

**Truro Board of Health Minutes
November 5, 2013
4:30 PM-Truro Town Hall**

Members Present: Chair-Dianne Eib, Vice Chair-Tracey Rose, Clerk-Jason Silva, Mark Peters

Members Absent: Ansel Chaplin, Tim Rose

Present: Health/Conservation Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, Bob Weinstein, Dave Lajoie, George Moe

REVIEW/APPROVE MINUTES

Dianne advised the audience that the meeting was being recorded, and asked if anyone else was recording. No one replied in the affirmative. She requested that anyone coming up to speak should give their name for the minutes.

Mark Peters made a motion to accept the minutes as presented.

Tracey Rose seconded.

Vote: 4-0, motion carries.

REPORTS

Water Resources Oversight Committee

Mark Peters reported that their last meeting was with their engineer, Blake Edwards. They discussed a number of housekeeping items. Tracey Rose added that there was an upcoming meeting, with the Board of Selectmen, which she would like to attend. Dianne Eib stated that the meeting was being held at 6:05 on November 19th.

Health Agent's Report

Pat reported that she's been involved with the Cape Cod Commission 208 Watershed working groups. Tracey has attended one of the meetings. A third meeting will be held in December, and she, and Tracey, will present a synopsis of those three meetings in December or early January. She also brought up a subject for later discussion with the Board regarding a proposed tiered structured system for food service permits. There are a number of different food service establishments. Whether they are a retail business, or a restaurant, they are all charged the same fee. Pat pointed out that there is a difference between doing an inspection for a business which has prepackaged chips/gum (which is incidental to their business), versus a full restaurant. She would like to explore, with the Board, establishing an appropriate permit, and fees associated with that. Jason wanted to know if this was generated by businesses questioning the fee. Pat said yes, and that a tiered fee structure would be appropriate. Dianne asked that this be placed on the November 19th agenda.

PUBLIC HEARINGS

- 1. Proposed Amendments to the Truro Board of Health Regulation Section V, Transfer Station Rules and Regulations, Article 2 *Eligible Access and Purchase of Stickers* and Article 9, *Fee Schedule***

Mark Peters made a motion to accept the regulations as presented.
Jason Silva seconded.
Vote: 4-0, motion carries.

- 2. Pilgrim Pond Realty Trust II, 21 Pond Road., Request for Variance Truro Board of Health Regulations, Section VI, Article 8, Required Setback for System Components**

Dave Lajoie approached the Board. This is an existing dwelling, on Pond Road. It is a simple upgrade for the existing dwelling. There is no change in use. The house is within the buffer zone to the vegetated wetland across the street, to the South. They've located a septic tank, and pump chamber, and to meet the 150 foot requirement, they will pump the sewage up to a leaching field (just outside the 150 foot setback from the wetland). They met with the Conservation Commission on November 4, 2013, and received approval from them. Dianne let Dave know that the floor plan submitted is no longer acceptable (per the Board of Health Regulations). He can either submit new plans, or request a walk through with Pat.

Mark Peters made a motion to authorize the Health Agent to approve the variance, as requested, if the walk through is satisfactory.
Jason Silva seconded.
Vote: 4-0, motion carries.

- 3. Dutton, 14 Hatch Rd., Plan Review/Request proposed library/office not be considered a bedroom.**

George Moe approached the Board. He is the contractor. Pat informed the Board that a walk through was conducted on October 30th, 2013, and is exactly as shown on the plan provided. Dianne stated that the plan, as presented, cannot be approved by the Board, as the proposed library/office meets the definition of a bedroom. She suggested that he eliminate an existing bedroom. To do that, he could create an opening with a minimum of five feet, with no door. George pointed out the 2nd floor, where there are currently two bedrooms, and stated that he could have the partition removed (between the two bedrooms), and block off the other access to the bedroom. Dianne stated that would be

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acceptable. George also asked if the plan could be accepted with a deed restriction. Dianne informed him that the Board would be placing a deed restriction on the property anyway. He was grandfathered for five bedrooms, and he cannot exceed that. George needs to submit a new plan, showing the intended changes. He can bring the new plan to Pat. Once that has been received, they will place him on the agenda for the November 19th meeting. Tracey asked if the proposed plan needed to be engineered, or could it be handwritten. Pat noted that George would be submitting a building permit, so whatever the Building Commission required could be used. Mark asked what was commonly required. Pat stated that Tom Wingard has left the Town of Truro, and that the Town has an interim Building Commissioner, so she was not sure. Mark felt it was appropriate to thank Mr. Wingard for his years of service to the Town of Truro. In Mark's words, "he was low-key, non-political, did his job, I wish him well".

DISCUSSION

1. Cape-wide Fertilizer Management District of Critical Planning Concern & Draft Model Fertilizer Regulations

The Cape Cod Commission adopted a Barnstable County ordinance for the Cape-wide Fertilizer Management District of Critical Planning Concern in October. This gives the towns the option to adopt one of two alternatives. The regulation is adopting best management practices on applying fertilizer. Under Section Five, Standards of Performance, there are non-certified fertilizer applicators and landscape professionals. The non-certified fertilizer applicators generally fall under the classification of "homeowner". Dianne asked how this would be monitored. Pat stated it is a difficult regulation to enforce. From her understanding, it's really about public education. Mark asked if there were a way to take a test for nitrates. Pat stated that if a fertilizer with phosphorous is used, a soil test analysis should be conducted to see how much phosphorous is there. Pat admitted that the regulations are a lot to take in. The draft regulation was completed on October 21st. The towns have to submit an adopted fertilizer plan to the Commission by January 1, 2014. Tracey summarized that the Cape Cod Commission wants a model regulation. They do not want each town having their own individual regulation. Pat confirmed that they are looking at a model regulation, particularly for professional landscapers, that is consistent to the town. If there is something unique to Truro, and they want to add something to the model regulation, they would have to send it to the commission for approval. Pat will try to get the regulatory chief, Jonathan Idman, to come out and give them a synopsis. Dianne asked if Pat could review, and give the Board, a list of items which she's concerned with.

Pat mentioned that she has draft regulations regarding radon. Since January is National Radar Month, they could hold the public hearing for the regulations then.

Tracey wanted to discuss something which came up at the last WROC meeting. She has heard that some local vendors are not encouraging homeowners to pump their systems regularly. Mark stated that the WROC committee, and the Board of Health, recommends pumping every two or three years. Tracey asked, as a member-at-large, if Mark could bring this issue before the Board of Health. Perhaps at the beginning of the year, they could send out a letter to local vendors, reminding them that everyone needs to work together to keep our water clean. What we put in the ground is what we ultimately

consume. Pat suggested that she, and Noelle, could put something together, and email it to Dianne for approval. Dianne proposed emailing it to all board members for their input.

2. 2014 Meeting Schedule

The Board reviewed the 2014 meeting schedule. No one had any issues with the dates. Tracey suggested that when the proposed dates for the December meeting roll around (23rd or 30th), if they don't have much, they could just cancel that meeting.

LICENSING RENEWAL APPROVALS

- 1 Jon & Denise Seager, Managers, Sea Song Condominiums, 525 Shore Road, Motel License**
- 2 Sonja Soderberg, East Harbour Motel, 618 Shore Road, Motel License**
- 3 Joseph Days, Days Cottages/Market, 271 Shore Rd. Food Service Permit and Motel License**
- 4 Dawn McGoldrick, Braemar Condos, 132 Shore Rd, Motel License**
- 5 Robert Montano, Montano's Restaurant, 481 RT 6, Food Service Permit**
- 6 Wayne Klekamp, Adventure Bound Camping Resorts at Horton's, 67 South Highland Rd, Campground License**
- 7 Wayne Klekamp, North Truro Camping Area, 46 South Highland Rd, Campground License and Food Service Permit**
- 8 David Prelack, Kalmar Village, 674 Shore Road, Motel License**
- 9 David Prelack, TradeWinds, 690 Shore Road, Motel License**

Dianne asked if all nine applicants were in good standing. Both Pat and Noelle replied, yes.

Tracey Rose made a motion to approve the nine license applications as presented.

Mark Peters seconded.

Vote: 4-0, motion carries.

Mark Peters made a motion to adjourn at 5:10 pm.

Jason Silva seconded.

Vote: 4-0, motion carries.

Dianne Eib – Chair

Tracey Rose – Vice Chair

Jason Silva – Clerk

Mark Peters

Tim Rose

Ansel Chaplin - Alternate