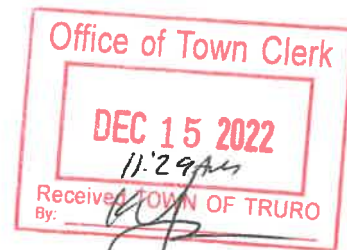




# Truro Board of Health

Tuesday December 20, 2022

Remote Meeting 4:30 PM



## REGULAR MEETING

### Remote Meeting Access Instructions

This will be a remote meeting. Citizens in Truro can view the meeting on Channel 18 and on the homepage of the Town of Truro website on the "Truro TV Channel 18" button found under "Helpful Links". 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>** There may be a slight delay (15-30 seconds) between the meeting and the live-stream and television broadcast. If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Health Agent Emily Beebe at [ebeebe@truro-ma.gov](mailto:ebeebe@truro-ma.gov) with your comments.

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

## II. AGENDA ITEMS

1. **Change of Manager:** Shoreline Beach Condominiums, 556 Shore Road
2. **Variance Request/Local Upgrade Approval:** 108 Slough Pond Road (continued from 11/15/2022)
3. **Variance request from Truro Board of Health regulations:** 97 Castle Road
4. **Water Resources Update:** December 2022

**III. MINUTES:** November 1, 2022

## IV. REPORTS

- o Report of the Chair- discussion on Board reorganization scheduled for January 17, 2023
- o Health Agent's Report-



# TOWN OF TRURO

Health Department  
P.O. Box 2030, Truro, MA 02666  
PH: 508-349-7004, Ext. 131 Fax: 508-349-5508  
Email: [ebeebe@truro-ma.gov](mailto:ebeebe@truro-ma.gov) or [adavis@truro-ma.gov](mailto:adavis@truro-ma.gov)

HEALTH DEPARTMENT  
TOWN OF TRURO

DEC 06 2022

RECEIVED BY

## APPLICATION TO NAME A MANAGER

This application is used for a Change of Manager, Add Co-Managers or to Name a Property Management Company as Manager with the Board of Health

### Section 1 - Business Information

Date: 11/7/2022

Print Name of Applicant: Mark Plasse/Karen Potts

Business Name or DBA to be managed: Shoreline Beach Condominium Number of Units: 13

Street Address of Business: 556 Shore Road, North Truro Business Email: office@tjf-ps.com

Mailing Address of Business: (  Check if New Address ) C/O TJF-PS PO Box 563 Provincetown, MA 02657

### Section 2 - Manager Information

Name of Previous Manager: Fiona Petri On-Site Manager Unit #: 7

Name of New Onsite Manager: Mark Plasse On-Site Manager Unit #: 5

Name of Property Management (10 Units or less): TJF Property Services

Mailing Address of New Manager and/or Property Management Company: PO Box 563 Provincetown, MA 02657

Phone (24 hours/day): 508-487-8300 Email: office@tjf-ps.com

Name of Co-Managers:

Unit # \_\_\_\_\_ Phone (24hrs/day): \_\_\_\_\_

Unit # \_\_\_\_\_ Phone (24hrs/day): \_\_\_\_\_

Unit # \_\_\_\_\_ Phone (24hrs/day): \_\_\_\_\_

I have read & understand the Board of Health Manager Regulation, Section III, Article 4. Signature of New Manager, Co-Managers or Contact Person for Property Management is required.

Mark Plasse  
SIGNATURE

Mark Plasse  
PRINT NAME

11/7/2022  
DATE

Karen Potts  
SIGNATURE

Karen Potts  
PRINT NAME

11/7/2022  
DATE

SIGNATURE

PRINT NAME

DATE

### Section 3 - \*\*Office Use Only\*\*

Team Inspection  
(If over 3yrs since last one)

Scheduled  Date NA (4/13/21) Fee \$45.00

Paid

Board of Health Hearing

12/24/22 \$75.00

## Emily Beebe

---

**From:** Emily Beebe  
**Sent:** Friday, December 16, 2022 11:32 AM  
**To:** linda@csn-eng.com  
**Subject:** 108 Slough Pond Road

Hi Linda,

Would you please be so kind as to send us what receipts your client may have?

In the meantime, we will need you to submit another request for a continuance. January 3 and 17 are the next dates.

Many Thanks,  
Emily

Sent from [Mail](#) for Windows



# TOWN OF TRURO

## Board of Health

P.O. Box 2030, Truro, MA 02666

Tel: (508) 349-7004 x-32 Fax: (508) 349-5508

### APPLICATION FOR BOARD OF HEALTH VARIANCES

Date Submitted: 12/14/2022 Board of Health Hearing Date: 12/20/2022

Property Owner's Name: DeCiantis and Cassata Families

Mailing Address: 1166 Oxbow Drive Charleston, South Carolina 29412

Address of Property: 97 Castle Road

Map and Parcel Number: Map # 46 Parcel # 7

Design Engineer/Sanitarian Ø

Firm/Company Name: Ø Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Real Estate Broker Contact: Ø

Anticipated Date of Property Transfer: Ø Length of Time Requested to

Complete Upgrade: \_\_\_\_\_

**\*NOTE: The abutter's notification letter must be sent to each abutter by certified mail, return receipt requested, at the expense of the applicant. The green cards must be submitted at the hearing.**

Please check type of variance requested:

- Section Article 3 Part 4-H
- Board of Health Variance Request ;
- Board of Health Variance Request from Section VI, Article 3(1)a. Required Upgrade Upon Property Transfer. Please include Buyer's Information below:

Buyer's Name: Ø

Mailing Address: Ø

Phone #: Ø Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Signature (Property Owner)

Signature (Buyer)

*FCR*

12/15/2022

Date 12/14/2022

Date

Please return this application to:  
Truro Health Agent, 24 Town Hall Road, P.O. Box 2030, Truro, MA 02666  
With a \$75.00 application fee made payable to the Town of Truro

Town of Truro Board of Health  
c/o Town of Truro Health & Conservation Department  
24 Town Hall Road  
Truro, MA 02666

December 9, 2022

Re: Title V Septic Tank Variance Request for Extension  
Private Residence – DeCiantis and Cassata Families  
97 Castle Road  
Truro, MA

To Whom It May Concern:

This letter is to request a variance for an extension to the Title V Septic System upgrade requirement instituted by the Town of Truro Board of Health, per Article 3, Part 4-H. We, the Property Owners (Jonathan DeCiantis, Matthew DeCiantis, Helen Cassata, and F. Clark DeCiantis, Jr.) have a unique situation on our historic property. We have two small wooden structures from the 1950s on our 2.61 acre property. One structure is the original 10'x16' wood cabin with an added-on screened porch area and adjacent brick terrace. The second structure is the original 6'x12' wood shed with a flush toilet and an outdoor shower. The only plumbing is the single flush toilet. The shower and well spigot are outdoors. Our site conditions, usage amount, and commitment to preserve our historical property support our request for an extension from the Title V septic system requirement.

First, our site conditions – the property elevation peaks at over 60' above sea level. The cabin and shed are located close to the ridge of the property as it slopes away to Castle Road and Castle Terrace. The soil conditions are pure, native, sand and stone glacial deposits with terrific porosity and filtering capabilities for subsurface water. The site has never been developed in any manner other than the simple, rustic cabin and compacted earth driveway there today. The structures were built in the 1950s and the cesspool was added sometime in the 1980s. Our well point is located over 100' away from our current sanitary system. The closest property with a well point is located uphill of our cesspool, also over 100' away. The two neighboring properties downhill of our cesspool are over 300' away, and each homesite is also over 50 feet below our site in elevation. That is a tremendous amount of surrounding sand and rock to filter the water runoff from our cesspool.

Second, our usage – our family comes to Truro during June, July, and August. We also make a weekend trip to winterize and spring clean the cabin in May and September each year. Our families are small. There are the four of us siblings, three spouses, and seven children of ages 6-22. The visits are typically 5-10 days and include four to five people at most staying in the cabin at one time. We have calculated the amount of people, days, and subsequent toilet usage for a typical summer. We estimate the toilet is flushed 672 times over the summer period and opening/closing visits. That adds up to 840 gallons with a 1.25 gal/flush toilet. Considering the size of our property and elevation above adjacent properties, we have approximately 3.4 million cubic feet of sand and rock to filter the exceptionally small amount of water coming from our cesspool. We inspected the cesspool in October and the structure is intact and the basin was dry and nearly empty.

Third, our commitment to historic preservation – our family has had residence in Truro for over 100 years. The property at 97 Castle Road was willed to us by our mother, Helen Conger DeCiantis. Her

great aunt, B. Lillian Link, owned the Windy Willows property at the bottom of the hill along Castle Road looking out over the Little Pamet. Aunt "Ba-ba", as she was affectionately called, was a sculptress and year round resident of Truro dating back to the early 1900s. Baba willed the Windy Willows property to our mother's parents, Mr. and Mrs. David Link Conger. Our grandparents later sold the 97 Castle Road property to our mother Helen and her sister Cicely Shoemaker. We truly love our piece of heaven on earth in Truro. Our family has been coming to the cabin for over seventy years and have kept the character of the property as true to the original form and environment as possible. There is no television and no plumbing in the cabin. We still use the original outdoor cold water spigot for washing and drinking. We have only an outdoor shower. The screened in porch was added about twenty years ago, but we have no interest in expanding the cabin or renovating the structure that would include any additional bedrooms or bathrooms. In recent years, we affectionately call the cabin our "wooden tent."

Given our unique situation we strongly urge you to consider our variance request for an extension from the Title V Septic Tank requirement at 97 Castle Road. We request a twenty year "grandfather" period based on our property assets. As such, we would agree to no change in the development of the property during that period. If any development or improvements to the property are proposed in the future, we would expect to adhere to any sanitary system requirements at that time.

Please let us know if you have any questions, thank you for considering our variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. Clark DeCiantis, Jr.", with a stylized flourish at the end.

F. Clark DeCiantis, Jr.

TOWN OF TRURO  
BOARD OF HEALTH

DRAFT FOR  
DISCUSSION

In the matter of:

**Property belonging to:**

JONATHAN C DECIANTIS ET AL  
24 SEVERNA AVE, SPRINGFIELD, NJ 07081

**Regarding:**

97 Castle Road

Asss. Map: 46 Pcl.: 7

Deed Book: 11185 Page: 015

**ADMINISTRATIVE CONSENT  
ORDER**

Future Septic Upgrade

**PARTIES**

1. The Town of Truro (the "Town"), acting by and through its Board of Health ("Board"), is a municipal corporation within the Commonwealth of Massachusetts with offices at 24 Town Hall Road, Truro, MA, 02666.
2. Jonathan DeCiantis, et al (the "Respondents") are owners of the property located at 97 Castle Road in the Town (the "Property"). Respondent's mailing address is: 24 SEVERNA AVE SPRINGFIELD, NJ 07081

**PURPOSE**

3. 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**

4. The Town requires the upgrade of cesspool systems to meet the minimum standards of 310 CMR 15.000 Title 5 and the Truro Board of Health regulations.
5. The Respondents' Property is served by a cesspool, and not compliant with Title 5, and the Board has determined the cesspool requires an upgrade pursuant to 310 CMR 15.000 (Title 5).
6. The Respondents property is located on Castle Road. The parcel area is approximately 109, 771 square feet. There are 2 small structures on the property including a storage shed and a very simple 160-SF residence, that with no indoor plumbing; the only toilet is in the shed. Due to the extremely minimal and seasonal use, and the area of the property, the property owners have requested relief from the December 31, 2023 deadline for completion of the design and installation work for the upgraded septic system.

## CONSENT ORDER

7. The Respondents are not required to undertake construction of a subsurface sewage disposal system at this time, provided that the following temporary remedial measures shall be undertaken by the Respondent: A certified Title 5 inspection report shall be submitted prior to December 31 2023, and subsequent inspections submitted every 5 years commencing thereafter. Any repairs that may be needed to ensure that the cesspool functions, shall trigger immediate upgrade.
8. (IF escrow Funds are agreed upon) In the event that the Respondents 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 Respondents 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 Respondents 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 Board. Such approval shall be obtained at a duly noticed Board of Health meeting.
9. In the event that the Respondents transfer title to or an interest in the Property to another person at any time during the life of this Consent Order, the upgrade process shall be completed prior to said transfer.
10. Within five (5) days of the execution of this Consent Order, the Respondents shall provide to the Board, proof of recording of the Consent Order at the Registry of Deeds or Registry District of the Land Court, as appropriate. The Town may record the Order at the Respondents' expense in the event the Respondents fail to do so.

## STIPULATED PENALTIES

11. 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 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 or on account of the Respondents' 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 order payable to the Town of Truro and such payment shall be mailed to the Board of Health, 24 Town Hall Road, TRURO MA 02666. Nothing herein shall limit the authority of the Board of Health 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

12. Nothing in this Consent Order is intended to limit or restrict the authority of Board of Health, 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 Board of Health to issue such other 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**

- 13. 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.
- 14. The Respondents voluntarily agree to the terms of this Consent Order.
- 15. This Consent Order may be modified only upon the written agreement of the Board of Health and Respondents.
- 16. 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.
- 17. Each undersigned representative hereby certifies that they are fully authorized to enter into the terms signing.

Entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Respondent(s)

---

JONATHAN C. DECIANTIS

On Behalf of Town of TRURO  
Board of Health

---

Emily Beebe, Health Agent  
24 Town Hall Road  
Truro, MA 02666

COMMONWEALTH OF MASSACHUSETTS

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

On this \_\_\_\_ day of \_\_\_\_\_, 2022, 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 \_\_\_\_\_, 20\_\_, 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:

COMMONWEALTH OF MASSACHUSETTS

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

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, 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:

Key: 2235

Town of TRURO - Fiscal Year 2023

CURRENT OWNER

PARCEL ID

LOCATION

9/1/2022

6:23 pm

SEQ #: 2,273

DECIANTIS JONATHAN C ET AL  
24 SEVERNA AVE  
SPRINGFIELD, NJ 07081

48-7-0

97 CASTLE RD

CLASS 1010  
CLASS% 100

DESCRIPTION SINGLE FAMILY

BN ID 1

BN 1

CARD 1 of 1

TRANSFER HISTORY  
DECIANTIS JONATHAN C ET A  
DECIANTIS HELEN &  
DECIANTIS HELEN &

DOS T A  
11/02/2021  
08/12/2003  
11/18/1975

SALE PRICE 100

BK+PG (Carl) 34628-135

PMT NO 99-150  
PMT DT 09/01/1999  
TY 9 DECK

DESC 13,000

AMOUNT 13,000

INSP 08/01/2000

BY 1st %

CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	LPI	VC	CREDIT AMT	ADJ VALUE
100	A	0.775	13	1.00	1	360,085	1.00	1	1.00	R05	1.15	279,050
300	A	1.745	13	1.00	1	27,485	1.00	1	1.00	R05	1.15	47,960
400	F	300	13	1.00	1	285	1.00	1	1.00	R05	1.15	79,350

TOTAL	RES	FRNT	427
2.520 Acres			

ZONING N ADDITIONAL 678' FRONTAGE ON CASTLE TERR.

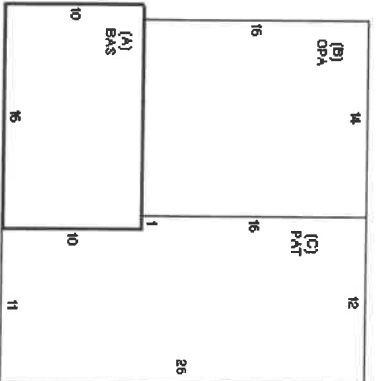
TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD
SHE	0.90	F	0.60 11*9+5*4		108	13.66	900

ASSESSED	CURRENT	PREVIOUS
LAND 406,400		350,900
BUILDING 12,600		9,700
DETACHED 900		800
OTHER 0		0
TOTAL 419,900		361,400

PHOTO 12/23/2015



BIDG COMMENTS  
ODS ON SHED.



BUILDING	CD	ADJ	DESC
MODEL	1		RESIDENTIAL
STYLE	6	0.90	COTTAGE/BUNG (100%)
QUALITY	L	0.65	LOW COST (100%)
FRAME	1	1.00	WOOD FRAME (100%)

MEASURE	12/23/2015	FC
LIST	12/23/2015	EST
REVIEW	12/31/2010	MR

YEAR BLT	1953	SIZE ADJ	1,000
NET AREA	180	DETAIL ADJ	1,000
\$NLA/RCHN	\$212	OVERALL	0.840

ELEMENT	CD	DESCRIPTION	ADJ
FOUNDATION	5	OTHER	1.00
EXT. COVER	1	WOOD SHINGLES	1.00
ROOF SHAPE	1	GABLE	1.00
ROOF COVER	2	WOOD SHINGLES	1.01
FLOOR COVER	99	N/A	1.00
INT. FINISH	2	DRYWALL	1.00
HEATING/COOLING	13	NO HEAT	0.93
FUEL SOURCE	8	NONE	1.00

S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN
A	BAS	L	BAS AREA	180	1953	140.57	22,491
B	OPA	N	OPEN PORCH	224		32.48	7,276
C	PAT	O	OUT DOOR SHOWER	302		6.87	2,074
ODS						0.00	

TOTAL RCN	33,941
CONDITION ELEM	CD

STORIES(FAR)	UNITS	ADJ
ROOMS	0	1.00
BEDROOMS	1	1.00
BATHROOMS	1	1.00
FIXTURES	3	\$2,100
UNITS	1	1.00

EFF. YR/AGE	1950 / 71
COND	63 63 %
FUNC	0
ECON	0
DEPR	63 % GD
RCNLD	37

EFF. YR/AGE	1950 / 71
COND	63 63 %
FUNC	0
ECON	0
DEPR	63 % GD
RCNLD	37

EFF. YR/AGE	1950 / 71
COND	63 63 %
FUNC	0
ECON	0
DEPR	63 % GD
RCNLD	37

**Minutes of the Truro Board of Health, Tuesday November 1, 2022**

This was a remote meeting.

**Board members in attendance:**

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

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

**PUBLIC COMMENT:** There was none.

**Request to Appeal Before the Board of Health:** 9 South Highland Rd, Paul Morris:  
Paul Morris, representing the Morris Family Trust was on the call for the discussion about the septic system inspection report from September 2022. Local inspection requirements defined the system as non-conforming, since there was no plan on file for the system. Mr. Morris requested permission to “reverse-engineer” a plan for this system to allow it to pass the inspection requirements. Board member Jason Silva commented that the information presented was adequate and could see no problem with approving the request. **Motion: Board Member Brian Koll moved to allow the property owner to submit a reverse engineered plan for the septic system inspection report at 9 South Highland Road; Second: Board Member Tim Rose; Vote 4-0-1, with Tracy Rose abstaining; the motion carried.**

**Variance Request/Local Upgrade Approval:** 5 Joseph’s Rd, Robert Galligan & Abigail Swan:  
Jason Ellis represented the project to upgrade the Title 5 septic system that is in failure. He described the property and detailed the requested variances. The proposal includes installing an Advantex Innovative/Alternative system. Board member Tim Rose asked about the materials for the system. Mr. Ellis explained that the leach chambers would be concrete since they could be accessed from the road. However, the tank itself will be either plastic or fiberglass due to access issues with the steep hillside. Assistant Health Agent Courtney Warren read the Health Agent’s summary of the proposal to the Board. The proposed system offers more benefit to the environment than the existing system and the variances being sought are appropriate for the system being proposed. Chair Tracy Rose highlighted the importance of understanding the commitment involved when installing an innovative alternative system and explained the O&M agreement. She asked whether the homeowners were aware of the long-term commitment involved in procuring the proposed system. Jason Ellis confirmed that the homeowners are aware of the commitment and the O&M required for the system. **Motion: Board Member Jason Silva moved to approve the variances as requested; Second: Board Member Brian Koll; Vote 5-0-0; the motion carried.**

**Variance Request/Local Upgrade Approval:** 18 Bay View Rd, Santina & Frank Smith:  
Jason Ellis was on the call to represent the request. The property is currently served by a cesspool. The proposed system is a 5-bedroom innovative/alternative design. Mr. Ellis explained that due to lot size and terrain, the installation would be particularly expensive. Mr. Smith is currently in hospice and the Smiths are concerned about going into debt at this time so are

requesting a waiver of time to complete the upgrade. The Health Department conducted a walkthrough of the property and found five rooms that meet the definition of a bedroom. Town records describe the home as a 3-bedroom dwelling. Chair Tracy Rose suggested continuing the agenda item, and highlighted the importance of remaining focused on remediating wastewater issues in the area considering the sensitive environment. She also mentioned the idea of a possible administrative consent order for the homeowners requesting a delay in upgrade. Board member Jason Silva commended the homeowners for reaching out to the Board of Health during a difficult time for them personally. Board member Brian Koll suggested continuing the matter until January. Jason Ellis requested that the agenda item be continued until the January 17, 2023, Board of Health meeting. **Motion: Board Member Tracy Rose moved to continue the agenda item until the January 17<sup>th</sup>, 2023, Board of Health meeting; Second: Board Member Brian Koll; Vote 5-0-0, the motion passed.**

**Variance Request/Local Upgrade Approval:** 5 Ryder Beach Way, Striar Family LLC: Jason Ellis represented the project, describing the site as complicated with lots of wetland resources that need to be properly delineated. He asked the Board for feedback on the request and whether the request could even be considered by the Board. Chair Tracy Rose stated that more information would be needed before anything could be adequately considered. The Assistant Health Agent read the Health Agent's report into the record stating that the resource areas must be properly delineated before the proposal could be considered. Board member Jason Silva added that once the delineations have been made and the plan is more detailed, the board can continue with its approval process. Brad Malo from Coastal Engineering was on the call to represent an abutter and suggested that the resource areas depicted on the current plan will change impacting the nitrogen loading component of the plan and therefore the design and setbacks might also need to change. Fred Grant, an abutter, was also on the call. He is a year-round resident and is trying to better understand the proposed project. Chair Tracy Rose thanked the abutters for contributing to the meeting. Jason Ellis requested a continuance until the December 6, 2022, Board of Health meeting.

**Motion: Board Member Jason Ellis moved to continue the agenda item until December 6, 2022; Second: Board Member Tim Rose; Vote 5-0-0; the motion passed.**

**Variance Request/Local Upgrade Approval:** 45 Corn Hill Rd, Rose Investment Trust: Jason Ellis represented the upgrade approval request. The proposed plan shows a proposed well location, but the well was installed since the last hearing on this matter. A Public Water supply easement for the adjacent Rosewood Condominiums was granted on this property, and although it is not recorded on this property deed, it is recorded on the Condominium property deed. The Assistant Agent read the Health Agent's report on the project into the record. A revised plan should reflect the locus well location and information about the easement for the public water supply servicing the Rosewood Condominiums. Mr. Ellis requested a continuance until the November 15, 2022, meeting.

**Motion: Board Member Brian Koll moved to continue the matter until November 15, 2022; Second: Board Member Helen Grimm; Vote 3-0-2, with Board members Tracy Rose and Tim Rose abstaining; the motion carried.**

**Minutes:** September 20, 2022

**Motion:** Board Member Brian Koll Helen Grimm moved to approve the September 20, 2022 minutes; **Second:** Board Member Brian Koll; **Vote 5-0-0, The motion passed.**

**The Health Agents Report:**

- The Health Agent and both assistant agents attended the Massachusetts Health Officers Association Annual Conference in late October.
- A Flu and Covid Vaccination Clinic was held on October 27<sup>th</sup>, 2022. It was well attended with about 100 flu shots and 100 bivalent Covid boosters being administered. The event doubled as the state required emergency preparedness drill.
- A second Flu and Covid Vaccination Clinic will be held on Thursday, November 10<sup>th</sup>, 2022, from 2:00 PM to 4:30 PM at the Community Center. Information on how to register can be found on the town website.

**Report of the Chair:**

The chair reported on several recent newspaper articles dealing with topics of interest.

- Town of Dennis just approved an article at a special town meeting to move forward with wastewater and municipal sewer improvements.
- APCC have initiatives in place to improve pond water quality.
- Harwich Conservation Trust has received grants that allow them to purchase approximately 400 acres of land near the 5 Ponds.
- The Chair attended the Provincetown and Truro joint Selectboard meeting on October 24<sup>th</sup> where Cody Salisbury, water superintendent of the Provincetown Water Department gave the annual water system update. This meeting was well described in an article in the Provincetown Independent.

The chair thanked alternate Candida Monteith for their service as an alternate.

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

**The meeting was adjourned at 5:40 P.M.**

Respectfully submitted by Janina Richey

## Emily Beebe

---

**From:** Viveiros, Jennifer (DEP) <jennifer.viveiros@mass.gov>  
**Sent:** Friday, December 9, 2022 2:58 PM  
**To:** Viveiros, Jennifer (DEP)  
**Cc:** Jones, Timothy M (DEP)  
**Subject:** Title 5 and Watershed Permitting regulatory amendments: EXTENSION of public comment period and ADDITIONAL PUBLIC HEARINGS

Good Afternoon-

This email is to inform you that, in response to requests made during the public hearings, the public comment period for the Massachusetts Department of Environmental Protection's (MassDEP) draft amendments to the Title 5 regulations, 310 CMR 15.000, and the new, related Watershed Permit regulations at 314 CMR 21.00, has been extended until **January 30, 2023** and MassDEP will be hosting two additional **Public Hearings:**

Remote Only, January 24, 2023 at 6:00 p.m. Register at:  
[https://us06web.zoom.us/webinar/register/WN\\_veLVS545RCqGZhI6tuN2rQ](https://us06web.zoom.us/webinar/register/WN_veLVS545RCqGZhI6tuN2rQ)  
Remote Only, January 25, 2023 at 6:00 p.m. Register at:  
[https://us06web.zoom.us/webinar/register/WN\\_ls2pAS\\_cR\\_uXvNhhs5r3oQ](https://us06web.zoom.us/webinar/register/WN_ls2pAS_cR_uXvNhhs5r3oQ)

Oral comments will be received at the above public hearings in January 2023 and written comments can be submitted via email to [dep.talks@mass.gov](mailto:dep.talks@mass.gov). Please put "Title 5 and Watershed Permitting" in the subject line. Written comments may also be submitted by mail and should be sent to MassDEP, Bureau of Water Resources – Division of Watershed Management, 100 Cambridge Street, suite 900, Boston, MA 02114, Attention: Title 5 & Watershed Permit.

MassDEP also intends to hold two additional **information sessions** on: January 17, 2023 at 6:00 p.m. (remote) and January 18, 2023 at 6:00 p.m. (hybrid). More information about how to participate in these sessions will be provided on MassDEP's website.

MassDEP has proposed these amendments and regulations to enhance protection of embayments and estuaries—particularly on Cape Cod, the Islands, the southern portion of the South Shore and the South Coast in Southeastern Massachusetts—from nitrogen pollution originating primarily from wastewater. The proposed amendments will allow MassDEP to designate new Natural Resource Area Nitrogen Sensitive Areas (NSA) and add nitrogen reduction provisions within these areas for Title 5 systems. The new Watershed Permit regulations at 314 CMR 21.00 provide a voluntary watershed permitting approach for communities to control nitrogen and other pollutants from entering the embayments and estuaries.

The draft regulations are published on the MassDEP website at: <https://www.mass.gov/info-details/massdep-public-hearings-comment-opportunities> and at: [310 CMR 15.000: Septic Systems \("Title 5"\) | Mass.gov](#) and [314 CMR 21.00: Watershed Permit Regulations | Mass.gov](#)

Recordings of previously held information sessions and public hearings can also be found here: [310 CMR 15.000: Septic Systems \("Title 5"\) | Mass.gov](#)

Please refer your constituents to these web page locations for up-to-date information pertaining to these amendments and draft regulations.

Sincerely,  
Jen Viveiros

Jennifer Viveiros  
Deputy Regional Director- Administrative Services  
MassDEP Southeast Regional Office  
20 Riverside Drive  
Lakeville, MA 02347  
857-268-2294

**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.