

Truro Board of Health Minutes  
September 6, 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  
**Agent Pat Pajaron**

Chair Tracey Rose called the meeting to order at 4:30PM. Chair 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 asked the audience and the Board to speak into the microphone loudly and clearly. State name and address for the record.

**PUBLIC COMMENTS**

Chair Rose asked if anyone in the audience had an issue or concern to bring forward to the Board. No one in the audience replied.

**REVIEW/APPROVE MINUTES**

August 16, 2016

Chair Rose asked whether any of the Board members had changes or amendments to the minutes. Chair Rose stated she had one change on page 2, to insert the word upgrading, so that the sentence reads " Agent Pajaron reported that the owner may come before the Board in the future to discuss plans for upgrading the property.

Mark made a motion to approve the minutes as amended by Chair Rose

Ansel Chaplin seconded.

Vote: 4-0-0, motion carries.

**REPORTS**

**Water Resources Oversight Committee**

Mr. Peters stated no report at this time.

Chair Rose reminded the Board that a joint meeting with the Water Resources Oversight Committee is scheduled for September 27<sup>th</sup> to discuss wastewater management.

**Health Agent's Report**

Agent Pajaron stated she had nothing new to report. Stated that the manager's at 4 Highland Road, Captains Choice had submitted an outside seating plan and are tentatively scheduled to appear at the next meeting to discuss options for the business.

Agent Pajaron informed the Board of a complaint forwarded from the administration office via email from a user of the Transfer Station regarding the eliminating of the "pay per bag" option. Agent Pajaron stated she spoke with the individual who stated that the weekly fee was excessive.

**PUBLIC HEARINGS**

1. Bruce Souza, William Dunn and Merriellen Moroney, Change of Manager (Co-managers) at Beach Point Cooperative Recreational Housing, 169 Shore Road and Request for Waiver of Team Inspection

Merriellen Moroney, Bruce Souza and William Dunn approached the Board requesting to add them as co-manager and existing manager Bill Ross to continue as manager. Chair Rose asked who owns Unit 3. Ms. Moroney stated that Unit 3 is association ownership. Chair Rose asked Agent Pajaron to provide any information regarding this application. Agent Pajaron stated that the Board approved Mr. Ross as manager in May. The team inspection was started in June and corrections had to be completed. The buildings were in process of having the construction of the egress stairs completed. Ms. Pajaron stated that all work was completed on July 13<sup>th</sup>. The applicants are seeking a waiver for the team inspection. Mark commented that the corrections were completed and that the property will be managed by four individuals. Mr. Silva suggested that if Mr. Ross is not on the premises, there should be a notice stating who is covering as manager. Ms. Moroney stated they will post a notice.

Mark Peters moved to approve the Change of Manager and the Request for Waiver of Team Inspection for Beach Point Cooperative Recreational Housing.  
Jason Silva seconded. Vote 4-0-0, motion carries.

2. John Hyland, 131 South Pamet Rd., Request for Title 5 Variance, 310 CMR 15.211, Minimum Setback Distances and Truro Board of Health Regulation Section VI, 8  
Required Setbacks for System Components

John Schnaible of Coastal Engineering Co., Inc. representing Mr. John Hyland approached the Board. He stated that the site is located at Ballston Beach and that upgrade is required because the property the owner is looking to sell the property which is served by a cesspool. The existing well does not meet setbacks. Mr. Schnaible presented a plan showing the best scenario for a new well and location of the septic components and is requesting variances from Title 5 and local regulations:

**15.211**

1. 5' variance from the foundation (5' provided, 10' required)

And;

**Section VI, Article 8, Required Setback for System Components**

1. septic tank and pump chamber is less than 100'; from wetland (entire lot is located within a wetland; coastal dune )
2. leach area is less than 150' from wetland (entire lot is located within a wetland; coastal dune)

Chair Rose stated that she is recusing herself since the property is for sale and stated Jason will be chairing the meeting.

Mr. Schnaible stated that his location is the only area where the proposed leach field could be sited, due to the abutter's well at parcel 7 and 8. Mr. Peters questioned whether the upgrade will occur prior to the sale of the property. Mr. Schnaible stated that the plan is to upgrade prior to the sale of the property.

Mark Peters made a motion to approve the variances as requested:  
310 CMR 15.211

1. septic tank is less than 10 feet from foundation (5 foot variance requested)

And;

Section VI, Article 8, Required Setback for System Components

1. septic tank is less than 100 feet from wetlands (100 foot variance requested)

2. leach area is less than 150 feet from wetland (150 foot variance requested)

Peter Van Stratum seconded. Tracey Rose Recused herself. Vote 4-0-0, motion carries.

Jason Silva turned the meeting back to Tracey Rose.

*Tim Rose arrived at 4:50PM.*

3. JC and Nancy Hotchkiss, 42 Shore Rd., Request for Title 5 Variances Under 15.404 (1)(a), (b), (c) Local Upgrade Approval, and Truro Board of Health Regulation Section VI, Article 8: Required Setbacks for System Components

Tim Brady, PE of East Cape Engineering appeared on behalf of the property owners, JC and Nancy Hotchkiss. Mr. Brady presented a plan for the upgrade of 1978 Code system consisting of a septic tank and leach pit, which has failed. He explained that this is an existing 3 bedroom house with a 2 bedroom apartment. Mr. Brady is requesting the following reductions in Section 15.405: Contents of Local Upgrade Approval:

(a) 4' +/- to the 10' required setback for proposed pump chamber to road property line.

(b) 5' +/- to the 10' required setback for proposed soil absorption system to garage slab foundation.

(b) 3' +/- to the 3ft maximum cover allowed over the proposed pump chamber. (6ft maximum cover proposed)

(c) 25% reduction in the required subsurface disposal area design requirement.

And;

Truro Board of Health Regulation Section VI, Article 8

1). 82 ft. variance from the edge of the wetland to the proposed SAS (150' required, 68' proposed).

Mr. Peters commented that this is an improvement; however this is a 33,688 square foot lot with 5 bedrooms. Mr. Peters is recommending that the system be pumped every two years to minimize impact on the wetlands and neighbors. Mr. Brady stated that the property is served by Town Water, so there would be no impact on wells. Mr. Brady further stated that pumping the system provides maintenance of the system, not an environmental benefit.

Agent Pajaron stated that a walkthrough was conducted to verify the number of bedrooms at five. She informed the Board that Title 5 requires a two compartment tank or tank in series when a system is serving other than a single family home and the goal under 15.403 is full compliance. Agent Pajaron added that this is a lot that contains 5 bedrooms, two dwelling units on a 33,688 square foot lot with a proposed soil absorption system reduced by 25% and that the two compartment tank will provide added treatment in the first chamber.

Mr. Brady stated that under local upgrade approval only the component that has failed has to be upgraded and not the other components. The Board disagreed with Mr. Brady's position and voted to approve the variances as requested along with the health agent's recommendation that a two compartment tank be required.

Mark Peters made a motion to approve the variances as requested:

310 CMR 15.405 Contents of a Local Upgrade Approval:

- a. 4'  $\pm$  to the 10' required setback for proposed pump chamber to road property line.  
(pump chamber is proposed 6'  $\pm$  from the road property line)
- b. 5'  $\pm$  to the 10' required setback for proposed soil absorption system to garage slab foundation.  
(soil absorption system is proposed 5'  $\pm$  from the garage slab foundation)
- b. 3.0' to the 3.0' maximum soil cover allowed over proposed pump chamber.  
(a maximum soil cover of 6.0' is proposed over the pump chamber)
- c. 25% reduction in the required subsurface sewage disposal area design requirement.

And;

Section VI, Article 8, Required Setback for System Components

1. 82'  $\pm$  to the 150' required setback for proposed soil absorption system to the edge of the wetland.  
(soil absorption system is proposed 68'  $\pm$  from the edge of the wetland)

With the condition that a revised plan be submitted to the Health Agent showing a two compartment pump chamber with the first chamber providing 24 hour capacity and require pumping of the system every two years. Tim Rose seconded. Vote 5-0-0, motion carries.

4. Richard J. and Ernestine Langevin, 242 Shore Rd., Variance Request to Truro Board of Health Regulation, Section VI, Article 3(1)a. Required Upgrade Upon Transfer of Property

Amy Marseglia of William Raveis Real Estate who is representing the buyer, Silva Family Heritage Trust and Amy Letendre also from William Raveis Real Estate, representing the owner Richard and Ernestine Langevin requested a variance to Truro Board of Health Regulations to upgrade the septic after the closing date of September 27, 2016. Chair Rose read the Health Agent's recommendation that the upgrade should occur no later than 90 days from the closing date of September 27th, with the condition no occupancy until the septic system has been installed and a Certificate of Compliance is issued by the Health Agent. Mr. Peters requested Jason Silva of the Silva Family Heritage Trust to speak about the property. Mr. Silva stated the property was used seasonal and will not occupy the property until the system is installed. Chair Rose informed the Board that typically these variances are granted on financial hardship and usually 30 days is given to complete the upgrade and not 90 days as requested. Agent Pajaron stated that given the location of the property, the upgrade would require Conservation Commission review and approval hence the 90 day request.

Tim Rose moved to grant the variance as requested and that the upgrade should occur no later than 90 days from the closing date of September 27, 2016, with the condition no occupancy of the premises until the septic system has been installed and a Certificate of Compliance is issued by the Health Agent.

Mark Peters seconded. Tracey Rose abstained. Jason Silva recused himself. Vote 4-0-1, motion carries.

5. Tasia Mandazzi Rego, Truro Educational Enrichment Alliance, Approval of Temporary Food Service Permit for the 2016 Truro Treasures

The applicant was not present at the meeting. Agent Pajaron reviewed the temporary food service permit application for the Board. She stated that the food items prepared and sold are the same in previous years and that TEEA will use the kitchen at the Truro Central School for preparation and

storage. Agent Pajaron stated that she is also including conditions for the Temporary Food Service Permit.

Mark Peters made a motion to approve the Temporary Food Service Permit for TEEA for the 2016 Truro Treasures with the following conditions as indicated on the "Conditions for Temporary Food Service Permit Operations" sheet.

Ansel Chaplin seconded. Vote: 5-0-0, motion carries.

#### **AGENDA ITEMS**

1. David Lajoie of Felco Engineering Inc. Discuss Options for Septic Upgrade at Chapel on the Pond, 17 Pond Road

Robert Valteau, property owner and David Lajoie, R.S. of Felco Engineering approached the Board to discuss options for installing a septic system on the property. Mr. Valteau provided the Board with background information on the property, which is an existing church facility with no water and no septic system. He stated that building has an occupant load of 141 persons per the Certificate of Compliance from the Building Department they would like to expand their service. They cannot expand to 141 persons due to cost but would like to increase service for 40 persons on Sunday and 20 persons on Tuesdays. Agent Pajaron stated that the 141 occupancy on the certificate is not necessarily the approved seating capacity but rather for egress purposes. Mr. Valteau stated he would like to add bathroom and kitchen facilities. Agent Pajaron stated that the flow for place of worship in Title 5 is 3 gallons per day without a kitchen and 6 gallons per day with a kitchen. Agent Pajaron stated that a plan was prepared in 2008 for a flow of 223 gallons per day. This would give 37 seats without a kitchen and 74 seats without a kitchen.

2. General Discussion of the Save Money And Reduce Trash/Pay As You Throw (SMART/PAYT) Program (continued from May 17, 2016)

Chair Rose stated she is opening this topic which was continued from May 2016. Chair Rose stated she will work with the DPW and the Accountant department to obtain information and data on the Transfer Station for July, August and September and that this matter will be placed on an October agenda for further review and discussion.

#### **LICENSING RENEWAL APPROVALS**

None

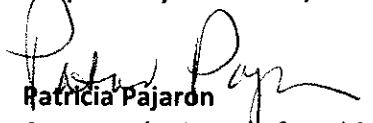
Mr. Peters motioned to adjourn.

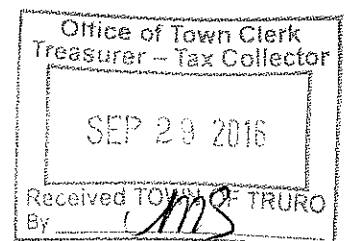
Mr. Rose seconded.

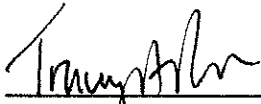
Vote: 5-0-0, motion carries.

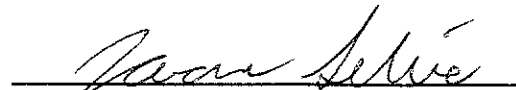
Meeting adjourned at 5:37PM

Respectfully submitted,

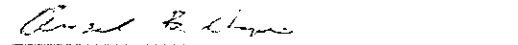
  
Patricia Pajaron  
Agent to the Board of Health




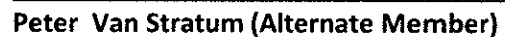
  
Chair-Tracy Rose

  
Vice Chair-Jason Silva

  
Clerk-Mark Peters

  
Ansel Chaplin

  
Tim Rose

  
Peter Van Stratum (Alternate Member)

