



# Truro Board of Health

Tuesday September 5, 2023

Remote Meeting- 4:30 PM

## Remote Meeting Access Instructions

This will be a remote meeting. Citizens in Truro can view the meeting on Channel 18 and on the web on the "Truro TV Channel 18" button found under "Helpful Links" on the homepage of the Town of Truro website. To view, click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting, please call in toll free at 1-866-899-4679 and enter the following access code when prompted: 972-302-709; or access the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/972302709>**

**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*

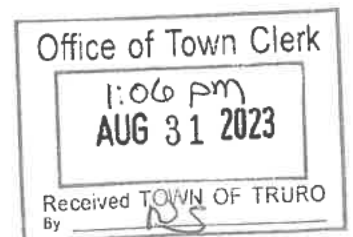
## II. AGENDA ITEMS

1. **Temporary Food Service Permit**- Truro Treasures, Meghan O'Leary
2. **Local Variance Requests**: 34 Sandpiper Road, Ave Rosenthal
3. **Local Variance Requests**: 19 Knowles Heights Road, E.Hope MacEwen Trust
4. **Local Variance Request**: 5 Valentina Way, Estate of Marguerite Yannetty (continued from the 8/15/2023 meeting)
5. **Local Upgrade Approval & Local Variance Request**: 7 Amity Lane, Irene Selver (continued from the 8/15/2023 meeting)
6. **Local Variance Requests**: 1 Mill Pond Road, Mill Pond Road Investment Trust (continued from the 8/15/2023 meeting)
7. **Occupancy and rental registration Violations at 522 Shore Road**
8. **Discussion on proposed ACO**- 398 Shore Road, Mike and Judy Powers

## III. MINUTES- August 1

## IV. REPORTS

1. Report of the Chair
2. Health Agent's Report





HEALTH DEPARTMENT  
TOWN OF TRURO

AUG 25 2023

RECEIVED BY

SUBMIT COMPLETED FORM TO THE HEALTH DEPARTMENT

# Town of Truro Farmers Market/Ag Fair/Temporary Food Service Permit

Applicant (check one)  private individual, organization or business  non-profit organization  
[must attach copy of Form 501(3)(c)]

Name of Business/Organization: TRURO TREASURES

Address: PO BOX 197 TRURO, MA 02666

Authorized Representative or Contact:

Name: MEGAN O'JEARY Email: [REDACTED]  
Address: 43 Woodridge Rd East Sandwich, MA 02537

Telephone Days: [REDACTED] Evenings: [REDACTED] x 5

Requested Location/Facility: Truro Central School Cafeteria + Kitchen

Requested Dates: Sept 16 + 17, 2023

Requested Times: 11AM-2PM Rain Dates/Times (Must be completed): N/A

Before completing this application, read the temporary food service "Are You Ready?" Checklist. Have you read this material?  
 YES  NO

### FARMERS MARKET: FOODS TO BE SOLD/SERVED

#### Foods to be Sold/Served

- Packaged Baked Goods (breads, pies, cookies, cakes and confectionaries). Cream filled pastries, cheese cake or custard type pastries prohibited.
- Seed sprouts
- Jams or Jellies
- Shellfish: Lobster, Crab, Oysters, Clams
- Finfish
- Vinegar with or without herbs
- Dairy: Milk or milk products such as cheese.
- Meat or Poultry(processed in a federal/state licensed inspected facility)
- Other: \_\_\_\_\_

Food Sampling: Y or N If yes, attach sampling protocol.

#### Base of Operations

- Foods prepared/processed at a Truro licensed facility. Name of licensed facility: \_\_\_\_\_
- Foods prepared/processed outside Truro. Please attach a copy of your state or local food processing facility license, food establishment permit, food manufacturing license or residential kitchen permit and copy of your most recent inspection report.

I agree to any conditions specified by the Board of Health, Board of Health Farmer's Market Policy, 105 CMR 590.000 Minimum Sanitation Standards for Food Establishments - Chapter X, and the Federal 1999 Food Code.

PLEASE ATTACH COPY OF YOUR FOOD MANAGER CERTIFICATION AND ALLERGY AWARENESS TRAINING CERTIFICATE WITH THIS APPLICATION

APPLICANT'S SIGNATURE

DATE

**Market Manager Approval**

As the Market Manager for the Truro Farmer's Market, I have authorized the applicant to participate as a vendor.

Market Manager Signature

Date

**AGRICULTURAL FAIR/TEMPORARY FOOD SERVICE**

Menu: Attach or list all items. Any changes must be submitted and approved by the Health Department prior to the event.

hamburgers, hotdogs, chips, soda, water, clarchowder

**Organizations Conducting Food Preparation:**

List Names of all staff with a Food Manager Certification: (non-profit organizations, school events, church suppers and fairs exempt).

- 1. \_\_\_\_\_ Exp. Date: \_\_\_/\_\_\_/\_\_\_
- 2. \_\_\_\_\_ Exp. Date: \_\_\_/\_\_\_/\_\_\_

List Names of all staff with an Allergen Awareness Certification: (non-profit organizations, school events, church suppers and fairs exempt).

- 1. \_\_\_\_\_ Exp. Date: \_\_\_/\_\_\_/\_\_\_
- 2. \_\_\_\_\_ Exp. Date: \_\_\_/\_\_\_/\_\_\_

Base of Operation: (licensed fixed food establishment):

Truro Central School

List each potentially hazardous food item, and for each item check which preparation procedure will occur.

Menu Items	Thaw	Cut/Assemble	Cook	Cool	Cold Holding	Reheat	Hot Holding	Portion Package
1.								
2.								
3.								
4.								
5.								

**SECTION B: At the booth:**

Menu Items	Thaw	Cut/Assemble	Cook	Cool	Cold Holding	Reheat	Hot Holding	Portion Package
1.								
2.								
3.								
4.								
5.								

Note: If your food preparation procedures cannot fit these charts, please list all of the steps in preparing each menu item on an attached sheet.

Food Sampling: Y or  N If yes, attach sampling protocol.

I agree to any conditions specified by the Board of Health, 105 CMR 590.000 Minimum Sanitation Standards for Food Establishments - Chapter X, and the Federal 1999 Food Code. The above described establishment will be operated and maintained in accordance with the regulations.

APPLICANT'S SIGNATURE

*[Handwritten Signature]*

DATE

8/22/23



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 *EB*  
Date: August 30, 2023  
Re: September 5 meeting: Agenda Items- notes

### **34 Sandpiper Road, Ave Rosenthal- Local Variance Request**

This upgrade from a failed 1978 code title 5 will serve an existing 4-Bedroom dwelling on a 33,0665 sf parcel(wetland resource area has not been calculated, and is approximately 10,000 sf)

- It appears that GW flow is toward the west, and the arrangement of the locus well and SAS is suitable. There are no wells in this area downstream of the proposed SAS.
- Private well locations dictate what area of the lot is available for the location of the SAS.
- The local variances needed are reduced separation between the proposed system components and the Coastal Bank wetland resource area.
- A FAST system is provided to comply with Truro BoH regulations, this provides mitigation for the wetland setback reductions.
- *We recommend conditioning approval to require that this property have a deed restriction recorded regarding reduction/elimination of lawn area, and banning the use of fertilizers to limit the Nitrogen profile of this property.*

### **19 Knowles Heights Road, E. Hope MacEwen Trust-**

This upgrade from a cesspool will serve an existing 3-Bedroom dwelling on a 41,067 sf parcel (29, 653 SF upland).

- It appears that GW flow is toward the west, and the arrangement of the locus well and SAS is suitable. There are no wells in this area downstream of the proposed SAS.
- The local variances needed are reduced separation between the proposed SAS and the Coastal Bank wetland resource area.
- *We recommend that approval should be conditioned, to limit the Nitrogen loading on this property by requiring the recording of a deed restriction regarding reduction/elimination of lawn area, and banning the use of fertilizers.*
- An Advantex I/A system is provided to comply with Truro BoH regulations, this provides mitigation for the wetland setback reductions.

### **5 Valentina Way, Estate of Marguerite Yannetty (60/23): Local Variance Request**

***(revised notes are italicized)***

- This upgrade from a cesspool will serve the existing 2-cottage, 3-Bedroom residential development on a 30,056 sf parcel.
- *Revised plan dated Aug.30*
- The project includes re-location of the existing well from the southeast side of the property to the northeast side to achieve the required separation between the well and the proposed location of the new SAS (soil absorption system).
- It appears that GW flow is toward the southwest, and the proposed re-arrangement of the locus well and SAS is suitable. There are no wells in this area downstream of the proposed SAS.

- *An A/I (enhanced) Nitro system is proposed to meet the nitrogen target for the Wellfleet Harbor watershed.*
- There are no title 5 variances, however, there is a local variance request for provision of less than the required separation between the SAS (soil absorption system) *the pump chamber, treatment tank and the septic tank* to the adjacent wetland resource area (inland bank of Ryder Pond).
- *Because Nitro is a gravity system, and pumping before a septic tank is not allowed under title 5 for a non-single family dwelling without written permission by the Board of Health, the design shows gravity flow from the house and the cottage into the septic tank, treatment in the nitro tank and then pumping of the treated wastewater to the SAS.*
- *There are concerns raised by the abutter about the proximity of the system to the pond, and about stormwater from this site. (see email in packet)*
- The standard of review for the Board of Health is to determine if the design showing reductions to the requirements of TBoH regulations will provide as much environmental and public health protection as would a plan without variances. *A determination (such as a statement of finding) or a motion should be made to declare whether the proposed project meets this standard of review.*
- *A deed restriction should be employed that specifies that the upgrade to enhanced I/A shall be installed prior to transfer, at such time as the property is converted to year-round use, or the BoH so orders, pursuant to the Comprehensive wastewater management plan/Pamet River Targeted watershed plan (or equivalent plan).*
- *We recommend that approval should be conditioned, to limit the Nitrogen loading on this property by requiring the recording of a deed restriction regarding reduction/elimination of lawn area, and banning the use of fertilizers*
- 

**7 Amity Lane, Irene Selver (46/18) : Local Upgrade Approval& TBoH Variance Request-**  
**(revised notes are italicized)**

This upgrade from cesspools will serve an existing 4-Bedroom dwelling on a 2-acre parcel, with upland (as defined in TBoH regulations) estimated at approximately 25,000 sf.

- *A revised plan dated Aug 30 is provided.*
- Assrs. card specifies a 4-BR house, no increase in flow is proposed.
- The project includes re-location of the existing well from the east side of the dwelling to the north side, to achieve the required separation between the well and the proposed location of the new SAS (soil absorption system).
- It appears that GW flow is toward the south and west, and although the minimum separation is met we are concerned that the proposed arrangement of the locus well and SAS may not be optimal. An alternate upstream location is suggested, but not required by our regulations at this time. There are no other wells in the area downstream of the proposed SAS.
- A local upgrade approval is sought to allow a 21% reduction in the size of the SAS (soil absorption system) which is mitigated by the proposed use of I/A treatment.
- *Temporary relief has been requested from Article 8 (A local variance request from TBoH regulations).*
- A local variance request from TBoH regulations for reduction to the required separation between the SAS (soil absorption system) and the septic tank to the adjacent wetland resource areas (Riverfront and Coastal Bank)

- The standard of review for the Board of Health is to determine if the design showing reductions to the requirements of title 5 and TBoH regulations will provide as much environmental and public health protection as would a plan without variances. A determination (such as a statement of finding) or a motion should be made to declare whether the proposed project meets this standard of review.
- The property is within the watershed of the Little Pamet /Pamet River.
- A deed restriction should be employed that specifies that the upgrade to enhanced I/A shall be installed prior to transfer, at such time as the property is converted to year-round use, or the BoH so orders, pursuant to the Comprehensive wastewater management plan/Pamet River Targeted watershed plan (or equivalent plan).
- We recommend that approval should be conditioned, to limit the Nitrogen loading on this property by requiring the recording of a deed restriction regarding reduction/elimination of lawn area, and banning the use of fertilizers.

**1 Mill Pond Rd, Mill Pond Road Investment Trust: Local Variance Request (Revised plans will be available for the meeting) (revised notes)**

This project proposes construction of a 3-BR single-family dwelling on a 51,736 sf parcel adjacent to Mill Pond Road, Old County Road and the Pamet River. The parcel is located within the wetland resource area of Riverfront, reducing the available area of upland to approximately 21, 367 sf; this provides enough area for a 2-bedroom home under our Local Board of Health regulations.

- 150-foot separation is required between the SAS (Soil absorption system or leaching area) and the wetland resource area. 16 'is provided. This is also the case for the reserve area, which also cannot meet the required setback.
- 100' separation is required between the septic tank to Riverfront. 41' is provided.
- A variance to nitrogen loading limitations has been requested to allow construction of a 3- bedroom dwelling, rather than the 2-bedroom allowed under the regulations.

*Plan revision dated 8/24/2023 depicts a "Nitroe" I/A system is now proposed to mitigate these variance requests.*

*We recommend that a condition of approval shall include requiring a deed restriction prohibiting establishing a lawn and banning the use of fertilizers shall be recorded, to maintain the limited Nitrogen profile of this development.*

The standard of review for the Board of Health is to determine if the design showing reductions to the requirements of local regulations will provide as much environmental and public health protection as would a plan without variances. A determination (such as a statement of finding) or a motion should be made to declare whether the proposed project meets this standard of review.

**Occupancy and rental registration Violations at 522 Shore Road**

On August 15 our staff received a complaint about the occupancy loading at 2 Sutton Place Condominium units, (units 11 and 14, both on the waterside of shore Road); both units are 1-bedroom, 2-person units) The complaint specified that 5-7 people had been occupying the units during the week of August 7 and that this overloading had been perennial.

Information in the packets describes the units,

- Neither of the 2 units has a Rental Certificate from the Town;
- Owners of Unit 14 asserts that they do not rent, and has only friends and family use, (see email in packet)
- Owners of Unit 11 have filed their rental registration and dispute that they over-occupied the unit (see email in packet)

Discussion with SP manager should include the rental registration requirements, and the issue of over-occupancy, and any enforcement strategies to gain compliance, such as issuance of fines, show cause hearing, etc.

**Discussion on proposed ACO- 398 Shore Road, Mike and Judy Powers**

Please see draft ACO, and draft ACO Variance request in your packet.

Fee: \$75.00



**APPLICATION FOR BOARD OF HEALTH VARIANCES**

**Date:** August 3, 2023

**Property Owner's Name:** Ave Rosenthal

**Mailing Address:** PO Box 673, Truro, MA 02666

**Address of Property:** 34 Sand pper Road

**Map and Parcel Number:** Map # 58 Parcel # 20

**Design Engineer/Sanitarian** John Schnaible, Registered Santitarian

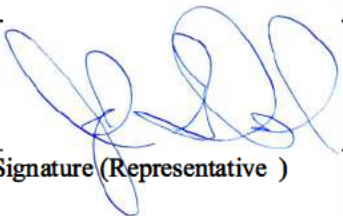
**Firm/Company Name:** Coastal Engineering Co., Inc. Phone #: 508 255 6511

**Address:** 260 Cranberry Highway, Orleans, MA 02653

Please check type of variance requested:

**Title 5 Variance Request: Section** \_\_\_\_\_

**Board of Health Variance Request: Section/Article** VI/9

  
\_\_\_\_\_  
Signature (Representative )

8/3/2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Property Owner)





August 3, 2023

Project #C23013.01

Board of Health  
Attn: Emily Beebe, Agent  
24 Town Hall Road  
Truro, MA 02666

**By Hand Delivery**

**Re: Board of Health Variance Application Filing Package**

Proposed Sewage Disposal System Replacement  
Ave' Rosenthal 2004 Revocable Trust  
34 Sandpiper Road  
Truro, MA  
Map 58 Parcel 20

Dear Ms. Beebe and Board Members,

On behalf of our client, Ave' Rosenthal, we are submitting the original plus 6 copies of a Board of Health Variance Application Filing Package, an original check for municipal filing, and 7 copies of the plan for the above-referenced project. The following items are enclosed:

- Board of Health Variance Application
- Board of Health Variance Request Letter
- Board of Health Variance Justification
- Abutter Notification Letter
- Certified Abutter List, Assessor Map 58 identifying locus
- Copy of \$75.00 check made payable to Town of Truro for the filing fee
- Coastal Engineering Co., Inc. "Plan Showing Proposed Sewage Disposal System," Sheet C2.1.1, dated 8/3/23

Please schedule this for the **September 5, 2023** public hearing. If you have any questions or require additional information, please give our office a call. Thank you.

Sincerely,

COASTAL ENGINEERING CO., INC.

Jenifer Leighton Gracia

Enclosures: As Stated

cc: John G. Schnaible, Project Manager  
Ave' Rosenthal



August 3, 2023

Project #C23013.01

Board of Health  
Attn: Emily Beebe, Agent  
24 Town Hall Road  
Truro, MA 02666

**By Hand Delivery**

**Re: Board of Health Variance Request**  
Proposed Sewage Disposal System Replacement  
Ave' Rosenthal 2004 Revocable Trust  
34 Sandpiper Road  
Truro, MA  
Map 58 Parcel 20

Dear Ms. Beebe and Board Members,

On behalf of our client, we are requesting a variance from the Truro Board of Health Regulations to install a Sewage Disposal System Upgrade with an I/A component to replace an existing failed septic tank and leach pit at the above-referenced 4-bedroom property. The requested variance is:

**Town of Truro Board of Health Regulations Section VI Article 9**

The proposed soil absorption system (SAS) is less than the setback requirement of 150 feet to a wetland. 127ft provided, 33 ft variance requested.

Please schedule this request for your next available public hearing. If you have any questions or require additional information, please contact our office.

Very truly yours,

COASTAL ENGINEERING CO., INC.

John Schnaible

JGS/jlg

cc: Ave' Rosenthal



August 3, 2023

Project #C23013.01

Truro Board of Health  
Attn: Emily Beebe, Agent  
24 Town Hall Road  
Truro, MA 02666

**By Hand Delivery**

**Re: Board of Health Variance Request Justification**

Proposed Sewage Disposal System Replacement  
Ave' Rosenthal  
34 Sandpiper Road  
Truro, MA  
Map 58 Parcel 20

Dear Ms. Beebe and Board Members:

Our client proposes upgrading the existing 4-bedroom (verified by Health Department walk through) sewage disposal system. The property currently uses a septic tank and leach pit that failed the Title 5 inspection. The proposed replacement sewage disposal system is designed to include a MicroFAST I/A system to provide nutrient reduction. The replacement system is designed in compliance with all requirements of 310 CMR 15 (Title 5). However, the Truro Board of Health setback requirement of 150 feet between a wetland and soil absorption system cannot be met. The existing daily sewage flow is classified as 4 bedrooms. There is no proposed change to the bedroom count and no proposed building changes, therefore no change to the existing design flow. The summary for the requested variances is provided below.

**Town of Truro Board of Health Regulations Section VI Article 9**

*The proposed soil absorption system (SAS) is less than the setback requirement of 150 feet to a wetland. (A 48 ft variance is requested.)*

The property is currently served by a '78 Code system which is located 104 feet from the top of coastal bank. The variance requested is from required setbacks under Section VI of the Truro Board of Health Regulations. The proposed soil absorption system (SAS) is located greater than 100 feet from the wetland (coastal bank) but cannot meet the Truro BOH 150 feet setback requirements from a "wetland". The system location was selected to maintain the required 100 ft setback from abutting existing wells including locus. The proposed SAS provides greater than 150 feet of separation to mean high water line at the westerly end of the property. Proposed improvements over the existing conditions are that the replacement system increases horizontal separation from the wetland and is designed with an I/A component capable of providing nutrient reduction. The SAS will be installed below the existing ground (no grade changes) and the required 5 ft separation to groundwater will be provided. In our opinion, these features mean that the replacement system will provide better protection of public health and the environment over the existing sewage disposal system is considered failed.

Based on the summary provided above, it is our opinion that the granting of the requested variances is justified. Coastal Engineering Co. respectfully requests that the Board of Health approve the requested variances.

A representative will be at the public hearing to present the plan and address any questions you may have.

Very truly yours,

COASTAL ENGINEERING CO., INC.

John G. Schnaible

JGS/jlg

cc: Ave' Rosenthal



August 10, 2023

Project #C23013.01

## ABUTTER NOTIFICATION

**Re: Board of Health Variance Request**  
Proposed Sewage Disposal System Replacement  
Ave' Rosenthal 2004 Revocable Trust  
34 Sandpiper Road  
Truro, MA  
Map 58 Parcel 20

Dear Abutter:

On behalf of our client, Ave' Rosenthal, we are requesting a variance from the Truro Board of Health Regulations, to install a Sewage Disposal System Upgrade with an I/A component to replace an existing failed septic tank and leach pit at the above-referenced 4-bedroom property. The requested variance is:

**Town of Truro Board of Health Regulations Section VI Article 9**

The proposed soil absorption system (SAS) is less than the setback requirement of 150 feet to a wetland. 127ft provided, 33 ft variance requested.

The application and plans are available for review at the Truro Board of Health Office located at the Truro Town Hall, 24 Town Hall Road, Truro, MA. Information may also be obtained by contacting our office.

This hearing is currently scheduled for **September 5, 2023**, beginning at approximately 4:30 p.m. at the Truro Town Hall. Please check the Town of Truro website for the agenda posting at <https://www.truro-ma.gov/board-of-health> or call the Board of Health Office directly to confirm the meeting time and location.

Sincerely,

COASTAL ENGINEERING CO., INC.

Jenifer Leighton Gracia

Enclosures: As Stated

cc: Town of Truro Board of Health  
Ave' Rosenthal  
John G. Schnaible, Project Manager



**TRURO ASSESSORS OFFICE**

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

**Date:** August 3, 2023

**To:** Coastal Engineering Co., Inc., Agents for Ave Rosenthal

**From:** Assessors Department

**Certified Abutters List:** 34 Sandpiper Road (Map 58, Parcel 20)

**Board of Health**

Attached is a combined list of abutters for the property located at 34 Sandpiper Road.

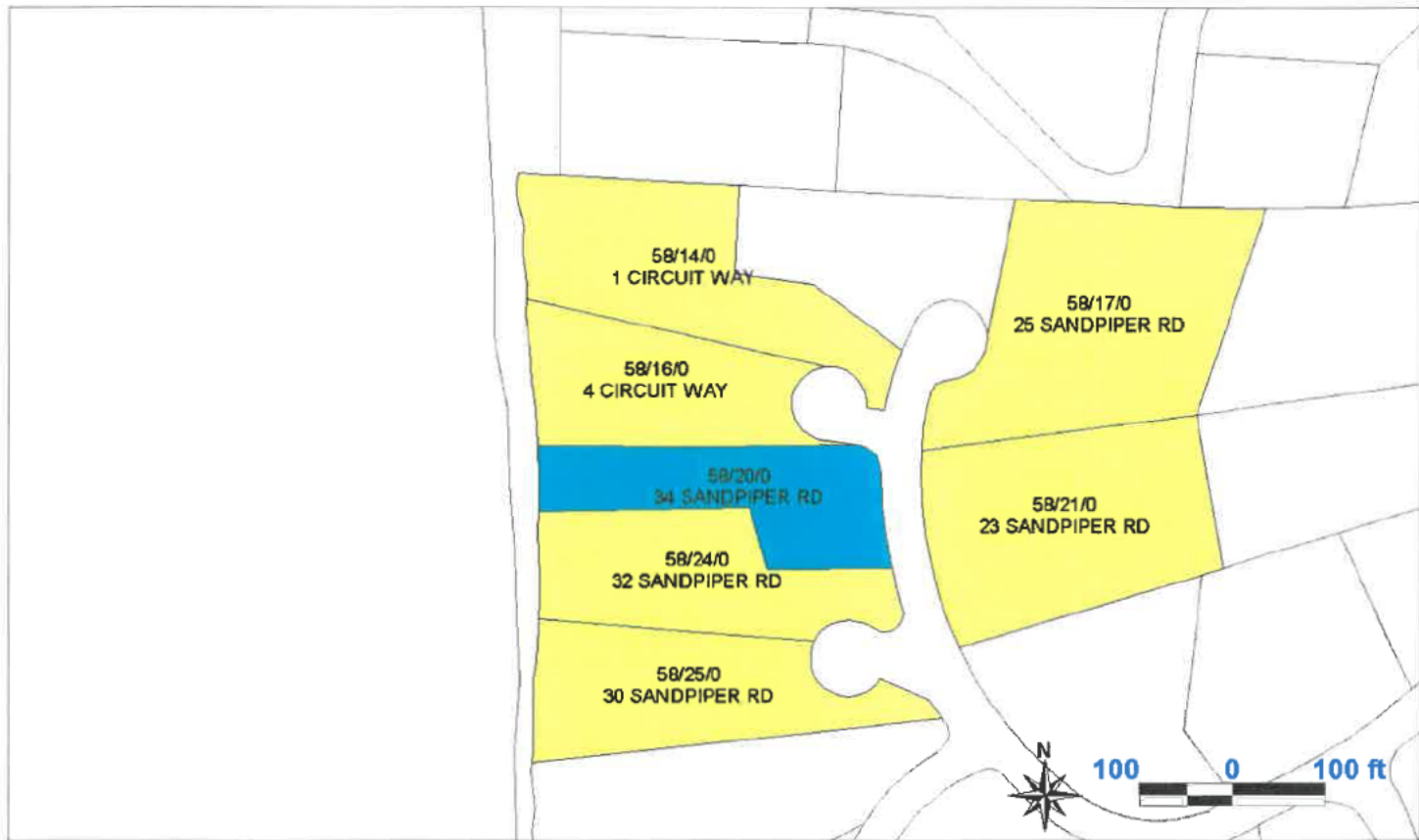
The current owner is Ave D. Rosenthal 2004 Revocable Trust, Ave D. Rosenthal, Trustee.

The names and addresses of the abutters are as of July 28, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell  
Assessing Clerk

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3404	58-14-0-R	MICHAEL S GROSSMAN REV TRST & ABIGAIL L FIERMAN REV TRS 2009	1 CIRCUIT WAY	1 RINGGOLD ST	BOSTON	MA	02118
3406	58-16-0-R	SHUTZER WILLIAM A & FAY L	4 CIRCUIT WAY	520 E 86TH ST/#7A	NEW YORK	NY	10028-7534
3407	58-17-0-R	SUSAN E SCHEUFELE REVOC TRST TRS: PAUL & SUSAN SCHEUFELE	25 SANDPIPER RD	160 COMMONWEALTH AVE #522	BOSTON	MA	02116
3410	58-20-0-R	ROSENTHAL AVE D 2004 REV TRUST TRS: ROSENTHAL AVE D	34 SANDPIPER RD	PO BOX 673	TRURO	MA	02666-0673
3411	58-21-0-R	SUSAN E. SCHEUFELE REV TRUST TRS: PAUL & SUSAN SCHEUFELE	23 SANDPIPER RD	160 COMMONWEALTH AVE #522	BOSTON	MA	02116
3414	58-24-0-R	ROSENTHAL HARVEY & ANDREA	32 SANDPIPER RD	202 COMMONWEALTH AVE	BOSTON	MA	02116
3415	58-25-0-R	KABOOLIAN LINDA	30 SANDPIPER RD	23 HIGHLAND STREET	CAMBRIDGE	MA	02138

*Handwritten signature and date: 8/3/23*

**DEEP OBSERVATION HOLE LOGS**

DATE OF TESTS: MAY 10, 2023  
 PERCOLATION RATE: OBSERVATION HOLE #1 PERCOLATION RATE < 2MIN/INCH

WITNESSED BY: JOHN G. SCHNAIBLE, CEC  
 COURTNEY WARREN, ASSISTANT HEALTH AGENT  
 NO GROUNDWATER ENCOUNTERED

DEEP OBSERVATION HOLE 1, EL. = 61.0±					
DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0" - 30"	FILL				WINDBLOWN SAND
30" - 36"	A	LS	10 YR 3/2	-	
36" - 72"	B	LS	7.5 YR 5/6	-	
72" - 138"	C	SAND	10 YR 6/6	-	M TO FINE SAND, LOOSE

PERC. @ 66"  
 EL. = 55.5±

DEEP OBSERVATION HOLE 2, EL. = 61.1±					
DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0" - 30"	FILL				WINDBLOWN SAND
30" - 36"	A	LS	10 YR 3/3	-	
36" - 58"	B	LS	10 YR 5/6	-	
58" - 138"	C	SAND	10 YR 6/6	-	M TO FINE SAND, LOOSE

**CONSTRUCTION NOTES:**

- GARBAGE GRINDERS ARE NOT ALLOWED WITH THIS DESIGN.
- ALL WATER FIXTURES TO BE WATER TESTED BY CONTRACTOR TO VERIFY ALL SEWER EXIT LOCATIONS PRIOR TO INSTALLATION OF ANY SYSTEM COMPONENTS.
- THE INSTALLER IS RESPONSIBLE FOR ASSURING THAT COMPONENTS OF THE SEWAGE DISPOSAL SYSTEM ARE DESIGNED WITH SUFFICIENT STRENGTH TO SUSTAIN ALL LOADS TO BE IMPOSED ON THEM. ANY COMPONENT OF THE SYSTEM SUBJECT TO VEHICULAR TRAFFIC SHALL COMPLY WITH A MINIMUM STANDARD OF A.A.S.H.T.O. H-20 WHEEL LOADS.
- PRIOR TO SETTING ANY SEWAGE DISPOSAL SYSTEM COMPONENT, INSTALLER SHALL VERIFY EXISTING CONDITIONS, INCLUDING ELEVATIONS OF EXISTING INVERTS, AND REPORT ANY DISCREPANCIES TO THE DESIGN ENGINEER. THE INSTALLER SHALL COORDINATE WITH THE PLUMBING SUBCONTRACTOR TO VERIFY THE COMPATIBILITY OF THE PROPOSED BUILDING SEWER EXIT ELEVATION WITH THE BUILDING'S EXISTING PLUMBING PRIOR TO CONSTRUCTION. ANY CONFLICTS SHALL BE REPORTED TO THE DESIGN ENGINEER.
- ALL GRAVITY SEWER PIPE SHALL BE 4" DIA. SCH 40 PVC UNLESS OTHERWISE NOTED. THE MINIMUM SLOPE OF 4" DIA. SCH 40 PVC SHALL BE 0.01 FT/FT.
- NO PART OF THIS DESIGN SHALL BE ALTERED WITHOUT PRIOR APPROVAL FROM THE DESIGN ENGINEER AND THE AGENT OF THE LOCAL BOARD OF HEALTH. ALL REQUESTS FOR CHANGES SHALL BE MADE IN WRITING PRIOR TO CONSTRUCTION.
- THE USE OF ALTERNATE MANUFACTURERS FOR SYSTEM COMPONENTS SHALL NOT BE APPROVED IF THE USE OF THEIR EQUIPMENT REQUIRES CHANGES IN DESIGN.
- THE INSTALLER SHALL ASCERTAIN THE LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO EXCAVATION, AND SHALL PROTECT UTILITIES WITHIN THE WORK AREA DURING CONSTRUCTION.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
- THE EXISTING SEPTIC SYSTEM SHALL BE REMOVED IN ACCORDANCE WITH TITLE 5 REGULATIONS.

IF APPLICABLE:  
 11. FILL MATERIAL FOR SYSTEMS CONSTRUCTED IN FILL SHALL BE CLEAN GRANULAR SAND, FREE OF ORGANIC MATTER AND OTHER DELETERIOUS MATERIALS. THE SAND SHALL BE GRADED SUCH THAT NOT MORE THAN 45% OF THE SAMPLE, BY WEIGHT, SHALL BE RETAINED ON THE #4 SIEVE. THE FILL SHALL NOT CONTAIN ANY MATERIAL LARGER THAN 2 INCHES. THE MATERIAL THAT PASSES THE #4 SIEVE SHALL MEET THE FOLLOWING GRADATION REQUIREMENTS:

SIEVE SIZE	PERCENT PASSING
# 4	100%
# 50	10%-100%
# 100	0%-20%
# 200	0%-5%

**DESIGN CALCULATIONS:**

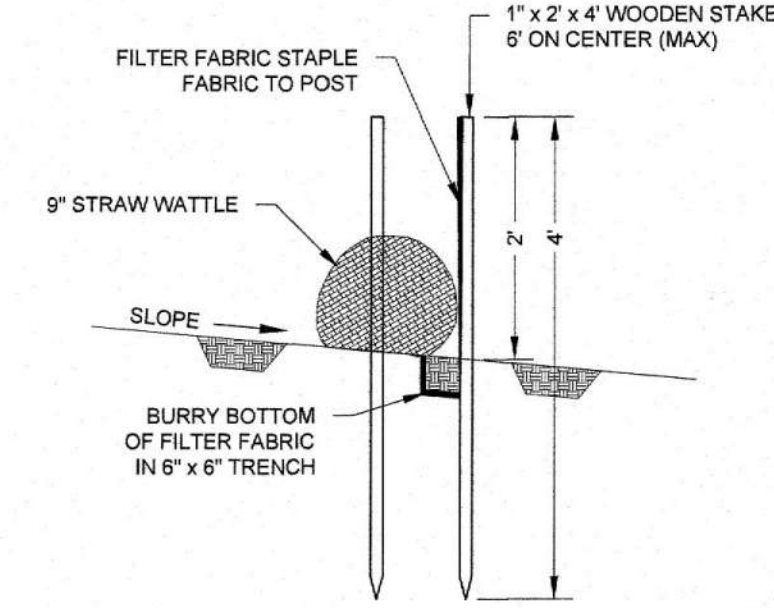
EXISTING DESIGN FLOW:  
 4 BEDROOMS AT 110 GAL. PER DAY PER BEDROOM = 440 GPD (NO CHANGE)

REQUIRED SEPTIC TANK CAPACITY:  
 440 x 200% = 880 GAL. REQUIRED CAPACITY.  
 USE 1,500 GAL. TWO COMPARTMENT FAST TANK 5 (H-10) (MIN. ALLOWED)

REQUIRED LEACHING AREA:  
 40L x 10W x 2D LEACHING CHAMBER CAN LEACH:  
 V = (40 x 2 x 2 x .74) + (10 x 2 x 2 x .74) = 444 GPD  
 V = 444 ÷ 440 GPD REQ.

**INSTALL:**

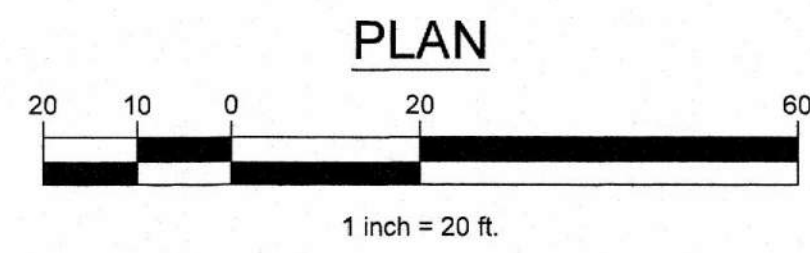
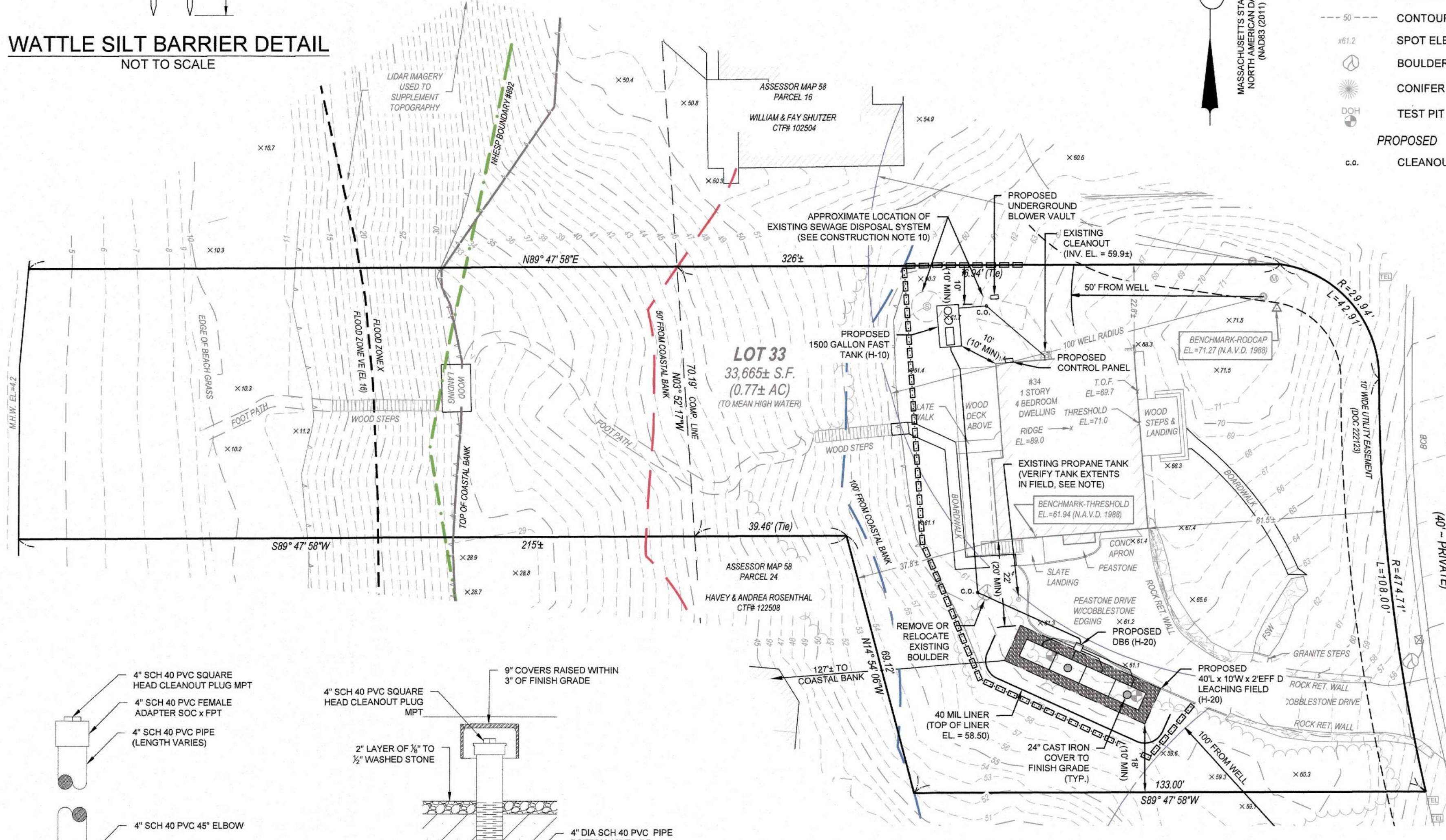
- ONE (1) - 1,500 GAL. FAST TANK 5 (H-10)
- ONE (1) - DISTRIBUTION BOX - 6 OUTLET (H-20)
- ONE (1) - 40L x 10W x 2D LEACHING CHAMBER (H-20)



**WATTLE SILT BARRIER DETAIL**  
 NOT TO SCALE

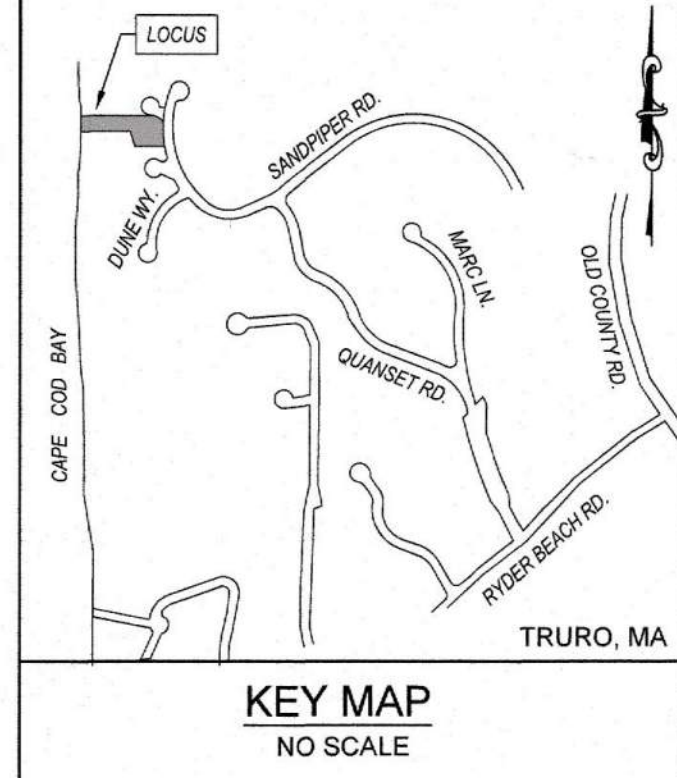
**EROSION & SEDIMENTATION CONTROL NOTES:**

- THE SEDIMENT CONTROL BARRIER SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED UNTIL STABILIZATION AND RE-VEGETATION OF DISTURBED AREAS.
- DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION CONTROL AND SHALL PROTECT THE CONSTRUCTION SITE FROM EROSION UNTIL COMPLETION OF SITE WORK AND ESTABLISHMENT OF VEGETATIVE GROUND COVER.
- AFTER GRADING, EXPOSED SLOPES SHALL BE COVERED WITH NORTH AMERICAN GREEN SC150 EROSION CONTROL BLANKET, OR APPROVED EQUAL. THE EROSION CONTROL BLANKET SHALL BE INSTALLED IN CONFORMANCE WITH MANUFACTURER'S SPECIFICATIONS.
- THE CONTRACTOR SHALL PRACTICE GOOD HOUSEKEEPING MEASURES DURING THE DAY TO DAY OPERATION AT THE SITE. THE SITE SHOULD BE POLICED DAILY TO REMOVE ANY LITTER OR DEBRIS.
- MATERIAL STOCKPILES THAT ARE IN PLACE FOR AN EXTENDED PERIOD OF TIME SHALL BE STABILIZED WITH VEGETATION, MULCHING, EROSION CONTROL BLANKETS, AND OTHER MEASURES THAT ARE NECESSARY TO PREVENT THE DISCHARGE OF SEDIMENT FROM PROJECT SITE.



**LEGEND**

- EXISTING**
- BOUND
  - SEPTIC MANHOLE
  - CLEAN-OUT
  - MISC. MANHOLE
  - WELL
  - ELECTRIC METER
  - PROPANE TANK U. G.
  - TELEPHONE BOX
  - GRANITE POST
  - CONTOUR
  - SPOT ELEV.
  - BOULDER
  - CONIFER TREE
  - TEST PIT
- PROPOSED**
- CLEANOUT



**REFERENCE:**

ASSESSORS MAP 58, PARCEL 20  
 L.C.P. 26481-C - (SHEET 3)  
 OWNER:  
 AVE ROSENTHAL 2004 REVOCABLE TRUST  
 CTF.# 173061

**NOTES:**

- THIS PLAN IS REFERENCED HORIZONTALLY TO THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM NORTH AMERICAN DATUM OF 1983, MAINLAND ZONE (NAD83 (2011) (MYS2) EPOCH 2010.00) AND VERTICALLY TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BY RTK GPS OBSERVATIONS ON 03-13-2023 USING THE HXGN SMARTNET RTK NETWORK.
- THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY PERFORMED ON 03-13-2023.
- EXISTING UTILITIES, UNDERGROUND AND OVERHEAD, MAY EXIST IN ADDITION TO THE UTILITY INFORMATION SHOWN ON THESE PLANS. THIS PLAN MUST NOT BE USED TO LOCATE UNDERGROUND UTILITIES. CALL DIG SAFE AT 811 PRIOR TO STARTING ANY EXCAVATION.
- THE SUBJECT PREMISES AS SHOWN LIES WITHIN FLOOD ZONE VE (EL. 16) AND ZONE X, AS INDICATED ON FLOOD INSURANCE RATE MAP NUMBER 25001C0227J FOR BARNSTABLE COUNTY MASSACHUSETTS WITH AN EFFECTIVE DATE OF JULY 16, 2014.
- THIS SURVEY HAS BEEN PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT REVEAL ANY FACTS THAT WOULD BE DISCLOSED BY ONE.
- THE SEWAGE DISPOSAL SYSTEM COMPONENTS SHOWN HEREON ARE BASED ON AVAILABLE RECORDS FROM THE BOARD OF HEALTH.
- RIPARIAN BOUNDARIES ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND THE BOUNDARY SHOWN HEREON MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.
- AREAS OF ENDANGERED SPECIES PROGRAM (NHESP) ARE SHOWN FROM AVAILABLE GIS DATA.

**VARIANCE:**

TRURO BOARD OF HEALTH REGULATIONS (EFFECTIVE JULY 1, 2023)  
 SECTION VI, ARTICLE 9:  
 SOIL ABSORPTION SYSTEM (SAS) LESS THAN 150 FT. REQUIRED FROM A WETLAND.  
 127 FT. SETBACK PROVIDED FROM SAS TO TOP OF COASTAL BANK  
 33 FT. VARIANCE REQUESTED

I HEREBY CERTIFY THAT THE CONDITIONS SHOWN HEREON ARE ON THE GROUND AS OF FIELD SURVEY 03-13-2023.  
 DATE: AUGUST 3, 2023

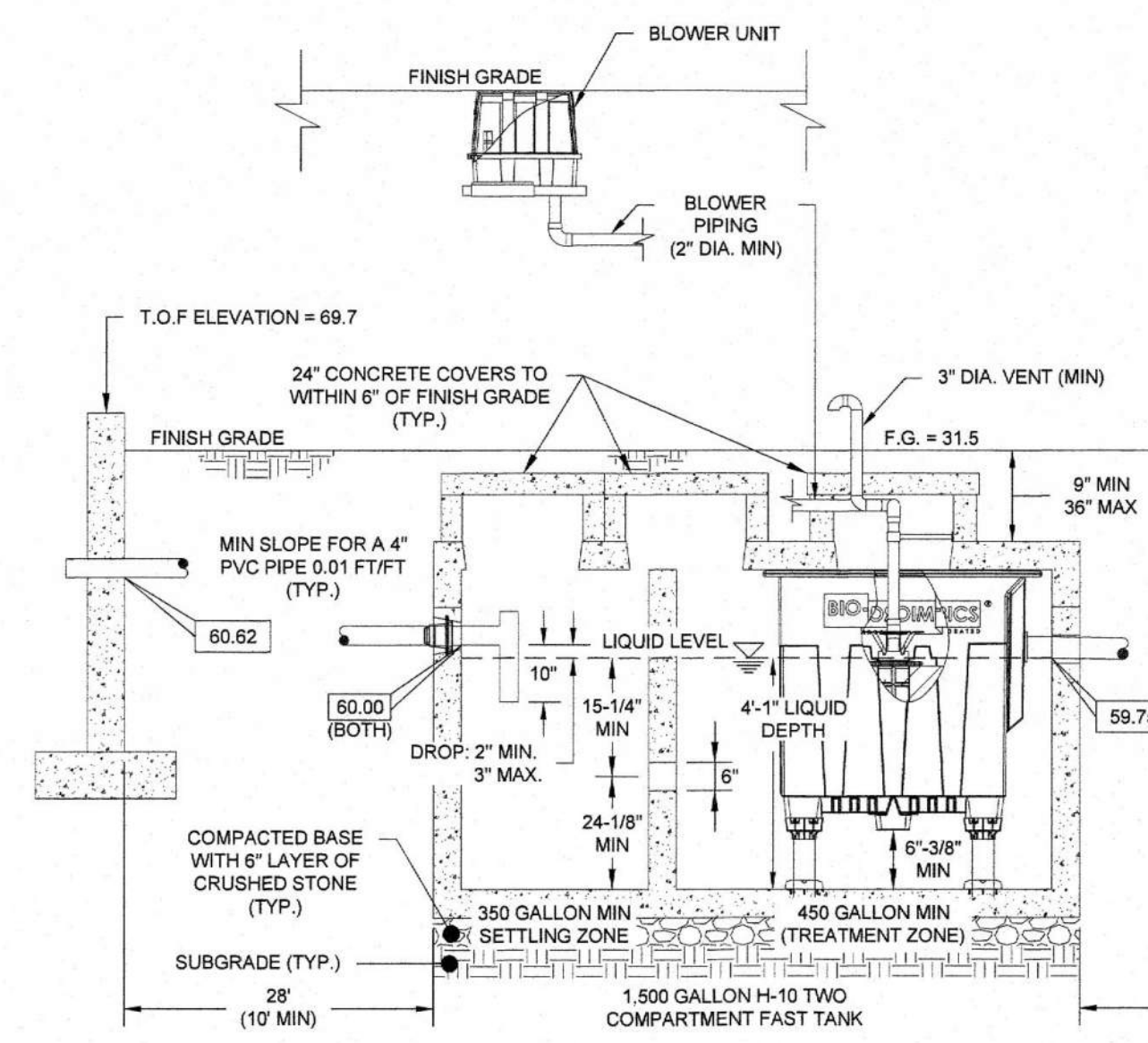


**INSPECTION NOTE**

THE STATE ENVIRONMENTAL CODE, TITLE 5, REQUIRES INSPECTION(S) OF THE SEWAGE DISPOSAL SYSTEM BY THE DESIGN ENGINEER. INSTALLATION CONTRACTOR MUST NOTIFY THE DESIGN ENGINEER PRIOR TO THE START OF INSTALLATION FOR DISCUSSION ON REQUIRED INSPECTIONS.

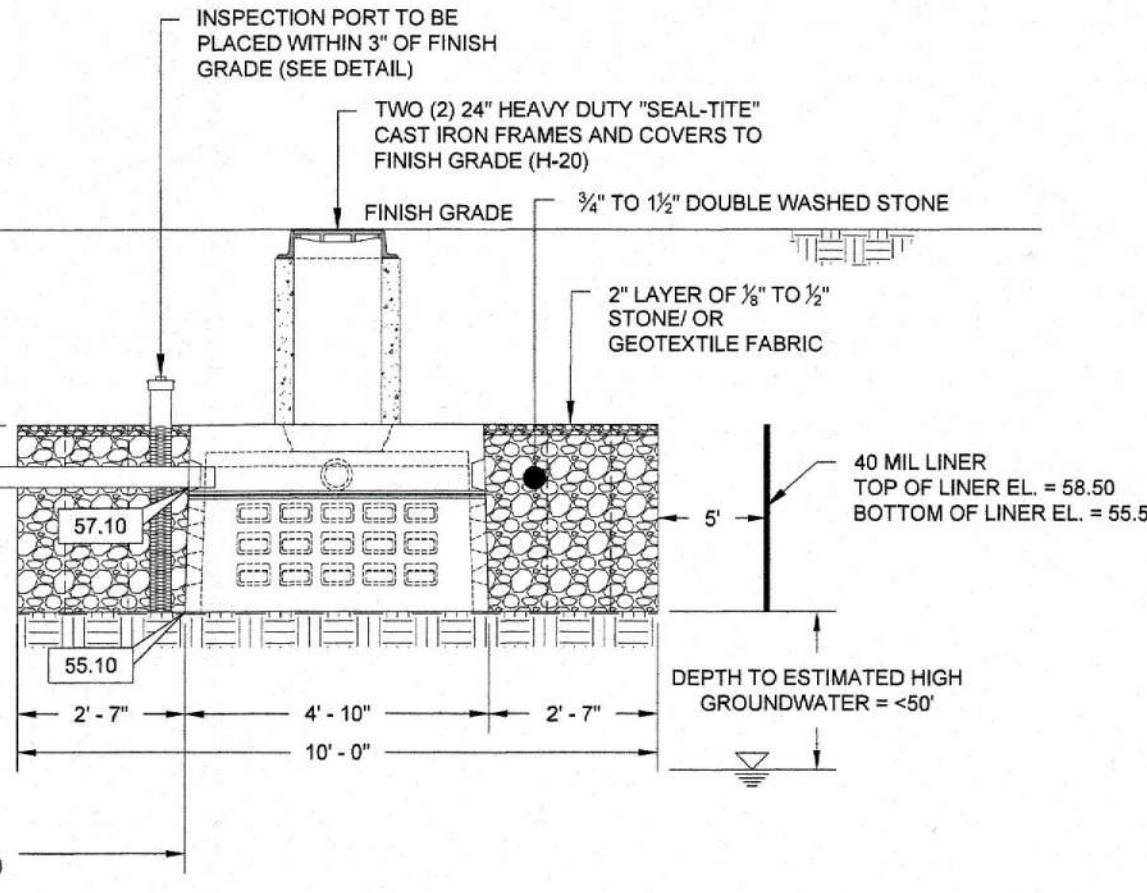
**CLEANOUT**  
 1" = 1'

**OBSERVATION PORT**  
 NOT TO SCALE



**SCHEMATIC FLOW PROFILE**

ALL INSTALLATIONS MUST CONFORM TO THE MINIMUM REQUIREMENTS OF TITLE 5



**DETAIL OF LEACHING CHAMBER**  
 NOT TO SCALE

**COASTAL engineering co.**  
 260 Cranberry Hwy, Orleans, MA 02653  
 508.255.6511 P. 508.255.6700 F.

AVE ROSENTHAL  
 34 SANDPIPER ROAD  
 TRURO, MA

PLAN SHOWING PROPOSED SEWAGE DISPOSAL SYSTEM  
 SHEET TITLE

SCALE 1" = 20'

DRAWING FILE C23013-01-CIV.dwg  
 DATE REV. 08-03-2023 05-29-2023  
 DRAWN BY DAP  
 CHECKED BY JGS

C2.1.1  
 1 of 1 SHEETS  
 PROJECT NO. C23013.01

C:\C23013\01 - Rosenthal, Ave - CIV\CAD\MPC\C23013-01-CIV.dwg 8/3/2023 12:56 PM



# J.C. ELLIS DESIGN COMPANY, INC.

SEPTIC SYSTEM DESIGN & ENGINEERING – SEPTIC INSPECTION –  
SITE PLANNING – WETLAND CONSULTATION & PERMITTING  
P.O. BOX 81, NORTH EASTHAM, MA 02651 PHONE 508-240-2220 FAX 508-240-2221  
EMAIL [jcellisdesign@verizon.net](mailto:jcellisdesign@verizon.net)

HEALTH DEPARTMENT  
TOWN OF TRURO

AUG 25 2023

RECEIVED BY:  
V#2023-21

August 25, 2023

Truro Board of Health  
24 Town Hall Road  
P.O. Box 2030  
Truro, MA 02666

**Re: Variance Requests – Septic System Upgrade  
The E. Hope MacEwen Trust c/o William & Beverly Larkin, 19 Knowles Heights Road, Truro, MA,  
Assessor's Map 24 Parcel 14**

Dear Board,

William & Beverly Larkin are proposing an upgrade of the existing cesspool at 19 Knowles Heights Road. Due to the shape of the lot, location of existing wells and proximity to wetland resource areas (Top of Coastal Bank), variances are required to install the new septic system:

Specifically, the following 1 variance is sought to install the new septic system.

Truro Board of Health Regulations – Section VI, Article 9

1. Proposed s.a.s. located within 150' of wetland (121')  
(150' required, 121' provided, 29' variance requested)

Thank you for your attention to this matter.

Sincerely,

  
Jason C. Ellis, R.S., L.S.I.T.  
J.C. Ellis Design Co., Inc.

Cc: file



**Fee: \$75.00**

V#2023-21

HEALTH DEPARTMENT  
TOWN OF TRURO  
AUG 25 2023



TRURO HEALTH &  
CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666

RECEIVED BY

**APPLICATION FOR BOARD OF HEALTH VARIANCES**

**Date:** August 25, 2023

**Property Owner's Name:** The E. Hope MacEwen Trust c/o William & Beverly Larkin

**Mailing Address:** 76 Fairman Road, Ornage, MA 01364

**Address of Property:** 19 Knowles Heights Road

**Map and Parcel Number:** Map # 24 Parcel # 14

**Design Engineer/Sanitarian:** Jason C. Ellis, R.S.

**Firm/Company Name:** J.C. Ellis Design Co Inc Phone #: 508-240-2220

**Address:** PO Box 81 North Eastham, MA 02651

Please check type of variance requested:

**Title 5 Variance Request: Section** \_\_\_\_\_

**Board of Health Variance Request: Section/Article** Section VI - Article 9 - Leach area setback

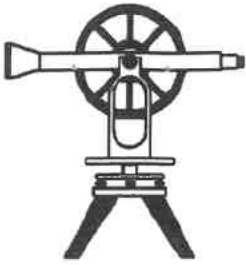
Signature (Representative )

8-25-2023

Date

8-25-2023

Signature (Property Owner)



# J.C. ELLIS DESIGN COMPANY, INC.

SEPTIC SYSTEM DESIGN & ENGINEERING – SEPTIC INSPECTION –  
SITE PLANNING – WETLAND CONSULTATION & PERMITTING  
P.O. BOX 81, NORTH EASTHAM, MA 02651 PHONE 508-240-2220 FAX 508-240-2221  
EMAIL [jcellisdesign@verizon.net](mailto:jcellisdesign@verizon.net)

August 25, 2023

**Re: Variance Requests – Septic System Upgrade  
The E. Hope MacEwen Trust c/o William & Beverly Larkin, 19 Knowles Heights Road, Truro, MA,  
Assessor's Map 24 Parcel 14**

Dear Abutter,

William & Beverly Larkin are proposing an upgrade of the existing cesspool at 19 Knowles Heights Road. Due to the shape of the lot, location of existing wells and proximity to wetland resource areas (Top of Coastal Bank), variances are required to install the new septic system:

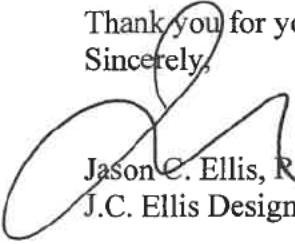
Specifically, the following 1 variance is sought to install the new septic system.

Truro Board of Health Regulations – Section VI, Article 9

1. Proposed s.a.s. located within 150' of wetland (121')  
(150' required, 121' provided, 29' variance requested)

The Truro Board of Health will hold a public hearing to consider these variance requests on Tuesday, September 5, 2023, at 4:30 p.m. in the Selectmen's meeting room in Truro Town Hall, located at 24 Town Hall Road. If you are interested in attending the hearing, please confirm the hearing date, time and location with the Truro Health Department at 508-349-7004, ext. 32.

Thank you for your attention to this matter.  
Sincerely,

  
Jason C. Ellis, R.S., L.S.I.T.  
J.C. Ellis Design Co., Inc.

Cc: file

19 Knowles Heights Road  
 Map 24, Parcel 14  
 Conservation Commission

TOWN OF TRURO, MA  
 BOARD OF ASSESSORS  
 P.O. BOX 2012, TRURO MA 02666

Abutters List Within 100 feet of Parcel 24/14/0



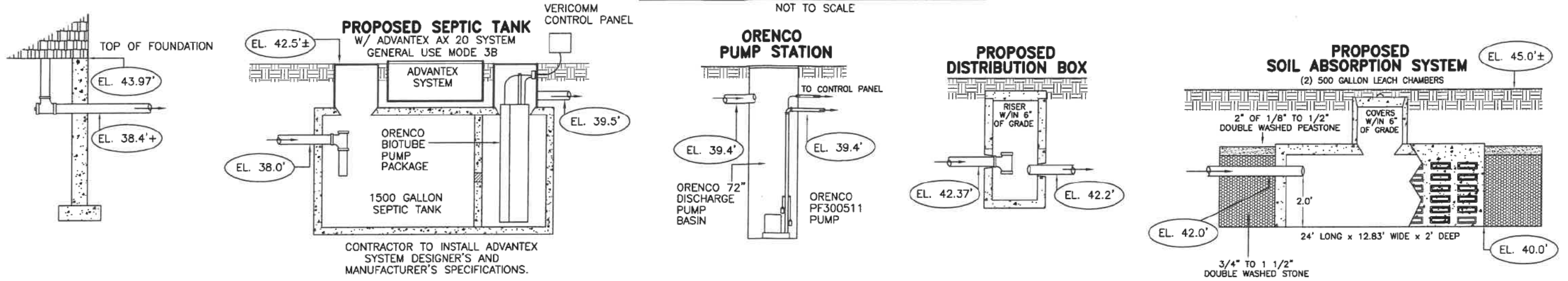
Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
601	24-7-0-R	MICHAEL F HOGAN LIV TRST & ROBERT M PANESSITI LIV TRST	20 KNOWLES HGTS RD	552 EAST BROADWAY	BOSTON	MA	02127
605	24-11-0-R	MYRICK JONATHAN D & COLMAN JENNIFER J	21 KNOWLES HGTS RD	9300 SCHUBERT COURT	VIENNA	VA	22182
606	24-13-0-R	LORRAINE A HART REVOC TRUST TRS: LORRAINE A HART	8 SAMS WAY	32 CAPTAIN LATHROP DR	SOUTH DEERFIELD	MA	01373
607	24-14-0-R	MACEWEN E HOPE TRUST TRS: BRODERICK BRIAN C ET AL	19 KNOWLES HGTS RD	C/O GROVES LEIGH D 20 CASTLE RD	NORFOLK	MA	02056
608	24-20-0-R	CRISCITELLI JOANNE	15 KNOWLES HGTS RD	62 GREENWOOD RD	WINDSOR LOCKS	CT	06096-2635
616	24-28-0-R	HUTCHINSON ETHAN & D'AMICO SANDRA	1 WHALE WATCH DR	2442 CRESCENT STREET	ASTORIA	NY	11102

*WJ 7/13/23*



## SECTION DETAIL – COMPONENTS

NOT TO SCALE



### DESIGN CALCULATIONS

**FLOW RATE:**  
3 BEDROOM DWELLING = 330 G/P/D REQUIRED  
(110 G/P/D PER BEDROOM x 3 BEDROOMS)  
NO GARBAGE GRINDER ALLOWED

**PROPOSED SEPTIC TANK:**  
330 G/P/D x 2 = 660 G/P/D REQUIRED  
USE 1500 GALLON ORENCO ADVANTEX AX-20 SEPTIC TANK

**PROPOSED SOIL ABSORPTION SYSTEM:**  
PERC RATE = <2 MIN./IN. - CLASS I SOIL  
SIDEWALL = (24 + 12.83)(2)(2) = 147.32 S.F.  
BOTTOM: (24)(12.83) = 307.92 S.F.  
(147.32 + 307.92)(0.74) = 336.87 G/P/D PROVIDED

USE: (2) 500 GALLON LEACH CHAMBERS W/ STONE  
AS SHOWN IN DETAIL.

### NOTES

1. ALL PRECAST COMPONENTS TO BE H-10 RATED. ALL COMPONENTS WITH ANY ANTICIPATED VEHICULAR TRAFFIC TO BE H-20 RATED.
2. ELEVATION DATUM IS NAVD 1988.
3. MUNICIPAL WATER IS NOT AVAILABLE.
4. ALL CONSTRUCTION TO CONFORM WITH 310 CMR 15.000 AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
5. INSTALLER/CONTRACTOR TO REVIEW & VERIFY ALL ELEVATIONS AND DETAILS AND REPORT ANY DISCREPANCIES TO DESIGNER PRIOR TO CONSTRUCTION OR ASSUME ALL RESPONSIBILITY.
6. INSTALLER/CONTRACTOR IS RESPONSIBLE FOR MAINTAINING SAFE WORK AREA, VERIFYING ALL UTILITIES AND NOTIFYING DIG SAFE PRIOR TO CONSTRUCTION.
7. ANY CHANGES TO OR DEVIATIONS FROM THIS PLAN MUST BE APPROVED IN WRITING BY J.C. ELLIS DESIGN CO. AND BOARD OF HEALTH.
8. FINISH COVER OVER COMPONENTS IS NOT TO EXCEED 3" PER 310 CMR 15.000.
9. ALL COMPONENTS TO BE PROVIDED WITH WATERTIGHT ACCESS PORTS WITHIN 6" OF FINISH GRADE.
10. ALL SEPTIC TANKS, DISTRIBUTION BOXES AND PIPING TO BE INSTALLED WATERTIGHT.
11. NO KNOWN WELLS EXIST WITHIN 100' OF PROPOSED LEACH AREA.
12. SUITABLE SOIL CONDITIONS TO BE VERIFIED IN AREA OF PROPOSED S.A.S. AT TIME OF CONSTRUCTION.
13. EXCAVATE ALL UNSUITABLE SOIL, ONLY AS NECESSARY, 5' AROUND AND UNDER S.A.S. DOWN TO C LAYER AND REPLACE WITH CLEAN MEDIUM SAND.
14. LEACH AREA TO BE PROVIDED WITH AT LEAST ONE INSPECTION PORT CONSISTING OF A PERFORATED FOUR INCH PIPE PLACED VERTICALLY DOWN INTO THE STONE TO THE NATURALLY OCCURRING SOIL OR SAND FILL BELOW THE STONE. THE PIPE SHALL BE CAPPED WITH A SCREW TYPE CAP AND ACCESSIBLE WITHIN 3" OF GRADE.
15. CONTRACTOR TO TAKE ALL MEANS NECESSARY (FLUSH TESTS ETC.) TO LOCATE AND VERIFY ALL EXISTING BUILDING SEWER INVERT LOCATIONS AND ELEVATIONS. ALL BUILDING SEWERS TO BE CHANGED, ONLY IF NECESSARY, TO LOCATION AND ELEVATION SPECIFIED.
16. CONTRACTOR TO TAKE ALL MEANS NECESSARY (FLUSH TESTS ETC.) TO LOCATE AND VERIFY ALL EXISTING CESSPOOL LOCATIONS. ALL EXISTING CESSPOOLS TO BE PUMPED AND FILLED WITH CLEAN SAND.
17. CONTRACTOR TO INSTALL CLEANOUTS ALONG SEWER LINE BETWEEN BUILDING AND SEPTIC TANK AT ALL BENDS, JUNCTIONS AND 50' INCREMENTS.
18. ALL EXISTING CESSPOOLS IN 100' BUFFER ZONE TO BE PUMPED, REMOVED AND REPLACED WITH CLEAN MEDIUM SAND.

### DEEP HOLE DATA

PERFORMED BY: JASON C. ELLIS, R.S., S.E.  
WITNESSED BY: COURTNEY WARREN, TRURO B.O.H.  
TEST DATE: FEBRUARY 21, 2023

#1		#2	
DEPTH	ELEV.	DEPTH	ELEV.
0.00'	35.7'	0.00'	37.1'
2.66'	33.04'	3.33'	33.77'
3.08'	32.62'	4.16'	32.94'
4.66'	31.04'	5.5'	31.6'
10.0'	25.7'	10.5'	26.6'
NO WATER ENCOUNTERED		NO WATER ENCOUNTERED	

### SEPTIC SYSTEM UPGRADE PLAN

SUBJECT:  
**19 KNOWLES HEIGHTS ROAD**  
TRURO, MA

PREPARED FOR:  
**THE E. HOPE MACEWEN TRUST**  
c/o WILLIAM & BEVERLY LARKIN  
78 FAIRMAN ROAD  
ORANGE, MA 01364

ASSESSOR'S  
MAP 24 PARCEL 14

DATE: MARCH 1, 2023  
REV: AUGUST 7, 2023

SHEET 2 OF 3



**J.C. ELLIS DESIGN**  
P.O. BOX 81  
NORTH EASTHAM, MA 02651  
(508)240-2220  
jason@jcellisdesign.com



JASON C. ELLIS, R.S.

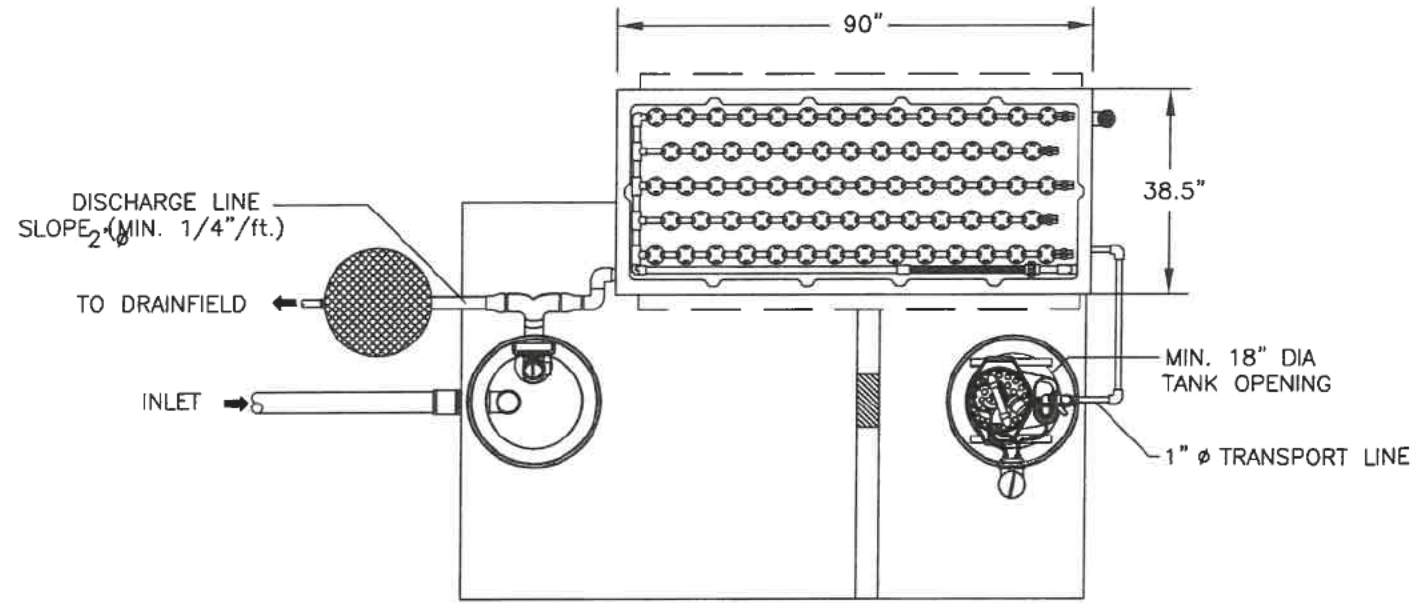
# ADVANTEX® AX20 MODE 3B

## DESIGN NOTES

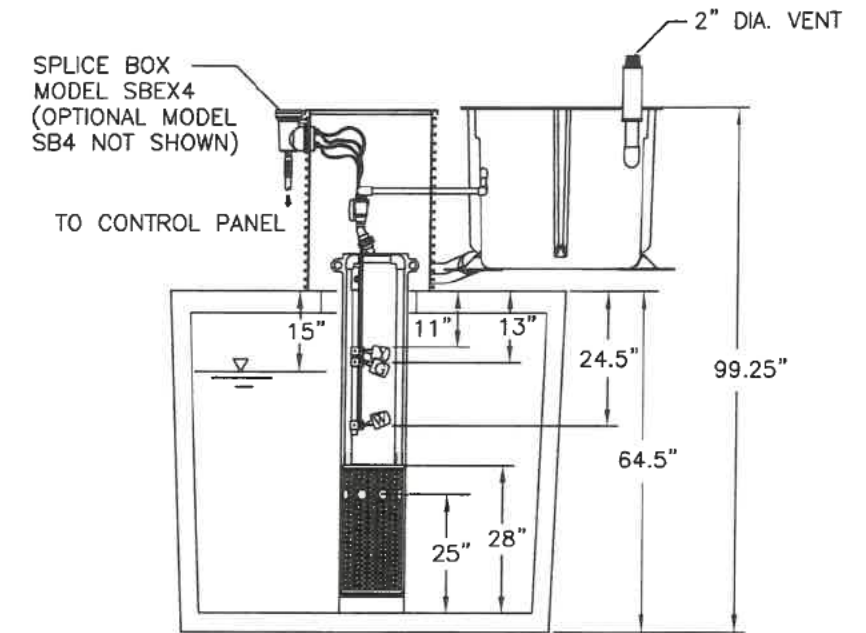
FOR RESIDENTIAL STRENGTH WASTE UP TO 4-BEDROOMS

INSTALLATION TO BE PERFORMED BY AN ADVANTEX AUTHORIZED INSTALLER ONLY.

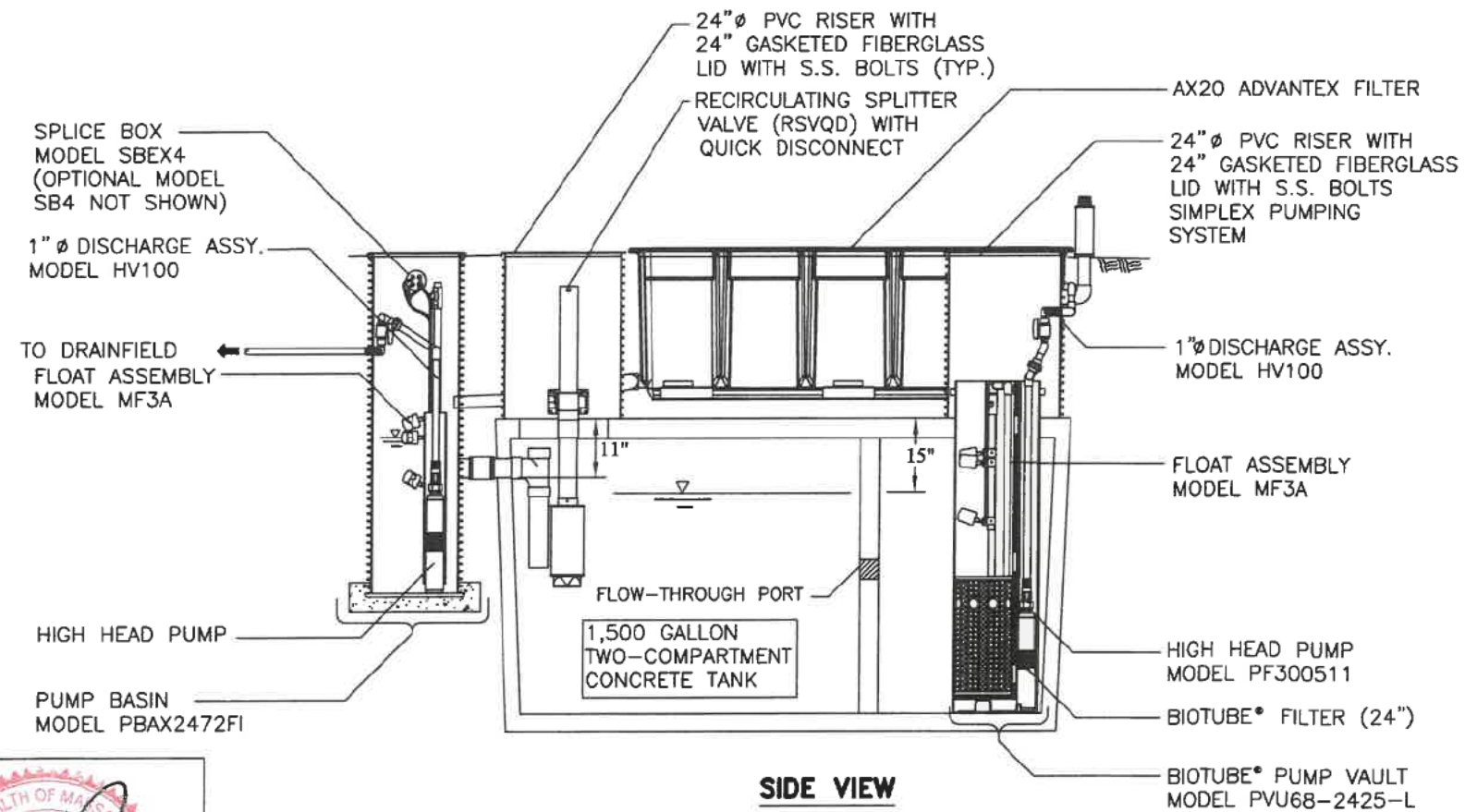
START-UP AND SERVICE TO BE PERFORMED BY AN ADVANTEX AUTHORIZED SERVICE PROVIDER ONLY.



**TOP VIEW**  
NOT TO SCALE



**END VIEW**  
NOT TO SCALE



**SIDE VIEW**  
NOT TO SCALE

FLOAT FUNCTIONS	
Y	HIGH LEVEL ALARM
G	OVERRIDE TIMER ON/OFF
W	LLA/RO
B	PUMP ON
R	PUMP OFF

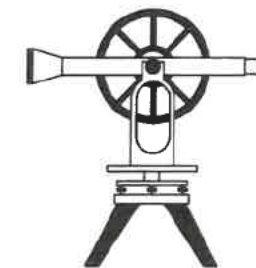
## SEPTIC SYSTEM UPGRADE PLAN

SUBJECT:  
**19 KNOWLES HEIGHTS ROAD**  
TRURO, MA

PREPARED FOR:  
**THE E. HOPE MACEWEN TRUST**  
c/o WILLIAM & BEVERLY LARKIN  
78 FAIRMAN ROAD  
ORANGE, MA 01364

ASSESSOR'S MAP 24 PARCEL 14	
DATE: MARCH 1, 2023	SHEET 3 OF 3

J.C. ELLIS DESIGN



P.O. BOX 81  
NORTH EASTHAM, MA 02651  
(508)240-2220  
jason@jcellisdesign.com



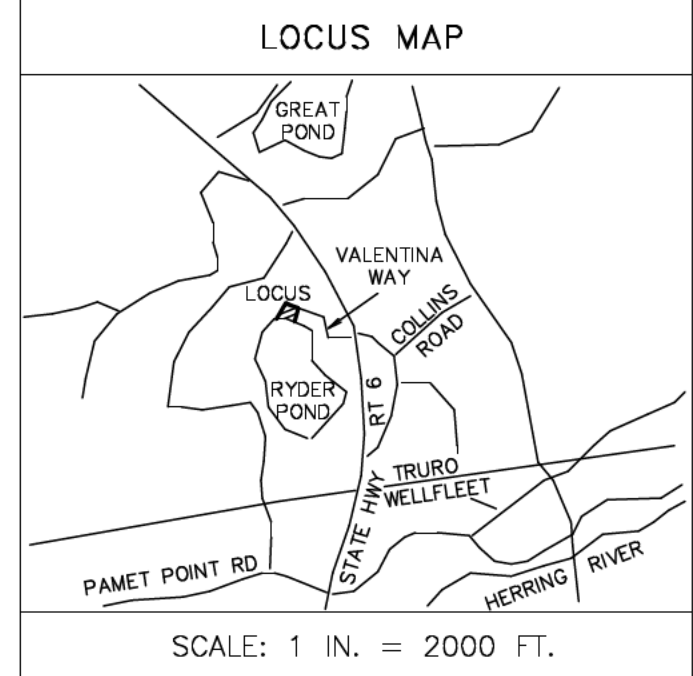
JASON C. ELLIS, R.S.

COMMONWEALTH OF MASSACHUSETTS  
REGISTERED SANITARIAN  
No. 1120

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ORENCO SYSTEMS®, INC. NDW-ATX-BNDR-6

**PLOT PLAN**  
 SCALE: 1 in. = 20 ft.  
 ASSESSOR'S MAP 60 PARCEL 23  
 LOT AREA: 30,056 ± SQ FT.

DEEP TEST HOLE OBSERVATION LOG #1						
DATE: NOVEMBER 18, 2022			JOB: 0-12614			
PERFORMED BY: LAURA A. SCHOFIELD, RS, SE			WITNESSED BY: COURTNEY WARREN, TRURO BOH			
ELEVATION (FT)	DEPTH FROM SURFACE (IN)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
100.0-90.0	0-120	C	SAND	10YR4/6	NO	MED-COARSE TEST HOLE PERFORMED IN A PREVIOUSLY DISTURBED AREA. A&B HORIZON WERE ABSENT
PARENT GEOLOGICAL MATERIAL: GLACIAL OUTWASH			STANDING WATER IN HOLE: NO			
WEEPING FROM FACE: NO			DEPTH TO BEDROCK:			
ESTIMATED SEASONAL HIGH GROUNDWATER AT EL. = AT ELEV. 80±						
PERCOLATION TEST: TOP OF PERC. AT 30", 24 GAL. ABSORBED IN 4:33 MIN., PERC. RATE < 2 MPI						



DEEP TEST HOLE OBSERVATION LOG #2						
DATE: NOVEMBER 18, 2022			JOB: 0-12614			
PERFORMED BY: LAURA A. SCHOFIELD, RS, SE			WITNESSED BY: COURTNEY WARREN, TRURO BOH			
ELEVATION (FT)	DEPTH FROM SURFACE (IN)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
100.4-90.4	0-120	C	SAND	10YR4/6	NO	MED-COARSE TEST HOLE PERFORMED IN A PREVIOUSLY DISTURBED AREA. A&B HORIZON WERE ABSENT
PARENT GEOLOGICAL MATERIAL: GLACIAL OUTWASH			STANDING WATER IN HOLE: NO			
WEEPING FROM FACE: NO			DEPTH TO BEDROCK:			
ESTIMATED SEASONAL HIGH GROUNDWATER AT EL. = AT ELEV. 80±						
PERCOLATION TEST:						

**GENERAL NOTES**

- ELEVATIONS REFER TO AN ASSUMED DATUM. SEE BENCHMARK ON PLAN
- ALL CONSTRUCTION AND MATERIALS TO CONFORM TO TITLE 5 OF THE MASSACHUSETTS STATE ENVIRONMENTAL CODE AND THE BOARD OF HEALTH REQUIREMENTS FOR THE TOWN OF TRURO.
- ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE BOARD OF HEALTH AND SCHOFIELD BROTHERS OF CAPE COD.
- FOR PROPER PERFORMANCE, THE SEPTIC TANK SHOULD BE INSPECTED AT LEAST ONCE PER YEAR. THE TANK SHOULD BE PUMPED WHEN THE TOTAL DEPTH OF SCUM AND SOLIDS EXCEEDS 1/3 OF ITS LIQUID DEPTH.
- SCHOFIELD BROTHERS OF CAPE COD DOES NOT ASSUME RESPONSIBILITY FOR MATERIALS ENCOUNTERED DURING EXCAVATION.
- ALL UNSUITABLE OR DELETERIOUS MATERIAL ENCOUNTERED MUST BE EXCAVATED AND REMOVED TO A DISTANCE OF 5 FEET FROM ALL SIDES OF THE SOIL ABSORPTION SYSTEM (S.A.S) AND TO A DEPTH AT WHICH THE C HORIZON IS ENCOUNTERED. BACKFILL WITH CLEAN SAND MATERIAL MEETING TITLE 5 SPECIFICATIONS TO APPROX. ELEVATION 96.5. CONTACT SCHOFIELD BROTHERS IF ANY DOUBT OR QUESTIONS ARISE REGARDING SOIL QUALITY.
- INSTALLATION CONTRACTOR SHALL CONTACT SCHOFIELD BROTHERS PRIOR TO BACKFILLING FOR SYSTEM CERTIFICATION.
- THE EXISTING CESSPOOL AND LEACH PIT ARE TO BE PUMPED, ABANDONED AND COLLAPSED OR FILLED WITH CLEAN SAND. THE EXISTING SEPTIC TANK SHALL BE PUMPED, RUPTURED AND FILLED.
- EXISTING BUILDING SEWER INVERTS SHALL BE VERIFIED IN FIELD PRIOR TO COMPONENT INSTALLATION. CONTACT SCHOFIELD BROTHERS IF SIGNIFICANT DISCREPANCIES EXIST.
- SITE RESTORATION REQUIRES ALL STRIPPED TOPSOIL AND SUBSOIL TO BE STOCKPILED AND REUSED AT OWNERS OPTION. RE-SPREAD OVER DISTURBED AREAS TO PROMOTE OPTIMAL GROWTH.
- ANY SEPTIC SYSTEM COMPONENT THAT WILL BE SUBJECT TO VEHICLE OR OTHER HEAVY EQUIPMENT TRAFFIC SHALL BE INSTALLED WITH H-20 LOADING CAPACITY.
- UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
- NO KNOWN WELLS EXIST WITHIN 200' OF THE PROPOSED LEACHING AREA EXCEPT THOSE THAT ARE SHOWN.
- LEACHING AREA STONE SHALL BE OVERLAIN WITH MIRAFI 500x FILTER FABRIC. THE FILTER FABRIC SHALL EXTEND 12" BEYOND THE STONE.

**GENERAL NOTES (CONTINUED)**

- WHEREVER A SEPTIC SYSTEM LINE CROSSES A WATER SERVICE LINE, BOTH PIPES SHALL BE CONSTRUCTED OF CLASS 150 PRESSURE PIPE AND SHALL BE PRESSURE TESTED TO ASSURE WATERTIGHTNESS OR SLEEVED WITH A 20' PIPE SECTION CENTERED ON THE CROSSING.

LEGEND	
---XX---	PROPOSED CONTOUR LINE
- - - - -	EXISTING CONTOUR
W	WATER LINE
OOO	PROPOSED 1500 GALLON, ADVANTECH SEPTIC TANK
□	PROPOSED DISTRIBUTION BOX
□	PROPOSED LEACHING AREA
## x #	EXISTING SPOT ELEVATIONS
⊙	TEST HOLE LOCATIONS
▬	PROPERTY LINE
## x #	PROPOSED SPOT ELEVATION
OH	OVERHEAD UTILITIES
UG	UNDERGROUND UTILITIES
FG	FINISHED GRADE
UP	UTILITY POLE
TOF	TOP OF FOUNDATION ELEVATION
BS	BUILDING SEWER
CO	CLEAN OUT
OOOO	NITROE TREATMENT SYSTEM
○	4' I.D. PUMP CHAMBER

**DESIGN CALCULATIONS**

- ESTIMATED HYDRAULIC LOADING:  
 $\frac{3}{\text{BEDROOMS}} \text{ AT } 110 \text{ GPD PER BEDROOM} = \frac{330}{\text{GPD}} \text{ GARBAGE GRINDER IS NOT ALLOWED WITH THIS DESIGN}$
- SEPTIC TANK SIZE:  
 SEPTIC TANK PROVIDED = 1500 GALLON, 2 COMPARTMENTS  
 FIRST COMPARTMENT =  $330 \text{ GPD} \times 200\% = 660 \text{ GAL. MIN. REQUIRED}$   
 1000 GAL. PROVIDED  
 SECOND COMPARTMENT =  $330 \text{ GPD} \times 100\% = 330 \text{ GAL. MIN. REQUIRED}$   
 500 GAL. PROVIDED
- DESIGN PERCOLATION RATE =  $< 2$  MINUTES PER INCH  
 SOIL TEXTURE SANDS, CLASS 1  
 310 CMR 15.242 EFFLUENT LOADING RATE =  $0.74 \text{ GPD/SF}$
- LEACHING AREA:  
 TOTAL SIDEWALL AREA PROVIDED =  $151.2 \text{ SF} \times 0.74 \text{ GPD/SF} = 111.9 \text{ GPD}$   
 TOTAL BOTTOM AREA PROVIDED =  $320 \text{ SF} \times 0.74 \text{ GPD/SF} = 236.8 \text{ GPD}$   
 MAXIMUM ALLOWABLE LOADING UNDER TITLE 5 =  $348 \text{ GPD}$   
 ACTUAL HYDRAULIC LOADING =  $330 \text{ GPD}$  (SEE 1.)  
 DESIGNED LEACHING AREA EXCEEDS LEACHING AREA REQUIRED UNDER BOTH TITLE 5 AND THE TOWN OF TRURO BOARD OF HEALTH REGULATIONS
- NITROGEN SENSITIVE AREA LOADING CALCULATION:  
 LOT SIZE REQUIRED =  $\frac{330 \text{ GPD} \times 10,000 \text{ SF}}{110 \text{ GPD}} = 30,000 \text{ SF}$   
 LOT SIZE PROVIDED =  $30,056 \text{ SF}$

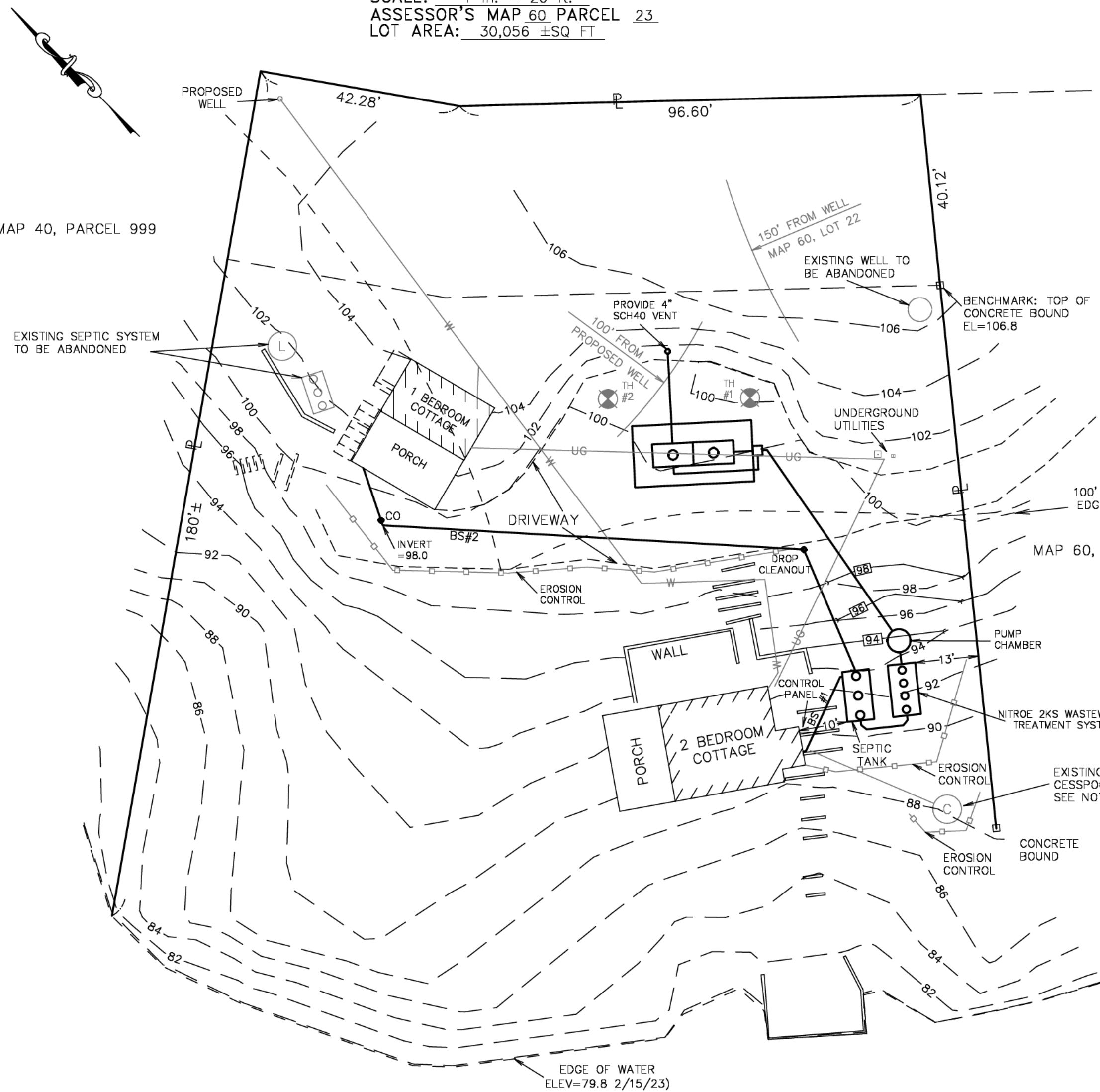
**PROPOSED SEWAGE DISPOSAL SYSTEM**

FOR: TWO EXISTING COTTAGES, 3 BEDROOMS TOTAL  
 AT: 5 VALENTINA WAY  
 TRURO, MA  
 ASSESSOR'S MAP: 60 PARCEL: 23  
 APPLICANT: ESTATE OF MARGUERITE YANNETTY  
 5 VALENTINA WAY  
 TRURO, MA  
 JOB #: 0-12614  
 DATE: AUGUST 30, 2023  
 DESIGNED BY: LAS  
 DRAWN BY: LAS  
 CHECKED BY: LAS  
 SCHOFIELD BROTHERS OF CAPE COD  
 LAND SURVEYING - ENVIRONMENTAL PERMITTING  
 P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA  
 (508) 255-2098

VARIANCES REQUESTED FROM THE TOWN OF TRURO BOARD OF HEALTH REGULATIONS ARE AS FOLLOWS:

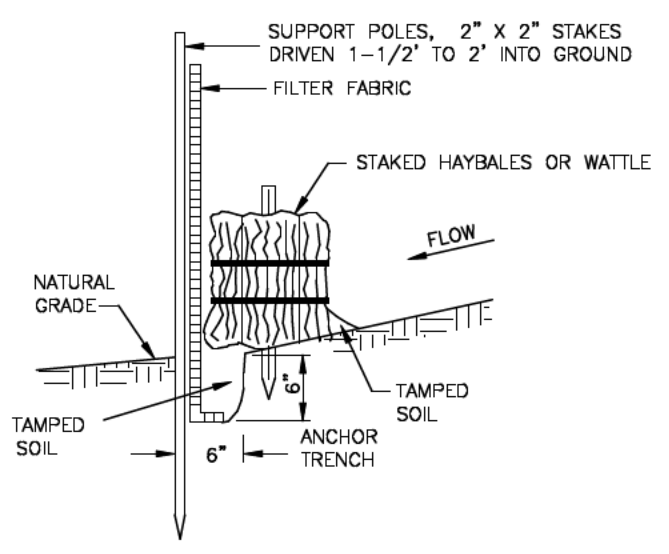
ARTICLE 9 - REQUIRED SETBACKS FOR SYSTEM COMPONENTS RELIEF FROM THE FOLLOWING MINIMUM SETBACK DISTANCES ARE REQUESTED FOR THE SEPTIC TANK, NITROE TANK AND THE LEACHING AREA AS FOLLOWS:

	SETBACK TO WETLAND PROVIDED	SETBACK REQUIRED
SEPTIC TANK	56 FEET	100 FEET
NITROE WASTEWATER TREATMENT SYSTEM	57 FEET	100 FEET
LEACHING AREA	106 FEET	150 FEET
PUMP CHAMBER	70 FEET	100 FEET

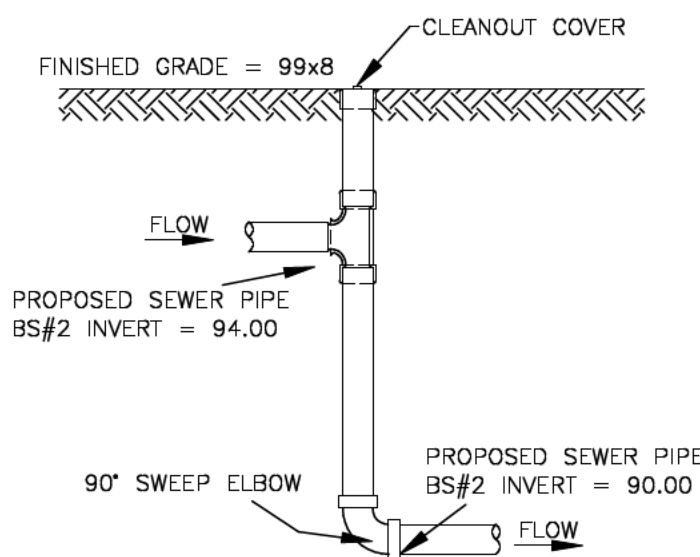


**CONSTRUCTION & EROSION CONTROL NOTES**

- PRIOR TO ANY DISTURBANCE OF THE SITE, A STAKED SILT FENCE / LIMIT OF WORK SHALL BE INSTALLED IN THE LOCATION SHOWN. THE SILT FENCE SHALL REMAIN IN PLACE UNTIL ALL AREAS UPGRADIENT FROM THE BARRIER HAVE BEEN STABILIZED.
- ALL DISTURBED AREAS NOT OTHERWISE DEVELOPED OR WHERE SPECIAL STABILIZATION MEASURES OR LANDSCAPE PLANTINGS ARE NOT PROPOSED SHALL HAVE 4"-6" OF LOAM ADDED AND SEEDED WITH A RYE FESCUE MIX.
- ALL AREAS OUTSIDE OF THE LIMIT OF WORK ARE TO BE LEFT UNDISTURBED. DURING THE SITE WORK, ALL PERSONS AND EQUIPMENT SHALL STAY OUT OF THESE AREAS AND PRESERVE EXISTING VEGETATION.



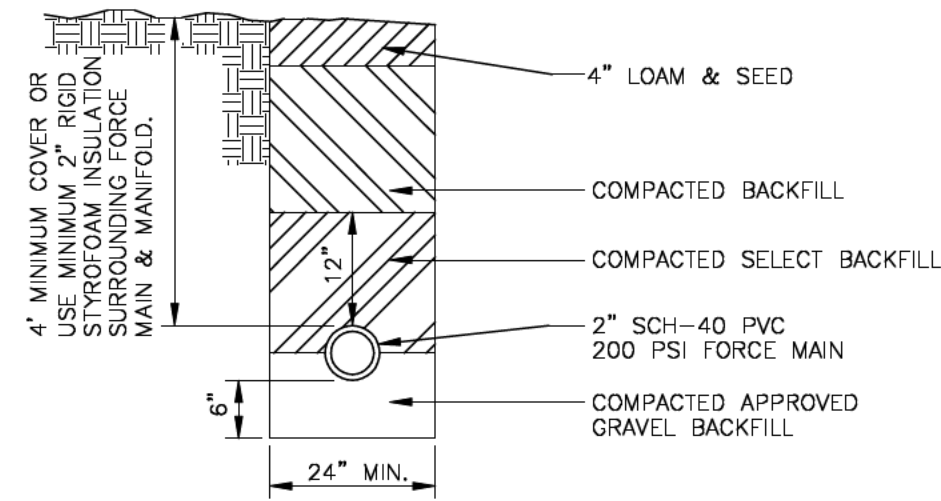
SILT FENCE WITH STAKED HAYBALES OR WATTLE SEDIMENT BARRIER DETAIL  
 (NO SCALE)



SEWER LINE DROP WITH CLEANOUT DETAIL  
(NO SCALE)

\*BUILDING SEWERS WITH A SLOPE GREATER THAN OR EQUAL TO 12% SHALL BE PROVIDED WITH A DROP CLEANOUT.

ALL PIPING SHALL BE 4" SCH-40 PVC TIGHT JOINT PIPE UNLESS OTHERWISE NOTED.



TYPICAL FORCE MAIN BEDDING DETAIL  
(NO SCALE)

FORCE MAIN SHALL BE LAID IN A "CLASS B" TRENCH BEDDING .  
ALL PIPING OUTSIDE THE PUMP CHAMBER WHICH IS LESS THAN FOUR (4) FEET BELOW FINAL FINISHED GRADE SHALL BE SURROUNDED WITH A MINIMUM OF TWO (2) INCHES OF RIGID STYROFOAM INSULATION, OR SHALL DRAIN BACK TO PUMP/DISCHARGE CHAMBER.  
PROVIDE CONCRETE THRUST BLOCKING AT ALL FORCE MAIN BENDS WITH MINIMUM SOIL BEARING SURFACE AREA OF ONE SQUARE FOOT.

1. GENERAL  
FURNISH AND INSTALL ONE COMPLETE PUMPING SYSTEM CONSISTING OF ONE SUBMERSIBLE EFFLUENT PUMP AND MOTOR, DISCHARGE PIPING AND VALVES, FLOAT SWITCHES, LEVEL CONTROLS, HIGH WATER ALARM AND SIMPLEX CONTROL PANEL.

ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND WARRANTED FOR A PERIOD OF AT LEAST ONE YEAR.  
UPON COMPLETION OF THE INSTALLATION, THE CONTRACTOR SHALL PROVIDE A SUFFICIENT QUANTITY OF CLEAN WATER TO CONDUCT PUMP OPERATION TESTS.

2. DOSING CHAMBER (PUMP STATION)  
THE PUMP CHAMBER SHALL BE A ACME-SHOREY 4' ID, 500 GALLON PUMP CHAMBER ITEM #PCR45 OR APPROVED EQUAL WITH INVERTS SET TO THE INDICATED ELEVATIONS.  
PUMP CHAMBER SHALL BE MADE WATERTIGHT THROUGH MANUFACTURER'S SPECIFICATIONS.  
PUMP CHAMBER SHALL BE SET ON A MECHANICALLY COMPACTED, LEVEL, STABLE 6" BASE STONE AGGREGATE.

3. PUMP AND MOTOR  
PUMP AND MOTOR SHALL BE HEAVY DUTY EFFLUENT-TYPE EJECTOR WITH A 2 INCH DISCHARGE. PUMP AND MOTOR SHALL BE FULLY SUBMERSIBLE AND SHALL OPERATE WITH A 115V, 12 AMP SINGLE PHASE AC POWER SOURCE. THE ELECTRICAL CONTRACTOR SHALL VERIFY THAT PROPER VOLTAGE IS AVAILABLE AT THE CONTROL PANEL AND THAT THE PANEL IS INSTALLED ACCORDING TO THE MANUFACTURERS SPECIFICATIONS.  
USE A LIBERTY LE 41A 4/10 HP EFFLUENT PUMP OR APPROVED EQUAL. THE PUMP SHALL BE RATED AS FOLLOWS:  
A) 4/10 HP  
B) 43 GALLONS PER MINUTE  
C) 17 FEET TOTAL DYNAMIC HEAD

4. LEVEL CONTROLS  
SEALED FLOAT-TYPE SWITCHES SHALL BE SUPPLIED TO CONTROL THE SUMP LEVEL AND ALARM SIGNAL. TWO FLOAT SWITCHES SHALL BE USED TO CONTROL THE SUMP LEVEL; ONE FOR FOR PUMP "OFF" AND ONE FOR PUMP "ON". A THIRD SWITCH SHALL BE PROVIDED WITH A POWER SOURCE SEPARATE FROM THE PUMP POWER AND SHALL BE FOR THE ALARM UNIT.

THE FLOAT LEVEL CONTROLS SHALL BE SET TO OPERATE AT THE ELEVATIONS INDICATED ON THE PLANS.

5. CONTROL PANEL  
THE NEMA 4 OUTDOOR SIMPLEX CONTROL PANEL SHALL BE LOCATED IN A SUITABLE LOCATION APPROVED BY THE HOMEOWNER

6. ALARM  
A HIGH WATER ALARM SHALL BE SUPPLIED WITH BOTH AN AUDIBLE AND VISUAL ALARM WITH A SEPARATE POWER SUPPLY FROM THE PUMP.  
AN ALARM SILENCER BUTTON SHALL BE PROVIDED TO SILENCE THE AUDIBLE ALARM WHILE THE VISUAL ALARM REMAINS LIT UNTIL MANUALLY RESET. THE PANEL SHALL BE LOCATED AT A LOCATION APPROVED BY THE HOMEOWNER.

7. PIPING  
THE PUMP STATION DISCHARGE PIPING, FITTINGS AND SEWAGE FORCE MAIN SHALL BE 2-INCH SCH-40 PVC. WITHIN THE PUMP CHAMBER, THE DISCHARGE PIPING SHALL INCLUDE THE FOLLOWING: 1) IN THE VERTICAL POSITION: A 2-INCH BALL-TYPE, CHECK VALVE; AND 2) IN THE HORIZONTAL POSITION: A 2-INCH BALL VALVE, AND A 2" QUICK DISCONNECT UNION. PIPING AND VALVES SHALL BE ARRANGED SO THAT THEY ARE EASILY ACCESSIBLE FROM THE PUMP CHAMBER MANHOLE COVER. FORCE MAIN SHALL BE LAID IN A "CLASS B" TRENCH BEDDING.

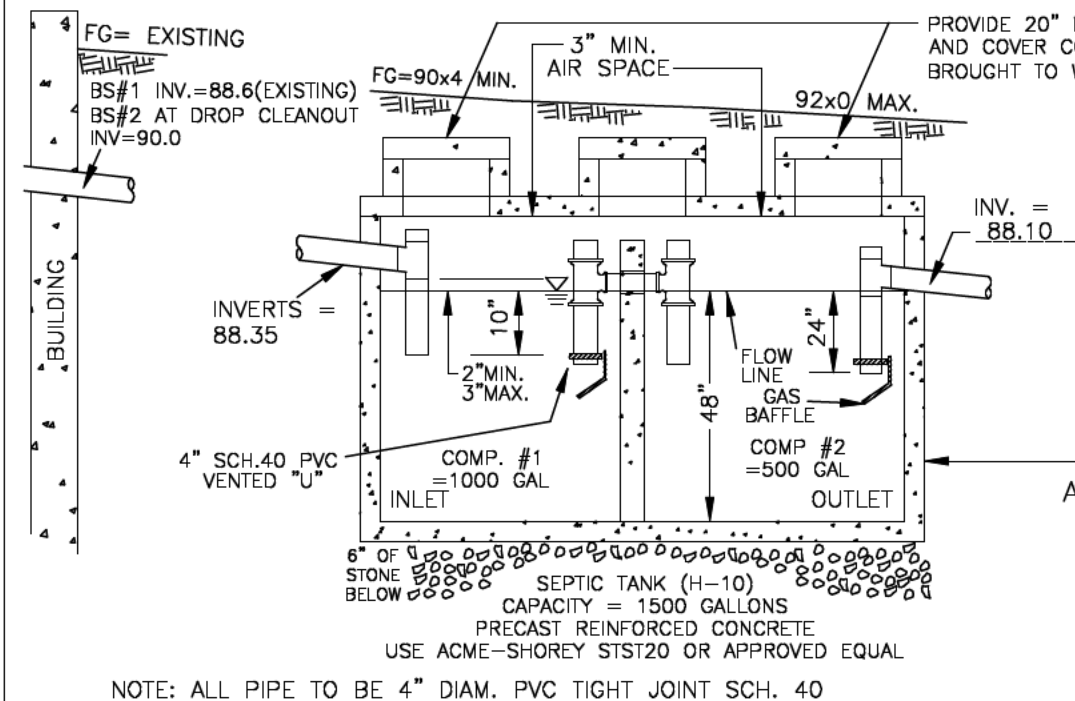
ALL PIPING OUTSIDE THE PUMP CHAMBER WHICH IS LESS THAN FOUR (4) FEET BELOW FINAL FINISHED GRADE SHALL BE SURROUNDED WITH A MINIMUM OF TWO (2) INCHES OF RIGID STYROFOAM INSULATION OR SHALL DRAIN BACK TO THE PUMP CHAMBER.  
PROVIDE CONCRETE THRUST BLOCKING AT ALL FORCE MAIN BENDS WITH MINIMUM SOIL BEARING SURFACE AREA OF ONE SQUARE FOOT.

SPECIAL CARE TO ASSURE WATER TIGHTNESS SHALL BE TAKEN AT ALL FORCE MAIN CONNECTIONS. PIPE JOINTS WILL BE THOROUGHLY CLEANED PRIOR TO CEMENTING.

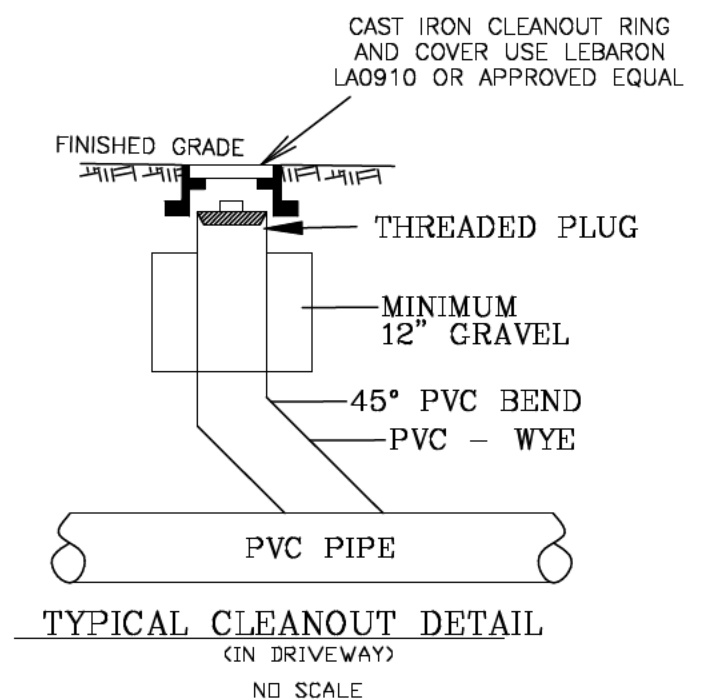
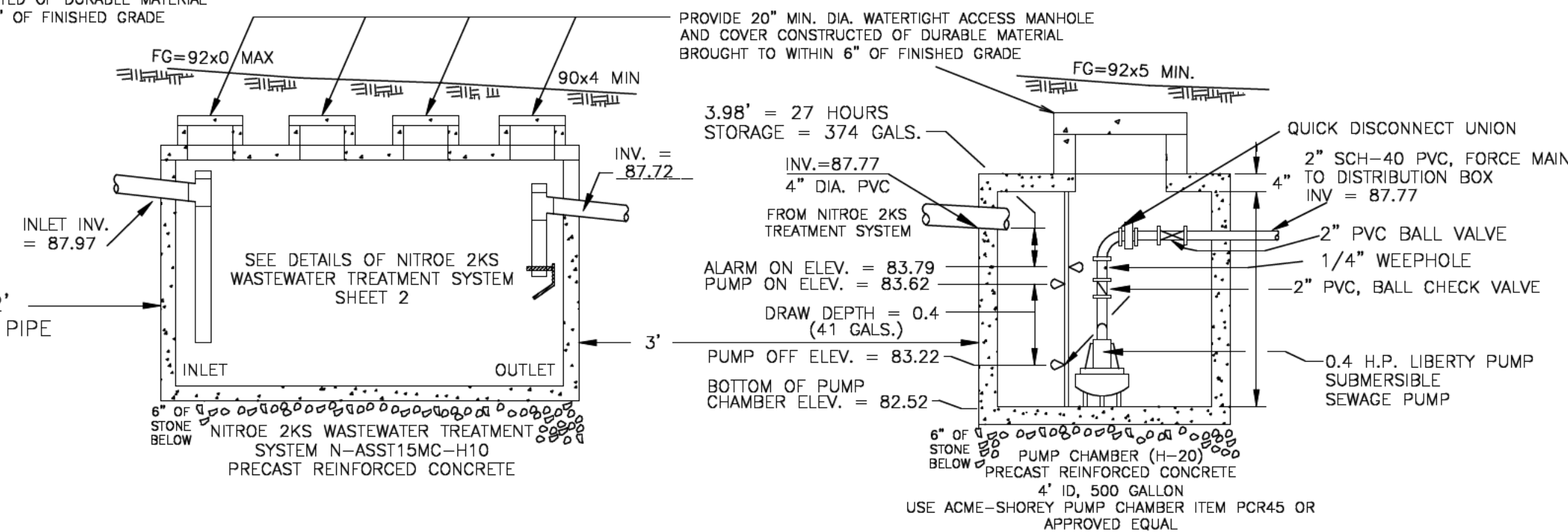
8. DOSING REQUIREMENTS  
PURSUANT TO 310 CMR 15.254: DOSING: THE SYSTEM HAS BEEN DESIGNED TO PROVIDE 10 DOSES PER DAY EQUAL TO 41 GALLONS PER DOSE. THIS VOLUME IS BASED ON A DESIGN FLOW OF 330 GALLONS PER DAY DIVIDED BY 10, AND A FORCE MAIN FLOW-BACK VOLUME OF 8 GALLONS PER DOSE.

ADDITIONAL STORAGE PROVIDED IN THE PUMP CHAMBER, ABOVE THE HIGH WATER LEVEL IS APPROXIMATELY 374 GALLONS. IN THE EVENT OF A POWER FAILURE, THIS IS SUFFICIENT CAPACITY TO PROVIDE FOR APPROXIMATELY 27 HOURS OF STORAGE, BASED ON ESTIMATED PEAK DAILY FLOW.

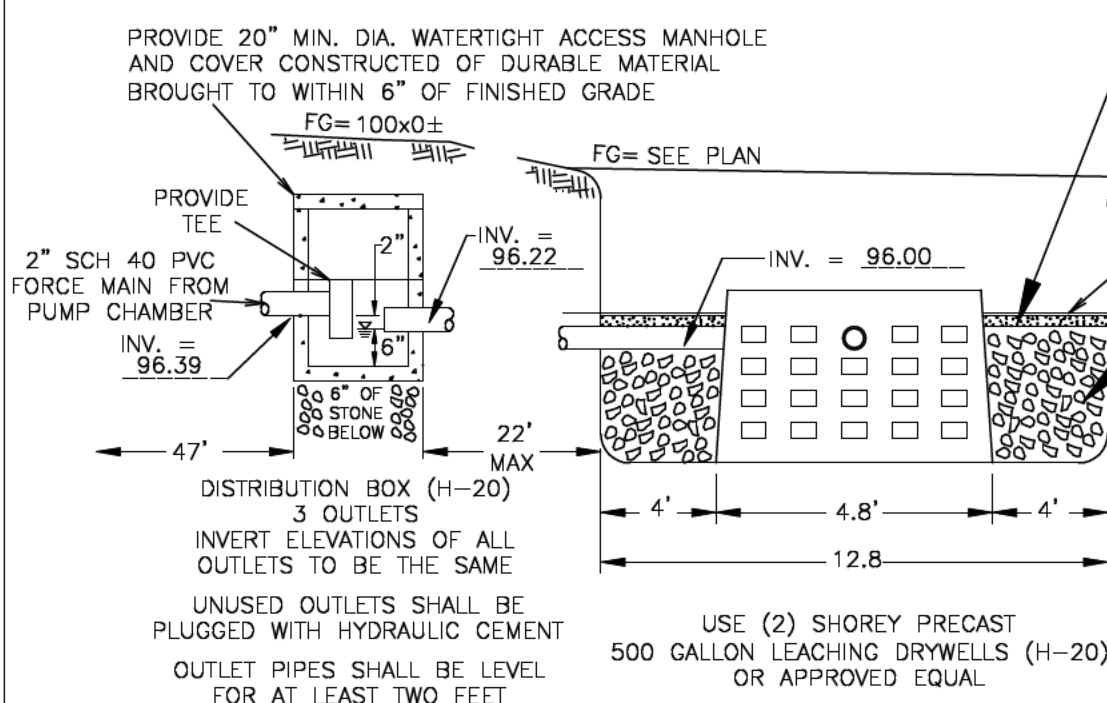
PROFILE OF SYSTEM - NO SCALE



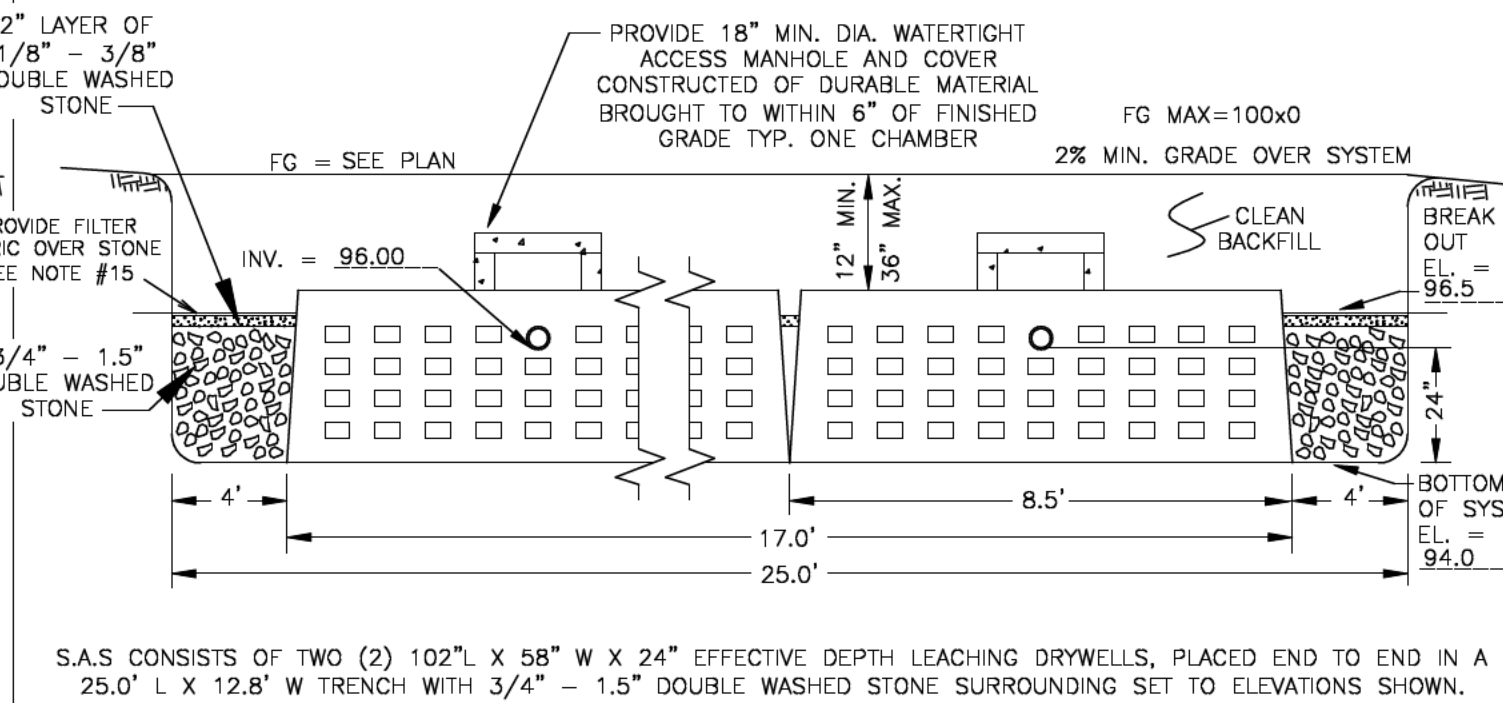
NOTE: USE OF THE NITROE WASTEWATER TREATMENT SYSTEM IS PURSUANT TO DEP'S PROVISIONAL USE APPROVAL PERMIT



PROFILE OF SYSTEM - NO SCALE



TYPICAL LEACHING TRENCH CROSS SECTION - NO SCALE



PROPOSED SEWAGE DISPOSAL SYSTEM

FOR: TWO EXISTING COTTAGES, 3 BEDROOMS TOTAL  
AT: 5 VALENTINA WAY  
TRURO, MA

ASSESSOR'S MAP: 60 PARCEL: 23

APPLICANT: ESTATE OF MARGUERITE YANNETTY  
5 VALENTINA WAY  
TRURO, MA

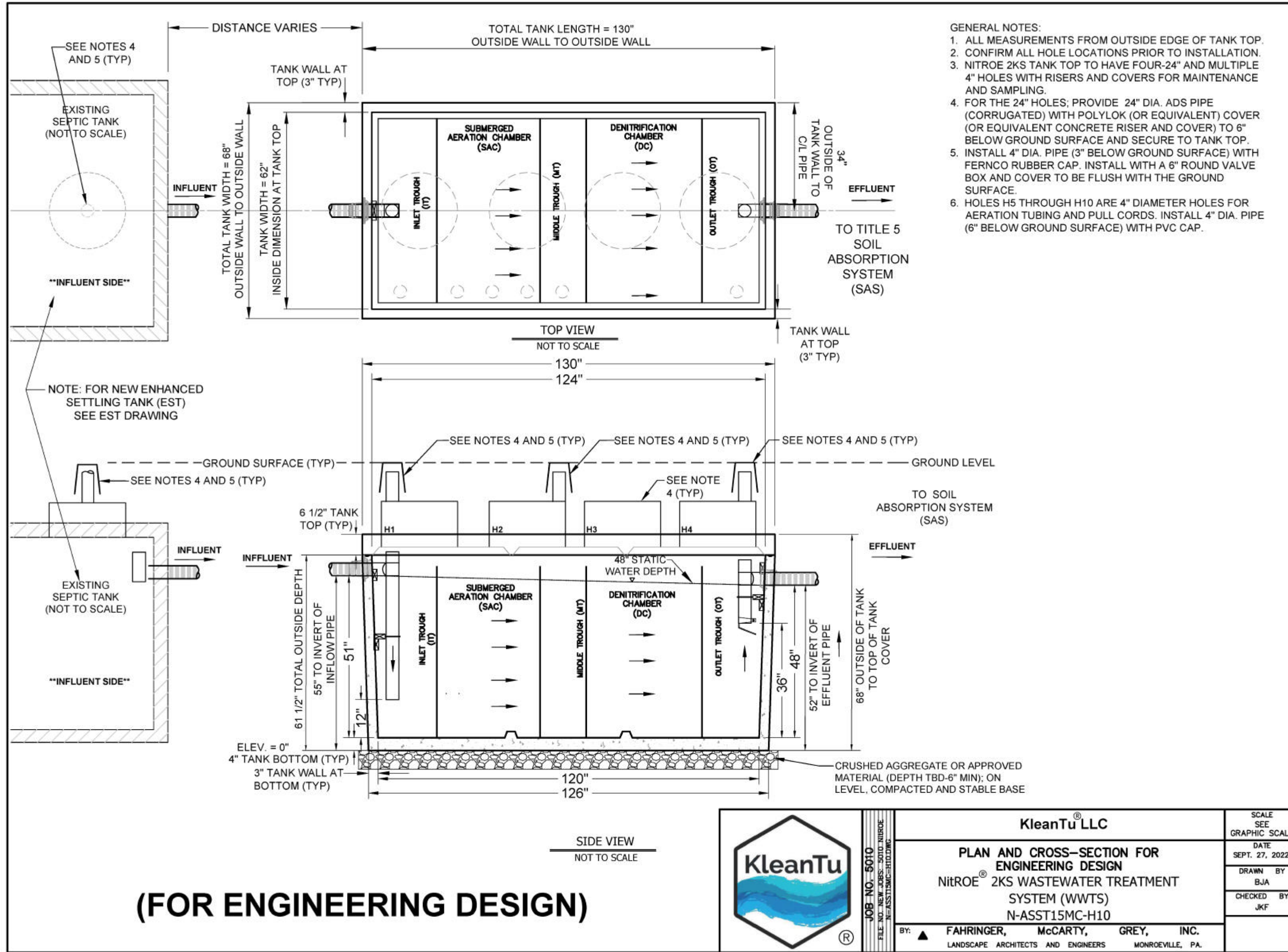
JOB #: 0-12614

DATE: AUGUST 30, 2023

DESIGNED BY:  
LAS  
DRAWN BY:  
LAS  
CHECKED BY:  
LAS

SCHOFIELD BROTHERS OF CAPE COD  
LAND SURVEYING - ENVIRONMENTAL PERMITTING  
P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA  
(508) 255-2098





	<b>KleanTu® LLC</b>		SCALE SEE GRAPHIC SCALE
	<b>PLAN AND CROSS-SECTION FOR ENGINEERING DESIGN</b> NITROE® 2KS WASTEWATER TREATMENT SYSTEM (WWTS) N-ASST15MC-H10		DATE SEPT. 27, 2022
JOB NO. - 5010 FILE NO. NEW PERS. - 5010-NITROE N-ASST15MC-H10.DWG	BY: ▲ FAHRINGER, McCARTY, GREY, INC. LANDSCAPE ARCHITECTS AND ENGINEERS MONROEVILLE, PA.		DRAWN BY BJA
			CHECKED BY JKF

<b>PROPOSED SEWAGE DISPOSAL SYSTEM</b>	
FOR: TWO EXISTING COTTAGES, 3 BEDROOMS TOTAL AT: 5 VALENTINA WAY TRURO, MA	
ASSESSOR'S MAP: 60	PARCEL: 23
APPLICANT: ESTATE OF MARGUERITE YANNETTY 5 VALENTINA WAY TRURO, MA	
DATE: AUGUST 30, 2023	DESIGNED BY: LAS
	DRAWN BY: LAS
	CHECKED BY: LAS
SCHOFIELD BROTHERS OF CAPE COD LAND SURVEYING - ENVIRONMENTAL PERMITTING P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA (508) 255-2098	

## Emily Beebe

---

**From:** Judy Hogan [REDACTED]  
**Sent:** Tuesday, August 15, 2023 5:23 PM  
**To:** Emily Beebe  
**Subject:** Re: 5 Valentina Way Ryders Pond

Please forward this video and my past emails to the other board members along with our concerns about erosion and water quality issues.

Sent from my iPhone

On Aug 15, 2023, at 1:16 PM, Emily Beebe <EBeeBe@truro-ma.gov> wrote:

Thanks for sending this along!

**From:** Judy Hogan [REDACTED]  
**Sent:** Tuesday, August 15, 2023 1:07 PM  
**To:** Emily Beebe <EBeeBe@truro-ma.gov>  
**Subject:** 5 Valentina Way Ryders Pond

This is a video of the stairs at 5 Valentina's Way, during a heavy rain. These steps are just about 10" away from proposed septic

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate that to the sender and delete the copy you received. When writing or responding, please remember that the Secretary of State's Office has determined that email is a public record. Please take notice: All e-mail communications sent or received by persons using the Town of Truro network may be subject to disclosure under the Massachusetts Public Records Law (M.G.L. Chapter 66, Section 10) and the Federal Freedom of Information Act

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Emily Beebe

---

**From:** Judy Hogan [REDACTED]  
**Sent:** Tuesday, August 15, 2023 2:35 AM  
**To:** Emily Beebe  
**Subject:** Variance for 5 Valentina Way

Board of health committee members

I am writing to continue my objection, to the change in the variance request for 5 Valentina Way, Ryders Pond.

The pond is the last of its kind on Cape Cod. A mostly private sandy bottom pond. There is one public beach, designated by the National Park service. This public area has 5 parking spaces.

I understand the request is to allow the septic to be only 62" from the ponds shore. Only 10" from present cesspool.

The set back is required to be 160" from the shore line. 62" is less than 1/2 of the required set back.

This location is the narrowest piece of the Yannetty property.

Also the most vulnerable.

It's a sudden drop in grade, at the side of the driveway.

By Disturbing this area increases the risk of erosion from heavy rains. The low underbrush helps to prevent erosion. It also protects and feeds, small woodland creatures.

At the opposite side of 5 Valentina Way, and below the studio cottage, is a larger area.

This area would provide the 160" from the shore. Or close enough to retain or approval for variance change.

The studio has an existing septic + leeching field. This would have to be removed. More disturbance to the earth surrounding property.

Aldosterone is I the well could remain at the current location. A savings of money + time.

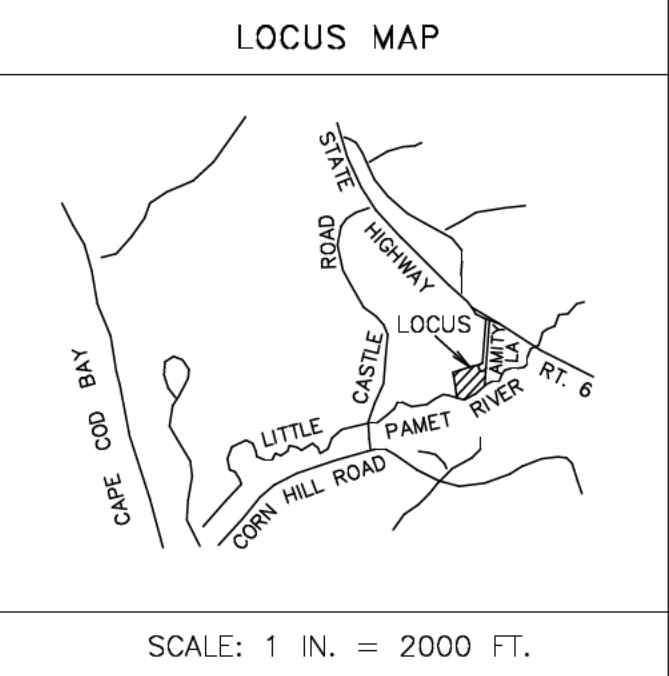
One of their reason to the big cottage would be closer to septic.

The plumbing at that cottage is as old as I am. Aproximativg

Sent from my iPhone

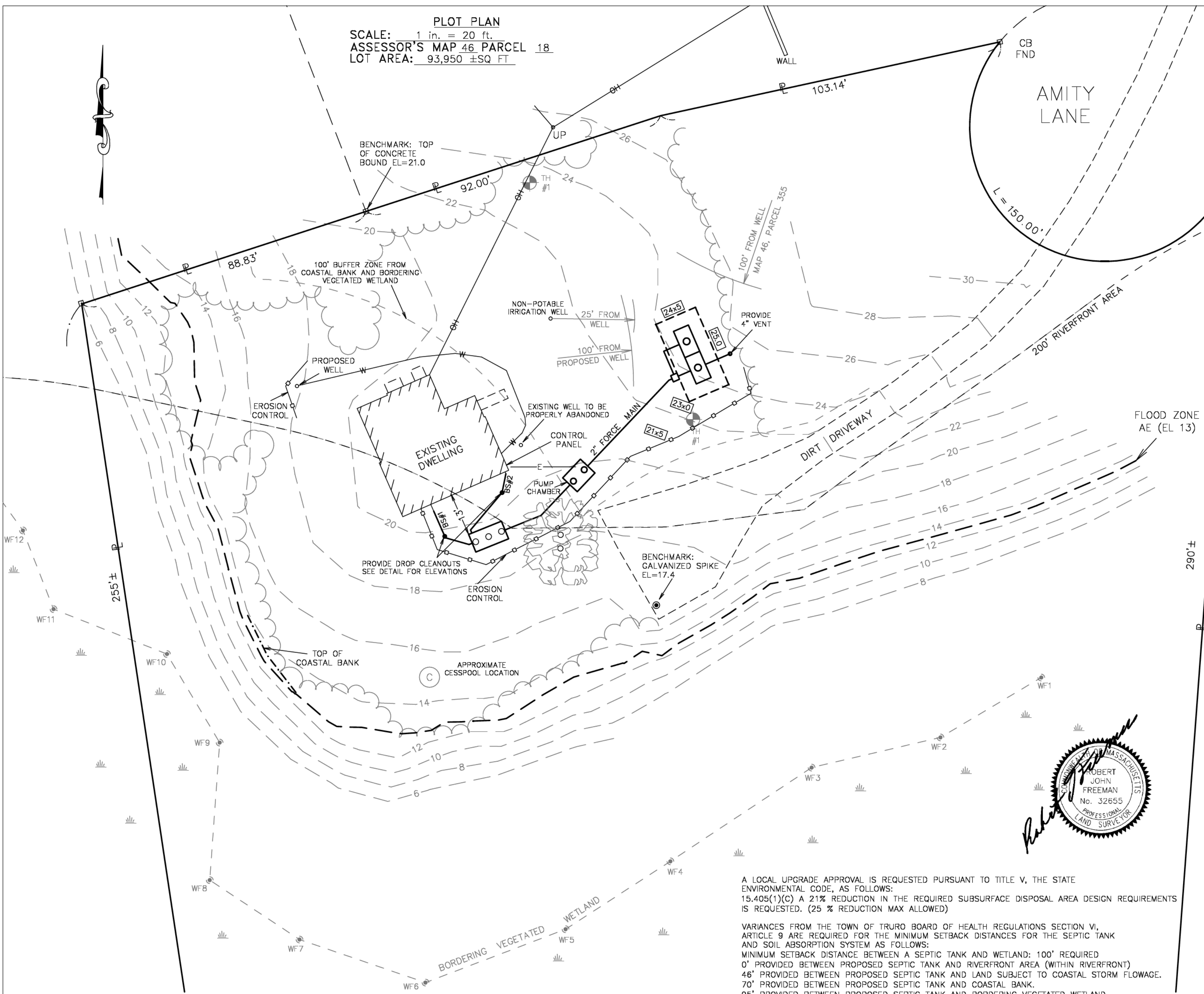
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**PLOT PLAN**  
 SCALE: 1 in. = 20 ft.  
 ASSESSOR'S MAP 46 PARCEL 18  
 LOT AREA: 93,950 ± SQ FT

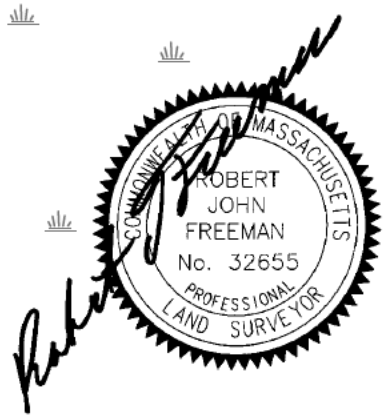


**LEGEND**

- XX--- PROPOSED CONTOUR LINE
- - - - - EXISTING CONTOUR
- W WATER LINE
- PROPOSED 1500 GALLON SEPTIC TANK
- PROPOSED DISTRIBUTION BOX
- PROPOSED LEACHING AREA
- EXISTING SPOT ELEVATIONS
- ⊕ TEST HOLE LOCATIONS
- ▬ PROPERTY LINE
- ⊕ PROPOSED SPOT ELEVATION
- OH OVERHEAD UTILITIES
- UG UNDERGROUND UTILITIES
- FG FINISHED GRADE
- UP UTILITY POLE
- TOF TOP OF FOUNDATION ELEVATION
- BS BUILDING SEWER
- CO CLEAN OUT



- GENERAL NOTES**
- ELEVATIONS REFER TO NAVD 88 DATUM. SEE BENCHMARK ON PLAN.
  - ALL CONSTRUCTION AND MATERIALS TO CONFORM TO TITLE 5 OF THE MASSACHUSETTS STATE ENVIRONMENTAL CODE AND THE BOARD OF HEALTH REQUIREMENTS FOR THE TOWN OF TRURO.
  - ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE BOARD OF HEALTH AND SCHOFIELD BROTHERS OF CAPE COD.
  - FOR PROPER PERFORMANCE, THE SEPTIC TANK SHOULD BE INSPECTED AT LEAST ONCE PER YEAR. THE TANK SHOULD BE PUMPED WHEN THE TOTAL DEPTH OF SCUM AND SOLIDS EXCEEDS 1/3 OF ITS LIQUID DEPTH.
  - SCHOFIELD BROTHERS OF CAPE COD DOES NOT ASSUME RESPONSIBILITY FOR MATERIALS ENCOUNTERED DURING EXCAVATION.
  - ANY UNSUITABLE OR DELETERIOUS MATERIAL ENCOUNTERED MUST BE EXCAVATED AND REMOVED TO A DISTANCE OF 5 FEET FROM ALL SIDES OF THE SOIL ABSORPTION SYSTEM (S.A.S) AND TO A DEPTH AT WHICH THE C HORIZON IS ENCOUNTERED. BACKFILL WITH CLEAN SAND MATERIAL MEETING TITLE 5 SPECIFICATIONS TO APPROX. ELEVATION 21.5. CONTACT SCHOFIELD BROTHERS IF ANY DOUBT OR QUESTIONS ARISE REGARDING SOIL QUALITY.
  - INSTALLATION CONTRACTOR SHALL CONTACT SCHOFIELD BROTHERS PRIOR TO BACKFILLING FOR SYSTEM CERTIFICATION.
  - EXISTING CESSPOOL(S) ARE TO BE LOCATED, PUMPED AND FILLED IN PLACE.
  - EXISTING BUILDING SEWER INVERT(S) SHALL BE VERIFIED IN FIELD PRIOR TO COMPONENT INSTALLATION. CONTACT SCHOFIELD BROTHERS IF SIGNIFICANT DISCREPANCIES EXIST.
  - SITE RESTORATION REQUIRES ALL STRIPPED TOPSOIL AND SUBSOIL TO BE STOCKPILED AND REUSED AT OWNERS OPTION. RE-SPREAD OVER DISTURBED AREAS TO PROMOTE OPTIMAL GROWTH. UPON COMPLETION OF CONSTRUCTION DISTURBED AREAS SHALL BE LOAMED AND SEEDED OR OTHERWISE STABILIZED WITH A CONSERVATION OR RYE/FESCUE MIX.
  - ANY COMPONENT THAT WILL BE SUBJECT TO VEHICLE OR OTHER HEAVY EQUIPMENT TRAFFIC SHALL BE INSTALLED WITH H-20 LOADING CAPACITY.
  - UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
  - NO KNOWN WELLS EXIST WITHIN 200' OF THE PROPOSED LEACHING AREA EXCEPT THOSE THAT ARE SHOWN.



A LOCAL UPGRADE APPROVAL IS REQUESTED PURSUANT TO TITLE V, THE STATE ENVIRONMENTAL CODE, AS FOLLOWS:  
 15.405(1)(C) A 21% REDUCTION IN THE REQUIRED SUBSURFACE DISPOSAL AREA DESIGN REQUIREMENTS IS REQUESTED. (25 % REDUCTION MAX ALLOWED)

VARIANCES FROM THE TOWN OF TRURO BOARD OF HEALTH REGULATIONS SECTION VI, ARTICLE 9 ARE REQUIRED FOR THE MINIMUM SETBACK DISTANCES FOR THE SEPTIC TANK AND SOIL ABSORPTION SYSTEM AS FOLLOWS:  
 MINIMUM SETBACK DISTANCE BETWEEN A SEPTIC TANK AND WETLAND: 100' REQUIRED  
 0' PROVIDED BETWEEN PROPOSED SEPTIC TANK AND RIVERFRONT AREA (WITHIN RIVERFRONT)  
 46' PROVIDED BETWEEN PROPOSED SEPTIC TANK AND LAND SUBJECT TO COASTAL STORM FLOWAGE.  
 70' PROVIDED BETWEEN PROPOSED SEPTIC TANK AND COASTAL BANK.  
 95' PROVIDED BETWEEN PROPOSED SEPTIC TANK AND BORDERING VEGETATED WETLAND.  
 MINIMUM SETBACK BETWEEN PROPOSED PUMP CHAMBER AND WETLAND: 100' REQUIRED  
 10' PROVIDED BETWEEN PROPOSED PUMP CHAMBER AND RIVERFRONT AREA  
 50' PROVIDED BETWEEN PROPOSED PUMP CHAMBER AND LAND SUBJECT TO COASTAL STORM FLOWAGE.  
 99' PROVIDED BETWEEN PROPOSED PUMP CHAMBER AND COASTAL BANK.  
 MINIMUM SETBACK DISTANCE BETWEEN A SOIL ABSORPTION SYSTEM AND A WETLAND: 150' REQUIRED  
 36' PROVIDED BETWEEN PROPOSED SAS AND RIVERFRONT AREA  
 59' PROVIDED BETWEEN PROPOSED SAS AND LAND SUBJECT TO COASTAL STORM FLOWAGE  
 114' PROVIDED BETWEEN PROPOSED SAS AND BORDERING VEGETATED WETLAND  
 146' PROVIDED BETWEEN PROPOSED SAS AND COASTAL BANK.

ARTICLE 8: TEMPORARY RELIEF FROM THE REQUIREMENT FOR INNOVATIVE ALTERNATIVE TECHNOLOGY.

**DEEP TEST HOLE OBSERVATION LOG #1**

DATE: FEBRUARY 10, 2023      JOB: 0-12625

PERFORMED BY: LAURA A. SCHOFIELD RS, SE      WITNESSED BY: COURTNEY WARREN, TRURO BOH

ELEVATION (FT)	DEPTH FROM SURFACE (IN)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
22.0-20.3	0-20	AP	SANDY LOAM	10YR4/3		COARSE
20.3-19.3	20-32	BW	LOAMY SAND	10YR4/6		
19.3-10.2	32-142	C	SAND	10YR5/6		

PARENT GEOLOGICAL MATERIAL: GLACIAL OUTWASH      STANDING WATER IN HOLE: NONE  
 WEEPING FROM FACE: NO      DEPTH TO BEDROCK:  
 ESTIMATED SEASONAL HIGH GROUNDWATER AT EL. = 3.5  
 PERCOLATION TEST: TOP OF PERC. AT 38", 24 GAL. ABSORBED IN 3:52 MIN., PERC. RATE < 2 MPI

**DEEP TEST HOLE OBSERVATION LOG #2**

DATE: FEBRUARY 10, 2023      JOB: 0-12625

PERFORMED BY: LAURA A. SCHOFIELD RS, SE      WITNESSED BY: COURTNEY WARREN, TRURO BOH

ELEVATION (FT)	DEPTH FROM SURFACE (IN)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
23.1-22.8	3-0	ORGANIC		10YR4/4		COARSE
22.8-21.8	0-12	A	SANDY LOAM	10YR5/8		
21.8-20.7	12-25	BW	SANDY LOAM	10YR5/6		

PARENT GEOLOGICAL MATERIAL: GLACIAL OUTWASH      STANDING WATER IN HOLE: NONE  
 WEEPING FROM FACE: NO      DEPTH TO BEDROCK:  
 ESTIMATED SEASONAL HIGH GROUNDWATER AT EL. = 3.5  
 PERCOLATION TEST:

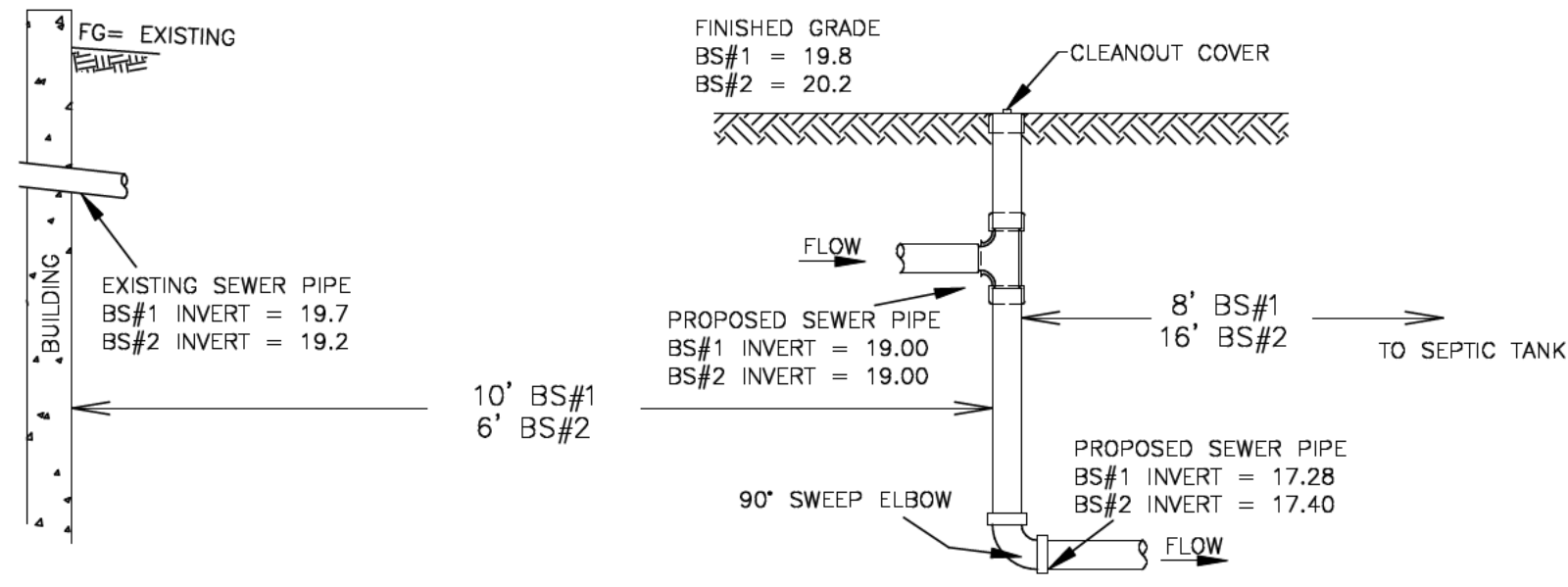
**PROPOSED SEWAGE DISPOSAL SYSTEM**

FOR: AN EXISTING 4 BEDROOM DWELLING  
 AT: 7 AMITY LANE, TRURO, MA

ASSESSOR'S MAP: 46      PARCEL: 18  
 APPLICANT: IRENE SELVER  
 390 RIVERSIDE DRIVE, APT. 2F  
 NEW YORK, NY 10025      JOB #: 0-12625



DATE: JULY 5, 2023  
 REVISED: AUGUST 30, 2023  
 DESIGNED BY: LAS  
 DRAWN BY: LAS / RJF  
 CHECKED BY: LAS / RJF  
 SCHOFIELD BROTHERS OF CAPE COD  
 LAND SURVEYING - ENVIRONMENTAL PERMITTING  
 P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA  
 (508) 255-2098

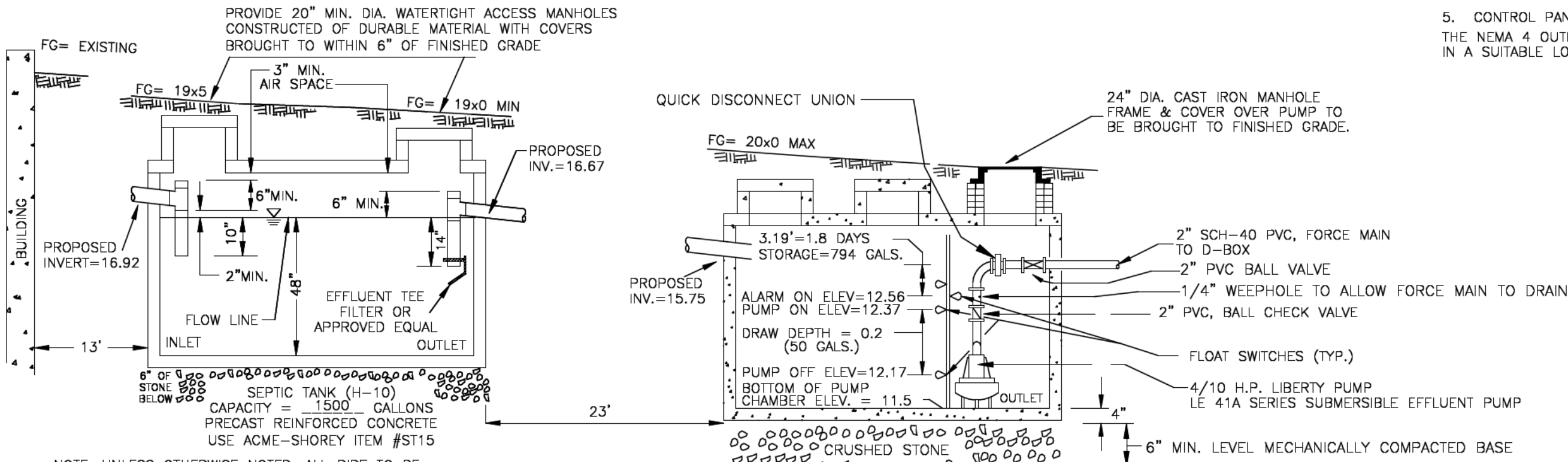


**SEWER LINE DROP WITH CLEANOUT DETAIL**  
(NO SCALE)

\*BUILDING SEWERS WITH A SLOPE GREATER THAN OR EQUAL TO 12% SHALL BE PROVIDED WITH A DROP CLEANOUT.

ALL PIPING SHALL BE 4" SCH-40 PVC UNLESS OTHERWISE NOTED.

**PROFILE OF SYSTEM - NO SCALE**



**DOSING CHAMBER**  
(NO SCALE)

PRECAST REINFORCED CONCRETE  
1000 GALLON SEPTIC TANK  
H-20 MINIMUM DESIGN LOADING  
USE ACME-SHOREY 1000 GALLON  
SEPTIC TANK ITEM #ST 102M  
OR APPROVED EQUAL

**1. GENERAL**

FURNISH AND INSTALL ONE COMPLETE PUMPING SYSTEM CONSISTING OF ONE SUBMERSIBLE EFFLUENT PUMP AND MOTOR, DISCHARGE PIPING AND VALVES, FLOAT SWITCHES, LEVEL CONTROLS, HIGH WATER ALARM AND SIMPLEX CONTROL PANEL.

ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND WARRANTED FOR A PERIOD OF AT LEAST ONE YEAR. UPON COMPLETION OF THE INSTALLATION, THE CONTRACTOR SHALL PROVIDE A SUFFICIENT QUANTITY OF CLEAN WATER TO CONDUCT PUMP OPERATION TESTS.

**2. DOSING CHAMBER (PUMP STATION)**

THE PUMP CHAMBER SHALL BE A ACME-SHOREY 1000 GALLON H-20 SEPTIC TANK ITEM #ST 102M OR APPROVED EQUAL WITH INVERTS SET TO THE INDICATED ELEVATIONS. PUMP CHAMBER SHALL BE MADE WATERTIGHT THROUGH MANUFACTURER'S SPECIFICATIONS. PUMP CHAMBER SHALL BE SET ON A MECHANICALLY COMPACTED, LEVEL, STABLE 6" BASE STONE AGGREGATE.

**3. PUMP AND MOTOR**

PUMP AND MOTOR SHALL BE HEAVY DUTY EFFLUENT-TYPE EJECTOR WITH A 2 INCH DISCHARGE. PUMP AND MOTOR SHALL BE FULLY SUBMERSIBLE AND SHALL OPERATE WITH A 115V, 12 AMP SINGLE PHASE AC POWER SOURCE. THE ELECTRICAL CONTRACTOR SHALL VERIFY THAT PROPER VOLTAGE IS AVAILABLE AT THE CONTROL PANEL AND THAT THE PANEL IS INSTALLED ACCORDING TO THE MANUFACTURERS SPECIFICATIONS.

USE A LIBERTY LE 41A SERIES 4/10 HP EFFLUENT PUMP OR APPROVED EQUAL. THE PUMP SHALL BE RATED AS FOLLOWS:

- A) 4/10 HP
- B) 58 GALLONS PER MINUTE
- C) 15.8 FEET TOTAL DYNAMIC HEAD

**4. LEVEL CONTROLS**

SEALED FLOAT-TYPE SWITCHES SHALL BE SUPPLIED TO CONTROL THE SUMP LEVEL AND ALARM SIGNAL. TWO FLOAT SWITCHES SHALL BE USED TO CONTROL THE SUMP LEVEL; ONE FOR FOR PUMP "OFF" AND ONE FOR PUMP "ON". A THIRD SWITCH SHALL BE PROVIDED WITH A POWER SOURCE SEPARATE FROM THE PUMP POWER AND SHALL BE FOR THE ALARM UNIT.

THE FLOAT LEVEL CONTROLS SHALL BE SET TO OPERATE AT THE ELEVATIONS INDICATED ON THE PLANS.

**5. CONTROL PANEL**

THE NEMA 4 OUTDOOR SIMPLEX CONTROL PANEL SHALL BE LOCATED IN A SUITABLE LOCATION APPROVED BY THE HOMEOWNER

**6. ALARM**

A HIGH WATER ALARM SHALL BE SUPPLIED WITH BOTH AN AUDIBLE AND VISUAL ALARM WITH A SEPARATE POWER SUPPLY FROM THE PUMP.

AN ALARM SILENCER BUTTON SHALL BE PROVIDED TO SILENCE THE AUDIBLE ALARM WHILE THE VISUAL ALARM REMAINS LIT UNTIL MANUALLY RESET. THE PANEL SHALL BE LOCATED AT A LOCATION APPROVED BY THE HOMEOWNER.

**7. PIPING**

THE PUMP STATION DISCHARGE PIPING, FITTINGS AND SEWAGE FORCE MAIN SHALL BE 2-INCH SCH-40 PVC. WITHIN THE PUMP CHAMBER, THE DISCHARGE PIPING SHALL INCLUDE THE FOLLOWING: 1) IN THE VERTICAL POSITION: A 2-INCH BALL-TYPE, CHECK VALVE; AND 2) IN THE HORIZONTAL POSITION: A 2-INCH BALL VALVE, AND A 2" QUICK DISCONNECT UNION. PIPING AND VALVES SHALL BE ARRANGED SO THAT THEY ARE EASILY ACCESSIBLE FROM THE PUMP CHAMBER MANHOLE COVER. FORCE MAIN SHALL BE LAID IN A "CLASS B" TRENCH BEDDING.

ALL PIPING OUTSIDE THE PUMP CHAMBER WHICH IS LESS THAN FOUR (4) FEET BELOW FINAL FINISHED GRADE SHALL BE SURROUNDED WITH A MINIMUM OF TWO (2) INCHES OF RIGID STYROFOAM INSULATION OR SHALL DRAIN BACK TO THE PUMP CHAMBER.

PROVIDE CONCRETE THRUST BLOCKING AT ALL FORCE MAIN BENDS WITH MINIMUM SOIL BEARING SURFACE AREA OF ONE SQUARE FOOT.

SPECIAL CARE TO ASSURE WATER TIGHTNESS SHALL BE TAKEN AT ALL FORCE MAIN CONNECTIONS. PIPE JOINTS WILL BE THOROUGHLY CLEANED PRIOR TO CEMENTING.

**8. DOSING REQUIREMENTS**

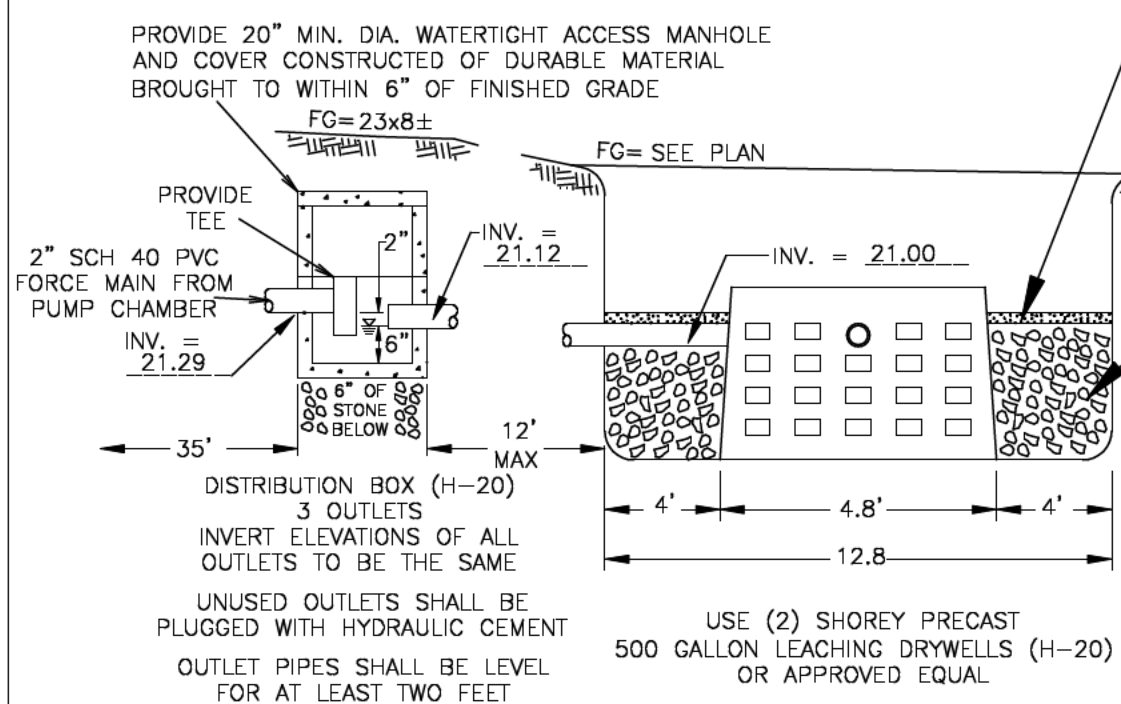
PURSUANT TO 310 CMR 15.254: DOSING: THE SYSTEM HAS BEEN DESIGNED TO PROVIDE 10 DOSES PER DAY EQUAL TO 50 GALLONS PER DOSE. THIS VOLUME IS BASED ON A DESIGN FLOW OF 440 GALLONS PER DAY DIVIDED BY 10, AND A FORCE MAIN FLOW-BACK VOLUME OF 6 GALLONS PER DOSE.

ADDITIONAL STORAGE PROVIDED IN THE PUMP CHAMBER, ABOVE THE HIGH WATER LEVEL IS APPROXIMATELY 794 GALLONS. IN THE EVENT OF A POWER FAILURE, THIS IS SUFFICIENT CAPACITY TO PROVIDE FOR APPROXIMATELY 1.8 DAYS OF STORAGE, BASED ON ESTIMATED PEAK DAILY FLOW.

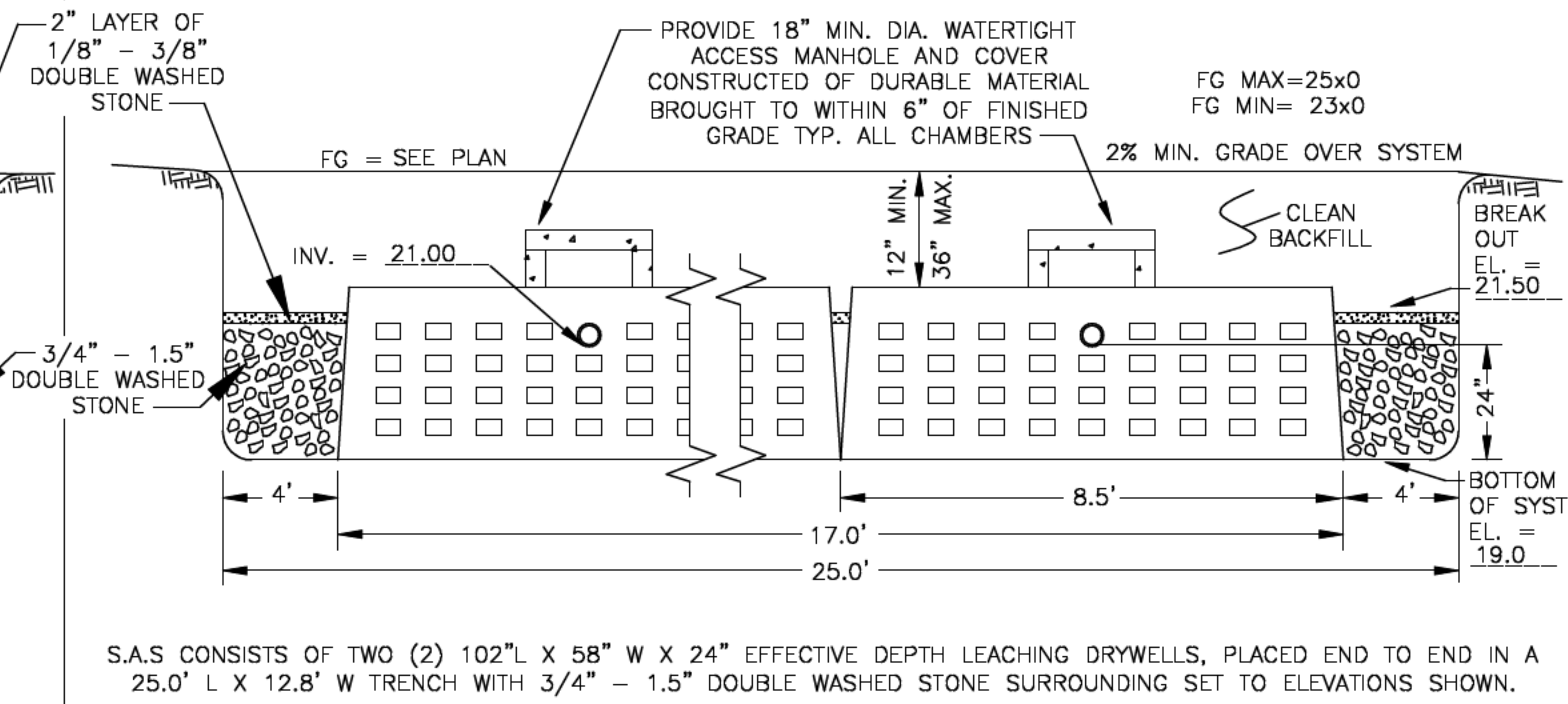
**DESIGN CALCULATIONS**

1. ESTIMATED HYDRAULIC LOADING:  
4 BEDROOMS AT 110 GPD PER BEDROOM = 440 GPD  
GARBAGE GRINDER IS NOT ALLOWED WITH THIS DESIGN
  2. SEPTIC TANK SIZE:  
AVERAGE DAILY FLOW = 440 GPD X 2 DAYS = 880 GALLONS  
SEPTIC TANK PROVIDED = 1500 GALLONS
  3. DESIGN PERCOLATION RATE =  $\frac{440}{1500} = 0.29$  MINUTES PER INCH  
SOIL TEXTURE LOAMY SANDS, CLASS T  
310 CMR 15.242 EFFLUENT LOADING RATE =  $\frac{440}{1500} = 0.29$  GPD/SF
  4. SOIL ABSORPTION SYSTEM:  
TOTAL SIDEWALL AREA PROVIDED =  $151.2 \text{ SF} \times 0.74 \text{ GPD/SF} = 111.8 \text{ GPD}$   
TOTAL BOTTOM AREA PROVIDED =  $320 \text{ SF} \times 0.74 \text{ GPD/SF} = 236.8 \text{ GPD}$   
MAXIMUM ALLOWABLE LOADING UNDER TITLE 5 = 348 GPD  
ACTUAL HYDRAULIC LOADING = 440 GPD (SEE 1.)
- \* 21% OF SAS DESIGN REQUIREMENT PROVIDED.  
SEE LOCAL UPGRADE APPROVAL REQUEST

**PROFILE OF SYSTEM - NO SCALE**



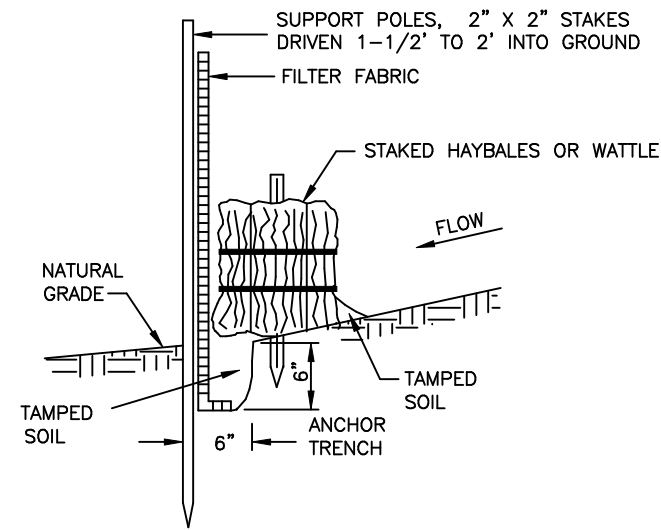
**TYPICAL LEACHING TRENCH CROSS SECTION - NO SCALE**



S.A.S CONSISTS OF TWO (2) 102" L X 58" W X 24" EFFECTIVE DEPTH LEACHING DRYWELLS, PLACED END TO END IN A 25.0' L X 12.8' W TRENCH WITH 3/4" - 1.5" DOUBLE WASHED STONE SURROUNDING SET TO ELEVATIONS SHOWN.

**PROPOSED SEWAGE DISPOSAL SYSTEM**

FOR: AN EXISTING 4 BEDROOM DWELLING AT: 7 AMITY LANE, TRURO, MA			
ASSESSOR'S MAP: 46	PARCEL: 18		
APPLICANT: IRENE SELVER 390 RIVERSIDE DRIVE, APT. 2F NEW YORK, NY 10025			
JOB #: 0-12625			
DATE: JULY 5, 2023	DESIGNED BY: LAS	DRAWN BY: LAS / RJF CHECKED BY: LAS / RJF	
REVISED: AUGUST 30, 2023	SCHOFIELD BROTHERS OF CAPE COD LAND SURVEYING - ENVIRONMENTAL PERMITTING P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA (508) 255-2098		

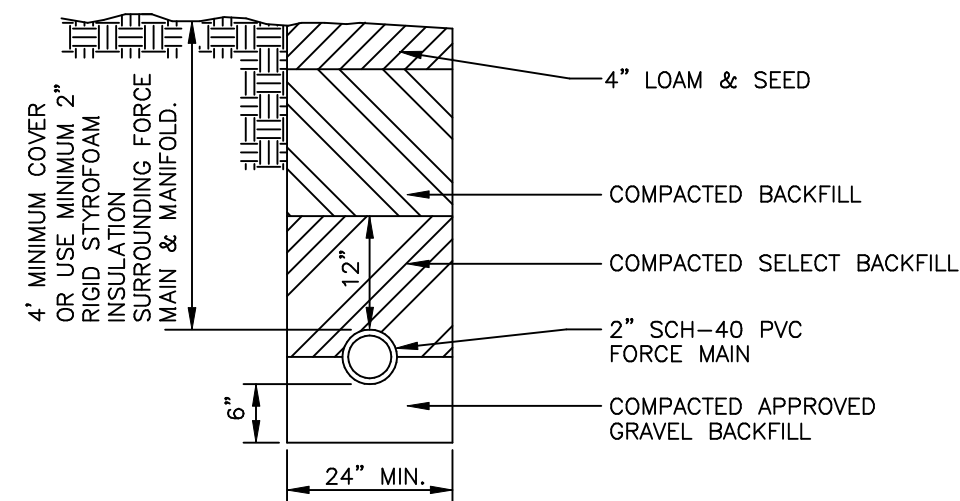


SILT FENCE WITH STAKED HAYBALES OR WATTLE  
SILT FENCE WITH STAKED HAYBALES OR WATTLES SEDIMENT BARRIER DETAIL

(NO SCALE)

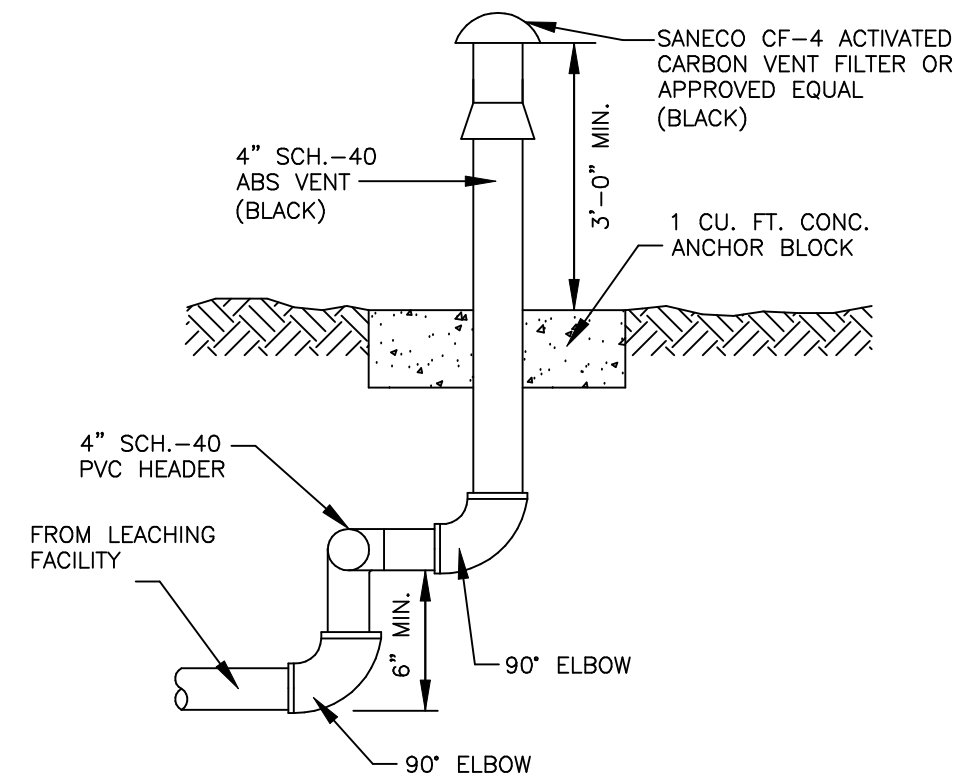
**CONSTRUCTION & EROSION CONTROL NOTES**

1. PRIOR TO ANY DISTURBANCE OF THE SITE, A STAKED SILT FENCE / LIMIT OF WORK SHALL BE INSTALLED IN THE LOCATION SHOWN. THE SILT FENCE SHALL REMAIN IN PLACE UNTIL ALL AREAS UPGRADIENT FROM THE BARRIER HAVE BEEN STABILIZED.
2. ALL DISTURBED AREAS NOT OTHERWISE DEVELOPED OR WHERE SPECIAL STABILIZATION MEASURES OR LANDSCAPE PLANTINGS ARE NOT PROPOSED SHALL HAVE 4"-6" OF LOAM ADDED AND SEEDED WITH A RYE FESCUE MIX.
3. ALL AREAS OUTSIDE OF THE LIMIT OF WORK ARE TO BE LEFT UNDISTURBED. DURING THE SITE WORK, ALL PERSONS AND EQUIPMENT SHALL STAY OUT OF THESE AREAS AND PRESERVE EXISTING VEGETATION.



TYPICAL FORCE MAIN BEDDING DETAIL

(NO SCALE)



LEACHING SYSTEM VENT

(NO SCALE)

**PROPOSED SEWAGE DISPOSAL SYSTEM**

FOR: AN EXISTING 4 BEDROOM DWELLING  
AT: 7 AMITY LANE, TRURO, MA

ASSESSOR'S MAP: 46 PARCEL: 18

APPLICANT: IRENE SELVER  
390 RIVERSIDE DRIVE, APT. 2F  
NEW YORK, NY 10025

JOB #: 0-12625

DATE: JULY 5, 2023  
REVISED: AUGUST 30, 2023

DESIGNED BY:

LAS

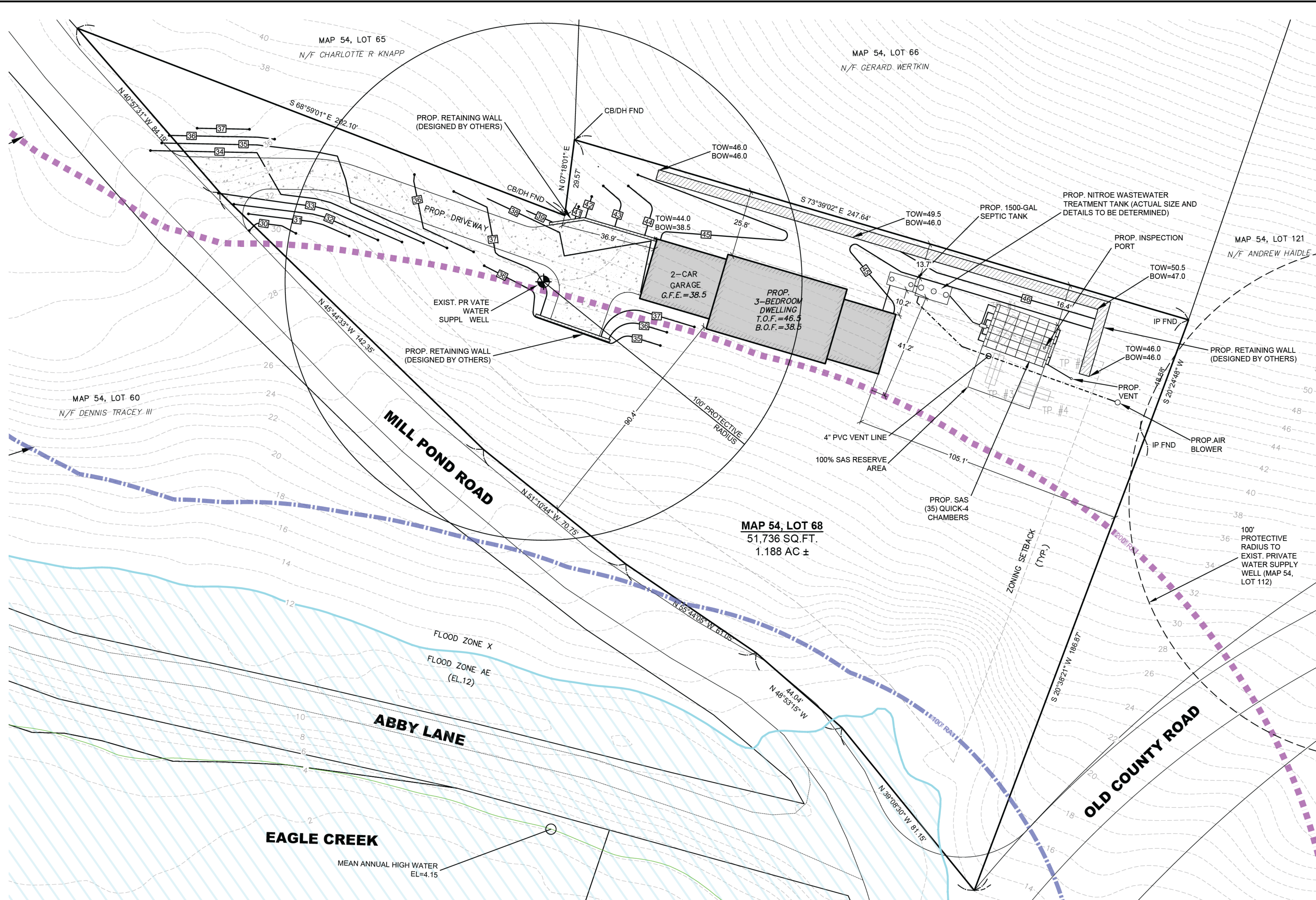
DRAWN BY:

LAS / RJF

CHECKED BY:

LAS / RJF

SCHOFIELD BROTHERS OF CAPE COD  
LAND SURVEYING - ENVIRONMENTAL PERMITTING  
P.O. BOX 101, 161 CRANBERRY HIGHWAY ORLEANS, MA  
(508) 255-2098



**SITE LOCATION**  
NOT TO SCALE

**SITE ADDRESS**  
1 MILL POND RD.  
TRURO, MA 02652

**CURRENT OWNER**  
MILL POND INVESTMENT TRUST  
THOMAS LITTAUER, TRUSTEE  
268 JERUSALEM RD.  
COHASSET, MA 02025

**ASSESSOR'S REFERENCES**  
54-68-0

**DEED REFERENCES**  
BK. 17860 - PG. 326

**TOWN OF TRURO ZONING DESIGNATION**  
RESIDENTIAL

**NOTES**

1. THE EXISTING TOPOGRAPHY IS BASED ON 2021 LIDAR DATA FROM NOAA.
2. THE LOCATION OF THE TOP OF BANK FOR THE PERENIAL STREAM LOCATED SOUTH OF THE SUBJECT PROPERTY WAS DETERMINED BASED ON INTERPRETATION OF LIDAR POINT DATA FROM 2021.
3. PORTIONS OF THE SUBJECT PROPERTY ARE LOCATED IN A PRIORITY HABITATE AS SHOWN ON THE LATEST EDITION OF THE MASSACHUSETTS NATURAL HERITAGE ATLAS.

**DELINEATION ABBREVIATIONS**

BVW - BORDERING VEGETATED WETLAND  
TOB - TOP OF BANK  
MHW - MEAN ANNUAL HIGH WATER  
TOP - TOP OF FOUNDATION  
BFE - BASEMENT FLOOR ELEVATION  
GFE - GARAGE FLOOR ELEVATION  
TOW - TOP OF WALL  
BOW - BOTTOM OF WALL

**IMPACT SUMMARY**

DESCRIPTION	AMOUNT
TOTAL LOT AREA	51,736 SF
LOT AREA OUTSIDE RIVERFRONT AREA	21,367 SF
TOTAL RIVERFRONT AREA ON LOT	30,369 SF
TOTAL RIVERFRONT AREA IMPACT (SF)	3,000 SF
OUTER RIPARIAN RIVERFRONT AREA (SF)	26,724 SF
TOTAL OUTER RIPARIAN IMPACT (SF)	3,000 SF
INNER RIPARIAN RIVERFRONT AREA (SF)	3,645 SF
INNER RIPARIAN IMPACT	0 SF
TOTAL LOT AREA OUTSIDE INNER RIPARIAN	48,091 SF

**ZONING TABLE**  
ZONING DISTRICT: RESIDENTIAL

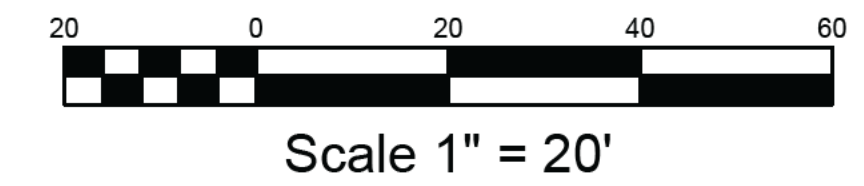
REQUIREMENT	REQUIRED	PROPOSED
MINIMUM LOT AREA (SF)	33,750	51,736±
MINIMUM FRONTAGE (FT)	150	483.35
MINIMUM SETBACKS:		
FRONT (FT)	25	90.4
SIDE (FT)	25	36.9 & 105.1
REAR (FT)	25	25.8

**LOCAL VARIANCE REQUESTS**

VARIANCES FROM THE FOLLOWING PROVISIONS OF THE TRURO BOARD OF HEALTH REGULATIONS ARE REQUESTED:

1. ARTICLE 9 - SAS TO WETLANDS: A REDUCTION FROM 150 TO 16.7' FROM SAS TO THE 200' RIVERFRONT AREA (RA).
2. ARTICLE 9 - SEPTIC TANK TO WETLANDS: A REDUCTION FROM 100' TO 41.2' FROM SEPTIC TANK TO THE 200' RA.
3. ARTICLE 11 - BUILDABLE UPLAND CALCULATIONS FOR NITROGEN LOADING LIMITATIONS: A WAIVER ALLOWING THE USE OF THE OUTER RIPARIAN ZONE OF THE RIVERFRONT AREA TO BE USED IN THE BUILDABLE UPLAND AREA CALCULATIONS.

**SEPTIC AND GRADING LAYOUT:**

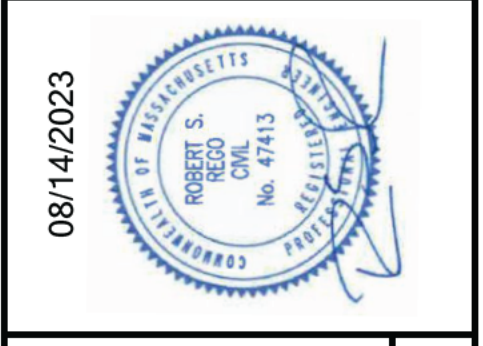


**LEGEND**

DESCRIPTION	EXISTING
MEAN ANNUAL HIGH WATER	—
LIMIT OF BVW/TOP OF BANK	—
100' RIVERFRONT AREA	—
200' RIVERFRONT AREA	—
CONTOUR	---52---
SPOT ELEVATIONS	84X0
TREE LINE	~
CONSERVATION POST	□

REV	DATE	DESCRIPTION	BY	APP.
1	8/14/23	ADDED NITROE WWTS	PJK	RSR

MILL POND INVESTMENT TRUST  
THOMAS W. LITTAUER, TRUSTEE  
268 JERUSALEM ROAD  
COHASSET, MA 02025

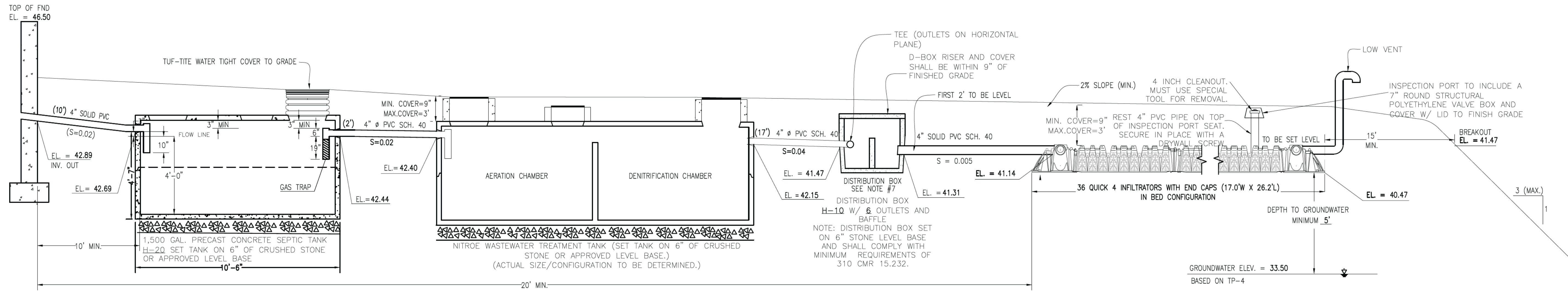


**RiverHawk ENVIRONMENTAL**  
CIVIL ENGINEERING & ENVIRONMENTAL CONSULTING  
2183 OCEAN STREET, MARSHFIELD, MA 02050  
781-536-4638 www.riverhawkllc.com

**SITE PLAN**  
1 MILL POND ROAD  
TRURO, MA

**SITE LAYOUT PLAN**

DATE: JULY 13, 2023  
PROJECT NO: 00381-03-01  
SCALE: AS SHOWN  
DRAWN BY: AWL  
CHECKED BY: RSR  
DESIGNED BY: RSR  
APPROVED BY: RSR



**SEPTIC SYSTEM PROFILE**  
NOT TO SCALE

**SOIL DATA:**

DATE: 07/06/2023  
PERFORMED BY: JAKE URETSKY (RIVER HAWK ENVIRONMENTAL, LLC)

WITNESSED BY: COURTNEY WARREN (TRURO BOH)

SOIL HORIZ.	TP-1	DEPTH (INCHES)	ELEV. (FEET)	SOIL HORIZ.	TP-2	DEPTH (INCHES)	ELEV. (FEET)	SOIL HORIZ.	TP-3	DEPTH (INCHES)	ELEV. (FEET)	SOIL HORIZ.	TP-4	DEPTH (INCHES)	ELEV. (FEET)
A	SAND 10YR 2/1	0-6	47.5	ORGANIC	0-1	47.5	ORGANIC	0-1	ORGANIC	0-1	43.5	ORGANIC	0-1	43.4	43.5
Bw	SAND 7.5YR 5/6	6-28	45.2	A	1-8	46.8	A	1-5	A	1-5	43.4	A	1-8	42.8	42.8
C	SAND 2.5Y 7/4	28-120	37.5	Bw	8-23	45.6	Bw	5-23	Bw	5-22	41.9	Bw	8-22	41.7	41.7
				C	23-120	37.5	C	23-120	C	22-120	33.8	C	22-120	33.5	33.5

MOTTILING - NOT OBSERVED  
WEEPING - NOT OBSERVED  
STANDING WATER - NOT OBSERVED  
NO REDOX FEATURES

S.H.G.E. = >37.5  
PERC. = <2 MPI

NOTE:  
1. THE O, A, AND B LAYERS ARE TO BE REMOVED BELOW THE SAS AND REPLACED WITH CLEAN FILL IN ACCORDANCE WITH 310 CMR 15.255(3). UNSUITABLE SOIL TO BE REMOVED TO A DISTANCE OF 5' BEYOND THE LIMITS OF THE SOIL ABSORPTION SYSTEM.

**DESIGN DATA:**

**DESIGN FLOW:**  
PROP. 3-BEDROOM DWELLING  
3 BEDROOMS x 110 GPD/BEDROOM = 330 GPD  
PERC RATE = <2 MIN/INCH

**SOIL ABSORPTION SYSTEM:**  
PERCOLATION RATE = <2 MIN/INCH (CLASS 1 SOIL)  
USE DESIGN LOADING RATE = 0.74 GPD/SF (330 GPD)  
LEACHING AREA REQ'D = (0.74 GPD/SF) = 446 SF  
USE QUICK 4 PLUS INFILTRATOR CHAMBERS IN BED CONFIGURATION  
(446 S.F.) / (4.73 S.F./FT.) = 94 FT OF CHAMBERS REQUIRED  
FROM TABLE 3 OF CERTIFICATION FOR GENERAL USE:  
EFFECTIVE AREA IS EQUAL TO 4.73 FOR A BED OR FIELD CONFIGURATION  
(94 FT) / (4 FT) = 24 CHAMBERS REQUIRED - USE 36 CHAMBERS AND 12 END CAPS PER MASSDEP APPROVAL

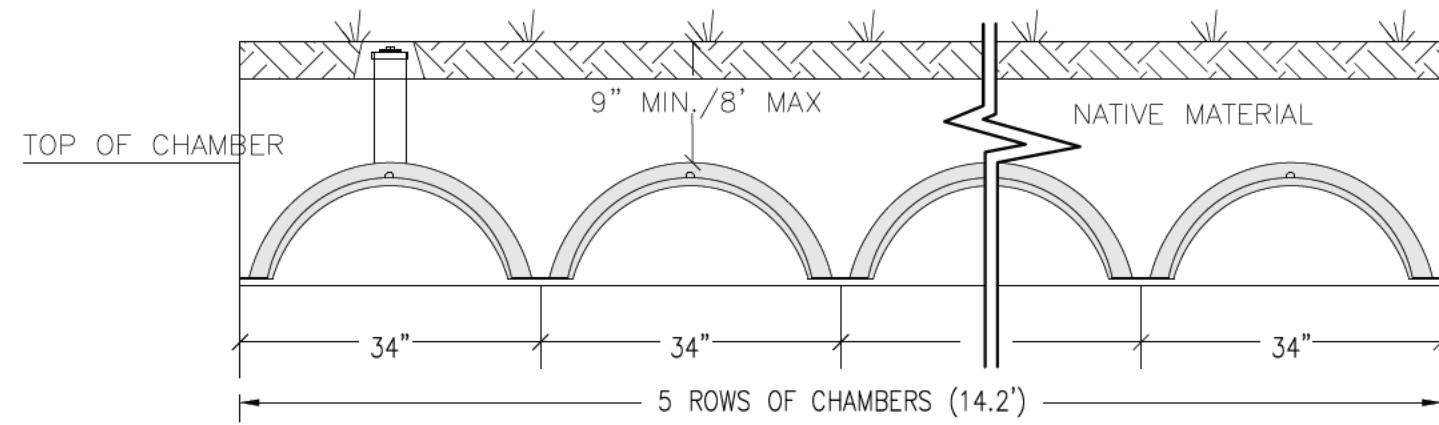
FROM TABLE 1 OF MODIFIED CERTIFICATION FOR GENERAL USE: EFFECTIVE LENGTH IS EQUAL TO 4 FOR A BED OR FIELD CONFIGURATION  
(36 CHAMBERS) X (4.0 FT./CHAMBER) = 144 FT.  
(6 CAPS) X (15\"/>

**PROPERTY NOTES:**

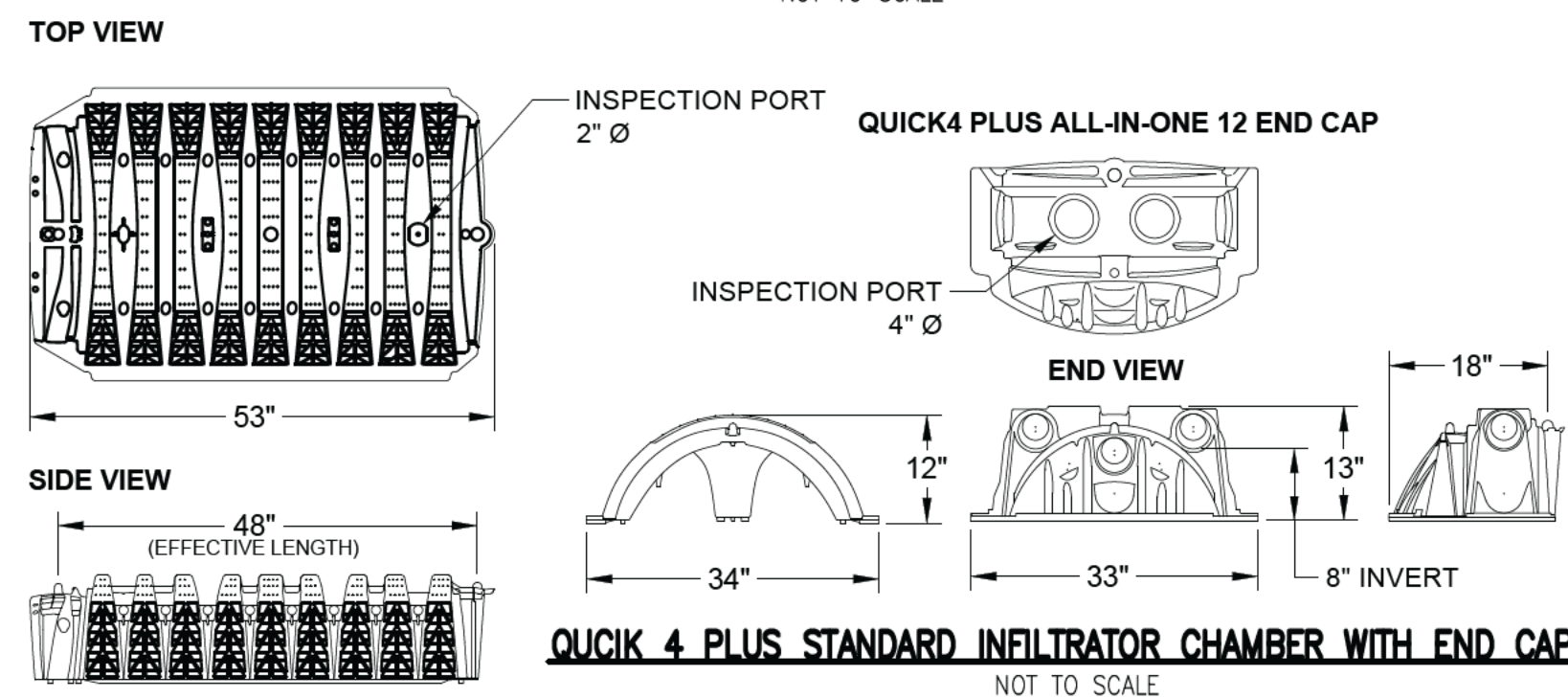
- THE PROPERTY IS SHOWN ON THE TOWN OF TRURO ASSESSORS PARCEL ID 2926 MAP 54 PARCEL 68.
- FOR TITLE REFERENCE TO THE SUBJECT PROPERTY REFER TO BOOK 17860, PAGE 326 AT THE BARNSTABLE COUNTY REGISTRY OF DEEDS.
- SINCE EAGLE CREEK IS TIDAL, THE MEAN ANNUAL HIGH WATER LINE WAS DETERMINED IN ACCORDANCE WITH 310 CMR 10.23.
- PORTIONS OF THE PROPERTY ARE LOCATED IN ZONE AE, AS SHOWN ON THE FLOOD INSURANCE RATE MAPS (F.I.R.M.) OF BARNSTABLE COUNTY, MASSACHUSETTS, MAP NUMBER 25001G0227J DATED JULY 16, 2014. ALL PROPOSED WORK INCLUDING THE SEPTIC SYSTEM IS NOT IN A FLOOD ZONE.

**NOTES:**

- THE CONTRACTOR SHALL NOTIFY THE LOCAL BOARD OF HEALTH AND RIVER HAWK ENVIRONMENTAL, LLC, AT LEAST 48 HOURS PRIOR TO REQUIRED INSPECTIONS. THE REQUIRED INSPECTIONS ARE AS FOLLOWS:  
A. AFTER LEACH FIELD EXCAVATION PRIOR TO PLACEMENT OF SAND  
B. AFTER PLACEMENT OF TANKS AND LEACHING CHAMBERS  
C. PRIOR TO BACKFILL, THE CONTRACTOR IS TO PROVIDE A CURRENT SIEVE ANALYSIS SHOWING THE SAND MEETS 310 CMR 15.255(3) SPECIFICATIONS IF REQUESTED BY THE DESIGN ENGINEER.  
D. DURING BACKFILLING IN ACCORDANCE WITH 310 CMR 15.021 (2)  
E. FINAL INSPECTION AFTER LOAM AND SEED HAVE BEEN PLACED
- BENCHMARK IS TOP OF WELL CASING, AS INDICATED ON PLAN ELEVATION= 37.94 (NAVD88)
- HEAVY EQUIPMENT SHALL NOT BE ALLOWED TO OPERATE OVER THE LIMITS OF THE SEWAGE DISPOSAL FIELD DURING THE COURSE OF CONSTRUCTION OF THE SYSTEM.
- NO FIELD MODIFICATIONS TO THE SEWAGE SYSTEM SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER AND THE LOCAL BOARD OF HEALTH.
- UNLESS OTHERWISE NOTED ALL SYSTEM COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST VERSION OF 310 CMR 15.000 (TITLE V) AND ANY APPLICABLE LOCAL RULES.
- SEPTIC TANK AND D-BOX SHALL BE MANUFACTURED BY ACME SHOREY PRECAST OR APPROVED EQUAL AND SHALL WITHSTAND H-10 OR H-20 (AS INDICATED ON PLAN) LOADING CRITERIA. GROUT TO BE USED AT ALL POINTS WHERE PIPES ENTER OR LEAVE ALL CONCRETE STRUCTURES IN ORDER TO PROVIDE A WATERTIGHT SEAL. MORTAR ALL INLET AND OUTLETS NOT USED ON ALL CONCRETE STRUCTURES.
- THE FIRST TWO FEET OF EACH LINE EXITING THE DISTRIBUTION BOX SHALL BE LEVEL.
- THIS SYSTEM IS NOT DESIGNED TO ACCOMMODATE A GARBAGE GRINDER.
- THERE ARE NO KNOWN WELLS WITHIN 100' OF THE PROPOSED SOIL ABSORPTION SYSTEM.
- IN ACCORDANCE WITH 310 CMR 15.221, ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE.
- INSTALLER SHALL BE TRAINED AND CERTIFIED BY INFILTRATOR WATER TECHNOLOGIES, LLC FOR INFORMATION ON THE INFILTRATOR QUICK4 CHAMBER. SEE CERTIFICATION FOR GENERAL USE TRANSMITTAL NUMBER X259183 DATE OF ISSUANCE FEBRUARY 19, 2015 REV. JUNE 12, 2015. ALSO SEE STANDARD CONDITIONS FOR ALTERNATIVE SOIL ABSORPTION SYSTEMS WITH GENERAL USE CERTIFICATION AND/OR APPROVED FOR REMEDIAL USE REVISED: MARCH 5, 2018.
- THE PROPERTY IS LOCATED IN A ZONE II (WELL HEAD PROTECTION AREA).
- LOCATION OF UTILITIES ARE CONSIDERED APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATION AND INVERTS OF UTILITIES IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE UNDER MASSACHUSETTS STATE LAW TO NOTIFY DIGSAFE (1.888.DIGSAFE) TO LOCATE UTILITIES IN THE PROJECT AREA 72 HOURS PRIOR TO THE START OF EXCAVATION.



**CROSS SECTION OF BED**  
NOT TO SCALE



**QUICK 4 PLUS STANDARD INFILTRATOR CHAMBER WITH END CAP**  
NOT TO SCALE

NO.	DATE	REVISION	DESCRIPTION
1	8/14/23	ADDED NITROGEN WTS	

MILL POND INVESTMENT TRUST  
THOMAS W. LITTAUER, TRUSTEE  
288 JERUSALEM ROAD  
COHASSETT, MA 02025



**RiverHawk ENVIRONMENTAL CONSULTING**  
CIVIL ENGINEERING & ENVIRONMENTAL CONSULTING  
2183 OCEAN STREET, MARSHFIELD, MA 02050  
781-536-4638 www.riverhawkllc.com

DESIGNED BY: RSR  
CHECKED BY: RSR  
APPROVED BY: RSR

**SITE PLAN**  
1 MILL POND ROAD  
TRURO, MA

**DETAILS**

PROJECT NO. 00381-03-01  
SCALE AS SHOWN  
DATE: JULY 13, 2023

**D1.1**



**Arozana Davis**

---

**From:** Arozana Davis  
**Sent:** Tuesday, August 15, 2023 12:38 PM  
**To:** Eric Shapiro [REDACTED]; John Redihan (info@rkmpropertymanagement.com)  
**Cc:** Emily Beebe; Courtney Warren; Rich Stevens; Noelle Scoullar; Nicole Tudor; Kelly Clark  
**Subject:** Complaint: 522 Shore Rd, Occupancy Loads  
**Attachments:** SP1.jpg; SP2.jpg; SP3.jpg; SP4.jpg

Dear Mr. Shapiro & RKM Property Management,

We received a complaint on 8/15/2023 regarding the occupancy of units 11 and 14. According to the Health Department septic records, those are 1-bedroom units and the occupancy is a maximum of 2- persons. The complaint asserts there have been between 5-7 people occupying each of these units during this past week (see photos); the complainant also mentioned that these same renters over-occupy these units every year. In addition, these units have not completed their rental registration with the Town.

In 2012, Sutton Place requested a variance from the Board of Health for multiple units that were below the threshold of 400 square feet; unit #11 was one of those units. The variance approval limited the occupancy to 2 people, limited the sleeping surfaces to 1 double bed or 2 twin beds, and stated that there shall be no additional furniture that affords sleeping. This variance approval can be revoked by the Board of Health if the unit fails to comply with the occupancy load restrictions and rental registration requirements.

Part of your responsibility as manager of the property is to ensure that the occupancy loads are in compliance with local and State regulations and that the rental units within the Sutton Place Condominium have properly completed their rental registration prior to renting them.

This matter requires your response and your proposal describing how issues of non-compliance will be resolved. Ultimately, a discussion with the Board of Health is required and so we have placed you on the agenda for their September 5, 2023 meeting. The meetings are held virtually.

Please reach out at your earliest convenience to discuss this further.

Thank you,

Arozana



**PHONE:** 508-214-0202  
**EMAIL:** adavis@truro-ma.gov  
**WEB:** www.truro-ma.gov  
**ADDRESS** Town of Truro  
 24 Town Hall Rd  
 PO Box 2030  
 Wellfleet, MA 02667



## Arozana Davis

---

**From:** Eric Shapiro <[REDACTED]>  
**Sent:** Tuesday, August 15, 2023 1:56 PM  
**To:** Arozana Davis; John Redihan (info@rkmpropertymanagement.com)  
**Cc:** Emily Beebe; Courtney Warren; Rich Stevens; Noelle Scoullar; Nicole Tudor; Kelly Clark; [REDACTED]; priscilla@rkmpropertymanagement.com; Christina Rios  
**Subject:** RE: Complaint: 522 Shore Rd, Occupancy Loads

Hi Arozana,

This issue has been addressed internally and owners have been reminded of occupancy limits. I am very sorry any issues this has caused and I have been doing my best but it is sometimes challenging to manage each of the 29 independent condominium home owners to make sure that they meet their obligations with the town. As an individual and company we do our best to comply and I don't believe the town has any issues with us but please let me know if otherwise.

We will talk with RKM to see if they can assist with the permitting requirements . Can the town reach out to the respective owners as well?

I believe Unit 11, 12, 21, 22 were permitted for 2 person occupancy and units 13-18 and 23-29 were permitted for 4 person occupancy (please confirm). I believe that the owners respectively limit the occupancy to the permitted allowance however guests and owners periodically have visitors on the beach which is what I think is the cause of this latest issue. Again, this issue has already been addressed internally and owners have been reminded of occupancy limits but I appreciate your concerns and support addressing the issue with the owners.

Please call or email anytime.

Respectfully,  
Eric

Eric Shapiro, CEO  
781-862-2087



**From:** Arozana Davis <ADavis@truro-ma.gov>  
**Sent:** Tuesday, August 15, 2023 12:38 PM  
**To:** Eric Shapiro <[REDACTED]> John Redihan (info@rkmpropertymanagement.com) <info@rkmpropertymanagement.com>  
**Cc:** Emily Beebe <EBeeBe@truro-ma.gov>; Courtney Warren <cwarren@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>; Noelle Scoullar <nscoullar@truro-ma.gov>; Nicole Tudor <ntudor@truro-ma.gov>; Kelly Clark <ksclark@truro-ma.gov>  
**Subject:** Complaint: 522 Shore Rd, Occupancy Loads

Dear Mr. Shapiro & RKM Property Management,

We received a complaint on 8/15/2023 regarding the occupancy of units 11 and 14. According to the Health Department septic records, those are 1-bedroom units and the occupancy is a maximum of 2- persons. The complaint asserts there

**Arozana Davis**

**From:** Arozana Davis  
**Sent:** Wednesday, August 16, 2023 1:28 PM  
**To:** Eric Shapiro; John Redihan (info@rkmpropertymanagement.com)  
**Cc:** Emily Beebe; Courtney Warren; Rich Stevens; Noelle Scoullar; Nicole Tudor; Kelly Clark; [redacted] Lisa Loveland [redacted] priscilla@rkmpropertymanagement.com; Christina Rios; [redacted]  
**Subject:** RE: Complaint: 522 Shore Rd, Occupancy Loads  
**Attachments:** SBuildingDe23081612200.pdf; SBuildingDe23081612190.pdf; 20230816130431205.tif; SBuildingDe23081612260.pdf; SBuildingDe23081612250.pdf

Good Morning Everyone,

Thank you for your replies. After a conversation with the owner of unit #14 and seeing the comment in Mr. Shapiro's email, I understand that a few of you feel that some of these units are allowed a 4-person occupancy. All of the information on record, shows that those front units (#9-12, 14-17) are all studio/1-bedroom units which would allow them a 2-person occupancy. I have attached documents from the condominium conversion process to back my statement up.

At this time, you will still need to be present at the 9/5/2023 Board of Health meeting to address this question of occupancy and lack of rental registration. I have spoken with the owner of #14, and since he does not rent (he states that this one week is friends/families that have historically used the unit), then he does not have to file a rental registration with us; I have not heard anything back from the owner of unit 11.

Please let me know if you have any further questions on this matter.

Respectfully,

Arozana



PHONE: 508-214-0202  
EMAIL: adavis@truro-ma.gov  
WEB: www.truro-ma.gov  
ADDRESS: Town of Truro  
24 Town Hall Rd  
PO Box 2030  
Wellfleet, MA 02667

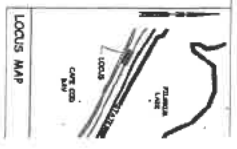


8/17/2023 A. Davis  
\* Spoke w/ unit owner, Michele Noble (+ Paul Alberghetti):  
① they completed their rental registration  
② they only advertise their unit as a 1BR/2person occupancy.  
③ The people on the deck were visiting the tenants of their unit.

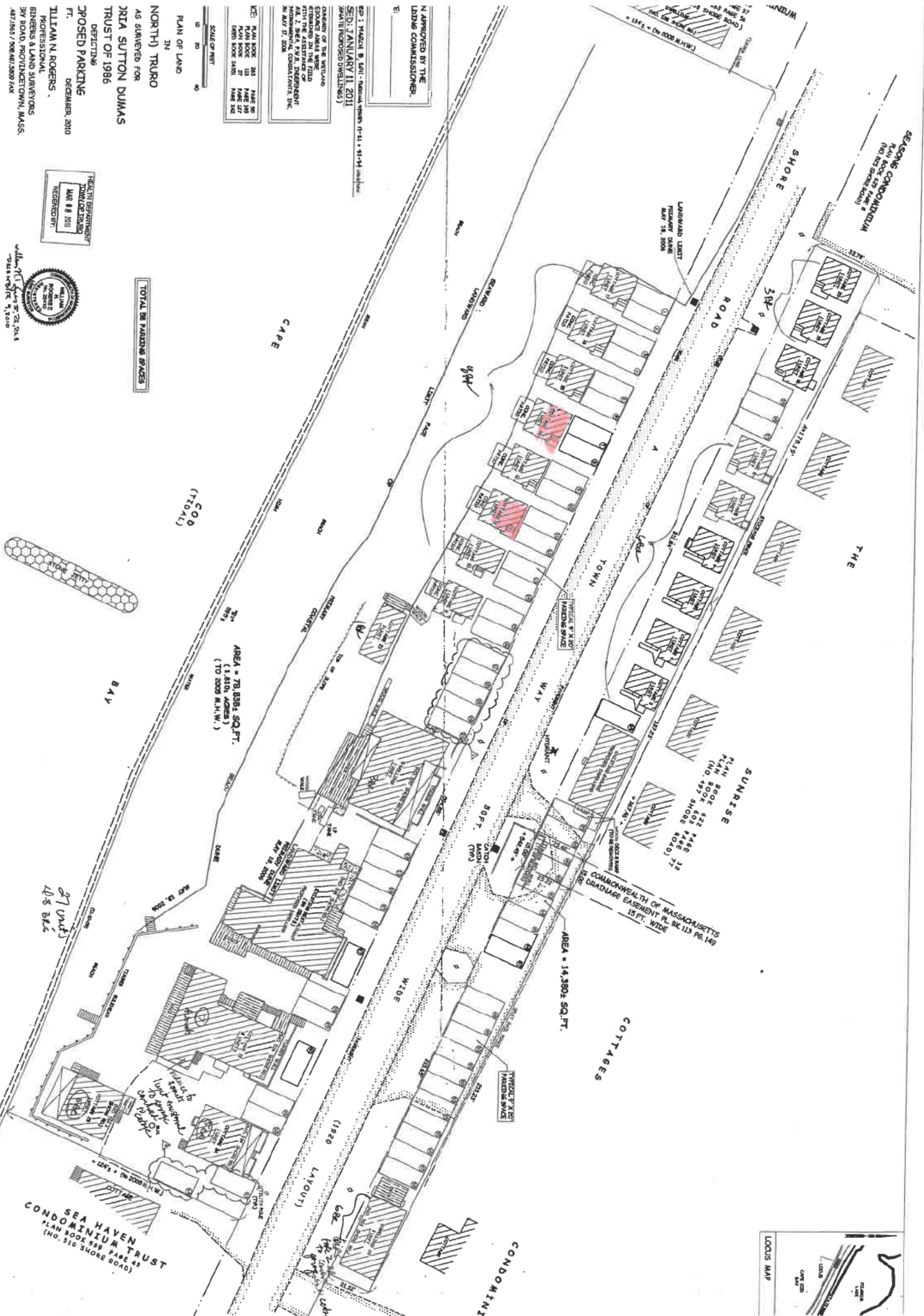
**From:** Eric Shapiro [redacted]  
**Sent:** Tuesday, August 15, 2023 1:56 PM  
**To:** Arozana Davis <ADavis@truro-ma.gov>; John Redihan (info@rkmpropertymanagement.com) <info@rkmpropertymanagement.com>







LOCALITY MAP



NOT APPROVED BY THE  
LANDS COMMISSIONER.

SP: 1/24/01 8:50 AM - 1/24/01 11:00 AM  
SED: 1/24/01 11:00 AM  
DATE OF PROPOSED DRAWINGS

CONTOUR OF THE VENTURE  
RETURNED TO THE FIELD  
WITH THE ASSISTANCE OF  
AN INDEPENDENT CONSULTANT  
ON MAY 17, 2006

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SCALE OF FEET  
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PLAN OF LAND  
IN  
NORTH-TRUBO  
AS SURVEYED FOR  
DRA SUTTON DUMAS  
TRUST OF 1986  
DETECTIVE  
PROPOSED PARKING  
FT. DECEMBER 2010  
TILLMAN N. ROGERS,  
PROFESSIONAL  
ENGINEER & LAND SURVEYOR  
BY ROAD, PROVINCETOWN, MASS.  
407.1565 / 508.4672000 FAX



RECEIVED  
MAY 18 2011  
HEALTH DEPARTMENT  
PROVINCETOWN, MASS.

TOTAL 88 PARKING SPACES

COO  
(TIDAL)

AREA = 73,858 SQ. FT.  
(1,140,000 SQ. FT.)  
(TO 2005 M.H.W.)

AREA = 14,302 SQ. FT.

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COMMONWEALTH OF MASSACHUSETTS  
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(1) 1/24/01 - 2006 - 1/24/01  
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(3) 1/24/01 - 2006 - 1/24/01

DRAFT FOR BOH  
DISCUSSION 9-5-23

Judith McDermott Powers  
Cottage Realty Trust  
10 Halsey Way  
Natick, MA 01760

September \_\_\_\_\_, 2023

Truro Board of Health  
24 Town Hall Rd  
Truro, MA 02535

RE: Board of Health Variance Request  
398 Shore Road, Truro, MA

Map: 10/ Parcel 23

To The Board of Health Members,

Judith McDermott Powers, Trustee of Cottage Realty Trust, is filing a request for variance from Truro Board of Health Regulations for the proposed sewage system upgrade at the above captioned property. The property is currently served by cesspool.

The project proposes to connect to the public sewer system that is currently being designed by the Towns of Provincetown and Truro. The existing building contains a total of 3 bedrooms, with 330 GPD of design flow as determined by a plan prepared by John O'Reilly of J.M. O'Reilly & Associates, Inc. of Brewster. This design plan was presented to Truro Board of Health and approved at a public meeting held on July 18, 2023. At this meeting the approval was conditioned that the approval would be reviewed in one year pending an application for an Administrative Consent Order ("ACO").

We are seeking a variance as provided and described in CMR Section 15.305 (1) (b) (Deadlines for Completion of Upgrades), and in the Truro Board of Health Regulations, Section 6, Article , 3.f.1-7; as follows:

1. This requests that the Board will allow and approve the following sequence of events:
  - a. The Sewage Disposal System Site Plan, as approved by the Truro Board of Health, would be placed on file with the Town of Truro,
  - b. Pending the design, approval, and installation of the Town Sewage System, the installation of the Sewage Disposal System Plan be delayed for a period of five years as provided in CMR Section 15.305 (1) (b),
  - c. Inspection of the existing cesspool will be performed as necessary,
  - d. If an inspection of the existing system results in a failure, the Sewage Disposal System Site Plan would be "taken of the shelf" and utilized to install the system within 90 days, or as soon as a contractor can be available,

- e. When the Town Sewage System is available, connection to that system would be completed within 90 days,
- f. An escrow account would be established with the Town to pay for the connection to the Town System
- g. Deposits to the escrow account will be made in 20 annual equal installments of \$1,078.00 on a date to be specified by the Town,
- h. In either event, the installation of the Town Plan or the Sewage Disposal System Site Plan, the existing cesspool will be properly abandoned and filled with the proper material.
- i. Installation of either system will be done by a local certified installer with all necessary permits, inspections and certifications.
- j. This ACO and any other documents required by the Town will be recorded at the Barnstable Registry of Deeds.

A representative of the Cottage Realty Trust will be present at the next available public hearing to review the request and answer any questions the Board may have.

Sincerely,

Judith McDermott Powers  
Trustee  
Cottage Realty Trust

Encl: Application for Board of Health Variances  
Proposed ACO



DRAFT FOR BOH  
DISCUSSION 9-5-23

In the matter of:

**Property belonging to:**

Cottage Realty Trust  
398 Shore Road  
Truro, MA 02666

**Regarding:**

398 Shore Road, North Truro  
Assessors Map: 10 Parcel: 23  
Deed Book: 16139 Page: 1, et seq

**ADMINISTRATIVE CONSENT  
ORDER**

*Future Septic Upgrade, or future  
connection to the Provincetown Municipal  
Sewer System*

**PARTIES**

1. The Town of Truro (the "Town"), acting by and through its Board of Health ("BOH") and Conservation Commission ("CC"), is a municipal corporation within the Commonwealth of Massachusetts with offices at 24 Town Hall Road, Truro, MA, 02666.
2. The Town of Provincetown (Provincetown) is a municipal corporation within the Commonwealth of Massachusetts with offices at 260 Commercial Street, Provincetown, MA 02657.
3. Judith McDermott Powers, Trustee of Cottage Realty Trust, (the "Respondent") is a Trustee of a property located at 398 Shore Road, in Truro, Massachusetts (the "Property"). Respondent's mailing address: Cottage Realty Trust, C/O Judith McDermott Powers, 10 Halsey Way, Natick, MA 01760-2919.

**PURPOSE**

4. This Administrative Consent Order ("Consent Order") is entered into under the authority of M.G. L. c.111, §§ 31 and 122, and M.G.L. c.21A, §13, and 310 CMR 15.305(1)(b).

**STATEMENT OF FACTS**

5. The Town requires the upgrade of cesspool systems to meet the minimum standards of 310 CMR 15.000 Title 5, and the Town BOH regulations.
6. The Respondent(s) Property is served by a cesspool and not compliant with Title 5, and the Town BOH has determined that the cesspool requires an upgrade pursuant to 310 CMR 15.303(2), and the Town BOH regulations Section 6, Article 3.1.h

7. The Property is located at 398 Shore Road, Truro, MA, approximately 1.4 miles from the Provincetown town line. The parcel area is 5,539 +/- square feet and located within the FEMA AE zone. There is one cottage on the Property which has 3 bedrooms served by a cesspool. The Respondent(s) have engaged the professional engineering services of J.M. O'Reilly & Associates, Inc in Brewster to prepare the necessary design documents to connect the cottage located on the Property to a Title 5 System. An original Sewage Disposal System Site Plan ("PLAN") dated May 12, 2023, and subsequently revised on July 5, 2023, as requested by the CC, showing the adjusted design and details accordingly, was reviewed and approved by the CC on June 5, 2023 and BOH at a meeting on July 18, 2023.

### CONSENT ORDER

8. The Property is close enough to the Provincetown municipal sewer main, and connection of the Property to the sewer system during its next phase of expansion is feasible. Additionally, development of the Town's municipal wastewater management plan ("TOWN PLAN") is in progress. This TOWN PLAN may offer the Property a connection to the sewer as an alternative to a standard upgrade to Title 5. Therefore, the Respondent(s) are not required to undertake construction of a new Title 5 subsurface sewage disposal system at this time, provided that temporary remedial measures shall be undertaken by the Respondent(s). These temporary measures will include an inspection as needed.
9. At the time of the execution of this Consent Order, the Respondent(s) shall make a deposit of \$21,450 into an insured and interest-bearing account of the Town, established and maintained by the Town Treasurer pursuant to G.L. c .44, §53G 1/2 for the purposes stated herein. In the alternative to depositing the full amount as set forth in the preceding sentence, the Respondent(s) shall pay into the Town fund in 20 annual installments, with the first installment of \$1,078 being due upon execution of this agreement and subsequent installments of \$1,078 being due on or before October 1st of each subsequent calendar year, ending when the amount set forth herein is paid in full. Respondent(s) may request a statement of account from the Town Treasurer at any time, and there shall be no penalty for early prepayment.
10. The Respondent(s) agree that such funds shall be applied by the Town to defray or satisfy any assessments or charges levied against the Respondent(s) or the Property to connect to the municipal sewer system extension as determined by the Town, in accordance with G.L. c.80 and 83. Should another alternative become available, the escrow may be used to implement that alternative if approved to do so by the Town.
11. If Provincetown has not commenced construction of an extension of the municipal sewer collection system, which will serve the Property, by January 1, 2028, the Town shall notify the Respondent(s). Unless an extension has been granted to the Respondent(s), they shall immediately commence within 90 (ninety) days of said notice, with installation the upgraded subsurface sewage system on the property in accordance with the approved engineered PLAN. The Respondent(s) shall abandon the existing subsurface sewage disposal system by one hundred twenty (120) days from said notice. Notwithstanding the requirements of this Paragraph, the BOH may, in its sole discretion, elect to extend the time for completion of the upgrade to an on-site title 5 septic system by renewal of this Consent Order for such additional period as it sees fit, with all other requirements of this Consent Order remaining in full force and effect.

12. In the event that the Respondent(s) elect to install an upgraded subsurface sewage disposal system in accordance with an approved engineered PLAN at any time prior to the expiration of this Consent Order, regardless of whether the system has failed or not failed, and upon proof that Respondent(s) have entered into a binding contract to construct an upgraded subsurface sewage disposal system conforming to Title 5 or any successor environmental code, all funds in the account shall be provided to the Respondent(s) who shall use said funds to defray all or a portion of the costs of the installation on the Property in accordance with the engineered PLAN approved by the BOH. Such approval shall be obtained at a duly noticed BOH meeting.
13. In the event the Respondent(s) transfer title to or an interest in the Property to another person or entity at any time during the life of this Consent Order, the new owner(s) shall become subject to the terms and conditions of this Consent Order. Foreclosing mortgagees shall be entitled to all rights and benefits set forth in this Consent Order. The Consent Order shall be recorded in the chain of title to the Property upon execution thereof and shall remain on the title and run with the title to the Property until such time as the Town acting by and through its BOH, certifies compliance with the terms and conditions herein.
14. Within five (5) days of the execution of this Consent Order, the Respondent(s) shall provide to the BOH, proof of recording of the Consent Order at the Barnstable Registry of Deeds or Registry District of the Land Court, as appropriate. The Town may record the Consent Order at the Respondent(s)'s expense in the event the Respondent(s) fail to do so.

#### **STIPULATED PENALTIES**

15. If any action required by this Consent Order is not completed by the prescribed deadline, including but not limited to any deadlines associated with required septic system installation, the Respondent(s) shall pay to the Town without demand a stipulated penalty of \$500 per day unless said deadline is delayed on account of matters beyond the reasonable control of the Respondent(s) or on account of the Respondent(s)'s contractor's inability to meet said deadline. Each day of non-compliance shall constitute a separate violation. Payment of the penalty shall be made by certified check, cashier's check or money Consent Order payable to the Town and such payment shall be mailed to the BOH, 24 Town Hall Road, Truro, MA 02666. Nothing herein shall limit the authority of the BOH or Town to pursue additional enforcement measures, whether legal or equitable, including fines and injunctive relief, to enforce this Consent Order or G.L. c.111, §§31 and 122, G.L. c.21A, §13 and 310 CMR 15.00.

#### **TERMINATION**

16. Nothing in this Consent Order is intended to limit or restrict the authority of BOH, or any other board, commission or officer of the Town to act in accordance with federal, state and local laws within their jurisdiction, including but not limited to G.L. c.111, §§31 and 122, G.L. c.21A, §13 and 310 CMR 15.00, and nothing contained herein shall be construed as limiting in any way the authority of the BOH to issue such other Consent Orders or require such remedial measures as may be necessary, including but not limited to terminating this Consent Order and requiring immediate repair, or replacement of the system or connection to the sewer, to abate a threat to public health, safety or the environment caused by the sewage disposal system located on the Property.

**OTHER PROVISIONS**

- 17. This Consent Order shall apply to and bind the parties, their officers, employees, agents, successors, heirs, assigns, and all other persons and entities acting under them.
- 18. The Respondent(s) voluntarily agree to the terms of this Consent Order.
- 19. This Consent Order may be modified only upon the written agreement of the BOH and Respondent(s).
- 20. If any term or provisions of this Consent Order or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of the Consent Order or the application thereof shall be valid and enforceable to the fullest extent permitted by law.
- 21. Each undersigned representative hereby certifies that they are fully authorized to enter into the terms by signing.

Entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Respondent(s)

\_\_\_\_\_  
Judith McDermott Powers, as Trustee and not individually

On Behalf of Town of Truro  
Board of Health

\_\_\_\_\_  
Emily Beebe, Health Agent  
Truro Board of Health

\_\_\_\_\_, SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned notary public personally appeared **Emily Beebe, Health Agent**, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, SS

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned notary public personally appeared **Judith McDermott Powers, Respondent**, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned notary public personally appeared \_\_\_\_\_ (name of document signer), proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

## **Minutes of the Truro Board of Health, Tuesday August 1, 2023**

This was a remote meeting.

### **Board members in attendance:**

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm, Brian Koll, Tim Rose; Absent: Alternate Candida Monteith.

Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

The meeting was called to order at 4:38 PM by the Chair, who described the remote meeting procedures and the process for public participation.

### **AGENDA ITEMS**

**Local Upgrade Approval & Local Variance Request: 24 Cliff Road, Blair & Paul Resika** *(continued from the 7/18/2023 meeting)* John O'Reilly was representing the variance request for a cesspool upgrade to an innovative alternative system because the lot is undersized for the number of bedrooms. The Agent asked whether this was I/A or enhanced I/A and asked for more clarity concerning the bedroom count. John O'Reilly stated that this was a standard FAST I/A system and shared his screen to clarify the bedroom count. There was a discussion about the actual number of bedrooms on the property. Chair Tracey Rose read the Agent's memo into the record. Board member Helen Grimm asked a clarifying question about why one room was considered an office and not a bedroom. John O'Reilly explained that the office was a walk through and therefore does not count as a bedroom.

**Motion: Board member Tim Rose moved to approve the variances as requested; Second: Board member Brian Koll; Vote: 5-0-0; Motion carries.**

**Local Variance Request: 5 Valentina Way, Estate of Marguerite Yannetty** *(continued from 7/18/2023)* Laura Schofield was representing the project. She described the property overlooking Ryder Pond, and located in the Wellfleet Harbor watershed, an area that will soon be designated as a Nitrogen Sensitive Area. The property has two seasonal cottages on the property, one served by a cesspool and the other by an older Title 5 system. Both cottages would connect to one innovative/alternative septic system. There was discussion about the timing and the likelihood of this property being required to upgrade to enhanced I/A in the future. The Agent asked whether the system as designed could be retrofitted in the future. Laura Schofield asked if it would make more sense to upgrade to a Title 5 system now and wait to see what the regulations will require and wondered if more clarification could be gotten from DEP. The Agent suggested that they get some perspective on the timing from Scott Horsley, based on his experience with other municipalities. Laura Schofield requested a continuance until the August 15, 2023, Board of Health meeting. Abutter Judith Hogan expressed her concerns with the placement of the septic in relation to Ryder Pond. **Motion: Board member Tim Rose moved to continue the variance request until the August 15, 2023, meeting; Second: Board member Helen Grimm; Vote: 5-0-0; Motion carries.**

**Local Upgrade Approval & Local Variance Request: 7 Amity Lane, Irene Selver** *(continued from 7/18/2023)* Laura Schofield presented the cesspool upgrade project. She described the property as surrounded by wetland resources, and she outlined the requested variances. This application was similar to the previous property with the question of whether it is better to put in

a standard Title 5 system and wait for a regulation change to upgrade or install an Advantex I/A system now. The Agent explained that this property was in the Pamet watershed and will likely have a nitrogen target in the future. She suggested pausing to discuss with Scott Horsley. Laura Schofield added that this is a seasonal home. Chair Tracey Rose expressed that the use of the home, seasonal or not, shouldn't be a consideration. Laura Schofield requested a continuance to the 8/15/2023 meeting. **Motion: Board member Tim Rose moved to continue the variance request until the August 15, 2023, meeting; Second: Board member Jason Silva; Vote: 5-0-0; Motion carries.**

**Local Upgrade Approval & Local Variance Request: 38 Toms Hill Road, Tina Ryman et al.**

*(continued from 7/18/2023)* Laura Schofield presented the cesspool upgrade project. The homeowner would like to install a Title 5 for now and hold off on upgrading to I/A. She described the property and stated that the cottages are not heated and therefore are completely seasonal. The Agent suggested continuing the request, in similar fashion to the previous application. **Motion: Board member Helen Grimm moved to continue the variance request until the August 15, 2023 meeting; Second: Board member Jason Silva; Vote: 5-0-0; Motion carries.**

**Local Variance Request: 6 Toms Hill Path, Thomas D. France et al.** *(continued from*

*7/18/2023)* Stephanie Sequin presented the cesspool upgrade project. She described the seasonal property and the lot, and their request for a temporary reprieve from the requirement of I/A. The septic design leaves room for a future upgrade. In exchange, the property owners suggest a deed restriction to ensure seasonal use. The Agent explained that since it is a large lot and is seasonal, it could meet the standard of review for the variance that is being requested. Chair Tracey Rose asked about accountability to DEP, but the Agent replied that the local Board of Health regulations were more stringent than Title 5. **Motion: Board member Jason Silva moved to approve the variance as requested; Second: Board member Tim Rose.**

There was discussion on the motion, and Mr. Silva asked to amend his motion, this was agreed to by Tim Silva who had provided the second;

**Motion: Board member Jason Silva moved to approve the variance as requested, with the condition that upon transfer and/or subdivision/ANR of the property, the system shall be upgraded to an I/A system; Second: Board member Tim Rose.; Vote: 5-0-0, motion carries.**

**Local Variance Request: 1 Mill Pond Road, Mill Pond Road Investment Trust**

Thomas W. Littaur, property owner, described the proposed project and introduced his engineer, Bob Rego, who shared his screen to show the plan. No Title 5 variances are needed, but variances are being requested to the local requirement for separation to wetland resource areas and for the use of the outer riverfront area as upland in the nitrogen loading calculations. The plan showed the initial 4-bedroom proposal and had not been amended to three bedrooms. Chair Tracey Rose stated that an accurate plan would need to be submitted. The Agent reviewed the local regulations with the board and discussed the complicated nature of the request since it is new construction. She asked Bob Rego if this could be good candidate for a Nitroe system. He was unfamiliar with that technology but could look into it. Mr. Littauer told the Board that this home will not have lawn area, another source of nitrogen. The Board wanted to be clear that there was a higher standard for new construction and the proposal needed to include mitigation.

Chair Tracey Rose suggested continuing the request until the engineer had looked into the Nitroce system and updated the plan.

**Motion: Chair Tracey Rose moved to continue the request until August 15, 2023;**

**Second: Tim Rose; Vote: 5-0-0, motion carries.**

**Request for a waiver of time: 45 Corn Hill Road, Rose Investment Trust c/o Mary Rose**

Board member Tim Rose recused himself from the Board to speak on the request as the owner of the property. Chair Tracey Rose also recused herself. This waiver of time request would allow installation of the new septic (I/A) system after the transfer of the property. The closing date is August 19, 2023 and the request is for a 90-day waiver. Tim Rose stated that the property will not be occupied until the system is installed and has not been rented this year. **Motion: Board member Brian Koll moved to approve the waiver of time request; Second: Board member Helen Grimm; Vote: 3-0-2; Motion carries with Tracey Rose and Tim Rose abstaining.**

**Minutes: June 20, 2023**

**Motion: Board member Helen Grimm moved to approve the minutes as presented.**

**Second: Board member Tim Rose; Vote: 3-0-2 with Jason Silva and Brian Koll abstaining, motion carries.**

**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.**

Jack Reimer made a comment about the Truro Motor Inn and suggested it could be used for housing. After reviewing the June 7, 2022, Board of Health meeting with Scott Horsely, he suggested a Board of Health agenda item in the future to discuss how the TMDL and nitrogen sensitive areas are being addressed and also find an affordable way to incorporate enhanced I/A systems.

**Report of the Chair-** The Chair commented that today is the One Cape Summit hosted by the Cape Cod Commission.

**Health Agent's Report-** The Health Agent stated that she has had productive conversations with the Local Comprehensive Planning Committee. They have discussed various topics and priorities pertaining to environmental protection and wastewater management. Chair Tracey Rose also added that there is an upcoming meeting for local citizens to understand how local government operates. The meeting will be in September and the Town Manager has requested that a member of each board be present to answer any questions the public may have for them.

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

**The meeting was adjourned at 7:20 P.M.**

Respectfully submitted by Nina Richey.