

Truro Board of Health Minutes  
December 18, 2018  
4:00 PM-Truro Historic Meeting Room

**Members Present:** Chair Tracey Rose, Vice-Chair Jason Silva, Member Tim Rose, Member Mark Peters, Clerk Peter Van Stratum  
**Others Present:** Health Agent Emily Beebe

Chair Tracey Rose called the meeting to order at 4:00PM. Ms. Rose requested that everyone speak clearly for the video recorder. She asked if anyone in the audience was recording. No one replied in the affirmative.

**I. PUBLIC COMMENTS:**

Peter Burnetter addressed the board regarding the paving of Longnook Road. Mr. Burnetter was concerned about the rain that occurred after the asphalt was laid. Mr. Burnetter thought that the asphalt did not have time to properly set and dry prior to the rain, and the run-off was going into sensitive areas. Ms. Rose indicated that she would check with the DPW Director to see if any regulations exist regarding the laying of asphalt prior to rain. The Agent stated that she would add the matter to a future agenda for further discussion.

**II. AGENDA ITEMS**

**AGENDA ITEM: 1: 2 Moses Way: Variance Request from 310 CMR 15.211 Setbacks (continued from 12/4/2018)**

Keith Fernandes of GFM Enterprises approached. The Agent notified the board that a revised plan and water test results were received. The water test results came back at 7.9mg/liter. The Agent conducted nitrogen calculations based on the Cape Cod Commission's policy 91-1. The calculation provides an estimate for the nitrogen concentration. The water test results reflect an increase in nitrogen levels compared to prior water tests conducted in past years. The Agent presented information about various abutting properties, all containing about ½ acre in size, which are located at 3 & 4 Moses Way. Mr. Peters made note of the sodium levels in the water test. Mr. Van Stratum inquired about the location of the new system and the proximity to the neighbors. Mr. Fernandes stated that the new tank will be where the existing tank is and meets the setback requirements. Mr. Peters asked Mr. Fernandes if he had pumping records for the property. Mr. Fernandes had records from the last month but did not have any historical information available. Ms. Rose stated that she would be interested in seeing an IA system due to the property being in a PWS Zone 2. Mr. Peters agreed. Mr. Silva expressed concern regarding the monetary burden on the property owner. Mr. Rose was also concerned that there may be a financial impact on the occupants. Mr. Van Stratum noted the continued delays regarding this matter. The board discussed potential options requiring the owner to have the system pumped and/or inspected at various intervals going forward. Mr. Fernandes read a letter on record from the property owner, Mr. Shimko. Mr. Shimko requested that the board approve the proposed septic system, so he may reassure his tenants that everything will be

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okay. Ms. Rose noted for the record that the applicant owns several properties in various towns.

**Motion by Mr. Rose to accept the plans as drawn with the requirement that the system be pumped every three years and inspected every year and a half. If the property is to be converted to condos, the matter would have to be re-visited. Mr. Silva asked Mr. Rose if he would be willing to increase the pumping frequency to every two years. Mr. Rose revised his motion to reflect that the system be pumped and inspected every two years. Discussion occurred regarding the possibility of an IA system in the future; Mr. Peters seconded; additional discussion occurred regarding the motion; Vote: 2-1-2, motion does not carry.**

**Motion by Mr. Peters to require an upgrade with an IA system with nitrogen removal; seconded by Van Stratum; Vote: 3-1-1, motion carries.**

**AGENDA ITEM: 2. 9 Kinnikinnick Rd: Variance Request from 310 CMR 15.221(7) General Construction Requirements for All System Components**

Linda Cronin with CSN Engineering approached. The Agent apprised the board of her discussion with Ms. Cronin regarding concerns about the pitch. Ms. Cronin discussed the logistical and monetary concerns associated with decreasing the steep pitch of the building sewer. The Agent recommended approval of the variance with the resolution of the pitch of the waste line being left up to the engineer.

**Motion by Mr. Silva to approve the plan as submitted with variance requested of more than 36" of soil over the new leaching are; Ms. Rose made a side note that Ms. Cronin will resolve the slope issue with The Agent; seconded by Mr. Peters; Vote: 4-1-0, motion carries.**

**AGENDA ITEM: 3. 9 Shore Rd: Appeal of the Health Agent's Decision**

Kristen Roberts of Truro Vineyards approached. The Vineyard is currently using a space at Tradesmen's Park for storage, and they seek to develop an area at 9 Shore Road instead. All production for the vineyard takes place at 11 Shore Road. Mr. Peters inquired about the utilities. Ms. Roberts indicated that per her meeting with the Truro plumbing inspector, she was advised that a septic system would not be required because a restroom is located at the warehouse at 11 Shore Road. The building at 9 Shore Road will be used for storage purposes only. The Agent had an initial meeting with the engineer regarding floor drains and a potential holding tank; the proposal was revised to include the secondary containment, instead of a holding tank, the proposal is supported by The Agent.

**Motion by Mr. Peters to grant the applicant's proposal as presented; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

**AGENDA ITEM: 4. 5 Friendship Way: Waiver of Time Extension Request**

Peter Burnetter and Tanya Delorme of 5 Friendship Way approached. The Agent asked the applicants if they had received estimates for the septic; the applicants replied in the affirmative.

**Motion by Mr. Peters to approve the extension to March 15, 2019; seconded by Mr. Van Stratum; Vote: 5-0-0, motion carries.**

**AGENDA ITEM: 5. Box Lunch: 300 Route 6 – Seasonal to Year-Round Operation**

The Agent discussed the bottled water supply requirement as the property utilizes a private well. The Agent recommends granting the permit amendment with the requirement that the local bottled water regulations are followed in their entirety.

**Motion by Mr. Peters to approve with the stipulations as described by The Agent; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

**III. REPORTS**

**Health Agent's Report**

- The Agent provided the board with a list of licenses issued since the last meeting.

**IV. MINUTES: November 20, 2018 and December 4, 2018**

**November 20, 2018 Minutes:**

Ms. Rose inquired about the request noted in the November 20<sup>th</sup> minutes in which Mr. Peters requested that The Agent notify the Town of Provincetown about the failed system at 2 Moses Way; Mr. Peters requested that it be noted for the record that the Town of Provincetown will be notified.

**Motion by Mr. Peters to accept the minutes as presented; seconded by Ms. Rose; Vote: 5-0-0, motion carries.**

**December 4, 2018 Minutes:**

**Motion by Mr. Peters to accept the minutes as presented; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

**Motion by Mr. Peters to adjourn the meeting; seconded by Mr. Rose; Vote: 5-0-0, motion carries. Meeting adjourned at 5:17pm.**

**Respectfully Submitted,**

**Michelle Fogarty**

*Tracey Rose*

Chair-Tracey Rose

*Jason Silva*

Vice Chair-Jason Silva

*Mark N. Peters*

Mark Peters, Member

Clerk-Peter Van Stratum

*Tim Rose*

Tim Rose, Member

