

Truro Board of Health Minutes
October 18, 2016
4:30 PM-Truro Town Hall

Members Present: Chair Tracey Rose, Member Mark Peters, Vice Chair Jason Silva, Alt Member Peter Van Stratum, Member Tim Rose
Absent: Member Ansel Chaplin
Others Present: 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.

PUBLIC COMMENTS

None.

REVIEW/APPROVE MINUTES

October 4, 2016

Mr. Peters moved to approve as amended.

Mr. Silva seconded.

Vote: 4-0-1, motion carries with Mr. Van Stratum abstaining.

REPORTS

Water Resources Oversight Committee

Dates in November were discussed for a joint meeting between the Planning Board, Board of Health and WROC to discuss measures for groundwater protection in Town.

Health Agent's Report

- Joint meeting with the Planning Board and WROC is leaning towards November 16th, 2016 at 5:30PM.
- Applications are starting to come in for the 2017 Licensing Year.
- FY 2018 Budget is due to the Accounting Office on November 10, 2016.
- Notification was given to local food establishments regarding the Norovirus outbreak in Wellfleet. Discussion ensued on the Norovirus.
- Flu Clinic had a good turn out and the Facility Set Up Drill Exercise was also conducted at that time.

PUBLIC HEARINGS

- 1. Michael Locke, Change of Manager and Michael Correa and James Landry as Co-Managers for Stones Throw Condominiums, 6 Shore Rd, and Request for Waiver of Team Inspection**

Michael Correa and Michael Locke approached the Board and discussed their interest in being Co-Managers for the property. Ms. Pajaron gave the Board some history on the property regarding the

recent manager changes. Mr. Correa and Mr. Locke both stated that they understood their management duties.

Mr. Peters moved to approve the Change of Manager for Stones Throw Condominiums; Michael Locke as Manager and Michael Correa and James Landry as Co-Managers and waive the Team Inspection.

Mr. Rose seconded.

Vote 4-0-0, motion carries.

2. Silva Family Heritage Trust, 242 Shore Rd., Request for Title 5 Variance, 15. 211: Minimum Setback Distances and Truro Board of Health Regulation Section VI, Article 2: Variances and Article 8: Required Setback for System Components

Mr. Silva recused himself.

Mr. Lajoie approached the Board and described the property as a one bedroom dwelling served by a cesspool. The upgrade would maintain the 1 bedroom design flow. The property is mapped in the FEMA Velocity Zone at elevation 14 and AE zone at elevation 12. The septic tank and portion of the soil absorption system is within the VE Zone Discussion from the Board on the requirements of 15.213, Construction in Velocity Zones and Floodways which require that the tank be elevated above the velocity zone. There is no other location on the property to site the septic tank and leach area out of the flood zone or elevate the septic tank.

Mr. Rose moved to approve the variances as requested:

310 CMR 15. 211: Minimum Setback Distances

- (1) 4' from the leach area to the property line (street) (6' proposed, 10' required)
- (2) 3' from the leach area to the property line parcel 16 (7' proposed, 10' required)
- (3) 14' from the leach area to the cellar wall 16 (6' proposed, 20' required)
- (4) 18' from the septic tank to the coastal bank (on Barrier Beach) (7' proposed, 25' required)
- (5) 31' from the leach area to the coastal bank (19' proposed, 50' required)
- (6) 9' from the leach area to the catch basin (16' proposed, 25' required)

310 CMR 15.213 Construction in Velocity Zones and Floodways

- (7) Septic tank and leach area to be constructed in a velocity zone

Truro Board of Health Regulation Section VI, Article 2, Variances and Article 8, Required Setback for System Components

- (8) 93' from septic tank to wetland (7' proposed, 100 required)
- (9) 131' from leach area to wetland (19' proposed, 150' required)

With the following conditions:

1. a revised plan be submitted to show the deep observation hole log information
2. reconstruction of the building, changes in footprint or square footage or where elevating the building is proposed shall require further review by the Board
3. that the septic tank be anchored
4. pending approval by the Conservation Commission

Ms. Rose seconded.

Vote 4-0-0, motion carries with Mr. Silva's recusal.

3. Joan C. Moriarty, 10 Highland Ave., Request for Title 5 Variance, 15. 211: Minimum Setback Distances

John O'Reilly of J.M. O'Reilly & Associates representing the property owner described the lot as a 2 bedroom home on 10,000 square feet served by a cesspool.

Mr. O'Reilly explained that they are not relocating the existing well because of the restrictions due to lot size and that a new well would not be able to meet the current regulations as far as setbacks to the septic components. There is no public water line for the property to connect to, so Town water is not an option. Mr. Van Stratum questioned how deep the existing well was. Mr. O'Reilly did not have the information requested. Ms. Pajaron felt they cited the system in the best place possible considering the well locations in the abutting properties

Mr. Peters moved to approve the variances as requested:

310 CMR 15.211 Proposed Soil Absorption System is not 100 feet from drinking water well(s)

1. 73' provided to well on parcel 20, 27' variance requested
2. 67' provided to well serving locus parcel, 33' variance requested

Proposed Soil Absorption System is not 10 feet from property line

1. 7' provided, 3 foot variance requested.

With the following conditions:

1. that a deed restriction limiting the number of bedrooms to two 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 system.
2. Retesting of the well water in one year to include total coliform, nitrates and ammonia nitrogen. Nitrate and ammonia nitrogen results greater than 5mg/L (ppm) will result in review by the Board of Health for further evaluation and/or appropriate mitigation methods.

Mr. Rose seconded.

Vote 4-0-0, motion carries.

AGENDA ITEMS

1. Tobacco21

Tobacco21 is an initiative by Dr. Lester Hartman to raise the smoking age from 18 to 21 years old. Over 136 Towns in the Commonwealth have raised the minimum age of tobacco purchases to 21. The change would have to be endorsed by the Board of Health and be adopted within the local Board of Health Tobacco regulations.

Mr. Van Stratum moved to endorse Dr. Hartman's Tobacco21 Initiative.

Mr. Peters seconded.

Vote: 5-0-0, motion carries.

2. Update on Pay As You Throw/Save Money And Reduce Trash (continued from 10/4/16)

Ms. Rose will have spreadsheets containing data from her & Mr. David Quinn's research within the packets for the November 2, 2016 meeting. She did note that the data she has is from FY2016 and in FY2017 the Transfer Station switched to single stream recycling, so the comparison of numbers will differ. Mr. Van Stratum asked when the temporary scales will be back at the Transfer Station. Ms. Rose informed him that there was money voted in at Town Meeting for a permanent scale. Discussion ensued regarding the Transfer Station.

Mr. Peters moved to continue the discussion to the November 2, 2016 meeting.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

LICENSING RENEWAL APPROVALS

1. Judy Wimer, Mgr., 660 Shore Rd., Bay Point Condominiums, Motel License

Mr. Peters moved to approve the license for Bay Point Condominiums.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

Mr. Rose motioned to adjourn at 5:39PM.

Mr. Peters seconded.

Vote: 5-0-0, motion carries.

Respectfully submitted,

Arozana Davis, BOH Secretary

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Ansel Chaplin

Tim Rose

Peter Van Stratum, Alternate