

Truro Board of Health Minutes
June 4, 2019
4:30 PM-Truro Town Hall

Members Present: Member Mark Peters, Vice-Chair Jason Silva, Clerk Peter Van Stratum, Member Tim Rose, alternate member Meredith Goff
Others Present: Health Agent Emily Beebe

Vice-Chair Jason Silva called the meeting to order at 4:30PM. Mr. Silva requested that everyone speak clearly for the video recorder and asked if anyone in the audience was recording. No one replied in the affirmative.

I. PUBLIC COMMENTS : None were made.

Motion by Mr. Peters to move the Farmers Market to the beginning of the meeting; seconded by Mr. Van Stratum; Vote: 4-0-0, motion carries.

III. AGENDA ITEMS

Farmer's Market

Shrub Life

Mark Bishop approached. Mr. Bishop makes infused vinegars. The product is pasteurized and not raw. Mr. Bishop's operation is based in Chatham.

Motion by Mr. Peters to approve the license; Vote: 4-0-0, motion carries.

Salt Seafood Company

Kathleen Gribbin approached. Ms. Gribbin and her husband, Beau Gribbin, operate three fishing vessels out of Provincetown. Ms. Gribbin will be selling locally harvested seafood. The product will be packaged, and not handled, in one-pound sealed packages. A buyer packages the seafood in individual packages on behalf of the applicant, which will then be sold by Ms. Gribbin at the farmers market. *[Mr. Tim Rose joined the meeting at 4:35]*

Motion by Mr. Peters to approve the license; seconded by Mr. Van Stratum; Vote: 5-0-0, motion carries.

The Big Squeeze Food Truck

Megan Duffy approached. Ms. Duffy has been in business for 3 years and discussed their menu items.

Motion by Mr. Peters to approve the license; seconded by Mr. Van Stratum; Vote: 5-0-0, motion carries.

II. PUBLIC HEARING

271 Shore Road: Mylan Janoplis; Variance request to Board of Health Regulations, Section VI, Article 10 "Required Setbacks for System Components" Mylan Janoplis approached. Mr. Janoplis received approvals from MESA and the Conservation Commission. The Board reviewed the plans for the proposed work. **Motion by Mr. Peters to approve; seconded by Mr. Rose; Vote: 5-0-0, motion carries.**

6 Ryder Beach Way: Variance Request to 310 CMR Section 15.211 "Minimum Setback Distances" and Board of Health Regulations Section VI Article 10 "Required Setbacks for System Components"

Keith Fernandes of GFM Enterprises approached. Mr. Fernandes discussed the proposed upgrade. The existing house is served by two cesspools. The applicant proposes to eliminate the cesspools, install a new septic tank, d-box and leaching system located on the landward side of the house, away from the wetland. The Agent asked Mr. Fernandes if he had received any water test results; Mr. Fernandes stated he had not. The Agent inquired about the well, which is located within the flood plain. The Agent asked if Mr. Fernandes would be able to re-site the well; Mr. Fernandes said that there was no area available outside the flood plain that would be 100' from the septic system. Additional discussion occurred regarding the location of the well. **Motion by Mr. Rose to approve and accept the plan as presented; seconded by Mr. Peters; Vote: 5-0-0, motion carries.**

7 & 3A Marshall Ln, Miller: Variance Request to Board of Health Regulations, Section VI, Article 10 "Setbacks", Article 8 "Regulation of Separate Site Systems", & Section VII, Article 1(2)(a) "Pamet River Protection District" (Continued from 5/7/2019)

Jason Ellis of J.C. Ellis Design approached. The proposed buyers of the property, Art Corriveau and Tim Horn also approached. Mr. Corriveau introduced himself to the Board and stated his intention to be thoughtful and responsible neighbors. Mr. Ellis stated that the property is currently served by two cesspools. The applicant would like to install two septic tanks and a leach area. The house is assessed as having three bedrooms, however there is a finished second-floor area that the buyers would like to continue using as a bedroom. The buyers may also consider converting the garage building to a studio in the future. Mr. Ellis has designed the system with a 4-bedroom design flow for the single-family dwelling. Mr. Ellis over-designed the leaching field for five bedrooms, however, there was no request for this expansion, nor approval of an expansion. **Motion by Mr. Rose to approve the plan as presented with the requested variances; seconded by Mr. Peters; Vote: 5-0-0, motion carries.**

417 Shore Rd, Chisholm: Variance Request to Board of Health Regulations, Section VI Article 10 "Setbacks" & Article 14 "Nitrogen Loading Limitations" (Continued from 5/7/2019)

Brad Malo of Coastal Engineering and Attorney Nathaniel Stevens of McGregor & Legere approached. Mr. Malo discussed the re-designed plan that has been revised to reflect a one-bedroom dwelling with an IA system. The architectural plans were also revised, copies of which were distributed to the Board. Discussion occurred regarding the square footage of the lot. The Agent summarized the applicant's processes with the various Town boards.

Motion by Mr. Rose to accept the plan and that the property shall have a one-bedroom deed restriction; Discussion occurred on the motion: Mr. Peters expressed his concerns about protecting public health and discussed his opposition to the applicant's proposal. Mr. Malo responded by discussing the purposes of variances and again summarized the applicant's approval process thus far. Mr. Peters noted that the property has had a garage on the lot, not a house. Mr. Silva stated that he did not feel that the applicant's proposal would be detrimental to the area since it had I/A. Mr. Malo noted that the proposed dwelling contains 672sf,

substantially less than what was approved for the project at 405 Shore Road; Mr. Malo asked the Board to consider that the property does not lend itself to a high-capacity, intensive use unit; **Mr. Rose's motion was seconded by Ms. Goff; Vote: 3-2-0, motion carries.**

III. AGENDA ITEMS

Farmer's Market: T&J Lobstering

Mr. Josh Palheiro approached. Mr. Palheiro will be selling live lobsters.

Motion by Mr. Peters to approve the license; seconded by Mr. Peters; Vote: 5-0-0, motion carries.

449 Shore Rd- Variance Request from Truro BOH Regulations Section VI, Article 10 "Required Setbacks for System Components" (continued from 4/2/2019) (originally filed December 2017, and has been pending a decision by the Conservation Commission)

The applicant requested a continuance to August 6, 2019.

Motion by Mr. Peters to continue the matter to August 6, 2019; seconded by Mr. Rose; Vote: 5-0-0, motion carries.

9 Highland Ave: Variance Request from 310 CRM 15.223 Septic Tanks (1)(b). (Continued from 1/8/2019) This matter has been in front of the Planning Board for ADU consideration and has been kicked back to ZBA for removal of deed restriction within the 2014 Special Permit approval)

The applicant is requesting a continuance to July 16, 2019.

Motion by Mr. Rose to continue the matter to July 16, 2019; seconded by Mr. Peters; Vote: 5-0-0, motion carries.

[Mr. Tim Rose departed the meeting at 5:30pm]

Truro Transfer Station – Request by DPW Director Jarrod Cabral: change validity time frame for annual permit to "valid from date of purchase"

DPW Director Jarrod Cabral approached. Mr. Cabral provided the Board with an update regarding software changes as noted on the attached report. In addition to the Transfer Station, the permit for the swap shop would also be included in the proposed change.

Motion by Mr. Van Stratum to approve the change to Section 5, Article 2, Part 4; seconded by Mr. Peters; Vote: 4-0-0, motion carries.

IV. REPORTS

Health Agent's Report

- The Agent reported that the next WROC meeting is scheduled for June 20, 2019.
- The Town has completed the MVP (Municipal Vulnerability Preparedness) process with the Town of Wellfleet. A report will be sent by the CCC to the EOE (Executive Office of Environmental Affairs); once completed the Town of Truro will be designated as an MVP community, allowing for eligibility of action grants.
- The Agent requested the Board's approval to waive the late penalty fee for the Wind and Wave Condominium's license renewal. The condominium association did not

anticipate opening this year due to ongoing seawall work. The work will be completed ahead of schedule, allowing for the condominium to open for a portion of the season. **Motion by Mr. Peters to allow the Agent to waive the penalty fee; seconded by Ms. Goff; Vote: 4-0-0, motion carries.**

- The Agent provided the Board with an update regarding the Truro Motor Inn. The Agent and the Town Manager discussed the matter with Town counsel. A re- inspection of the property has been scheduled.

IV. MINUTES

May 7, 2019 & May 21, 2019


Motion by Mr. Peters to approve the May 7th minutes; seconded by Mr. Van Stratum; Vote: 4-0-0, motion carries.

Motion by Mr. Peters to continue the May 21st minutes to the next meeting; seconded by Mr. Van Stratum; Vote: 4-0-0, motion carries.

Motion by Mr. Peters to adjourn the meeting; seconded by Mr. Van Stratum; Vote: 4-0-0, motion carries.


Respectfully Submitted,


Michelle Fogarty


Chair-Tracey Rose


Meredith Goff, Member


Mark Peters, Member


Vice-Chair, Jason Silva


Peter Van Stratum, Clerk


Tim Rose, Member

