

Truro Board of Health Minutes
October 15, 2019
4:30 PM-Truro Town Hall

Members Present: Chair Tracey Rose, Vice-Chair Jason Silva, Member Mark Peters, Clerk Peter Van Stratum, Member Tim Rose, Alternate 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

Maureen Burgess of Friendship Way, and liaison for the Board of Selectmen, approached the table. Ms. Burgess thanked the Board and congratulated them for the professional handling of a very difficult meeting on October 3rd. Ms. Burgess expressed her appreciation for the thoughtful and insightful comments made by the Board; and hoped that as a result of the hearing that everyone understands that the Town has the best interest of the people living at the Truro Motor Inn.

II. PUBLIC HEARING

42 Corn Hill Road, Morfit & Bunker (45/52): Local Upgrade approval relative to setbacks required under 310 CMR 15. 211; reduction in leaching area (remedial use of I/A proposed); Variance request to Truro Board of Health septic system setback regulations, section 6, article 10

David Lajoie of FELCO, Inc. approached the table to represent the application. The property has an existing well and cesspool; the applicant seeks to upgrade to an IA treated septic system. The applicant has received approval from the Conservation Commission. Ms. Rose asked about the notation of one-bedroom on the assessor's card. The plans presented by Mr. Lajoie reflect three bedrooms. The Agent did a walk-through of the property in February of 2018 and observed one bedroom and two sleeping areas; the sleeping areas did meet the square footage requirements for a bedroom. The property has been used as more than a single-bedroom property, but under the technical definitions, the property doesn't meet the guidelines for more than one bedroom. Mr. Van Stratum asked about the leach field; Mr. Lajoie confirmed the leach field will be elevated.

Motion by Mr. Rose to approve the variances as requested; seconded by Mr. Silva; Vote: 5-0-1, motion carries.

Discussion occurred regarding a deed restriction and the number of bedrooms at the property. Mr. Peters suggested rescinding the motion, requiring a deed restriction allowing two bedrooms at the property and restricting the "bunkroom" from being inhabited as a bedroom. Ms. Rose requested a hand vote of Board members who wanted to revisit the original vote. Mr. Rose rescinded his original motion as presented.

Motion by Mr. Rose to approve the variances as requested, to place a two-bedroom deed restriction on the property and that the “bunkroom” shall not be used as a bedroom; seconded by Mr. Silva; Vote: 5-0-1, motion carries.

154 Shore Road, David Goldman & Jacques Abatto (21/9): Variance request to 310 CMR 15.22 (7) depth of cover; Truro Board of Health regulations, section 6, article 10

David Lajoie of FELCO, Inc. approached the table to represent the application. Mr. Lajoie summarized the applicant’s request; this is a commercial property where the existing leach pit has failed. Due to the commercial zoning of the property, a two-compartment tank is required. Mr. Lajoie summarized the proposed repairs for the Board. Mr. Peters asked the Agent if the property is licensed; the Agent confirmed there is no license. Mr. Peters discussed the past use of the property as a motel and questioned the use of the space for an insurance office. The Agent asked Mr. Lajoie about the property being located in Zone 2 well field and if it would be possible to add pressure dosing; Mr. Lajoie responded that he should be able to do that. Mr. Rose asked how far it is to ground water; Mr. Lajoie estimated about 40’ to ground water. Mr. Peters agreed that pressure dosing should be considered.

Motion by Mr. Peters to request that the engineer provide a revised plan reflecting pressure dosing; seconded by Ms. Rose; Vote: 3-2-0, motion carries.

New Food Service Permit/Tobacco sales permit, 271 Shore Road (13/12): Days Market and Deli; New Owners, Mylan Janoplis and Pamela Stahl

Mylan Janoplis approached the table representing the application. Mr. Janoplis clarified that Mr. Days is the owner of the property, but Mr. Janoplis and Ms. Stahl will be assuming the licenses, which were previously issued in Mr. Days’ name. The Agent views the request as a new license, given the change of business ownership, which requires the approval of the Board. The Board is required to sign all new licenses issued. Mr. Peters asked if Mr. Janoplis has a lease for the property; Mr. Janoplis confirmed he does. Discussion occurred regarding amending the license. Mr. Van Stratum suggested that Mr. Days submit a letter requesting to be removed from the license and to accept the amendment of the license.

Motion by Mr. Silva to amend the license to remove Mr. Days from the licenses upon receipt of a signed letter from Mr. Days; seconded by Mr. Rose; Vote: 5-0-0.

III. AGENDA ITEMS

Truro Motor Inn (296 Route 6): update on compliance with order to correct

The Agent updated the Board about compliance with the Order to Correct: no feedback has been received about the clearing out of the building; no progress was made on the lights; building permits were filed but haven’t been issued due to the need for more information from the applicant; and the floor plans were not delivered but the Agent was notified by Mr. Ellis that he would produce them the following week. The Agent spoke with Mrs. DelGizzi and she told the Agent she was pushing for the completion of the floor plans so she could meet with the Agent. Mr. Van Stratum asked about scheduling more meetings to follow the progress; Ms. Rose responded that she was waiting for the deadline to speak with Attorney Corbo about default on the timeline. Mr. Silva did not feel additional meetings were necessary given that the easiest repairs haven’t been completed. Mr. Peters stressed that without floor plans, a septic

system upgrade plan cannot be approved. Ms. Rose discussed the timeline for receipt of plans and was firm that plans should not be received at the 11th hour. A meeting was tentatively set for October 22nd in anticipation of receipt of floor plans. Mr. Silva spoke about his initial appreciation of Mrs. DelGizzi's presence at the meetings and his hope that good faith efforts would be made but is now frustrated and has no confidence that any progress will be made. Mr. Van Stratum asked if it was possible to rescind the vote taken at the previous meeting; Ms. Rose felt that it would be best to wait until the meeting as Mr. Ellis indicated floor plans are forthcoming and to have further discussions with Attorney Corbo regarding the "Receivership" process. Mr. Rose supported preparation for the Receivership process on November 5th instead of adding additional meetings. Mr. Peters discussed the time the DelGizzi's spent opposing a neighboring project instead of attending to their own property. Ms. Rose polled the Board and a majority of the Board was inclined to meet on October 22nd.

Water Resource Protection Regulations: proposed amendments *(Continued from the October 1st meeting)*

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

Mr. Silva noted for the record that a pressing matter like the Water Resource Protection Regulations has been pushed off due to dealing with the Truro Motor Inn.

IV. REPORTS

Health Agent's Report:

The Agent did not have a report.

Report of the Chair:

The Chair did not have a report. Ms. Rose asked the Board to review the Water Resource Protection Regulations in advance of further discussions.

V. MINUTES

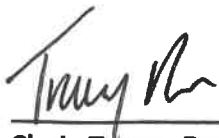
October 1, 2019

The October 1st minutes were deferred to the next meeting.

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

Respectfully Submitted,

Michelle Fogarty



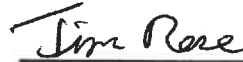
Chair-Tracey Rose



Meredith Goff, Alternate Member



Mark Peters, Member



Tim Rose, Member

Peter Van Stratum, Clerk



Vice-Chair, Jason Silva

