making a recording. Hearing no reply in the affirmative, she asked that anyone coming up to speak at the mike to please state their name for the minutes.

October 21, 2014 minutes

Mark Peters made a motion to approve the October 21, 2014 minutes as presented.

Jason Silva seconded.

Vote: 3-0, motion carries (*Tim Rose abstained*)

Tracey Rose arrived as the minutes were being approved.

REPORTS

Water Resources Oversight Committee

The meeting was attended by Mark. They spoke to Blake Edwards, their engineer. There is an information schedule, and everything seems to be on course. Most of their samples are more than acceptable, as far as Nitrates, Nitrites, and parts per million Coliform. Tracey added that testing has been done on 1/3 of the town, on the second round. Mark and Tracey put the word out that WROC needs help with inputting data into a computer.

Health Agent's Report

No report for the Health Agent.

PUBLIC HEARINGS

- 1. Paul Kelly, Manitou Architects for David Hammerman, 20 Hart Rd., Plan Review and Approval.**

Paul Kelly was not present.

Mark Peters made a motion to move this hearing to the end of the agenda.

Jason Silva seconded.

Vote: 5-0, motion carries.

Paul Kelly approached the Board at 5:00PM. The Board has the new plan with the wall removed. This brings the room count to six with three bedrooms.

Tracey Rose made a motion to approve the proposed second floor plan (dated October 27, 2014) as submitted showing the removal of the wall.

Tim Rose seconded.

Vote: 4-0, motion carries.

2. JC Ellis Design Company Inc. for William Evaul, 11 Hughes Road, Request for Variance to Truro Board of Health Regulation, Section VI, Article 8, Required Setbacks for System Components and Section VI, Article 3(1)a, Required Upgrades

Jason Ellis approached the Board. Jason handed out revised plans. This is a condominium complex (a main house and three cottages) with 4 units total. Unit 3, the carriage house, is being sold. The septic inspection failed (leach trenches specifically). Jason has come up with a new design for the septic system. Dianne asked Mr. Ellis if he had a floor plan showing the 9 bedrooms instead of 12. Jason did not have an updated floor plan. Jason explained that under Title V, he is required to design the septic based on the number of bedrooms listed on the condominium documents. The condominium conversion plan, with the floor plan, was prepared by Billy Rogers. There are twelve bedrooms on this plan. There is a conflict between this plan, and what Pat Pajaron has gone through and approved. The condominium plan was done in error. Pat has done a walkthrough and deemed that there are nine bedrooms. After discussions with Pat, Jason and she determined that a revised septic plan for nine bedrooms was in order. The only difference between the two plans is that now there is a greater distance between the edge of wetland and the leach field. The leach field went from 84 feet down to 63 feet in length. The width and location are the same. He gained six or eight feet in distance from the edge of wetland. That is the variance he is looking for, along with a six month provision to install (due to financial reasons). The main house will be occupied, and the rest are seasonal. Dianne stated that the Board of Health does not normally give six months, especially with an occupied building. Mark pointed out that this is a long-standing property with historical aspects. He believes to put onerous financial obligations on the owners might be a degradation on the property, not only aesthetically, but historically. Since they are seasonal, he is urging the Board to be tolerant of a time-frame. Dianne restated that the main building is going to be occupied, the system has failed, and it serves the whole property. Pat added that in the past the Board has required weekly inspections and pumping as needed. In some rare cases, they have allowed a six month time-frame.

Mr. Ellis let the Board know that two people are residing in the house. Tim suggested weekly inspections, pumping as needed (with documentation), and a four month time-frame. If an issue comes up, they can come to Pat and the Board. Dianne felt that a three month time-frame was more in keeping with people living in the house.

Tracey wanted to bring to the Board's attention that they have extended waivers of time due to sellers having a hard time retaining contractors to put systems in the ground. They have not given waivers for sellers to come up with the money over a longer period of time.

Dianne told Mr. Ellis that they need a revised floor plan showing nine bedrooms. A copy must be submitted to Pat, and it also will need to be submitted to the Registry of Deeds, prior to the issuance of a Certificate of Compliance.

Gigi Borges came up to speak. She is a next door neighbor to the Evaul property. She is concerned with contaminants from chemical wastes, and medications. She, and some other people in the neighborhood, has diseases which make them sensitive to substances in the water. Dianne pointed out that no wells were located within 100 feet of this septic system, which is what the law requires. This is an existing property, grandfathered for the nine bedrooms which the Board cannot do anything about. What the Board of Health needs to do is to determine if this is the best system which can be put on the

property. Ms. Borges questioned the location of the system. Mr. Ellis stated that if the septic were moved closer to the street that would bring it closer to the well. The location marked on the plan is the best spot for the system to be. Ms. Borges said that she was against the variance.

Mark Peters made a motion to approve the variance as requested, submit a revised condominium documentation floor plan showing nine (9) bedrooms and grant a three (3) month variance to February 5, 2015 to upgrade the system.

Tim Rose seconded.

Vote: 4-0 (Tracey Rose abstained), motion carries.

(At 5:00PM Mark Peters announced that he had to leave the meeting for an appointment)

AGENDA ITEMS:

- 1. Discussion: Truro Board of Health Regulation Section III, Article 3, Manager Regulation (continued from 10/21/14).**

Tracey is in the process of finalizing a draft which the Board can vote on to adopt

Tim Rose made a motion to continue this agenda item to the next scheduled meeting (November 18, 2014)

Tracey Rose seconded.

Vote: 4-0, motion carries.

LICENSING RENEWAL APPROVALS

- 1. John Gainey, Mgr of Pamet Valley Package Store, Tobacco and Food Establishment license.**
- 2. Evelise Leopoldo, Mgr of Cape Truro Cottages, Motel License.**
- 3. Anthony Pasquale, Mgr of Terra Luna Restaurant, Food Establishment and Food Caterer licenses.**

Dianne asked if all three applicants were in good standing. Both Noelle and Pat stated "Yes".

Tracey Rose made a motion to approve all three license renewals.

Tim Rose seconded.

Vote: 4-0, motion carries.

Tim Rose made a motion to adjourn at 5:05PM

Tracey Rose seconded.

Vote: 4-0, motion carries.

Chair-Dianne Eib

Vice Chair-Tracey Rose

Clerk-Jason Silva

Mark Peters

Tim Rose

Alternate-Ansel Chaplin