

Truro Board of Health Minutes
September 1, 2015
4:30 PM-Truro Town Hall

Members Present: Chair-Tracy Rose, Vice Chair-Jason Silva, Member Tim Rose

Absent: Member-Ansel Chaplin, Clerk-Mark Peters

Others Present: Health Agent-Pat Pajaron

Chair Tracy 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.

REVIEW/APPROVE MINUTES

August 18th

Mr. Rose motioned to approve the August 18th meeting minutes as submitted.

Mr. Silva seconded.

Vote: 3-0, motion carries.

July 7, 2015

July 21, 2015

Ms. Rose deferred the approval of the July minutes to the September 16th meeting due to a quorum issue.

REPORTS

Water Resources Oversight Committee

Ms. Pajaron had nothing to report.

Health Agent's Report

Ms. Pajaron informed the Board that she is currently looking in to some septic issues at 101 Shore Rd.

PUBLIC HEARINGS

- 1. Beth Goldstein, Change of Manager, 17 Shore Rd Condominiums, 17 Shore Rd and Discussion of Requirement of Kitchen Facilities Per State Sanitary Code 105 CMR 410.000 (continued from August 18th)**

Ms Goldstein approached the Board. Ms. Pajaron told the Board that the TEAM inspection went well overall, with just a few minor issues. Units 1-4 (ranging from 148 sq ft to 160 sq ft according to an engineered plan) lack kitchen facilities which are required per the Housing Code. Hot plates that are in a few units are dangerous and should be removed. Mr. Rose stated that he would like to see fixed hotplate/burners installed.

Ms. Rose stated the options: **1.)** Approve the Change of Manager and that the units remain as is without meeting the requirements of 105 CMR 410.000 and no portable burner/hot plate shall be used. **2.)** Approve the Change of Manager with the following conditions that apply to Unit 2 and all the other units that lack a stovetop/oven: a.) no portable burner/hot plate shall be used, b.) Install a combination microwave convection oven that is such size it will accommodate foods that would be typically prepared in an oven. This option will bring the units closer in to compliance with 410.000; just a cook top would be lacking. **3.)** Approve the Change of Manager with the following conditions that apply to Unit 2 and all other units that lack a stovetop/oven: a.) No portable burner/hotplate shall be used, b.) require installation of an efficiency/kitchenette similar to one shown in picture, that has a sink, one or two burner cook top, refrigerator under counter and with a microwave/convection oven. This options brings the units into compliance with 410.000 but will require a variance through the Board of Health under §3 Article 5, because the units are less than the 400 square feet that is required.

Mr. Rose motioned to approve the Change of Manager.

Mr. Silva seconded.

Vote: 3-0-0, motion carries.

Mr. Silva suggest that the unit owners check into the electrical service situation of the units to make sure they could accommodate the growth in kitchen facilities.

Mr. Rose motioned to require prior the start of the 2016 (licensing season) for units that lack a stovetop/oven, install permanently mounted countertop cooktop and microwave/convection oven or install efficiency/kitchenette that has a sink, one or two burner cook top, refrigerator under counter and with a microwave/convection oven.

Mr. Silva seconded.

Vote: 3-0-0, motion carries.

- 2. Kirsten N. Lamattina, Trustee, Truro Prince Valley Nominee Trust, 84 Prince Valley Rd, Variance Request to Truro Board of Health Regulation, Section VI, Article 3(1)a. Required Upgrade Upon Transfer of Property (continued from 8/18/2015)**

Attorney Murphy approached the Board.

Ms. Rose stated for the record that she, nor anyone in her family, has no financial interest in this agenda item and that she will participate in this hearing.

Mr. Murphy explained the financial situation of the seller and requested the Board give the buyers until November 16th, 2015 to get the new system in.

Mr. Rose motioned to approve the variance with a deadline date of November 16, 2015 with a condition that no one shall occupy the building until the new septic system is installed.

Mr. Silva seconded.

Vote: 3-0-0, motion carries.

AGENDA ITEMS

1. Jay Norton, DPW Director, Update on Operation of the Transfer Station (continued from 8/18/2015)

Mr. Norton was not present.

Mr. Silva motioned to move the discussion to the September 16th meeting.

Mr. Rose seconded.

Vote: 3-0-0, motion carries.

2. Discussion: Proposed Regulation on Radon Testing Upon Real Estate Transfer, Proposed Amendments to the Truro BOH Regulation Section III, Article 4 Manager Regulation, Consider a potential regulation: Protection of the Nitrogen Sensitive Areas: Zone IIs of Public Water Supply Wells, Scheduling of the I/A Technology Presentation by Barnstable County Department of Health and Environment

Radon: Ms. Rose asked the Board if they were still interested in making Radon Testing required upon transfer of property. Mr. Rose asked if it could be voluntary (buyer's choice). Ms. Rose said there are quite a few properties that have tested positive. Mr. Silva felt it was worth looking in to. The Board felt that they wanted to wait until they had a full Board (at least 4 members) to discuss it more and take a vote.

Manager: Ms. Rose remember that they had already taken a vote on this issue and the amendment was voted down.

Zone II: Ms. Rose asked the members to think about this subject and they could discuss it at another meeting. Ms. Pajaron will bring a list of prohibited activities for a Zone I at the October meeting.

I/A Presentation: Ms. Rose felt it was time for the Board to review I/A systems, since the Board currently does not allow them for nitrogen credits. Ms. Pajaron will try and re-schedule Brian/George from Barnstable County to come back down and give a presentation.

LICENSING RENEWAL APPROVALS:

None

Mr. Rose motioned to adjourn.

Mr. Silva seconded.

Vote: 3-0-0, motion carries.

Respectfully submitted,

**Arozana Davis
BOH Secretary**

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Tim Rose

Ansel Chaplin