

Truro Board of Health Minutes

April 16, 2019

4:30 PM-Truro Town Hall

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

Others Present: Health Agent Emily Beebe

Chair Tracey Rose called the meeting to order at 4:30PM. 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:

John Hopkins of 21 Old Bridge Road approached the Board to urge them to submit a letter to the Commonwealth's Department of Agriculture opposing the use of herbicides for right of way management in the Town of Truro by Eversource. Mr. Hopkins also requested that the Board to encourage citizens to voluntarily, or through the implementation of regulations, to not use chemicals and herbicides. Ms. Rose confirmed that the BOH was sending a letter, and is discussing policy or regulations to address citizens using chemicals/herbicides.

II. PUBLIC HEARING:

Variance request: 9 Highland Avenue (Continued from March 5, 2019)– request for approval for variance to 310 CMR 15.223(1)(b) Septic tanks.

A continuance to June 4, 2019 was requested by the applicant due to the ongoing Planning Board process.

Motion to continue as requested by Mr. Silva; seconded by Mr. Rose; Vote: 4-0-1, motion carries.

Variance Renewals- Annual beach sampling variance renewals, pursuant to 105 CMR 445.000; Renewal of sampling variance proposed for the following beaches: Ballston, Coast Guard, Corn Hill, Fisher, Great Hollow, Head of the Meadow, Longnook, Ryder- request to extend Tier III status.

A request to grant a variance to the sampling schedule for the listed beaches was made of the Board, since all locations have been granted tier III status with analysis showing very good results for the last four years. Mr. Peters asked about Cold Storage beach; the Agent stated that Cold Storage beach is on a different cycle and the variance was renewed in 2018.

Motion by Mr. Peters to grant a variance for state sampling of tier 3 beaches as stated; seconded by Mr. Rose; 5-0-0, motion carries.

III. AGENDA ITEMS

AGENDA ITEM: 1. Request to Appear Before the Board regarding a floor plan review to improve existing market by adding a deli counter/food prep area, for "Day's Market and Deli"/Mylan Janopolis; or, "Days Real Estate Trust dba Days Market"

AGENDA ITEM: 2. New Food Service Permit: 271 Shore Road; "Day's Market and Deli"/Mylan Janopolis; or, "Days Real Estate Trust dba Days Market"

AGENDA ITEM: 3. New Tobacco sales Permit: 271 Shore Road; "Day's Market and Deli"/Mylan Janopolis; or, "Days Real Estate Trust dba Days Market"

Mylan Janopolis on behalf of Joseph Days approached. Mr. Janopolis discussed the intended use of the market, which he stated will remain the same, except for the request to add a deli. The Agent reviewed the updated floor plan with the Board and noted that the application represents a change with the addition of the deli. Mr. Peters asked about the three-bedroom house on the property; Mr. Janopolis stated that the house would be used to house employees. Mr. Janopolis spoke about the addition of a deli, which he argued does not represent a change of use as a market may contain a deli. The Board then reviewed the septic plan and the gallons per day flow. Ms. Rose requested that the Agent do a walk-through of the property and that the design flow of the septic system be confirmed. Mr. Peters expressed support for the issuance of the license. The Agent pointed out that the design flow reflected on the plan does not match the calculations provided by Mr. Janopolis. Mr. Rose also stated that he is in support of Mr. Janopolis opening the market, but to hold off on the deli, pending the receipt of confirmation from an engineer of the design flow. The Agent stressed the importance of Mr. Janopolis adhering to the requirements for opening, regardless of the prior use of the market. Ms. Rose also stressed the importance of protecting the Beach Point area.

Motion by Mr. Peters to allow the applicant to sell tobacco and groceries; that the food service permit for the deli be delayed until criteria stated by the Agent is satisfied; once satisfied, the deli permit may be granted; Mr. Janopolis will re-appear before the Board prior to the issuance to a new permit; seconded by Mr. Rose.

Discussion occurred on the motion: Mr. Janopolis asked the Agent if he can begin installation of the grease trap. The Agent stated that plans are required and the installation will require the approval of the Conservation Commission; he should have a discussion with an engineer.

Vote: 4-0-1, motion carries

The Agent then discussed the application before the planning board for food trucks at the market. Mr. Janopolis stated that the food trucks are independently owned and will be licensed through the Board of Health. Mr. Janopolis also stated that the food trucks will not be parked overnight, nor will the trucks connect to water service.

AGENDA ITEM: 4. Water Service connection: 2 Amanda Ln

Vernon Brown appeared on behalf of the property owner, Fred Sateriale.

Motion by Mr. Peters to approve as presented; seconded by Mr. Rose; Vote: 4-0-1, motion carries.

AGENDA ITEM: 5. Change of Manager: Seaside Inn (482 Shore Rd)

Bruce Santagelo of 471 Shore Road approached. Mr. Santagelo is applying to be the on-site manager of the Seaside Inn on Cape Cod Bay Condominium. Mr. Peters asked Mr. Santagelo if he is familiar with the hospitality industry; Mr. Santagelo replied in the affirmative.

Motion by Mr. Peters to approve as presented; seconded by Mr. Rose; Vote: 5-0-0, motion carries.

AGENDA ITEM: 6. Change of Manager: Braemar (132 Shore Rd)

Robert Cameron approached. Mr. Cameron is applying to be the on-site manager for Braemar Condominiums. Ms. Rose asked Mr. Cameron if all the required emergency contact information is posted on site; Mr. Cameron replied in the affirmative.

Motion by Mr. Peters to approve as presented; seconded by Mr. Rose; Vote: 5-0-0, motion carries.

AGENDA ITEM: 7. Discussion: Water Resource Protection Draft Regulations and continued discussion on Glyphosates

The Board discussed the Pamet River protection district and future expansion; consistency in applications of restrictions and enforcement of requirements; Zone 2 and the North Union Field well field; and The Agent notified the Board that she has been asked to present a synopsis to the Board of Selectmen about these proposed regulation changes.

IV. REPORTS

WROC Update

Mr. Peters read into record the agenda for the WROC meeting on April 18, 2019. There was discussion on the prior meeting including the topic of two new breweries opening in Provincetown and their impact on water supply. The Agent will follow-up with the Board regarding the proposed gallon usage by the breweries.

Health Agent's Report: Captains Choice seating location modification

The Agent inquired with the Board about the process to address a modification of the seating plan at Captain's Choice, which is going before the Board of Selectmen. The Agent wanted to confer with the Board to see if the change requires input from the Board. No expansion of seating was proposed, just a reconfiguration. The Board determined that no action was required as there was no increase in seating.

Report of the Chair

Ms. Rose spoke about a request from Mr. Van Stratum. Mr. Van Stratum requested that the Board write a letter of recommendation/letter of support to the Town Manager complimenting the DPW Supervisor and the Health Agent. Mr. Peters volunteered to draft a letter for the Board's review. The Board unanimously approved the drafting of a letter by Mr. Peters.

V. MINUTES: April 2, 2019

Motion by Mr. Rose to defer the minutes to May 7, 2019; seconded by Mr. Peters; Vote: 5-0-0, motion carries.

Motion by Mr. Rose to adjourn the meeting; seconded by Mr. Silva; Vote: 5-0-0.

Respectfully Submitted,

Michelle Fogarty



Chair-Tracey Rose



Meredith Goff, Member



Mark Peters, Member



Vice-Chair, Jason Silva



Tim Rose, Member

