

#### Truro Board of Health

Tuesday January 16, 2024 at 4:30 PM

#### Truro Board of Health Notice of Regular Meeting

Meeting will open at 4:30 PM in the Select Board Chambers at Truro Town Hall on the 2nd floor.

The Truro Town Hall is located at 24 Town Hall Road

This will be a hybrid meeting (in-person and remote access). Citizens in Truro can view the meeting on Channel 8 and on the homepage of the Town of Truro website on the "Truro TV Channel 8" button found under "Helpful Links". Once the meeting has started, click on the green "Watch" button in the upper right of the page. To join the meeting by phone or to provide comment during the meeting, please call-in toll free at 1-305-224-1968 and enter the following Meeting ID when prompted: <a href="Meeting ID">Meeting ID</a>: 884 7580 5887 To join this Zoom meeting from your computer, tablet or smartphone enter <a href="https://us02web.zoom.us/j/88475805887">https://us02web.zoom.us/j/88475805887</a> Please note that there may be a slight delay between the meeting and the live-stream (and television broadcast).

If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in; citizens may also provide public comment for this meeting by emailing the Health Agent at <a href="mailto:ebeebe@truro-ma.gov">ebeebe@truro-ma.gov</a> with your comments.

I. PUBLIC COMMENT Please note that the Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda

#### II. AGENDA ITEMS

- Proposed Change of Manager: 148 Shore Rd, Big Fisherman, Joe McKay new manager
- 2. Proposed addition of Manager- Harborview Village, Peter DeAndrade
- 3. Proposed Change of Use: 2 Highland Road, Salty Market
- 4. Water Resources Report

#### III. MINUTES

IV. REPORTS

Report of the Chair Health Agent's Report



## TOWN OF TRUEC



## **TOWN OF TRURO**

Health Department

P.O. Box 2030, Truro, MA 02666

PH: 508-349-7004, Ext. 131 Fax: 508-349-5508

Email: <a href="mailto:ebeebe@truro-ma.gov">ebeebe@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">lbudnick@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">lbudnick@truro-ma.gov</a> ; <a href="mailto:adavis@truro-ma.gov">adavis@truro-ma.gov</a> ; <a href="mailto:ada

ma.gov

### **APPLICATION TO NAME A MANAGER**

This application is used for a Change of Manager, Add Co-Managers or to Name a

Date: 12-11-23	formation MCV				
Print Name of Applicant:	Joseph McKa	7	- 1-	Non-bound Holland	
Business Name or DBA to	be managed: Big Fist	herman	45500	Number of Units:5	
					-3.6
Mailing Address of Busines	s: ( Check if New Address)	1.0 150%	013	NOCTH Truso MA	)J6
Section 2 – Manager Inf	ormation			14. 法国的特别基础公司的	
Name of Previous Manager	Debarah Knetz		On-Site	Manager Unit #:	
Name of New Onsite Manag	ger: Joseph McKay		On-Site	Manager Unit #:	
	nent (10 Units or less):				
	nager and/or Property Manageme		P. 0 B		
	+4 Phone (24 hours	/day): _		Email:	
Name of Co-Managers:	Unit #	Phone (2	4hrs/day):		
	Unit #	_ Phone (2	4hrs/day):		
	Board of Health Manager Regula ontact Person for Property Manage Tiscph mckay			4. Signature of New	
SIGNATURE	PRINT NAME		DATE		
SIGNATURE	PRINT NAME		DATE		
Section 3 - **Office Use Only	**				
Team Inspection (If over 3yrs since last one)	Scheduled V/A Teen ins	Fee \$45.00	Paid		
Board of Health Hearing	1/2/24	\$75.00		5) (A) (D)	

#### **TOWN OF TRURO**

**Health Department** 

JAN 02 2024

RECEIVED BY



P.O. Box 2030, Truro, MA 02666 PH: 508-349-7004, Ext. 131 Fax: 508-349-5508-

Email:

#### **APPLICATION TO NAME A MANAGER**

This application is used for a Change of Manager, Add Co-Managers or to Name a

Section 1 - Business In Date: 1/2/2024	nformation	- Q	
Print Name of Applicant:	eter de Andrade		
	be managed: Habuz Wyl	v Villac Condo	Number of Units: 13
	: 168 SAUR Rd N	Trum Business	
Mailing Address of Busines	s: ( Check if New Address)	MA U2127	
Section 2 - Manager In	formation		
	additional manag		
Name of New Onsite Mana	ger: Peter de Andrade	On-	Site Manager Unit #: 13
	nent (10 Units or less):		
Mailing Address of New Ma	nager and/or Property Manager	ment Company: PO B	lox 210 North Truro MA 02652
	Phone (24 ho	(6)	Email:
Name of Co-Managers:	Unit #	Phone (24hrs/c	day):
Petinz Gorar	Unit #5^_	Phone (24hrs/c	day):
	Unit #	Phone (24hrs/d	day):
	e Board of Health Manager Re Contact Person for Property Ma		
detedon_	Peter de Andro	ofe )	12/24
SIGNATURE	PRINT NAME	D	ATE /
SIGNATURE	PRINT NAME		ATE
SIGNATURE	PRINT NAME	D	ATE
Section 3 - **Office Use Onl			
Team Inspection (If over 3yrs since last one)	Scheduled Date 22	Fee \$45.00	Paid
Board of Health Hearing	D 1/16/2024	\$75.00	V





## TOWN OF TRURO

### **Board of Health**

P.O. Box 2030, Truro, MA 02666

#### REQUEST TO APPEAR BEFORE THE BOARD OF HEALTH

Date Submitted: January 4, 7024
Applicant's Name: William N. Rogers I
Mailing Address: 41 OFF CEMETERY TOAD, P.O. Box 631, Provincetous, MA 0265
Phone Number: 1-508-127-1565 email address: willsier @ UERIZO . NOT
Reason for Request to Appear before the Board of Health:
□ Request to review a Septic System Inspection Report □ Appeal of Health Agent's Decision □ Plan Review and Approval* (building, septic etc.) □ Other:
□ Presentation: Topic to be discussed:
Description of Request:  PLEASE SEE ATTACHED TOCUMENTS FOR PROPOSED CHANCE OF  USE AT 2 HIGHLAND ROAD, TEXAS, MASSACHUSETTS
*if your project involves floor plans, please include existing and proposed floor plans  *if your project involves floor plans, please include existing and proposed floor plans  *Signature of Applicant Date
***OFFICE USE ONLX****
Scheduled Board of Health Meeting Date: Time:
Signature/Title Date

Please return this application to: Truro Health Agent, 24 Town Hall Road, P.O. Box 2030, Truro, MA 02666



#### WILLIAM N. ROGERS II, P.E., P.L.S.

PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS

41 OF CEMETERY ROAD
P.O. BOX 631
PROVINCETOWN, MASSACHUSETTS 02657
Tel: (508) 487-1565
FAX: (508) 487-5809

RUTH E. ROGERS GARY L. LOCKE

STRUCTURAL CONSULTANT Dr. FRANK A MARAFIOTI, P.E.

December 29, 2023

Ms. Tracy Rose, Chairman Truro Board of Health Town of Truro 24 Town Hall Road P.O. Box 2030 Truro, MA 02666 HEALTH DEPARTMENT TOWN OF TRURO JAN 0 4 2024 RECEIVED BY

Re: Liam Luttrell Rowland, LLC - Proposed Chang of Use 2 Highland Road Truro, Massachusetts

Dear Board of Health Members:

Please be advised that I have been engaged by Mr. Liam Rowland to determine in accordance with the Massachusetts State Sanitary Code, Title 5, & in accordance with the Board of Healh Local Regulations if the Proposed Change of Use can be completed in accordance with the Existing Upgaded Sanitary Subsurface Sewage Disposal in-place Designed by my Office with Variances on October 19, 2001, Approved by the Truro Board of Health on November 7, 2001, and Certified Installation on January 16, 2002.

#### a. Existing Conditions:

The existing structure has a two (2) bedroom Dwelling Unit & Retail Space.

The two (2) bedrooms require 110 gpd. per bedroom = 220 gpd. provided.
The Retail Use, as per Design Plan, requires 50 gpd.
per 1000 sq. ft. of Retail Space = 114 gpd. provided.
(per 2,275 sq, ft.)

The existing in-place Septic System was Designed for 362 gpd. > 334 gpd. required.

Be advised that when my Office Designed the Septic System we used the Total first floor area. Please see the Attached First Floor Archiectural Plan completed on December 7, 2023 as per Ms. Emily Beebe, RS 's Direction with the resulting square footage of Retal Space reduced to 1,850 sq. ft.

The Exiting Septic System PASSED a Title 5 Septic System Inspection

on January 18, 2022.

#### b. Proposed Change of Use:

Mr. Liam Rowland would prefer to:

- Use the existing Building as follows
- From 8:00 am to 4 pm as a Retail Space & "Tavern".
   From 5:00 pm until closing a "Tavern only".

c. Title 5 Design Requirements:

HEALTH DEPARTMENT
TOWN OF TRURO

JAN 0 4 2024

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The Client Proposes to Remove one (1) bedroom from the Dwelling Unit.

The Existing Total Septic Sistem Design Flow = 362 gpd.

The Flow available after rmoving a bedroom = 252 gpd.

The Revised Retail Space 1,850 sq. ft. = 92 gpd. required

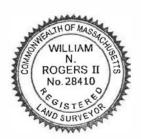
This leaves 160 gpd. for Tavern Seating at Counter = 8 seats. 8:00 am to 4:00 pm ( 20 gpd. required per seat)

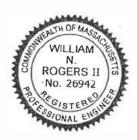
After 5:00 pm the Retail Space will be Closed which allows

4 seats additional for a total of = 12 seats 5:00 pm to closing

If I can be of any further assistance to you on this matter, please do not hesitate to contact me!!

Respectfully submitted,
W.M. 7. T. T. TE, PE, PLS
William N. Rogers II, PE, PLS





TOWN OF TRURO
HEALTH & CONSERVATION DEPARTMENT
24 Town Hall Road, Truro 02666
508-349-7004 x119

To: Truro Board of Health

From: Emily Beebe, Health & Conservation Agent

**Date:** January 16, 2024

Re: Review of proposal for 2 Highland Road

The proposal before the Board includes changing the use of the existing retail/takeout deli/market to include seating. Below you will find a review of this proposal, along with suggested actions that the Board should consider.

The rationale for the project proposal includes using the approved title 5 design flow for the establishment, and reducing the existing uses, in order to accommodate the proposed new use, that is, seating.

The frame for your consideration is Title 5: 310 CMR 15.203 Sewage system design criteria.

Existing uses Retail at 50 gallons per day/1000 square feet, plus 2 bedrooms at 110 gallons per day each

(See assumptions #1, #2)

**Proposed change of use #1:** the future use of seats is proposed under Title 5 as "Restaurant- Fast Food" also, "Lounge, Tavern" at 20 gallons per day/seat, rather than under "Restaurant" at 35 gallons per day/seat.

Proposed change of use #2: removal of 1 bedroom to allow the tradeoff for 8 seats under the 20 GPD/seat scenario described above. This would be achieved by the applicant submitting a proposal to the Board of Health, for their approval. The proposal should include a sketch with a floor plan change that eliminates/disqualifies a bedroom. A bedroom can be removed by eliminating privacy, that is by removing a door and expanding the doorway to a 5 foot wide (minimum per BH regulations) cased opening, or by other means the Board may consider. Once a floor plan was approved by the Board a building permit could be issued, and the seating change could go forward, provided there are no other regulatory hurdles such as planning/zoning.

Based on my review of the calculations submitted by Mr. Wm. Rogers, PE, the numbers (gallons/day of wastewater flow) work, based on the assumptions made below. However, the Board does need to approve these assumptions, prior to the proposal moving forward.

<u>Proposed</u> change of use #2: Removal of use of retail space after 5 PM to allow 4 more seats, by reassigning the retail flow allowance to seating.

Based on my review of the proposal and the language in Title 5 I assert that the use of retail in the morning and 4 extra seats later in the same day does not comply with the intent of Title 5, which does not specify how long a "day" is. Therefore, the use of retail for even part of the day uses the flow allowance. It cannot be used twice. I would recommend that the Board denies this aspect of the proposal.

Assumption #1: the BoH allows use of the full capacity of the leaching area, that is 362 GPD

Assumption #2: the BoH concurs with the use of retail space defined by the floor plans submitted

<u>Assumption #3</u>: The BoH allows use of tavern/lounge seating design flow at 20 gpd/set versus restaurant at 35 gpd/seat with conditions as outlined below\*

Assumption #4: The Board concurs with the proposed hourly use of daily design flow

<u>Assumption #5</u>: The Board allows reduction of the use to only 1 bedroom, after their approval of changes to the floor plan showing elimination of a bedroom

#### \*Proposed conditions:

- Food service remains take-out,
- No table service is allowed,
- No outdoor seating is approved.
- Only single use cutlery/plates/glasses be allowed.



Commonwealth of Massachusetts

2 Highland Road Property Address

Owner's Name

North Truro

City/Town

A.

CLAIRE ADAMS LLC

Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments



01/18/2022

Date of Inspection

HEALTH DEPARTMENT

Owner information is required for every page.

-30-190 P 5080ED

02652

Zip Code

Inspection results must be submitted on this form. Inspection forms may not be altered in any way. Please see completeness checklist at the end of the form.

MA

State

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Inspector Information		
Christopher Mckernan		, market up
Name of Inspector		
James J Roderick Inc.	and the second s	
Company Name		
41 Conwell Street / PO Box 637		*
Company Address		
Provincetown	MA	02657
City/Town	State	Zip Code
508-487-1578	SI13630	100
Telephone Number	License Number	

#### B. Certification

I certify that: I am a DEP approved system inspector in full compliance with Section 15.340 of Title 5 (310 CMR 15.000); I have personally inspected the sewage disposal system at the property address listed above; the information reported below is true, accurate and complete as of the time of my inspection; and the inspection was performed based on my training and experience in the proper function and maintenance of on-site sewage disposal systems. After conducting this inspection I have determined that the system:

1. A Passes

Conditionally Passes

Needs Further Evaluation by the Local Approving Authority

4. 🔲 Fails

Inspector's Signature

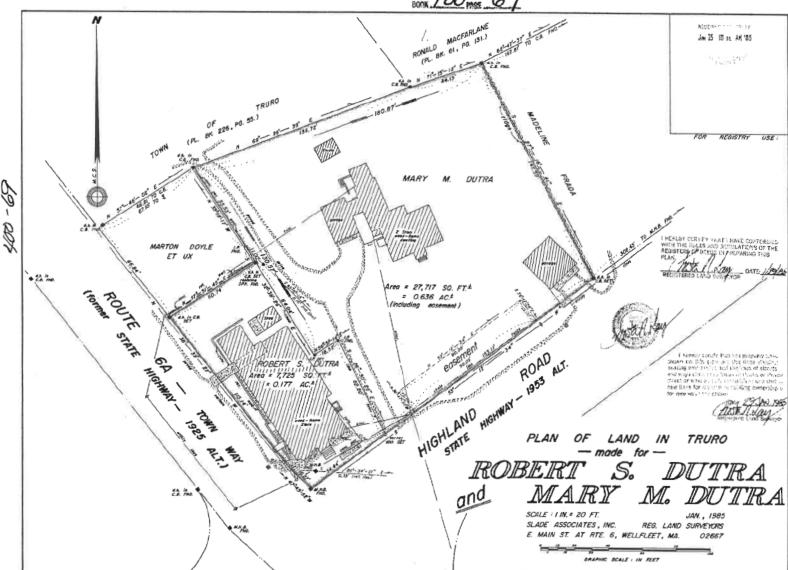
01/18/2022

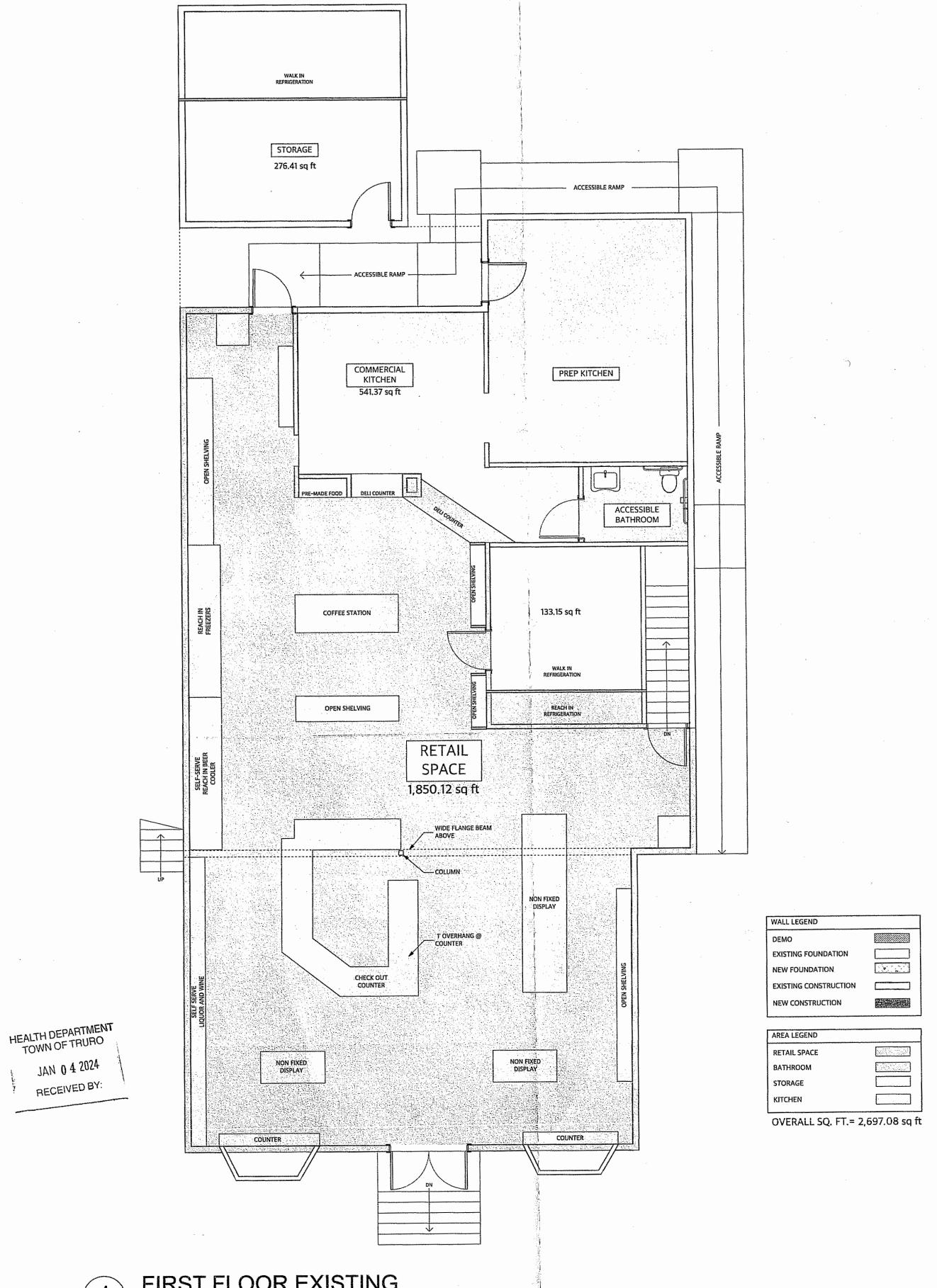
Date

The system inspector shall submit a copy of this inspection report to the Approving Authority (Board of Health or DEP) within 30 days of completing this inspection. If the system has a design flow of 10,000 gpd or greater, the inspector and the system owner shall submit the report to the appropriate regional office of the DEP. The original form should be sent to the system owner and copies sent to the buyer, if applicable, and the approving authority.

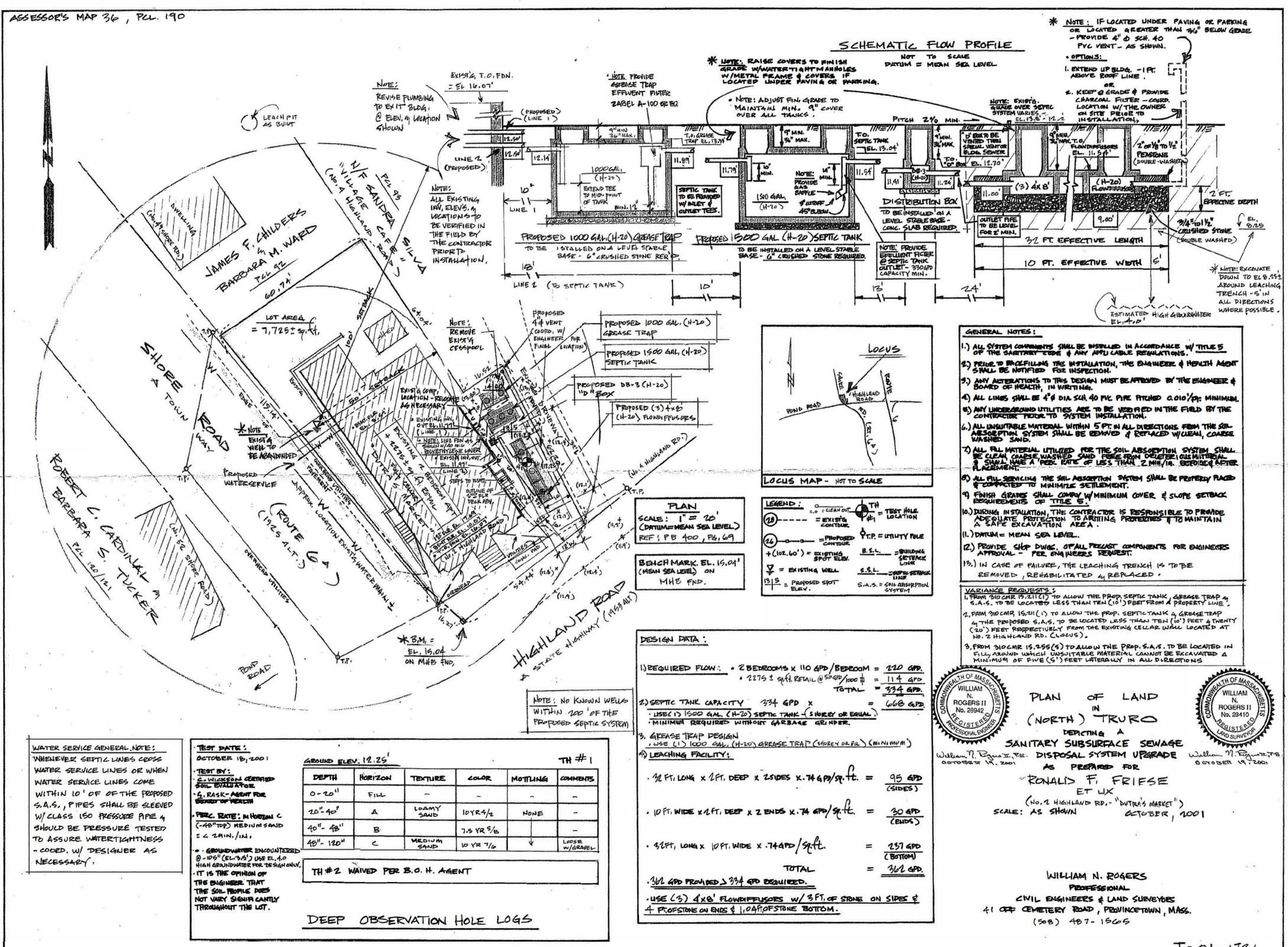
Please note: This report only describes conditions at the time of inspection and under the conditions of use at that time. This inspection does not address how the system will perform in the future under the same or different conditions of use.

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FIRST FLOOR EXISTING
SCALE: 3/16" = 1'-0"



#### Minutes of the Truro Board of Health, Tuesday December 5, 2023

This was a hybrid meeting, members of the Board and staff were in person at Truro Town Hall in the Select Board chambers.

**Board members in attendance**: Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm, Tim Rose and Alternate Member Candida Monteith; Absent: Member Brian Koll Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

The meeting was called to order at 4:35 pm by the Chair, who described the remote meeting procedures and the process for public participation.

Public Comment: There was no public comment.

<u>Title 5-Local upgrade approval:</u> An upgrade design plan for Marion O. Joseph, owner of 22 Shore Road was presented by John O'Reilly. The property is a licensed cottage colony, and currently served by cesspools. The design flow at this location exceeds 600 gpd, therefore the proposed upgrade will use a septi-tech treatment system. The sole item for the Boards approval is the variance from the minimum setback to the catch basin, which would be mitigated. The Chair thanked Mr. O'Reilly for submitting the Nitrogen loading calculations, which demonstrates how the use of the septi-tech treatment would reduce the nitrate load on the property. <u>Motion:</u> Board member Jason Silva moved to approve the local upgrade request; <u>Second:</u> Board member Tim Rose; <u>Vote:</u> 3-0-1, with Board member Helen Grimm abstaining. The motion carried.

<u>Waiver of Time request:</u> The new title 5 system at 18 Sandpiper Road has been installed, and not connected to the house yet; the sale of the house is pending, and the homeowner Hila Feil asked for a waiver to allow the new owners to do the plumbing work required. Assistant Agent Courtney Warren added that the new owners anticipated doing renovations to the building and had agreed to do the plumbing work. <u>Motion:</u> Board member Jason Silva moved to approve the waiver for a 6 month period to complete the connection to the system with the contingency that the house remains unoccupied until the work is completed. <u>Second</u>: Board member Tim Rose; <u>Vote:</u> 5-0, the motion carried.

Waiver of Time Extension: 45 Corn Hill Road, owned by the Rose Family Trust. The Chair explained that neither she nor Board member Tim Rose would be voting on this matter. Rich Newberg, the prospective buyer for 45 Corn Hill, sought to extend a previously granted extension to install after closing, for an additional 90 days. He stated he would be working with Corey Brundage to install the approved plan. Mr. Newberg said that he was aware that the property may not be occupied until the upgrade is completed. Board member Tim Rose suggested that the date be March 15, 2024.

<u>Motion</u>: Board member Helen Grimm moved to approve the waiver until March 15, 2024. <u>Second</u>: Board member Jason Silva; <u>Vote</u>: 3-0-2, with Chair Tracey Rose and Member Tim Rose both abstaining; the motion carried.

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<u>Discussion on ACO (Administrative Consent Order) request:</u> 12 Secor Lane is owned by Peter Swanson. The structure is served by a cesspool, it is seasonal and has been vacant since about 2010. He plans to sell the property, but it is not listed. He described the property as being very near the water, and a possible move to safer ground may be in the future and would impact a septic design. He said the well-water pump is not functional, and he would disconnect it from the fuse box. The Health Agent described the property and the ACO process as it might apply to the upgrade of the system. The lack of use and difficult access are 2 issues that have stalled any possible upgrade process, therefore the ACO is being recommended as a way to allow the property owner to have plans developed as he prepares to sell the property. The Agent asked the Board to consider the concept of the ACO.

Tim Rose suggested that the property owner consider filling in the cesspool, and he moved that the action be approved. The Chair asked for a second.

Board member Jason Silva asked if the cesspool was in Conservation jurisdiction? He then suggested disconnecting the pump would be the easiest thing to do. In the absence of a second for the motion she asked Member Tim Rose if he would like to rescind the motion. He agreed and moved to accept the original proposal. <u>Motion</u>: Board member Tim Rose moved to approve the concept of the ACO moving forward and disconnecting the pump at this property in the meantime; <u>Second</u>: Board member Helen Grimm; <u>Vote</u>: 5-0, the motion carried.

<u>Preliminary subdivision plans:</u> 9B Benson Road. The Chair asked the Agent for background information. The Agent provided the Board with the comments made to the planning Board on behalf of the Board. A definitive subdivision plan has not yet been filed. No action by the Board was required.

<u>Discussion of process for ACO list-</u> The Agent provided the Board with a list of properties on Shore Road that are eligible for an ACO (Administrative Consent Order). The Agent asked the Board to approve the list as appropriate for ACO's and formally accept proceeding with ACOs at these addresses understanding that each would need to come before the Board to request the variance and ACO. The ACO would spell out that design plans would need to be developed by a date certain, as the exploration of the feasibility of connecting to the Provincetown Municipal Sewer system. The properties are: 379, 274, 654, 674, 676, 462, 398, 420, 392, and 492 Shore Road.

The Chair suggested that the ACO variances should be requested by June 30, 2024, and described the ACO process as her family in Provincetown has experienced it stating, "It takes time". There was discussion about a motion. The Health Department would move forward with discussing ACOs with these property owners, and they would return to the Board by June 30 to complete the ACO process.

<u>Motion</u>: Board member Jason Silva moved to accept the following properties to move forward with ACOs in lieu of immediate upgrade by 12/31/2023, further, the ACOs will be completed by the variance process by June 30, 2024. The properties are: 379, 274, 654, 674, 676, 462, 398, 420, 392, and 492 Shore Road. Second: Board member Helen Grimm;

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#### **<u>Vote:</u>** 4-0-1, with Board member Tim Rose abstaining. The motion carried.

<u>Discussion regarding off-site and on-site manager requirements</u> -This conversation was requested by Priscilla Silva from RKM Property Management following a Board of Health discussion with Lexvest, earlier in the year. RKM asked to discuss how they might act as <u>On-site</u> property managers for some of their clients, for whom RKM is now the <u>Off-site manager</u>.

The Agent opened the conversation suggesting that the Board of Health's conversation with Vacasa at Sandbars in the Spring highlighted why having an on-site manager really is important to the occupants and the neighborhood because someone representing the association needs to be on call. Priscilla stated that usually the <u>on-site</u> manager is a Trustee of the Association, but RKM is often the party who is called when there is a problem, even though they are the <u>off-site</u> <u>managers</u>. Board member Helen Grimm asked for information about what was previously approved in the Lexvest request.

In the case of the previous Board action at the request of Lexvest, they asked for approval of a General manager, who would be perennial, with the understanding that they would also have their staff living on-site, and listed as the on-site managers, but they could change every year.

The Chair suggested that the terminology in our regulations be re-visited. Priscilla Silva pointed out that all the Condominium units are individually owned, and that having a unit free for a live-in manager is not consistent.

Board member Candida Monteith expressed her concerns about not requiring someone be on-site and found the request problematic.

Priscilla suggested looking at the regulations that trigger the need for an on-site manager (for 9 units or less).

Board member Tim Rose suggested that this matter be continued to allow more discussion at a future meeting. Priscilla asked if an owner is listed as the on-site manager and the ownership changes, does it trigger filing a change of manager form? The Chair responded that it did, and that the management regulations have, so far, basically worked. Board member Helen Grimm agrees that its not 1-size fits all, and she thanked Priscilla for bringing the conversation forward. She also commented on the importance of the boots on the ground, and the human connection to the property.

Board member Candida Monteith described her concerns with the proposal as it would provide less coverage.

Board member Jason Silva asked Priscilla about what their unit postings look like, are they framed and screwed to the wall? Who is listed? The Agent suggested that this matter be continued to a future Agenda item, possibly in January and the Chair agreed.

<u>Report of the Chair – The Chair described the attendance at the Special Town Meeting (STM)</u> as extraordinary, and that -was awesome. She expressed appreciation for the citizenry showing up, and expressed her opinion that the moderator had no option but to continue the meeting due to the safety issues. She mentioned that the STM Article on a stormwater management Bylaw

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had an amendment proposed the evening of the STM, and submitted to the moderator; she wanted the Board to be aware of that, as they had not seen that language. She advised the Board to be prepared for proposals that might change the Article and suggested that the topic be revisited before the date of the next STM.

She also mentioned that re-organization of the Board of Health would need to be voted on in January and would be on a future agenda, so get ready.

The Chair also expressed appreciation for the Water resources discussion hosted by the Climate Action Committee and looked forward to the video of the presentation/discussion to be available for the public as it was very informative.

There will be a Provincetown Water and Sewer Board meeting in December, and the Chair will report back to the Board of Health on that, as she is a member at large on the Committee. She asked the Board if they would be interested in hearing from the Provincetown Water superintendent. This may be a future agenda item.

<u>Health Agent's Report</u>- The report included the Agent's recommendation for the public to be careful of the circulating colds/influenza/COVID in Town, and to wash hands frequently and get vaccinated!

Board member Tim Rose moved to adjourn the meeting; Second: Board member Jason Silva; Vote: 5-0-0, the motion passed.

The meeting was adjourned at 6:23 P.M.

Respectfully submitted by Emily Beebe

#### Minutes of the Truro Board of Health, Tuesday December 19, 2023

This was a hybrid meeting; members of the Board and staff were in person at Truro Town Hall in the Select Board chambers.

**Board members in attendance**: Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm, Brian Koll and Alternate Member Candida Monteith; Absent: Member Tim Rose. Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

The meeting was called to order at 4:32 pm by the Chair, who described the remote meeting procedures and the process for public participation.

Public Comment: There was no public comment.

<u>Title 5/Local variance request:</u> An upgrade design plan for Anna & Graham Poor, owner of 14 Salt Marsh Lane, was presented by Jason Ellis. The property has two residential structures (a Cottage and a Studio building) that are currently served by cesspools. The property is located in the Pamet River watershed, and the Local coastal wetland resources setback requirements cannot be met for the proposed upgrade design. Because the separation to the wetland resource areas has been maximized, and there are no other alternatives, the Board felt the Standard of review had been met. It was noted by the designer that the property owner is aware of future I/A requirements for this property since it is in the Pamet watershed. <u>Motion</u>: Board member Brian Koll moved to approve the local variance request; <u>Second</u>: Board member Jason Silva; <u>Vote</u>: 4-0-1, with alternate Board member Candida Monteith abstaining. The motion carried.

<u>Discussion:</u> Local upgrade requirements for Cesspools- The Health Agent described the current status of the Cesspool upgrade project, with reference to the 4 buckets. Bucket #1 are properties permitted for installation, total 14. Bucket #2 are properties approved by issuance of an ACO, total # 10. Bucket #3 are properties with design plans underway, or approved and not yet permitted, total # 53. Bucket #4 includes properties that have not made progress, although only 3 or 4 of these have made no contact with the Town. 87 Properties have completed their projects. Board of Health member Jason Silva said that he was pleased with the progress. Jason Ellis was asked for comments, and he felt that after the initial overwhelm, the project moved forward smoothly. When asked by the Chair about the revised Title 5 requirements, he said that the conversation does generate some panic from his clients due to the cost, and that it's confusing to have each Town following a different program.

#### The extended timetable is as follows:

- Bucket #1 installation should be completed by 9/1/2024.
- Bucket #2 Completion of ACO by 6/1/2024
- <u>Bucket #3</u>- completion of plans by 5/1/2024, and installation completed by no more than 9 months after the permit date.

There was discussion about how the septic permits were issued, and whether 9 months to install the systems was perhaps too much time? Board member Jason Silva added that the Board of Health was moving forward with a leap of faith that the property owners in Bucket 3, or, those "working in good faith" would get the job done in 9 months! Board member Brian Koll agreed that 9 months was arbitrary but suggested that it seemed like ample time for folks to succeed and come into compliance. The Chair agreed and asked the Agent to ensure that property owners be

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informed that they should not wait for the last minute, because everyone will be looking for work to be done by the same vendors! She stressed: "education, education, education" for the public about the timing. <u>Motion</u>: Board member Helen Grimm moved to approve the compliance schedule for property owners, as outlined; <u>Second</u>: Board member Brian Koll; <u>Vote</u>: 5-0, the motion carried.

<u>Discussion:</u> Water Resources Report- (48:30) The Agent provided a narrative report about the work for 2024 between Truro and Provincetown. Under the Provincetown Water system IMA is a requirement for a Master Plan that describes improvements, upgrades, distribution, and expansion. Provincetown has been working with the engineering firm EPG, who developed their Master plan, and updates the plan every 5 years. The Master plan does need to include a more detailed work plan for the addition of a water tank in Truro, (infrastructure that has been planned and has preliminary designs) fire flows, and expansion into Pond Village to address water quality concerns. Staff is in discussion about the Master plan revision scope, and about developing estimates for this work. The IMA also requires development of a watershed plan. The Agent was clear to distinguish the plan pertaining to the Pamet lens watershed. The Pamet River watershed will be evaluated as part of the CWMP. This work may be informed by a modeling review currently underway by McDonald Morrissey to inform our understanding of safe yield, especially within the context of sodium uptake and sea level rise.

The Agent reported they were optimistic, and work with Provincetown staff was going well. The 2 towns are simultaneously looking at water and wastewater, together.

Board member Helen Grimm suggested that the Board circle back to discussing water resources, and the Walsh property, which has an important role in how we partner with Provincetown. She suggested that we need to imagine not having it (various levels of development at Walsh) and having it. The Agent suggested that the Board talk about this as the Walsh property is the subject of LCP goals to develop the property in different ways. The Agent suggested that even though there are some recommendations, development is still conceptual, and the Town is pursuing more information about safe yield of the water supply. There are no development "plans" because we are in a conceptual discussion, however, we still need to understand the development capacity for the property relative to water and wastewater. The Walsh property is in Zone 2 of the of the Provincetown municipal water system. Scott Horsely has opined about how we can plan development here with a wastewater plan to reduce the net nitrogen in Zone two.

The Agent referred to a meeting of the WELLFLEET community forum on December 18, and the tape should be on the Town website. The discussion was about a proposed development on Lawrence Road where they propose new housing with a wastewater treatment system that would include the school, and the adjacent public safety buildings and the neighborhood. The Agent suggested that we can do these things, but we need to learn how to talk to each other. What's the best way to move forward AND answer our questions? We have questions, but/and we have options. But we need folks to ask questions instead of making assumptions—and instead of making up their own story about what is true.

There are rules and regulations about how Public water supplies are used and developed, maintained, and operated. What will happen will be phased in over many years if that's where we go. There will be a good amount of process.

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The Agent suggested that the Board of Health should continue to talk about the Walsh property. In summary, the truth is that the Town is looking at some recommendations that are conceptual and meanwhile the Town has to absolutely pursue the science.

There was a question from Alternate Board member Candida Montieth about a development threshold described when acquisition of the Walsh, which included its suitability for building 26 single family homes, where that came from, and how the level of development changed.

The Agent suggested that the reference likely pertains to a possible development scenario based on nitrogen loading. The Chair also responded, reminding the Board of the history, that included the formation of a committee to discuss how the property could be used by the community.

#### Report of the Chair-

Chair Tracey Rose described her ideas for agenda items in January.

- The Chair referenced a recording of the water resources discussion hosted by the Climate Action Committee and hopes to see it put up on the Towns website, as it was very informative.
- She suggested that we look at revisiting the discussion regulating activities in the Zone 2's.
- The election of Board of Health officers will need to be voted on in January so get ready.
- Ther Board needs to discuss the proposed stormwater and erosion control bylaw. The Chair informed the Board that a citizen presented a proposed amendment of the article to the Moderator, before the Fall special was adjourned.

She asked Courtney Warren for an update on the previous Provincetown Water and Sewer Board meeting. Courtney said there would be a hearing in January to discuss raising the sewer betterment fee. She also reported that even as the Cape is out of drought, the islands are still in drought, something the PWD is keeping an eye on.

**Health Agent's Report**- The Agent is working on the end of the year Town report. As far as future Agenda Items she suggested that the managers regulation should be on the list. Also, in the near future she will be providing an update on PFAs, and Stones Throw. The Board can expect an update with DPW director Jarrod Cabral in January regarding operations/contracts about Solid waste.

Susan Areson from the Select Board, was in attendance at the meeting, and the Chair thanked Sue for her work, and wished her Happy New Year. (Susan Areson is the Select Board Liaison to the Board of Health.

Board member Jason Silva moved to adjourn the meeting; Second: Board member Helen Grimm Silva; Vote: 5-0-0, the motion passed.

The meeting was adjourned at 5:56 P.M.

Respectfully submitted by Emily Beebe

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#### Minutes of the Truro Board of Health, Tuesday January 2, 2024

This was a hybrid meeting; members of the Board and staff were in person at Truro Town Hall in the Select Board chambers.

**Board members in attendance**: Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm, Brian Koll, and Alternate Member Candida Monteith; Absent: Member Tim Rose Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

The meeting was called to order at 4:31 pm by the Chair, who described the remote meeting procedures and the process for public participation.

**Public Comment:** There was no public comment.

<u>Proposed Change of Manager</u>: 148 Shore Rd, Big Fisherman, Joe McKay new manager There was no representative at the meeting either in person or virtually.

#### Proposed Change of Owner: 481 Route 6, Montano's restaurant

Ed Medeiros, the proposed new owner, was at the meeting. Chair Tracey Rose commented on the thoroughness of his application. Ed Medeiros confirmed that the transfer has not happened yet as they are waiting on the state for the liquor license transfer. Chair Tracey Rose asked if Ed Medeiros understood the importance of septic system maintenance and board member Brian Koll asked about the 24 hour emergency number. Each Board member welcomed Mr. Medeiros to the community. Motion: Board member Brian Koll moved to approve the license change. Second: Board member Helen Grimm; Vote: 5-0, The motion carried.

#### Reorganization of the Board Officers

<u>Nomination</u>: Chair Tracey Rose nominated Jason Silva to serve as Vice Chair.; <u>Second</u>: Helen Grimm; Vote: 5-0-0.

<u>Nomination</u>: Board member Jason Silva nominated Tracey Rose to serve as Chair; <u>Second</u>: Helen Grimm; <u>Vote</u>:5-0-0.

<u>Nomination</u>: Board member Jason Silva nominated Brian Koll to serve as clerk.; <u>Second</u>: Helen Grimm. <u>Vote</u>: 5-0-0.

Minutes: November 7, 2023; Motion: Board member Jason Silva moved to approve the November 7, 2023 minutes.; Second: Board member Brian Koll; Vote: 5-0-0; the motion passed. December 5, 2023; Motion: Board member Jason Silva moved to continue until the next meeting; Second: Helen Grimm; Vote: 5-0-0.

#### Report of the Chair:

The chair is working on a draft of goals and objectives for the year and will bring them to the next meeting.

#### Health Agent's Report:

The Agent reported that the Whitman House will not be operating in 2024. The MA Department of Public Health has a vaccination dashboard on its website, showing that vaccinations for flu/COVID RSV statewide are low. The Agent encouraged residents to get both the flu and covid shots. She also recommended continuing to test and follow covid protocols. Meeting

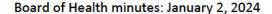
Board of Health minutes: January 2, 2024

participant Karen Ruymann asked about the Truro specific vaccination rates. The Agent will email her with the link to the state site: <a href="https://www.mass.gov/info-details/immunizations-for-respiratory-diseases">https://www.mass.gov/info-details/immunizations-for-respiratory-diseases</a>. The Agent then asked board member Dr. Brian Koll if he had more information to add. He reported that the newest covid vaccine is still effective against the currently circulating variants (still in the Omicron family). He recommended that those at high risk get the booster and that the influenza vaccine can be given at the same time. Board member Candida Montieth asked about the RSV vaccine. Dr. Koll stated that it appears that this vaccine will be effective for two years and he recommended that all those age 60+ and anyone who smokes get the RSV vaccine.

Board member Jason Silva moved to adjourn the meeting; Second: Board member Helen Grimm; Vote: 5-0-0, the motion passed.

The meeting was adjourned at 5:10 P.M.

Respectfully submitted by Courtney Warren



# TRURO CLIMATE ACTION COMMITTEE AND THE TRURO PUBLIC LIBRARY present:

## TALKING TRASH

Have you ever wondered how the Truro Transfer Station works?

Are you curious to know where garbage, plastics, fluorescent bulbs, paint cans, old toilets and the metal scraps go? Did switching to single stream recycling in 2016 improve anything or impact costs to town? Is our old dump emitting methane since it was capped? Is there data being captured on the carbon footprint costs? The Climate Action Committee has invited our *DPW Director Jarrod Cabral* to this month's session to talk with us about what's happening and if there are changes we can make to improve processes or outcomes.





THURSDAY, JANUARY 18th @ 6:00 p.m.

## TRURO PUBLIC LIBRARY 7 STANDISH WAY NORTH TRURO

Please register at trurolibrary.org / walk-ins are welcome



