

Truro Board of Health Minutes
October 6, 2020
4:30 pm - REMOTE MEETING

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

Staff Present: Health Agent Emily Beebe

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

PUBLIC COMMENT. There were no public comments.

AGENDA ITEMS

Definitive Subdivision Plan: 1 Amity Lane- presented by John O'Reilly, seeking approval of a subdivision of 1 Amity Lane owned by the Schirmer family. The subdivision will create 3 lots from the original 6.7-acre parcel. The new lots are identified as #3, #4 and #5.

Lot 4 and 5 will be placed in the ownership of the Truro Conservation Trust.

Plans submitted include: well and septic, topography and site subdivision plan. No improvements are proposed, the way will be an access for the TCT. A small cottage on lot 3 will remain.

There was a question about the existing structure. Mr. O'Reilly said it was quite small and not really used, it has a well and is served by a cesspool. The property will remain with the family.

The Chair asked about the size and use of the cottage. The structure is approximately 300 square feet.

Jason Silva was appreciative of the owner's gift of land and that it's not to be developed. The Agent added that the plan included the granting of a Conservation Restriction on the property which had been accepted by the Conservation Commission property and sent to the Select Board for approval.

Mr. Silva opined that he would not condition upgrade of such a small structure and pointed out that any change would trigger the upgrade. The Agent inquired if the subdivision would constitute a transfer, as the deed would change.

Mr. Peters asked if the property was year-round? The answer was that it was questionably habitable. Mr. Van Stratum stated that it should be declared not habitable until the system is upgraded. Mr. Rose asked if there was electricity provided to the cottage; this was not known.

Ms. Goff agreed that the BoH should stipulate that the property not be occupied until an upgrade occurred. Mr. Rose suggested that if there was power, it should be inspected for safety, and if unsafe it should be shutoff.

Motion: Mr. Rose moved to approve the subdivision as presented, with the building on lot 3 inspected by the FD or wiring inspector for safety, and that no one occupy the property until safe and the septic must be upgraded; seconded by Mr. Peters;

Discussion on the motion:

Mr. Silva understood, but thought that this motion might not be in line with the property owners plans.

John O'Reilly stated he understood the position of the Board and suggested that the property owner could disconnect the power from the house to make it non-habitable and remain so until the system can be addressed.

Mr. Silva recognized the importance of upgrading a cesspool, and since the family had no plans to live there- it seemed like the right motion. The Chair pointed out the need to stay focused on following BoH regulations.

Mr. Van Stratum suggested that a backhoe could simply backfill the cesspool and that 20 minutes would make this a moot point. The Agent pointed out that the legal process would be to consider this a transfer and require an upgrade.

Vote: 5-0-0, motion carries.

Variance Request: 19 Great Hills Road, BOH Regulations Section VI, Article 10, wetlands setbacks. Mr. William Rogers was present for the applicant Mark Deniece.

This is a tear-down with a re-build essentially in the same footprint. The former system failed inspection and will be replaced with an H2O system, which requires a variance from the Coastal Bank - a wetland resource area.

Peter Van Stratum asked why the septic tank was so close to the house and in the driveway, but not closer to the SAS. It was explained that the wastewater coming out of the house should be allowed to

Mark – gray water knows no corners and blackwater knows every corner, which is why you place the tank closer to the house with a straight pip whenever possible.

There is no change in design flow, and the 29,000 sf lot supports a 5 bedroom system.

Stop at 37:00

Motion: Mark Peters Moved to approve the request for the variances at 19 Great Hills Road as requested.

Seconded by Tim Rose. No discussion. **Vote** was 5-0 in favor of the motion.

Mr. Rogers stated for the record that he missed being in front of the Board, and the Board readily agreed with his sentiment.

Tim Rose left the meeting.

Discussion: Short-term (6 mos) Goal setting and schedule.

The agent reviewed the fact that the workload of the department—that being both the regular permitting duties that go on in the office and the new layer of regulatory work that happens with COVID had “back burned” some of the projects the Board had been working on. I

The Agent had talked to Peter Van Stratum about what work needs to get done, both the Municipal projects and the specific BoH projects, and that to make progress this work needs to be on a schedule.

The Agent wanted the Board to be aware of the scope of the watershed analysis project for Standish Pond by the Cape Cod Commission. This study will: explore the stormwater impacts on the watershed help us develop a well water quality study

Develop schedule for writing new regulations: triggers for private well testing; a deep dive into the septic regulations.

groundwater; protection district regulation and standards

Peter volunteered to help the Agent as he had available time, and he would reach out to find out how that would work.

It was agreed that the November 3 meeting would be cancelled due to the election, and that well testing triggers be up front on the November 17th agenda.

Pete Van Stratum suggested that Brian Boyle or the Docs address the Board about the report was in attendance.

The Chair stated that since it was not on the Agenda, it was not appropriate. The Agent suggested that The December 1 hearing date might work as a time to review the paper and have a discussion on the report "Private Wells and Truro Safe Water". Mr. Boyle concurred that he could attend.

The agent suggested that the discussion and review of local Title 5 regulations should be one or 2 meetings. It was suggested that we look at Wellfleet regulations to try to make the regulations consistent between the 2 towns, and possibly Eastham regulations. Possibly a uniform set of regulations for septic inspections. This could happen at our first meeting in January.

REPORTS

Health Agent's Report

Short term rental tax update- the rulemaking about the use of the monies is still in process and no monies have been disbursed yet. Flu shot clinic scheduled and closed already, still trying to get more high dose shots, and the dates on family/school shots will be done with Wellfleet. The Town and TCS will hold a COVID-19 testing clinic next week.

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

Adjourned at 5:45

Respectfully Submitted,

Emily Beebe

