

Truro Board of Health Minutes
July 21, 2020
4:30pm - REMOTE MEETING

Members Present: Chair Tracey Rose, Vice-Chair Jason Silva, Member Mark Peters, Member Tim Rose, Alternate Member Meredith Goff

Staff Present: Health Agent Emily Beebe

Chair Tracey Rose called the meeting to order at 4:34PM.

I. PUBLIC COMMENT. There were no public comments.

II. AGENDA ITEMS

1. Variance Request to 310 CMR 15.211(1), 15.224(2), 15.248(1) and Truro Board of Health Regulations Article 10: 178-190 Shore Road, Horizons Beach Resort Condominium

Bob Reedy of JM O'Reilly Associates was present on behalf of Horizons Condominium. The applicant proposes to replace a failed septic system. The property has four systems; only one system will be replaced. Due to the limited area for installation of the system, several variances are required. Mr. Reedy described the proposal and variance requests.

There was discussion about the variances and proposed mitigation; additional mitigation was suggested by the Health Agent to add an effluent filter in the outlet of the second tank as a measure of additional protection for the leaching area. Mr. Reedy was amenable to the Agent's suggestion.

Mr. Peters was concerned about the potential use of the property year-round and the impact on the environment, and suggested a seasonal use restriction to allow for recovery time for the system. Discussion ensued regarding the seasonal use of the property. Mr. Silva, being an abutter to the property, said he was unaware of any plans for the property to be used year-round. Mr. Silva added that it would be helpful to discuss the occupancy with the property owner.

Mr. Rose asked about the pumping schedule due to the failure of the system. Mr. Reedy responded that he informed the property owner that he will need to monitor the pit and continue pumping on a regular basis until the new system is constructed.

Motion: Mr. Peters moved to approve the variances as presented subject to further discussion about occupancy.

Discussion occurred on the motion: Ms. Rose felt a timeline should not be open-ended. The Agent suggested asking Mr. Reedy if the Board could table the discussion to speak with the owner about the timeline for occupancy. The applicant will return to the Board on August 4th to address the Board's concerns. **Mr. Peters rescinded his motion.**

Mr. Reedy asked for clarification as to what the Board is requesting from the property owner. The Agent suggested having a direct conversation with Mr. Reedy after which she will report

back to the Board. The Agent will also confirm a pumping and maintenance plan while the installation of the new system is pending.

Motion: Mr. Peters moved to continue the matter to August 4, 2020; seconded by Mr. Silva; **Vote: 4-0-0, motion carries.**

[Note: Mr. Rose was experiencing technical difficulties and did not vote on this matter.]

2. Waiver Request: 132 Shore Road, Braemar Condominiums

Robert Cameron, Maurice Plourde and Denise Maccaron were present on behalf of the Braemar Condominium. The Agent described the problem that requires an extension of the deadline for correction. The septic systems are functioning, but the sanitary tees are missing from the inlet of the tanks; the tanks are deeply buried, creating a safety factor when excavating to the extent required to safely install the missing tees. The Agent recommended that the systems be regularly pumped in lieu of replacing the T's at this time, as a condition for granting the waiver/extension. The Agent commented that the applicants have been excellent to work with and have addressed all compliance issues in a timely manner.

Ms. Rose asked the Agent how the current situation came to be and if there is an end date. The Agent suggested a possible reason the tees came off (maintenance pumping) and that the tees are probably at the bottom of the tanks. Mr. Cameron added that the association will address any issues that may arise and that they have maintained a timely schedule of inspections and pumping.

It was suggested that the waiver could be granted subject to the condition that the system is pumped annually or as needed in between inspections. Mr. Peters preferred that the condition be that the system is pumped annually instead of as needed. Ms. Goff agreed with Mr. Peters and supported a termination date for the plan or at least a date that the Board would review the arrangement. Ms. Rose agreed with the system being pumped annually or until the next cycle of inspections, which occurs every three years.

Motion: Mr. Peters moved to grant the waiver with the condition that the system will be pumped annually; at the end of the three year cycle the Board will revisit the matter to discuss complete remediation of the entire septic system; seconded by Ms. Goff; **Vote: 4-0-0, motion carries.**

[Note: Mr. Rose was experiencing technical difficulties and did not vote on this matter.]

3. Change of Manager: Sandbars Inn, 570 Shore Road

Barbara Koomins and James Roach were present on the call to discuss the application. Ms. Koomins will be the on-site day manger and Mr. Roach will be the night manager that resides at the property. Ms. Rose asked if Ms. Koomins will be within 30 minutes of the property in case of emergency; Ms. Koomins confirmed she lives within 30 minutes of the property. Ms. Rose asked Ms. Koomins if she understood all the safety and public health requirements of being a manager; Ms. Koomins confirmed she did.

Motion: Mr. Peters moved to approve the change of manager as presented; seconded by Mr. Silva; **Vote: 5-0-0, motion carries.**

4. Regulation Amendments: 1) Well Water Testing and 2) Tear-down Upgrades

Motion: Ms. Rose moved to continue the discussion to the next meeting; seconded by Mr. Silva; Mr. Peters requested to speak with the Agent directly about the septic upgrade requirements; Ms. Rose confirmed; **Vote: 5-0-0, motion carries.**

III. REPORTS

Health Agent Report

- The Agent emailed the Board a copy of the comment letter she prepared for the Zoning Board of Appeals regarding the Cloverleaf project. The Agent and Ms. Rose will be attending the meeting on behalf of the Board.
- The health office has been fielding a large volume of complaints and questions from the public regarding COVID related matters. Physical distancing is essential, and masking is required on Town of Truro property.

Mr. Peters asked the Agent to contact the DPW Director to request that a sign be posted instructing that a mask must be worn while at the transfer station. While at the transfer station, Mr. Peters noticed many people not wearing masks. The Agent responded that Barnstable County has hired several retired law enforcement officials; Truro has been assigned a retired police officer who will be visiting town property and will visit the transfer station. The officer is trained to educate the public about masking in a non-confrontational manner.

Report of the Chair

Ms. Rose reported that Mr. Van Stratum asked her to relay his request to have all the water tested for properties in Pond Village.

Ms. Rose encouraged the Board members to attend the ZBA meeting regarding the Cloverleaf project.

The Agent emailed the Cape Cod Commission requesting technical assistance to develop a watershed analysis of the pond that would include exploring the land uses in the watershed, including fertilizer inputs and stormwater inputs. The Agent will update the Board once she has more information.

Motion: Mr. Peters moved to adjourn the meeting; seconded by Mr. Silva; **Vote: 5-0-0, motion carries.**

Respectfully Submitted,

Michelle Fogarty 

