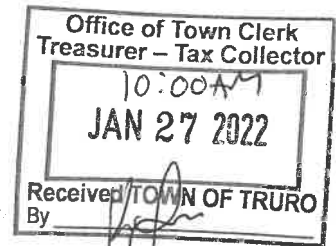




Truro Board of Health

Tuesday February 1, 2022
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>** Please note that 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 eebebe@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:** Beach Point Co-Op, 169 Shore Rd
2. **Local approval of an IA System:** (1) 122 Castle Road, JM O'Reilly;
(2) 6 Alden Circle, JC Ellis Design
3. **Discussion on IA approval process**
4. **Variance Requests/Local Upgrade Approval:** 127 & 133 South Pamet Road, Dennis/Whitelaw
(Continued from Jan 4, 2022)
5. **Variance Request/Local Upgrade Approval:** 6 River View Road, Diana Worthington Family Trust
6. **Variance Request/Local Upgrade Approval:** 5 Prince Valley Way, Messinger Family Nominee Trust
7. **Discussion:** Upgrade process for business establishments for the 2022 licensing year
8. **Groundwater Resources Discussion:** Village Pond Report review
9. **Local Board of Health Regulation Review**
 - a. **Section IIX - Well Water Testing (proposed amendment to Rental Registration water test validity schedule)**
 - b. **Section VI - local title 5**
10. **Re-Organization of the Board**

III. MINUTES: September, October

IV. REPORTS

- Report of the Chair- staffing
- Health Agent's Report- TMI update; FY2023 departmental budget

1



TOWN OF TRURO

PAID

HEALTH DEPARTMENT
TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
PH: 508-349-7004, Ext. 131 Fax: 508-349-5508
Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

DEC 16 2021

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: 12-14-2021

Print Name of Applicant: See below ^{*ADD} Kathryn Buck

Business Name or DBA to be managed: Beach Point Co-op. Rec. Housing Assoc. LTD Number of Units: 22

Street Address of Business: 169 Shore Road, N. Truro Business Email: beachpointpages@gmail.com

Mailing Address of Business: (Check if New Address) P.O. Box

Section 2 - Manager Information

Name of Previous Manager: NA On-Site Manager Unit #: _____

Name of New Onsite Manager: NA On-Site Manager Unit #: _____

Name of Property Management (10 Units or less): _____

Mailing Address of New Manager and/or Property Management Company: _____

Phone (24 hours/day): _____ Email: _____

Name of Co-Managers:

<u>Kathryn Buck</u>	Unit # <u>7</u>	Phone (24hrs/day): <u>917-403-5023</u>
<u>Frank Mita</u>	Unit # <u>3-4</u>	Phone (24hrs/day): <u>508-776-2117</u>
<u>William & Kathy Dunn</u>	Unit # <u>10 & 11</u>	Phone (24hrs/day): <u>508-277-1346</u>
<u>Pat & Rich Small</u>	Unit # <u>25</u>	Phone (24hrs/day): <u>203-530-2570</u>

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.

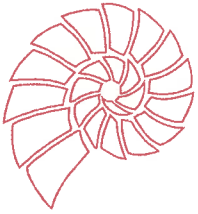
Kathryn Buck Kathryn Buck 12-14-2021
SIGNATURE PRINT NAME DATE

SIGNATURE PRINT NAME DATE

SIGNATURE PRINT NAME DATE

Section 3 - **Office Use Only**

	Scheduled	Date	Fee	Paid
Team Inspection (If over 3yrs since last one)	<input type="checkbox"/>	_____	\$45.00	<input type="checkbox"/>
Board of Health Hearing	<input checked="" type="checkbox"/>	<u>1/4/22</u>	<u>75.00</u>	<input checked="" type="checkbox"/>



J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting



January 14, 2022

JMO # 9141

Truro Board of Health
24 Town Hall Road
Truro, MA 02666

HEALTH DEPARTMENT
TOWN OF TRURO

JAN 18 2022

RECEIVED BY:

RE: **Request for Approval of I/A Septic System**
122 Castle Road, Truro, MA
Map: 42 Parcel: 224

Dear Board Members,

On behalf of our clients, Dan & Rita May, J.M. O'REILLY & ASSOCIATES, INC. is filing a request for approval for a proposed I/A septic system for the above referenced property.

The property is currently served by a cesspool and is therefore required to upgrade to a Title 5 compliant septic system per Truro Board of Health Regulations. The property does not meet Title 5's 1 bedroom per 10,000 SF of lot area requirement, as there are 4 existing bedrooms on a 23,804 SF lot. The proposed replacement system includes an I/A secondary treatment tank (MicroF.A.S.T. 0.5). Additionally, the existing well is to be abandoned and replaced so as to conform to Title 5 well setback requirements. Therefore, no variances are requested.

A representative from our office will be present at the February 1, 2022 public hearing so as to further review the proposal and answer any questions the Board may have. If you have any questions or need any additional information, please contact me directly.

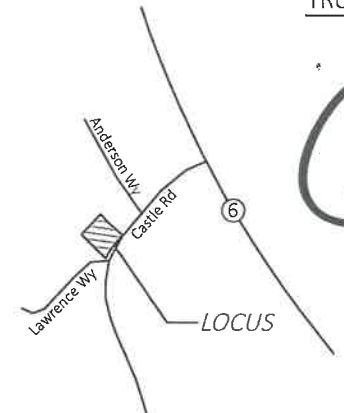
Very truly yours,
J.M. O'REILLY & ASSOCIATES, INC.

Robert Reedy, P.E.
Project Engineer

Cc: Client
John M. O'Reilly, PE, PLS

Encl: Variance Application Package

RFR/ak



NOT TO SCALE

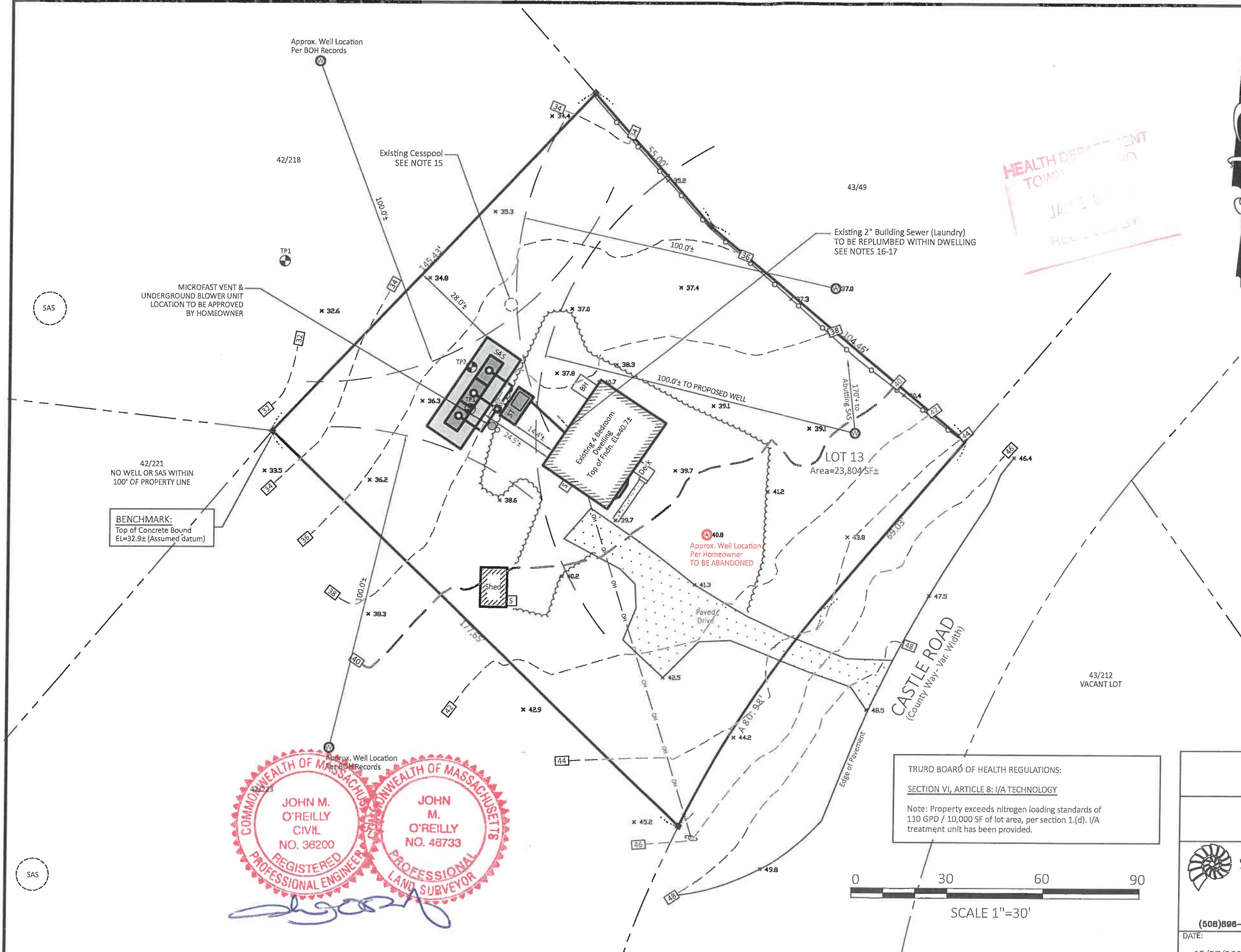
PLAN BOOK 213
DEED BOOK 1374
ASSESSORS' MAP 42

PAGE 115
PAGE 777
PARCEL 224

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT GRADE
- PROPOSED SPOT GRADE
- WATER SERVICE LINE
- OVERHEAD UTILITY SERVICE
- UNDERGROUND UTILITY SERVICE
- GAS SERVICE LINE
- TEST HOLE / BORING LOCATION
- SEPTIC TANK
- DISTRIBUTION BOX
- SOIL ABSORPTION SYSTEM
- RESERVED FOR FUTURE
- UTILITY POLE
- BULKHEAD
- STEP
- WELL
- DRAINAGE MANHOLE
- CONCRETE BOUND, FOUND
- TOP OF BANK
- LIMIT OF WORK
- SPLIT RAIL FENCE
- EDGE OF CLEARING

SHEET 1 OF 2



HEALTH DEPARTMENT
TOWN OF TRURO
JAN 1 2021
RECEIVED

BENCHMARK:
Top of Concrete Bound
EL=32.9± (Assumed datum)

TRURO BOARD OF HEALTH REGULATIONS:
SECTION VI, ARTICLE 8: I/A TECHNOLOGY

Note: Property exceeds nitrogen loading standards of 110 GPD / 10,000 SF of lot area, per section 1.(d). I/A treatment unit has been provided.



JOHN M. O'REILLY
CIVIL
NO. 36200
REGISTERED PROFESSIONAL ENGINEER

JOHN M. O'REILLY
NO. 46733
PROFESSIONAL LAND SURVEYOR

Dan May
99 Birchwood Drive, Rochester, NY 14622

SITE PLAN
122 Castle Road, Truro, MA

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A
P.O. Box 1773
(508)896-8601 Office Brewster, MA 02631 (508)896-8602 Fax

DATE: 12/27/2021	SCALE: As Noted	BY: RFR	CHECK: JMO	JOB NUMBER: JMO-9141
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GENERAL NOTES:

- A.) NEITHER DRIVEWAYS NOR PARKING AREAS ARE ALLOWED OVER SEPTIC SYSTEM UNLESS H-20 COMPONENTS ARE USED.
- B.) THE DESIGNER WILL NOT BE RESPONSIBLE FOR THE SYSTEM AS DESIGNED UNLESS CONSTRUCTED AS SHOWN. ANY CHANGES SHALL BE APPROVED IN WRITING.
- C.) CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES PRIOR TO COMMENCEMENT OF WORK.

CONSTRUCTION NOTES:

- 1.) ALL CONSTRUCTION SHALL CONFORM TO THE STATE ENVIRONMENTAL CODE, TITLE 5, AND THE REQUIREMENTS OF THE LOCAL BOARD OF HEALTH.
- 2.) SEPTIC TANK(S), GREASE TRAP(S), DOSING CHAMBER(S) AND DISTRIBUTION BOX(ES) SHALL BE SET ON A LEVEL STABLE BASE WHICH HAS BEEN MECHANICALLY COMPACTED, OR ON A 6 INCH CRUSHED STONE BASE.
- 3.) SEPTIC TANK(S) SHALL MEET ASTM STANDARD C1127-93 AND SHALL HAVE AT LEAST THREE 20" DIAMETER MANHOLES. THE MINIMUM DEPTH FROM THE BOTTOM OF THE SEPTIC TANK TO THE FLOW LINE SHALL BE 48".
- 4.) SCHEDULE 40 PVC INLET AND OUTLET TEES SHALL EXTEND A MINIMUM OF 6" ABOVE THE FLOW LINE OF THE SEPTIC TANK AND SHALL BE INSTALLED ON THE CENTERLINE OF THE TANK DIRECTLY UNDER THE CLEANOUT MANHOLE.
- 5.) RAISE COVERS OF THE SEPTIC TANK AND DISTRIBUTION BOX WITH PRECAST CONCRETE WATER TIGHT RISERS OVER INLET AND OUTLET TEES TO WITHIN 6" OF FINISH GRADE, OR AS APPROVED BY THE LOCAL BOARD OF HEALTH AGENT.
- 6.) PIPING SHALL CONSIST OF 4" SCHEDULE 40 PVC OR EQUIVALENT. PIPE SHALL BE LAID ON A MINIMUM CONTINUOUS GRADE OF NOT LESS THAN 1%.
- 7.) DISTRIBUTION LINES FOR SOIL ABSORPTION SYSTEM (AS REQUIRED) SHALL BE 4" DIAMETER SCHEDULE 40 PVC LAID AT 0.005 FT/FT. LINE SHALL BE CAPPED AT END OR AS NOTED.
- 8.) OUTLET PIPES FROM DISTRIBUTION BOX SHALL REMAIN LEVEL FOR AT LEAST 2' BEFORE PITCHING TO SOIL ABSORPTION SYSTEM. WATER TEST DISTRIBUTION BOX TO ASSURE EVEN DISTRIBUTION.
- 9.) DISTRIBUTION BOX SHALL HAVE A MINIMUM SUMP OF 6" MEASURED BELOW THE OUTLET INVERT.
- 10.) BASE AGGREGATE FOR THE LEACHING FACILITY SHALL CONSIST OF 3/4" TO 1-1/2" DOUBLE WASHED STONE FREE OF IRON, FINES AND DUST AND SHALL BE INSTALLED BELOW THE CROWN OF THE DISTRIBUTION LINE TO THE BOTTOM OF THE SOIL ABSORPTION SYSTEM. BASE AGGREGATE SHALL BE COVERED WITH A 2" LAYER OF 1/8" TO 1/2" DOUBLE WASHED STONE FREE OF IRON, FINES AND DUST.
- 11.) VENT SOIL ABSORPTION SYSTEM WHEN DISTRIBUTION LINES EXCEED 50 FEET; WHEN LOCATED EITHER IN WHOLE OR IN PART UNDER DRIVEWAYS, PARKING AREAS, TURNING AREAS OR OTHER IMPERVIOUS MATERIAL; OR WHEN PRESSURE DOSED.
- 12.) SOIL ABSORPTION SYSTEM SHALL BE COVERED WITH A MINIMUM OF 9" OF CLEAN MEDIUM SAND (EXCLUDING TOPSOIL).
- 13.) FINISH GRADE SHALL BE A MAXIMUM OF 36" OVER THE TOP OF ALL SYSTEM COMPONENTS, INCLUDING THE SEPTIC TANK, DISTRIBUTION BOX, DOSING CHAMBER AND SOIL ABSORPTION SYSTEM. SEPTIC TANKS SHALL HAVE A MINIMUM COVER OF 9".
- 14.) FROM THE DATE OF INSTALLATION OF THE SOIL ABSORPTION SYSTEM UNTIL RECEIPT OF A CERTIFICATE OF COMPLIANCE, THE PERIMETER OF THE SOIL ABSORPTION SYSTEM SHALL BE STAKED AND FLAGGED TO PREVENT THE USE OF SUCH AREA FOR ALL ACTIVITIES THAT MIGHT DAMAGE THE SYSTEM.

- 15.) EXISTING CESSPOOLS TO BE REMOVED OR ABANDONED IN PLACE IN ACCORDANCE WITH 310 CMR 15.354. CESSPOOL AND ANY CONTAMINATED SOIL WITHIN 5' OF THE PROPOSED SOIL ABSORPTION SYSTEM SHALL BE REMOVED AND REPLACED WITH CLEAN SAND. AREA TO BE COMPACTED TO MINIMIZE SETTLING.
- 16.) EXISTING 2" PVC BUILDING SEWER EXIT LINE, NOTED ON THE PLAN, SHALL BE REPLUMBED TO CONNECT WITHIN THE DWELLING BASEMENT TO THE MAIN 4" PVC BUILDING SEWER EXIT LINE. ALL PLUMBING WORK SHALL BE COMPLETED BY A LICENSED PLUMBER AND SHALL MEET STATE PLUMBING CODE 248 CMR 2.0 STANDARDS AND REQUIREMENTS.
- 17.) INSTALLER SHALL VERIFY INVERT ELEVATIONS PRIOR TO INSTALLATION OF ANY SEPTIC SYSTEM COMPONENTS.

SYSTEM DESIGN CALCULATIONS:

SEWAGE DESIGN FLOW:
4 BEDROOM DWELLING @ 110 GPD = 440 GPD

LEACHING CAPACITY REQUIRED:
4 BEDROOMS (MAX.) @ 110 GPD = 440 GPD REQUIRED

SEPTIC TANK CAPACITY REQUIRED:
DAILY FLOW = 440 GPD @ 200% = 880 GAL. REQUIRED

SEPTIC TANK CAPACITY PROVIDED:
1500 GALLON SEPTIC TANK (MIN. ALLOWED)

LEACHING CAPACITY PROVIDED:
ONE (1) 33.5' X 12.83' X 2.0' LEACHING CHAMBER CAN LEACH:
 $V_t = [(33.5 \times 12.83) + (33.5 \times 2.0)2 + (12.83 \times 2.0)2] \times 0.74 \text{ GPD/SF} = 455.19 \text{ GPD}$
455 GPD > 440 GPD REQUIRED

NOTE: A GARBAGE DISPOSAL IS NOT PERMITTED WITH THIS DESIGN.
INSTALL:
ONE (1) - 1500 GALLON TWO COMPARTMENT SEPTIC TANK WITH FAST TREATMENT UNIT
- USE FT15M.50 AS MANUFACTURED BY ACME-SHOREY OR APPROVED EQUAL
ONE (1) - FAST UNDERGROUND BLOWER UNIT
ONE (1) - 3 OUTLET DISTRIBUTION BOX (H-20 RATED)
THREE (3) - 500 GALLON LEACH CHAMBERS WITH 4' OF STONE ALL AROUND

SOIL TEST LOGS:

TEST HOLE 1: EL=37.4±

DEPTH FROM SURFACE (INCHES)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0-11	A	Fine Loamy Sand	10YR3/2	NONE	
11-30	B	Loamy Sand	10YR6/8	NONE	
30-132	C1	Medium - Coarse Sand	10YR8/6	NONE	PERC @ 49"; <2 MIN/IN

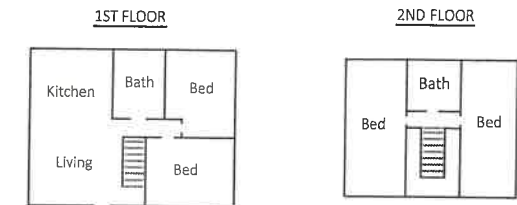
TEST HOLE 2: EL=36.8±

DEPTH FROM SURFACE (INCHES)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0-21	A	Fine Loamy Sand	10YR3/2	NONE	
21-34	B	Loamy Sand	10YR6/8	NONE	
34-144	C1	Medium - Coarse Sand	10YR8/6	NONE	

DATE OF TESTING: 10/5/2021
PERCOLATION RATE: LESS THAN 2 MIN/INCH IN 'C1' LAYER.
WITNESSED BY: ROBERT REEDY, P.E., J.M. O'REILLY & ASSOCIATES, INC.
AROZANA DAVIS, TRURO HEALTH DEPARTMENT
NO WATER ENCOUNTERED
USE A LOADING RATE OF 0.74 GPD/SF FOR SIZING OF SOIL ABSORPTION SYSTEM.

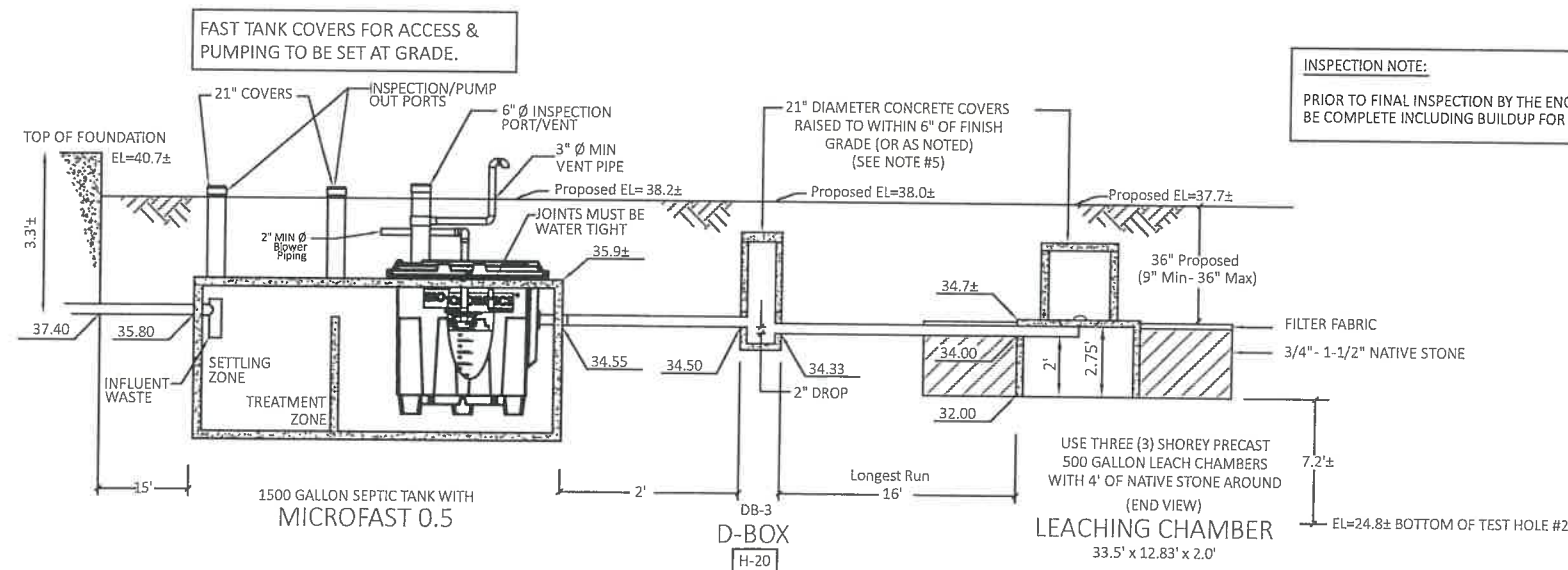
FLOOR PLAN

NOT TO SCALE

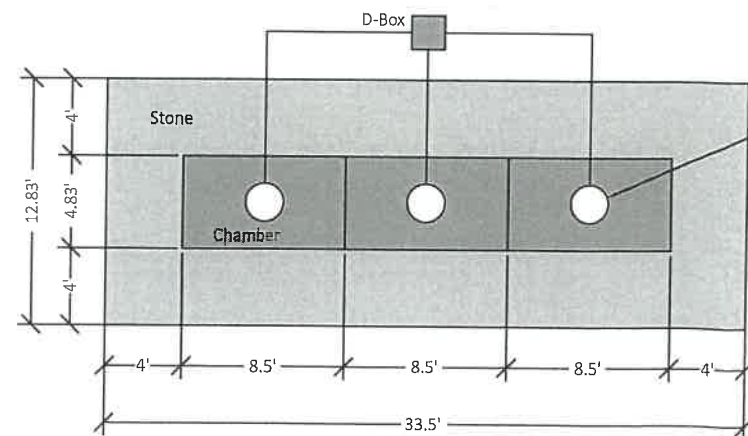


FLOW PROFILE:

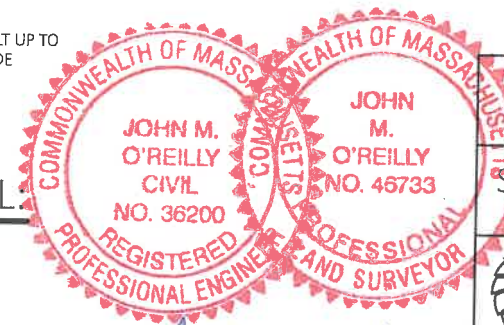
NOT TO SCALE



INSPECTION NOTE:
PRIOR TO FINAL INSPECTION BY THE ENGINEER, SYSTEM NEEDS TO BE COMPLETE INCLUDING BUILDUP FOR COVERS.



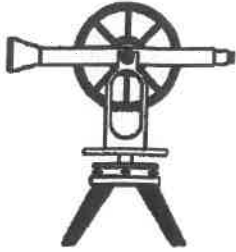
SAS DETAIL
SCALE: 1" = 10'



SHEET 2 OF 2

Dan May
99 Birchwood Drive, Rochester, NY 14622
SEWAGE DISPOSAL SYSTEM DESIGN & NOTES
122 Castle Road, Truro, MA
J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A
P.O. Box 1773
(508)896-6801 Office Brewster, MA 02631 (508)896-6802 Fax
DATE: 12/27/2021 SCALE: As Noted BY: RFR CHECK: JMO JOB NUMBER: JMO-9141



J.C. ELLIS DESIGN COMPANY, INC. 2(2)

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

HEALTH DEPARTMENT
TOWN OF TRURO

JAN 26 2022

RECEIVED BY:

January 25, 2022

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

**Re: Board of Health Review Request – I/A System Installation
Thomas & Anne Wallace
6 Alden Circel, Truro, MA, Assessor's Map 40 Parcel 36**

Dear Board,

Mr. & Mrs. Wallace are proposing to upgrade their existing cesspool at 6 Alden Circle in accordance with Truro Board of Health Regulations Section VI, Article 3, 1h. Due to the size of the lot and the existing number of bedrooms in the existing dwelling, an I/A system in accordance with Truro Board of Health Regulations Section VI, Article 8, 1.d. is required. The installation of the I/A system requires Board of Health review and approval.

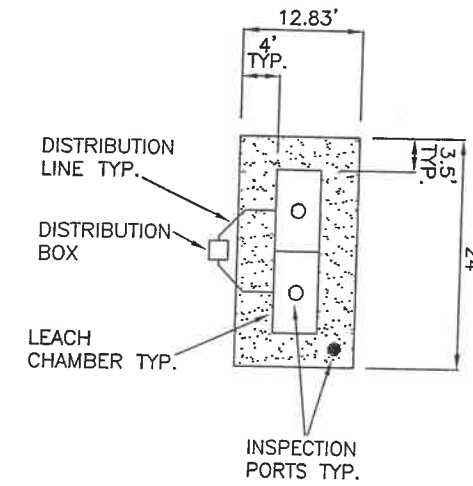
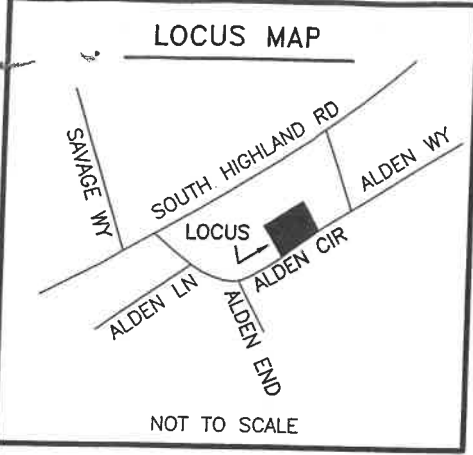
Thank you for your attention to this matter.
Sincerely,


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

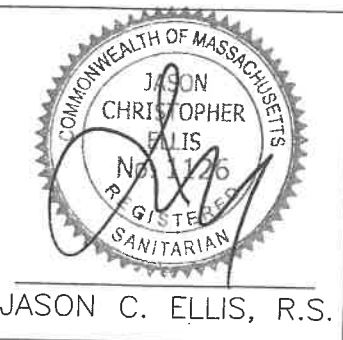
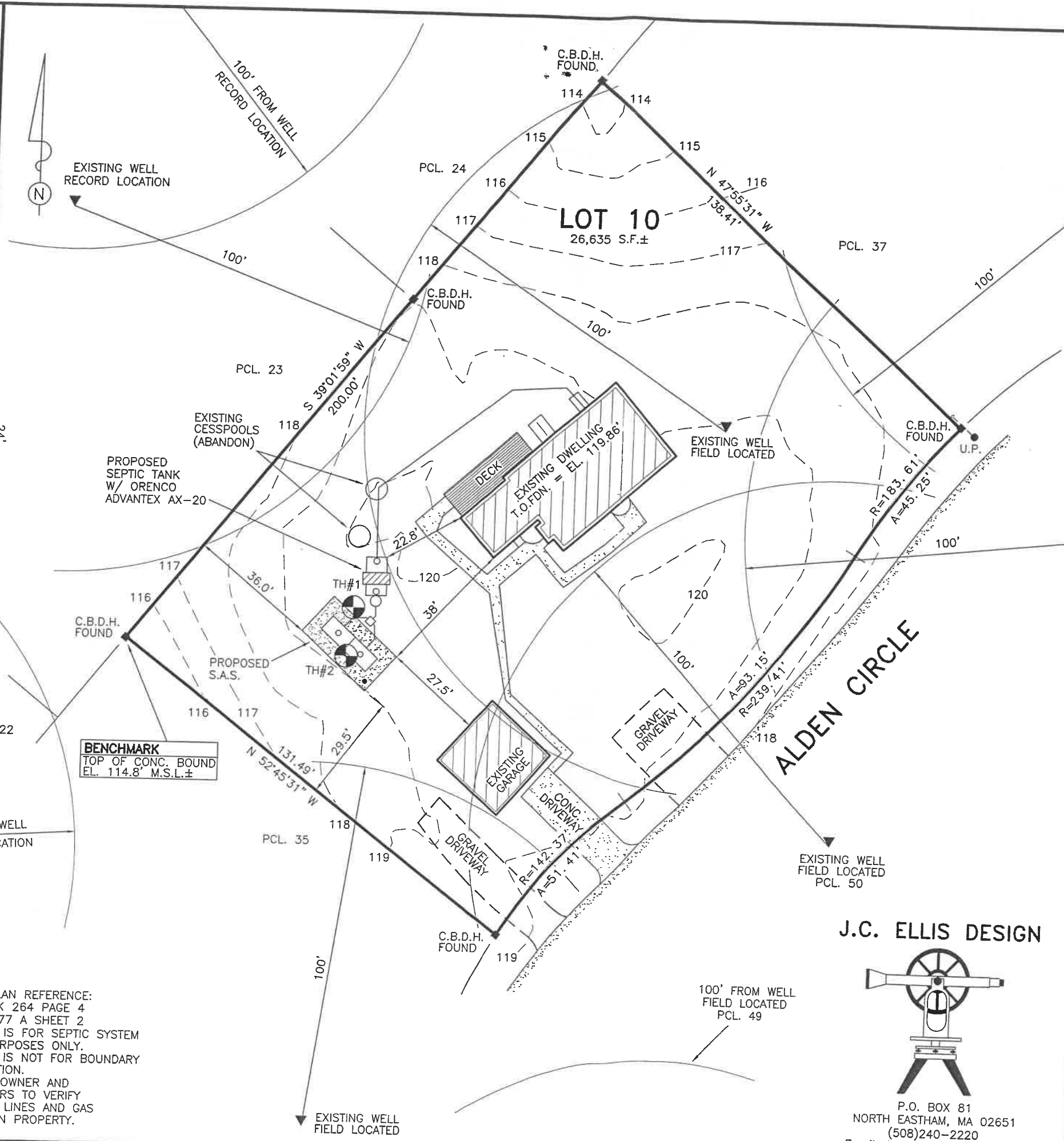
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HEALTH DEPARTMENT
TOWN OF TRURO
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RECEIVED BY

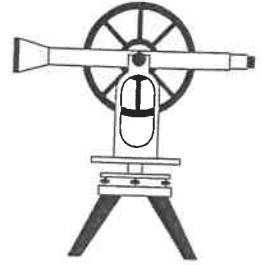


S.A.S. DETAIL



SURVEY PLAN REFERENCE:
PLAN BOOK 264 PAGE 4
L.C.P. 34777 A SHEET 2
THIS PLAN IS FOR SEPTIC SYSTEM
DESIGN PURPOSES ONLY.
THIS PLAN IS NOT FOR BOUNDARY
DETERMINATION.
PROPERTY OWNER AND
CONTRACTORS TO VERIFY
ALL WATER LINES AND GAS
UTILITIES ON PROPERTY.

J.C. ELLIS DESIGN

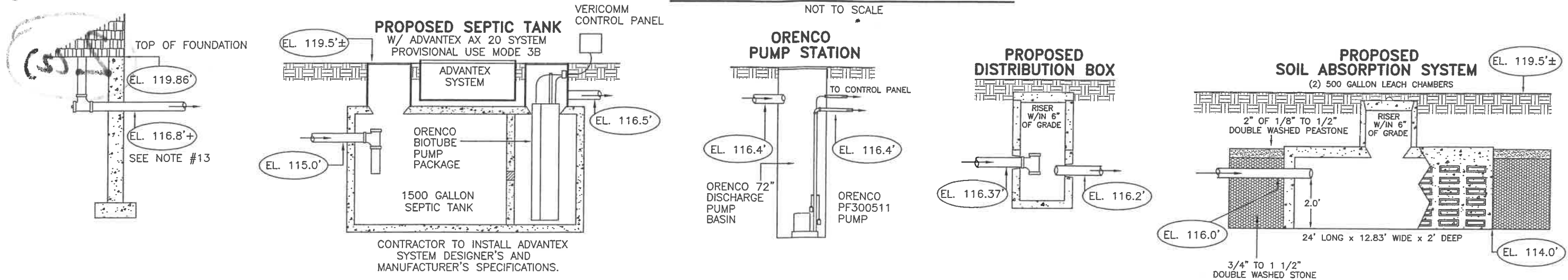


P.O. BOX 81
NORTH EASTHAM, MA 02651
(508)240-2220
Email: jason@jcellisdesign.com

SEPTIC SYSTEM UPGRADE PLAN

SUBJECT: 6 ALDEN CIRCLE TRURO, MA	
PREPARED FOR: THOMAS & ANNE WALLACE 10 KNOLLWOOD ROAD WHIPPANY, NJ 07981	
ASSESSOR'S MAP 40 PARCEL 36	SCALE: 1"=30'
DATE: SEPTEMBER 20, 2021	SHEET 1 OF 3

SECTION DETAIL – COMPONENTS



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

SEPTIC TANK:
330 G/P/D x 2 = 660 G/P/D REQUIRED
USE 1500 GALLON SEPTIC TANK

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 FROM USGS QUAD MAP.
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. 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.
13. CONTRACTOR TO TAKE ALL MEANS NECESSARY TO LOCATE AND VERIFY ALL EXISTING BUILDING SEWERS. EXISTING BUILDING SEWERS TO BE CHANGED, ONLY IF NECESSARY, TO LOCATION AND ELEVATION SPECIFIED.

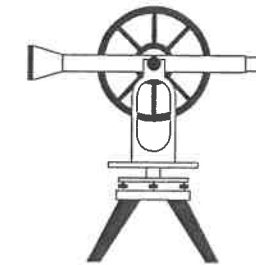
DEEP HOLE DATA

PERFORMED BY: JASON C. ELLIS, R.S., S.E.
WITNESSED BY: AROZANA DAVIS, TRURO B.O.H.
TEST DATE: SEPTEMBER 20, 2021

#1		#2	
DEPTH	ELEV.	DEPTH	ELEV.
0.00'	119.5'	0.00'	119.2'
A LOAMY SAND 10YR3/2		A LOAMY SAND 10YR3/2	
0.66'	118.84'	0.75'	118.45'
B LOAMY SAND 10YR3/6		B LOAMY SAND 10YR3/6	
2.33'	117.17'	2.33'	116.87'
C MEDIUM SAND 10YR6/4		C MEDIUM SAND 10YR6/4	
PERC @ 38" <2 MIN./IN.		PERC RATE <2 MIN./IN.	
10.33'	109.17'	10.25'	108.95'
NO WATER ENCOUNTERED		NO WATER ENCOUNTERED	



JASON C. ELLIS, R.S.



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

SEPTIC SYSTEM DESIGN PLAN

SUBJECT: 6 ALDEN CIRCLE TRURO, MA	
PREPARED FOR: THOMAS & ANNE WALLACE 10 KNOLLWOOD ROAD WHIPPANY, NJ 07981	
ASSESSOR'S MAP 40 PARCEL 36	
DATE: SEPTEMBER 20, 2021	SHEET 2 OF 3

ADVANTEX® AX20 MODE 3B

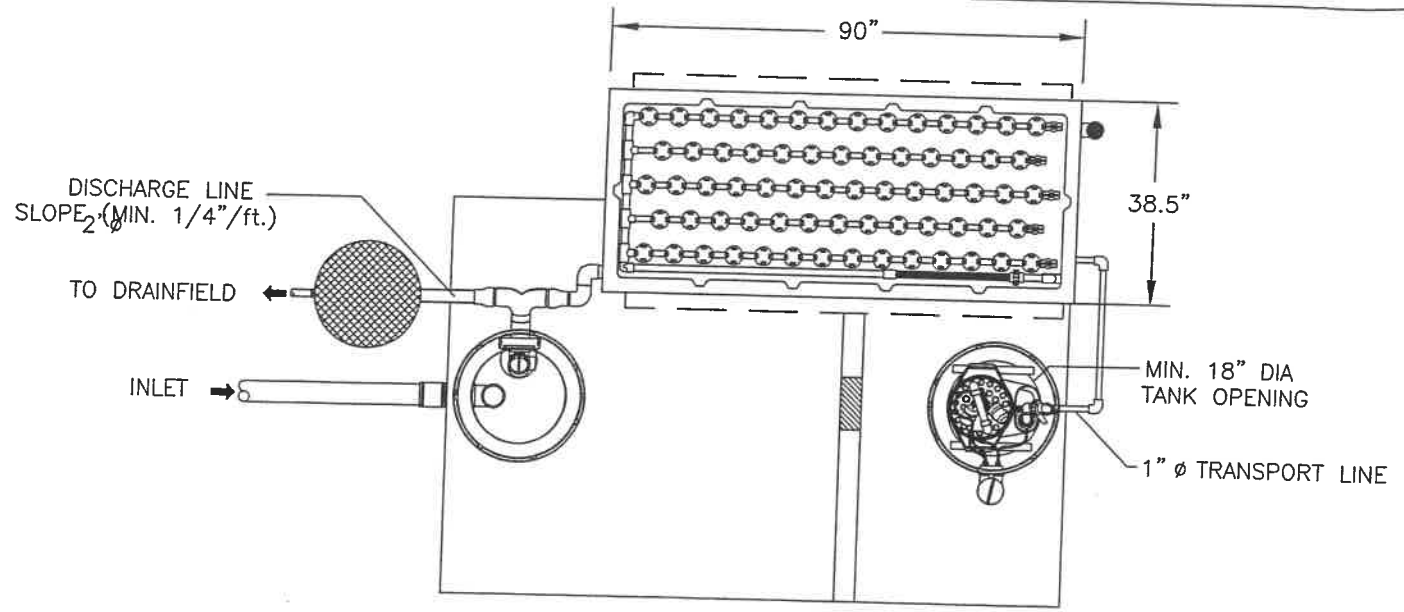
DESIGN NOTES

FOR RESIDENTIAL STRENGTH WASTE UP TO 4-BEDROOMS

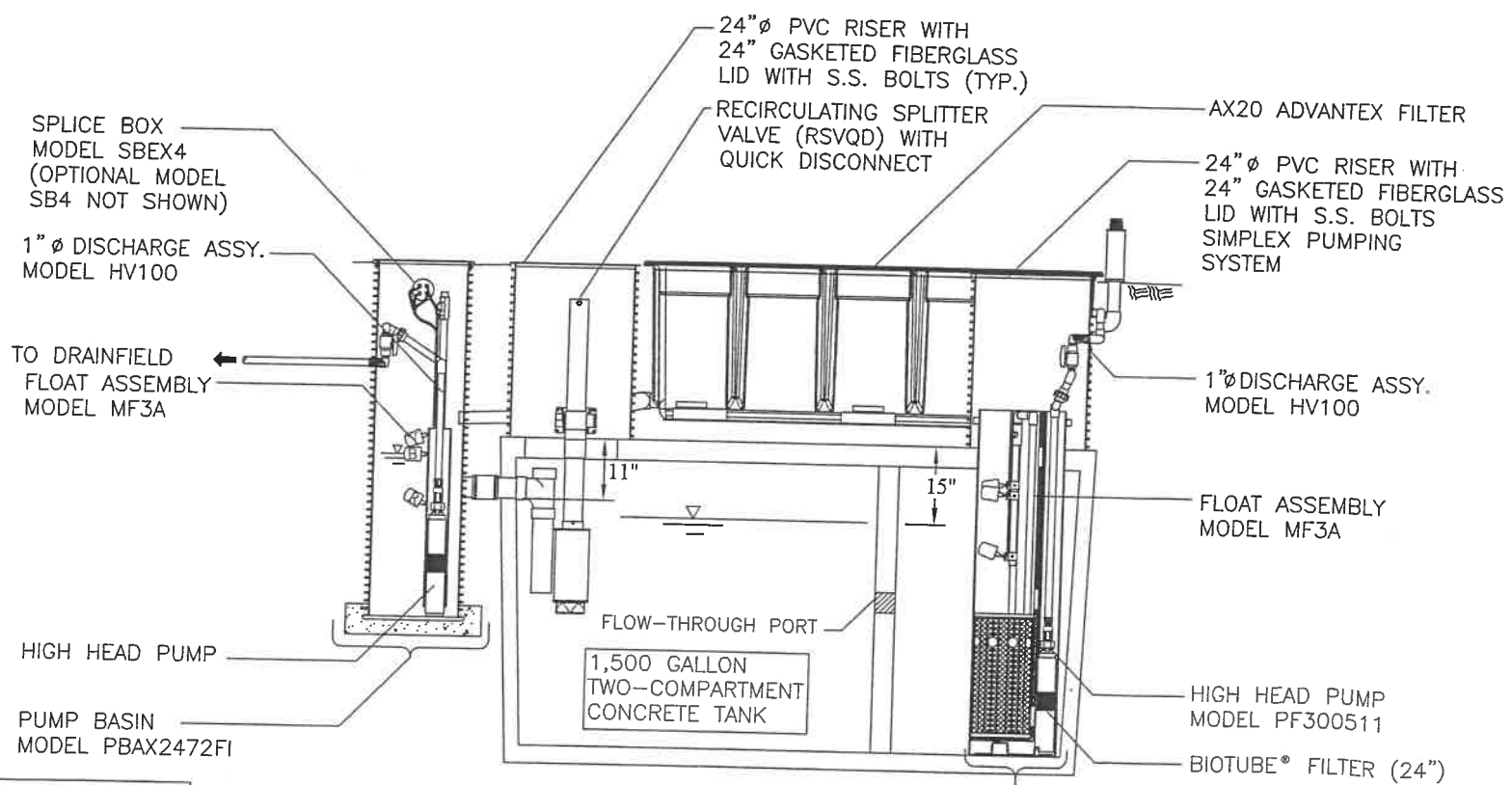
INSTALLATION TO BE PERFORMED BY AN ADVANTEX AUTHORIZED INSTALLER ONLY.

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

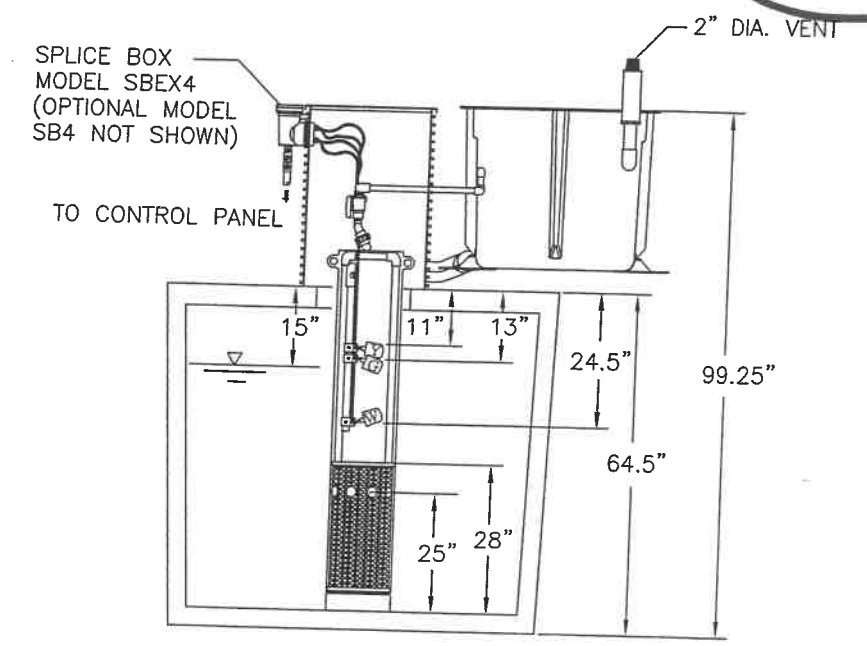
212



TOP VIEW
NOT TO SCALE



SIDE VIEW
NOT TO SCALE



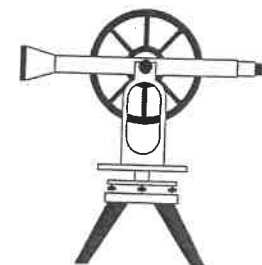
END VIEW
NOT TO SCALE

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



COPYRIGHT © 2013
ORENCO SYSTEMS®, INC. NDW-ATX-BNDR-6

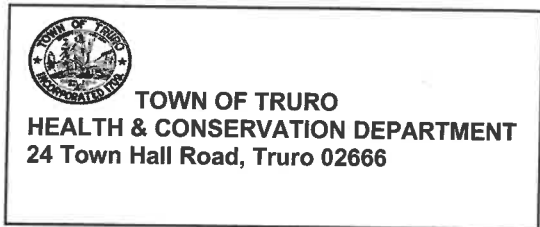
J.C. ELLIS DESIGN



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

ADVANTEX AX20 1 POD MODE 3B

SUBJECT: 6 ALDEN CIRCLE TRURO, MA	
PREPARED FOR: THOMAS & ANNE WALLACE 10 KNOLLWOOD ROAD WHIPPANY, NJ 07981	
ASSESSOR'S MAP 40 PARCEL 36	
DATE: SEPTEMBER 20, 2021	SHEET 3 OF 3



Memo to: Truro Board of Health
 Date: January 25, 2022
 From: Emily Beebe, Health Agent,
 Re: Process request relative to I/A system approval

At this time, we request that the approval process for un-varianced I/A systems be shifted to the Health Department staff. We would review the proposed use of all I/A applications, the septic design, and the conditions of use for the specific technology. This would only apply to technologies certified for general use or remedial use. If the proposed use was appropriate and the design sound, we would approve the application on behalf of the Board of Health.

The DEP "Standard conditions for approval of secondary treatment units for remedial use" authorizes approval by the Local Approving Authority, provided said approval conforms with the Department's technology approval. In Title 5, the DEP defines the Local Approving Authority as "The Board of Health or its authorized Agent".

Currently, our regulations require the Board to approve all I/A systems at a Public Hearing. This requirement is found under Section 6, article 8.4.a and states: Any application for a system proposing the use of I/A technology shall be submitted to the Truro Board of Health which shall hold a public hearing to consider its approval.

Most of the I/A systems coming before the Board at this time are proposed to conform with the new Board of Health requirements. In the absence of variance conditions, there does not appear to be a need for a public hearing to consider compliant applications. We recommend that the requirement for a public hearing be removed from our local regulations.

Ultimately, we propose this change to expedite the permit approval process. This will have the added benefit of reducing the cost to the homeowner and reducing administrative time thus reducing cost to the taxpayer; it also will allow the Board to spend more time on our broader wastewater issues.

Additional information about the DEP's I/A approval process can be found on the back of this memo.



BACK GROUND:

Under Title 5, 310 CMR 15.281(3) “the use of an alternative system in accordance with conditions established pursuant to 310 CMR 15.281 through 15.289 may be authorized without a variance.”

The sections of Title 5 that are cited above (310 CMR 15.281 through 15.289) describe the process the DEP uses to approve all alternative systems, and the 4 categories of approval Alternative systems can achieve.

- **General Use** systems will provide a level of environmental protection at least equivalent to that of a conventional on-site system designed in accordance with Title 5.
- **Piloting** is intended to provide field-testing and technical demonstration to determine if the technology can or cannot function effectively.
- **Provisional Use** approval is intended for evaluation of alternative systems that appear technically capable of providing levels of protection at least equivalent to those of a standard on-site disposal system.
- **Remedial Use** systems improve existing conditions at a particular facility or facilities served by a failed, failing, or nonconforming system.

The DEP has determined that alternative systems that are certified for General Use will provide a level of environmental protection at least equivalent to that of a conventional on-site system designed in accordance with Title 5 (310 CMR 15.000 through 15.296). Alternative systems can be used anywhere a conventional Title 5 system can be installed. All alternatives in the other categories of approval could eventually be certified for General Use.

The system owner must contract with a certified operator for an O& M agreement. This ensures inspection and testing is conducted on a regular schedule as required by the technology approval; they also must have a disclosure notice recorded on the deed of the property.

Arozana Davis

From: John Schnaible <jschnaible@coastalengineeringcompany.com>
Sent: Thursday, January 27, 2022 9:39 AM
To: Arozana Davis
Subject: Re: 127 & 133 South Pamet Rd

4

Hi Arozana,

We are on hold right now....we are just trying to save the building from going in the ocean.

John Schnaible

Coastal Engineering Company, Inc.

260 Cranberry Highway, Orleans, MA 02653
Orleans - Sandwich - Nantucket
Phone 508-255-6511 ext. 353
Cell 508-237-4982

www.CoastalEngineeringCompany.com

INADVERTENT DISCLOSURE –

The information contained in this e-mail is confidential and privileged, intended for the sole use of the addressee. Unauthorized use, distribution, copying or disclosure of this information is prohibited. If you are not the addressee and have inadvertently received this communication, please contact the sender at (508) 255-6511. (508) 255-6511.

On Tue, Jan 25, 2022 at 11:14 AM Arozana Davis <ADavis@truro-ma.gov> wrote:

John,

Just checking in on the BOH filing for 127 & 133 South Pamet Rd that was continued from the January meeting. Do you have any amended plans to add? I know the BOH was requesting a copy of the easement for the well and any other easements on the lot – including any for the septic.

We are trying to put the packets together and wanted to check in.

Thank you!

Arozana

Fee: \$75.00



5

PAID 33884

APPLICATION FOR BOARD OF HEALTH VARIANCES

HEALTH DEPARTMENT TOWN OF TRURO

JAN 06 2022

RECEIVED BY:

Date: 12/30/21

Property Owner's Name: Diana Worthington Family Trust

Mailing Address: P.O. Box 724, Truro, MA 02666

Address of Property: 6 River View Road

Map and Parcel Number: Map # 50 Parcel # 267

Design Engineer/Sanitarian David Lajoie

Firm/Company Name: FELCO, Inc. Phone #: 508-255-8141 x-0

Address: P.O. Box 1366, Orleans, MA 02653

Please check type of variance requested:

Title 5 Variance Request: Section

Board of Health Variance Request: Section/Article Section I & VI, Articles 2 & 10

Signature of David Lajoie

Signature (Representative)

12/30/21

Date

David Lajoie, FELCO, Inc. Agent

Signature (Property Owner)

5

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

FELCO, INC.
ENGINEERING
LAND SURVEYING

P.O. Box 1386
Orleans, MA 02653
508-255-8141

TD BANK, NA
ORLEANS, MA 02653
53-7054/2113

33884

1/4/2022

PAY TO THE ORDER OF TOWN OF TRURO

\$ **75.00

Seventy-Five Only*****

DOLLARS

PROTECTED AGAINST FRAUD

ap 50, Parcel 267

MEMO Var.Fee-09098-Worthington,6RiverViewRd,Truro

Holly R. Lajria

⑈033884⑈ ⑆211370545⑆ 005037701⑈

Details on Back Intuit® CheckLock™ Secure Check



December 30, 2021

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

Re: Map #50, Parcel #267
6 River View Road, Truro
Diana Worthington Family Trust requesting Variances
Deed Reference: Book 28731, Page 265

Dear Board Members:

The project consists of a Title 5 septic system design with Innovative / Alternative treatment for a proposed dwelling on a vacant lot overlooking the Pamet River.

Due to constraints such as lot size, lot configuration, topography, structure location(s), water supplies, and/or existing septic system locations, etc., **FELCO, INC.** requests the following variances to install a new subsurface septic system. These variances, if approved, shall provide to the best degree possible, the same environmental protection as required by the State Sanitary Code 310 CMR 15.000.

Truro BOH Regulations - Section I and VI, Articles 2 and 10 - Variances and Required Setbacks

- 1) 31'± from septic tank to wetland (Riverfront)
- 2) 69'± from leach area to wetland (Riverfront)
- 3) 60'± from reserve to wetland (Riverfront)

The hearing has been scheduled for Tuesday, January 18, 2022 at approx. 4:30 PM.

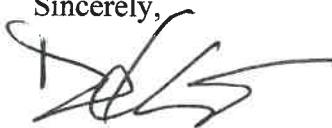
In an effort to minimize the spread of the Coronavirus and in the interest of public health and safety, a public hearing to discuss this project will not be held at Town Hall. Abutters can view the live broadcast of the meeting on Channel 18. To provide comment during the meeting, please refer to the information posted on the Town's Website "Event Calendar". Click the hearing date on the Calendar to get the access code and telephone number for participation. You may also email comments during the broadcast to ebeebe@truro-ma.gov. Please contact the Health Dept. for further details, should you have any questions regarding this project or hearing. Office hours may be limited during this challenging time.

Health Department Office: 508-349-7004 Ext. 131

Emily Beebe, Health Agent
Email: EBeeBe@truro-ma.gov

Arozana Davis, Assistant Health Agent
Email: adavis@truro-ma.gov

Sincerely,



David Lajoie
FELCO, INC.

Enclosures
xc: Abutters

5



TRURO ASSESSORS OFFICE
PO Box 2012 Truro, MA 02666
Telephone: (508) 214-0921
Fax: (508) 349-5506

Date: November 9, 2021

To: FELCO Engineering Co., Inc.

From: Assessors Department

Certified Abutters List: 6 River View Road

Board of Health

Attached is a combined list of abutters for the property located at 6 River View Road.

The current owner is Diana Worthington Family Trust, Diana Worthington, Trustee.

The names and addresses of the abutters are as of November 5, 2021 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

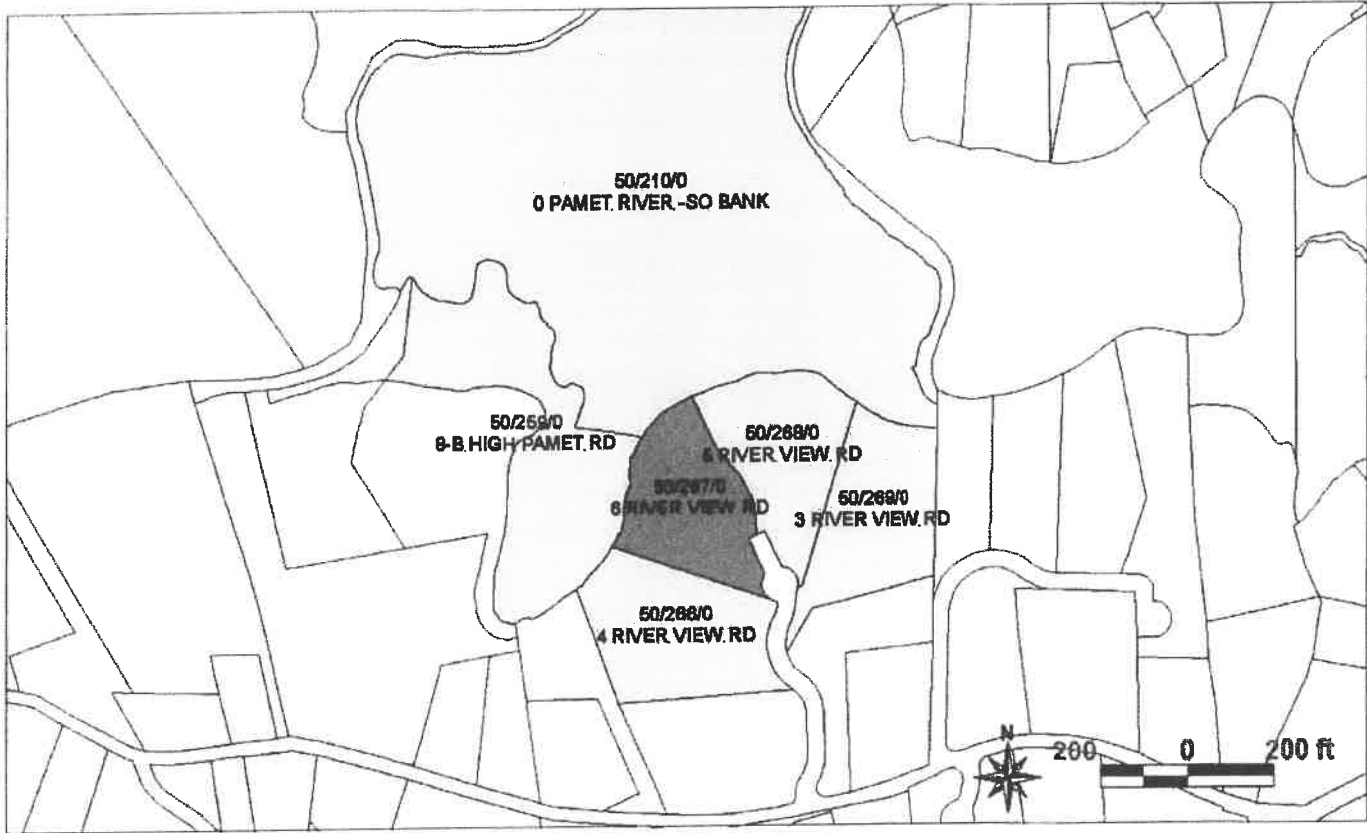
Olga Farrell
Assessing Clerk



6 River View Road
 Map 50, Parcel 267
 Board of Health

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
2979	50-210-0-E	TOWN OF TRURO	0 PAMET RIVER -SO BANK	PO BOX 2030	TRURO	MA	02666-2030
3023	50-259-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	8-B HIGH PAMET RD	PO BOX 327	NO TRURO	MA	02652-0327
3030	50-266-0-R	MACLACHLAN ROBERT & PATRICIA	4 RIVER VIEW RD	21 UNQUOMONK RD	WILLIAMSBURG	MA	01096
3032	50-268-0-R	PETER W GILSON PRT #2 & MARGARET W GILSON PRT#2	5 RIVER VIEW RD	C/O BESSEMER TRUST - L.CARBONE 100 WOODBRIDGE CTR DRIVE	WOODBIDGE	NJ	07095
3033	50-269-0-R	POWELL STEPHEN R	3 RIVER VIEW RD	PO BOX 420	TRURO	MA	02666-0420

[Handwritten signature]
 11/9/2021

FELCO JOB # 09098

Map # 50

PERC TESTS: ①

⑤ ②

Owner Diana Worthington

Pcl # 267

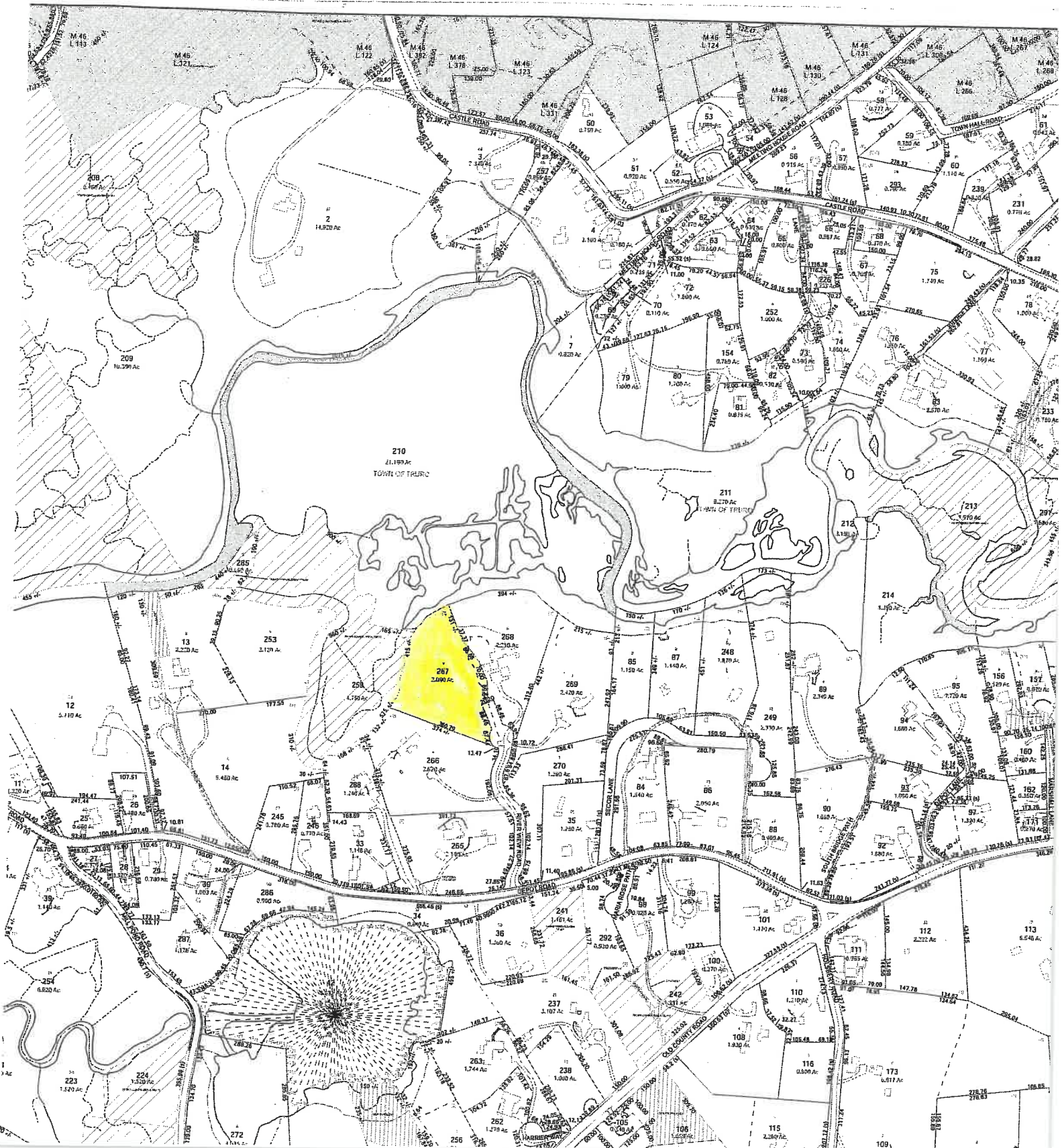
Date: _____

Client Family Trust

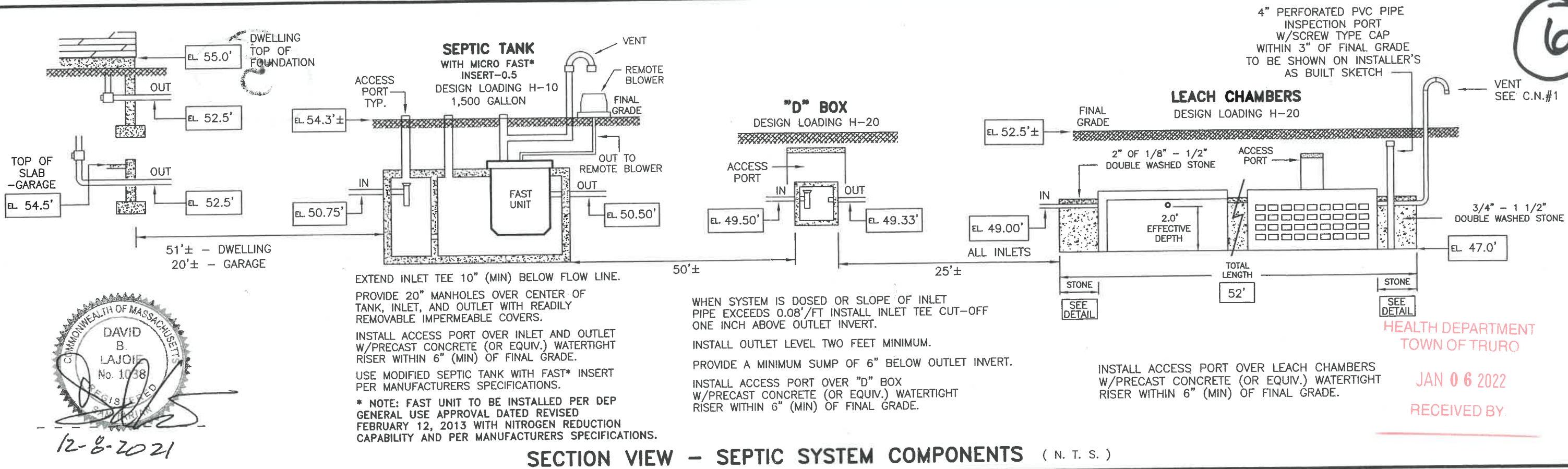
Time: _____

Street # 6 River View Rd. Town Turo

Digsafe: # _____ # _____



6



COMMONWEALTH OF MASSACHUSETTS
DAVID B. LAJOIE
No. 1038
REGISTERED PROFESSIONAL ENGINEER
12-8-2021

EXTEND INLET TEE 10" (MIN) BELOW FLOW LINE.
PROVIDE 20" MANHOLES OVER CENTER OF TANK, INLET, AND OUTLET WITH READILY REMOVABLE IMPERMEABLE COVERS.
INSTALL ACCESS PORT OVER INLET AND OUTLET W/PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.
USE MODIFIED SEPTIC TANK WITH FAST* INSERT PER MANUFACTURERS SPECIFICATIONS.
* NOTE: FAST UNIT TO BE INSTALLED PER DEP GENERAL USE APPROVAL DATED REVISED FEBRUARY 12, 2013 WITH NITROGEN REDUCTION CAPABILITY AND PER MANUFACTURERS SPECIFICATIONS.

WHEN SYSTEM IS DOSED OR SLOPE OF INLET PIPE EXCEEDS 0.08'/FT INSTALL INLET TEE CUT-OFF ONE INCH ABOVE OUTLET INVERT.
INSTALL OUTLET LEVEL TWO FEET MINIMUM.
PROVIDE A MINIMUM SUMP OF 6" BELOW OUTLET INVERT.
INSTALL ACCESS PORT OVER "D" BOX W/PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.

INSTALL ACCESS PORT OVER LEACH CHAMBERS W/PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.

HEALTH DEPARTMENT
TOWN OF TRURO
JAN 06 2022
RECEIVED BY:

SECTION VIEW - SEPTIC SYSTEM COMPONENTS (N.T.S.)

DEEP OBSERVATION HOLE LOG

1. EL. DATE:	DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
	PENDING						
2. EL. DATE:	DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
	PENDING						
3. EL. DATE:	DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
	PENDING						

4. EL. DATE:	DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
	PENDING						

CONSTRUCTION NOTES

- PROVIDE VENT PER 310 CMR 15.241. PROVIDE CHARCOAL FILTER ON VENT.
- ROOF RUNOFF TO BE CONTROLLED BY GUTTERS TO DRYWELLS OR STONE DRAINS. INSTALL ALL DRYWELLS 10' MIN. FROM SEPTIC TANK AND 25' MIN. FROM LEACH AREA.
- ALL DISTURBED AREAS TO BE REVEGETATED WITH NATIVE GRASS UPON WORK COMPLETION.
- WORK LIMIT TO BE STAKED SILT FENCE.
- PROPOSED DRIVE TO BE PERVIOUS.
- PROVIDE CLEANOUT TO GRADE EVERY 50' MIN. ALONG BUILDING SEWER PIPE.

GENERAL NOTES

- ALL CONTRACTORS AND/OR INSTALLERS ARE RESPONSIBLE FOR PROVIDING AND MAINTAINING A SAFE WORK AREA.
- CONTRACTORS AND/OR INSTALLERS: VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
- CONTRACTORS AND/OR INSTALLERS: VERIFY ALL WASTE LINE LOCATIONS PRIOR TO CONSTRUCTION.
- CONSTRUCTION DETAILS TO BE IN ACCORDANCE WITH STATE SANITARY CODE 310 CMR 15.000 AND TOWN BOARD OF HEALTH REQUIREMENTS.
- ELEVATION DATUM IS FROM U.S.G.S. QUAD. MAP. N.G.V.D.
- MUNICIPAL WATER IS AVAILABLE YES NO
- ANY ALTERATIONS TO DESIGN MUST BE APPROVED BY FELCO, INC. AND TOWN BOARD OF HEALTH.
- ALL EXISTING SEWAGE TO BE PUMPED AND FILLED WITH CLEAN MEDIUM SAND.
- SEPTIC TANKS, DOSING CHAMBERS, GREASE TRAPS, AND DISTRIBUTION BOXES SHALL BE INSTALLED WATERTIGHT.
- WHEN SEPTIC TANK, DOSING CHAMBERS, GREASE TRAPS, AND DISTRIBUTION BOXES ARE PLACED IN FILL, PROVIDE A LEVEL STABLE BASE WHICH HAS BEEN MECHANICALLY COMPACTED. VIRGIN GROUND WITH A 6" CRUSHED STONE BASE IS OTHERWISE ADEQUATE.
- GROUND COVER OVER SEPTIC SYSTEM COMPONENTS SHALL NOT EXCEED 36".
- WHEREVER SEWER LINES MUST CROSS WATER SUPPLY LINES, BOTH PIPES SHALL BE CONSTRUCTED OF CLASS 150 PRESSURE PIPE OR EQUIV. AND SHALL BE PRESSURE TESTED TO ASSURE WATERTIGHTNESS.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
- PROVIDE (1) MIN. 4" PERFORATED PVC PIPE INSPECTION PORT PLACED VERTICALLY DOWN TO STONE/SAND INTERFACE W/ SCREW TYPE CAP WITHIN 3" OF FINAL GRADE PER 310 15.240 (13).

DESIGN

FLOW DETERMINATION 5 BEDROOM DESIGN

GARBAGE GRINDER NO YES

FLOW RATE = 550 GAL/DAY

SEPTIC TANK SIZING:
 550 x 2.0 = 1,100 GAL/DAY

USE: 1,500 GAL

LEACHING FACILITY CALCULATIONS:
PERCOLATION RATE IS < 5 MIN/INCH 1 CLASS

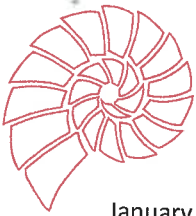
SIDEWALL = 248 (S.F.) x 0.74 = 568 GAL/DAY

BOTTOM = 520 (S.F.)

USE: (4) 4.8' x 8.5' LEACH CHAMBERS
W/ STONE AS SHOWN IN DETAIL
= 52' LONG x 10' WIDE x 2' DEEP

FELCO, INC.
ENGINEERING - LAND SURVEYING

JOB No : 09098	NAME : WORTHINGTON TRUST
DATE : 11-20-2021	SHEET 2 OF 2
REVISIONS : 12-8-2021 NO VISTA VIEW	



J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

6

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting
January 14, 2022 JMO # 9171

Truro Board of Health
24 Town Hall Road
Truro, MA 02536

HEALTH DEPARTMENT
TOWN OF TRURO

JAN 18 2022

RECEIVED BY:

RE: **Board of Health Variance Request**
5 Prince Valley Way, Truro, MA
Map: 59 Parcel: 80

Dear Board Members,

On behalf of our client, Messinger Family Nominee Trust, c/o Joyce Messinger, J.M. O'REILLY & ASSOCIATES, INC. is filing a request for Variance from Truro Board of Health Regulations for the proposed sewage system upgrade at the above referenced property. The property is currently served by cesspools.

The project proposes to replace the cesspools for each of the three buildings on the property with a combined Title 5 sewage disposal system. The three existing buildings contain a total of 6 bedrooms, 660 GPD of design flow. As such, the following variance is being requested from Truro Board of Health Regulations:

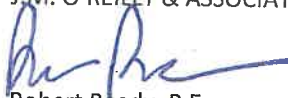
VARIANCE: Truro Board of Health Regulations, Section VI, Article 8(1)(a):

Variance requested from the above referenced regulation, which requires I/A technology for design flows greater than 600 GPD. Property has 660 GPD of flow on a 3.80 AC+/- lot. Nitrogen loading rate is 2.77 ppm for a conventional Title 5 system.

No Title 5 variances are requested. Attached nitrogen loading calculations show that due to the large size of the lot (165,528 SF+/-) relative to the number of existing bedrooms, the nitrogen loading rate is 2.77 ppm, which is well below the Title 5 limit of 5 ppm. Additional loading calculations provided show that a 5 bedroom, 50,000 SF lot would have a much higher nitrogen loading (6.30 ppm) than this property, but I/A would not be required because flow is less than 600 GPD.

No additions, changes in habitable space or additional bedrooms are proposed. A representative from our office will be present at the February 1, 2022 public hearing so as to further review the proposal and answer any questions the Board may have.

Very truly yours,
J.M. O'REILLY & ASSOCIATES, INC.


Robert Reedy, P.E.

Project Engineer

Cc: Client
John M. O'Reilly, PE, PLS

Encl: Variance Application Package
RFR/ak

Fee: \$75.00



APPLICATION FOR BOARD OF HEALTH VARIANCES

Date: 01/14/2022

Property Owner's Name: Messinger Family Nominee Trust (c/o Joyce Messinger)

Mailing Address: Contact via email: rejoyce64@aol.com. (Trust address: 314 Dorn Ave, Middlesex, NJ 08846)

Address of Property: 5 Prince Valley Way

Map and Parcel Number: Map # 59 Parcel # 80

Design Engineer/Sanitarian Robert Reedy, P.E.

Firm/Company Name: J.M. O'Reilly & Associates, Inc. Phone #: 508-896-6601

Address: P.O. Box 1773, 1573 Main Street, Brewster, MA 02631

Please check type of variance requested:

Title 5 Variance Request: Section _____

Board of Health Variance Request: Section/Article Section VI, Article 8(1)(a):

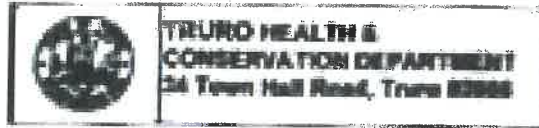
I/A Technology required for design flows greater than 600 GPD.

[Signature]
Signature (Representative)

1/14/22
Date

See attached
Signature (Property Owner)

Fee: \$75.00



6

APPLICATION FOR BOARD OF HEALTH VARIANCES

Date: 01/14/2022

Property Owner's Name: Messinger Family Nominee Trust (c/o Joyce Messinger)

Mailing Address: Contact via email: rejoyce64@aol.com (Trust address: 314 Dam Ave, Middletown, NJ 08848)

Address of Property: 5 Prince Valley Way

Map and Parcel Number: Map # 59 Parcel # 80

Design Engineer/Sanitarian: Robert Reedy, P.E.

Firm/Company Name: J.M. O'Reilly & Associates, Inc. Phone #: 508-896-6601

Address: P.O. Box 1773, 1573 Main Street, Browster, MA 02631

Please check type of variance requested:

Title 5 Variance Request: Section _____

Board of Health Variance Request: Section/Article Section VI, Article 8(1)(a)

UA Technology required for design flows greater than 600 GPD.

[Signature]
Signature (Representative)

1/14/2022
Date

[Signature]
Signature (Property Owner)

1/14/22

6

RESIDENTIAL NITROGEN LOADING CALCULATIONS - EXISTING (6 BR)

Home: 660 GPD Job - #9171
 Impervious Surfaces: Roof Area: 2,300 ft² Paving Area: 2,000 ft²
Lot Size: 165,528 ft²
Natural Area: 161,228 ft² Lawn Area: - ft²
 Title V Flow:

WASTEWATER Title V

$$\underline{6} \text{ bedrooms} \times \frac{110}{\text{bedroom}} \times \frac{3.785}{\text{gal}} = \underline{2,498.1} \text{ L/d} \times \underline{35} \frac{\text{mg}}{\text{L}} = \underline{87,433.5} \text{ mg/d}$$

Actual (assume 2.5 people/unit average occupancy within the town)

$$\underline{6} \text{ bedrooms} \times \frac{110}{\text{bedroom}} \times \frac{3.785}{\text{gal}} \times \frac{2.5}{12} = \underline{520.4} \text{ L/d} \times 35 \frac{\text{mg}}{\text{L}} = \underline{18,215.3} \text{ mg/d}$$

IMPERVIOUS SURFACES

Roof

$$\underline{2,300} \times \frac{40 \text{ in}}{\text{yr}} \times \frac{\text{ft}}{12 \text{ in}} \times \frac{28.32 \text{ L}}{\text{ft}^3} \times \frac{1 \text{ yr}}{365 \text{ d}} = \underline{594.8} \text{ L/d} \times 0.75 \frac{\text{mg}}{\text{L}} = \underline{446.1} \text{ mg/d}$$

Paving

$$\underline{2,000} \times \frac{40 \text{ in}}{\text{yr}} \times \frac{\text{ft}}{12 \text{ in}} \times \frac{28.32 \text{ L}}{\text{ft}^3} \times \frac{1 \text{ yr}}{365 \text{ d}} = \underline{517.3} \text{ L/d} \times 1.5 \frac{\text{mg}}{\text{L}} = \underline{775.9} \text{ mg/d}$$

LAWN

$$\underline{-} \times \frac{3 \text{ lbs}}{1,000 \text{ ft}^2/\text{yr}} \times \frac{1 \text{ yr}}{365 \text{ d}} \times \frac{454,000}{\text{lb}} \times 0.25 = \underline{0.0} \text{ mg/d}$$

NATURAL

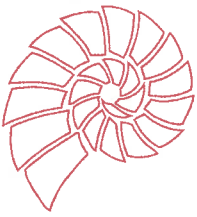
$$165,528 - 4,300 = 161,228 \text{ ft}^2$$

$$\underline{161,228} \times \underline{1.3} \times \frac{28.32 \text{ L}}{\text{ft}^3} \times \frac{1 \text{ yr}}{365 \text{ d}} = \underline{16,262.4} \text{ L/d}$$

SUMMARY

Title V Flow	$\frac{87,433.5}{2,498.1}$	+	$\frac{446.1}{594.8}$	+	$\frac{775.9}{517.3}$	+	$\frac{0.0}{16,262.4} \frac{\text{mg}}{\text{L}}$	=	$\frac{88,655.5}{19,872.6} \frac{\text{mg}}{\text{L}}$	=	4.46 ppm
Actual	$\frac{18,215.3}{520.4}$	+	$\frac{446.1}{594.8}$	+	$\frac{775.9}{517.3}$	+	$\frac{0.0}{16,262.4} \frac{\text{mg}}{\text{L}}$	=	$\frac{19,437.3}{17,894.9} \frac{\text{mg}}{\text{L}}$	=	1.09 ppm

Final Calculation = 2.77 ppm



J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES



Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

TO: Abutters

FROM: J. M. O'REILLY & ASSOCIATES, INC.
1573 MAIN STREET
BREWSTER, MA 02631

RE: 5 Prince Valley Way, Truro, MA
Board of Health Variance Request

DATE: January 14, 2022

On behalf of our client, Messinger Family Nominee Trust, c/o Joyce Messinger, J. M. O'REILLY & ASSOCIATES, INC. is requesting the Truro Board of Health to review and grant the following Variances from the Truro Board of Health regulations for the proposed sewage system upgrade at the above referenced property.

The following are the variances being requested from the Truro Board of Health Regulations:

VARIANCE: Truro Board of Health Regulations, Section VI, Article 8(1)(a):

Variance requested from the above referenced regulation, which requires I/A technology for design flows greater than 600 GPD. Property has 660 GPD of flow on a 3.80 AC+/- lot.

A meeting has been scheduled with the Board of Health at Truro Town Hall on February 1, 2022 at 4:30 pm to discuss the proposal in greater detail. If you plan to attend, please contact the Town or visit the Truro Health Department webpage for further details.

6



TRURO ASSESSORS OFFICE
PO Box 2012 Truro, MA 02666
Telephone: (508) 214-0921
Fax: (508) 349-5506

Date: January 11, 2022

To: J.M. O'Reilly & Associates, Inc.

From: Assessors Department

Certified Abutters List: 5 Prince Valley Way (Map 59 Parcel 80)

Board of Health

Attached is a combined list of abutters for 5 Prince Valley Way (Map 59 Parcel 80)

The current owner is the Messinger Family Nominee Trust.

The names and addresses of the abutters are as of January 7, 2022 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: 

Laura Geiges
Assistant Assessor / Data Collector

6

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZinCd/Country
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA	02667
3508	59-56-0-R	KELLER JOHN G	120 OLD COUNTY RD	PO BOX 697	TRURO	MA	02666
3514	59-62-0-R	MACLEAN HOWARD & PIESCO-PUTNAM JILLIAN	14 PRINCE VALLEY WAY	35 SHEAFE ST	CHESTNUT HILL	MA	02467
3515	59-63-0-R	WHEELER CARL R JR RLTY TR ETAL TRS: WHEELER CARL R JR	107 PRINCE VALLEY RD	C/O CHERRY CAROL M PO BOX 333	TRURO	MA	02666-0333
3525	59-73-0-E	U S A DEPT OF THE INTERIOR	0 OLD COUNTY RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
3530	59-78-0-R	THOMAS P DENNIS JR REV TRUST & KATHLEEN C WESTHEAD-DENNIS REV	101 PRINCE VALLEY RD	C/O DENNIS GROUP 1537 MAIN ST	SPRINGFIELD	MA	01103
3543	59-91-0-R	FUNKE JONATHAN R & FUNKE KELLY MACMANUS	126 OLD COUNTY RD	1330 5TH AVE, APT 2G	NEW YORK	NY	10026
3544	59-92-0-R	WHEELER CAROL A NOM RLTY TRUST TRS: WHEELER CAROL A	12 PRINCE VALLEY WAY	64 HITCHING POST LN	MILFORD	CT	06460

3533
 59-80-0

Richard Paul, Barbara Nicholls
 Messinger Family Nominee Trust
 314 Dorn Ave.
 Middlesex, NJ 08846

5 Prince Valley Way (Focus/Client)

LG 1/11/2022

40-999-0-E

USA-DEPT OF INTERIOR
Cape Cod National Seashore
99 Marconi Site Rd
Wellfleet, MA 02667

59-56-0-R

KELLER JOHN G
PO BOX 697
TRURO, MA 02666

59-62-0-R

MACLEAN HOWARD &
PIESCO-PUTNAM JILLIAN
35 SHEAFE ST
CHESTNUT HILL, MA 02467

59-63-0-R

WHEELER CARL R JR RLTY TR ETAL
TRS: WHEELER CARL R JR
C/O CHERRY CAROL M
PO BOX 333
TRURO, MA 02666-0333

59-73-0-E

U S A
DEPT OF THE INTERIOR
CAPE COD NATIONAL SEASHORE
99 MARCONI SITE RD
WELLFLEET, MA 02667

59-78-0-R

THOMAS P DENNIS JR REV TRUST &
KATHLEEN C WESTHEAD-DENNIS REV
C/O DENNIS GROUP
1537 MAIN ST
SPRINGFIELD, MA 01103

59-91-0-R

FUNKE JONATHAN R &
FUNKE KELLY MACMANUS
1330 5TH AVE, APT 2G
NEW YORK, NY 10026

59-92-0-R

WHEELER CAROL A NOM RLTY TRUST
TRS: WHEELER CAROL A
64 HITCHING POST LN
MILFORD, CT 06460

**Richard Paul, Barbara Nicholls
Messinger Family Nominee Trust
314 Dorn Ave.
Middlesex, NJ 08846**

LG 1/11/2022



59_73_0

386.09

31.78

441.31

59_80_0

84.09

40_999_0

263.05

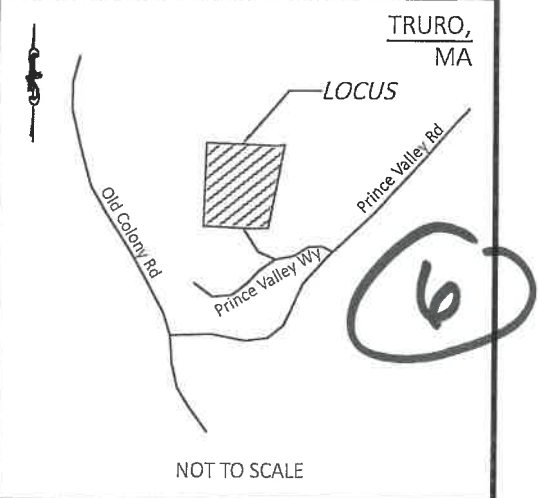
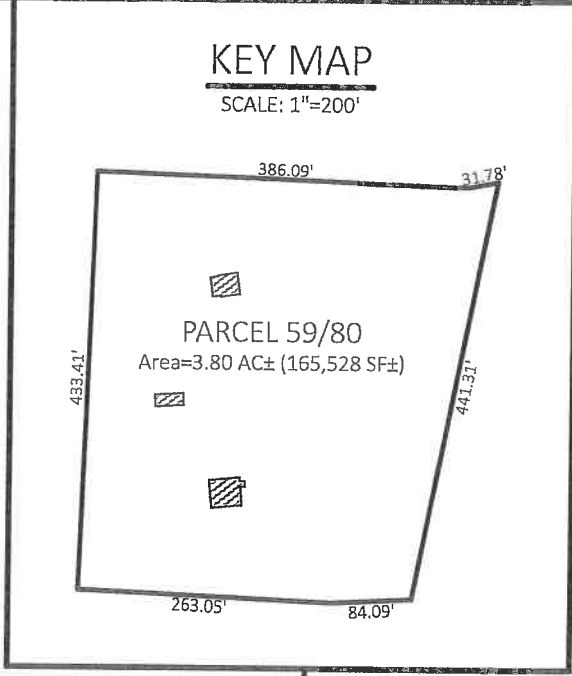
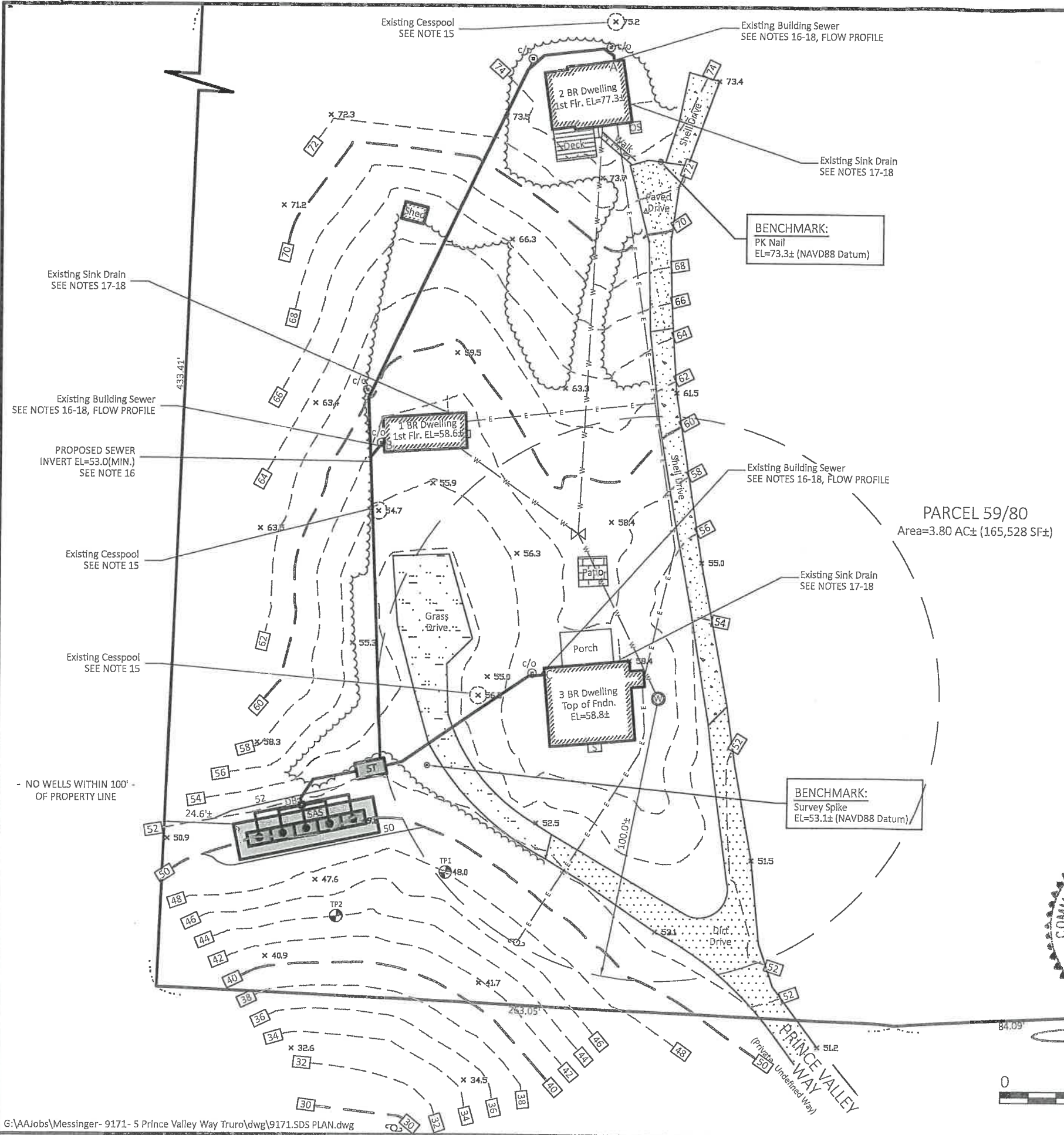
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The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 01/10/2022 at 11:57 AM

- Parks
- Buildings
- Shoreline
- Street Placement
- Town Boundary
- MA Highways
- US Highways
- Street Centerlines
- Abutting Town Labels
- Abutting Towns
- Waterbodies
- Water Stream
- Town Mask
- Bathymetry
- 5-10 ft
- 10-20 ft
- 20-30 ft
- 30-40 ft
- 40-50 ft
- 50-60 ft
- 60-70 ft
- 70-80 ft
- 80-90 ft
- 90-100 ft
- 100-150 ft
- 150-200 ft
- 200-250 ft
- 250-300 ft
- 300-400 ft
- 400-500 ft
- 500-600 ft
- 600-700 ft
- 700-800 ft
- 800-900 ft
- 900-1000 ft
- Background



PLAN BOOK 635
DEED BOOK 30698
ASSESSORS' MAP 59

PAGE 51
PAGE 202
PARCEL 80

LEGEND

--- 32	EXISTING CONTOUR
- - - 32	PROPOSED CONTOUR
x 12.34	EXISTING SPOT GRADE
24x5	PROPOSED SPOT GRADE
W	WATER SERVICE LINE
E	UNDERGROUND UTILITY SERVICE
TP	TEST HOLE / BORING LOCATION
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
c/o	PROPOSED SEWER CLEANOUT
U	UTILITY POLE
BH	BULKHEAD
S	STEP
OS	OUTSIDE SHOWER
W	WELL
DM	DRAINAGE MANHOLE
■	CONCRETE BOUND, FOUND
—	TOP OF BANK
- - -	LIMIT OF WORK
— x —	FENCE
~ ~ ~	EDGE OF CLEARING
⊗	WATER GATE

HEALTH DEPARTMENT
TOWN OF TRURO

JAN 18 2022

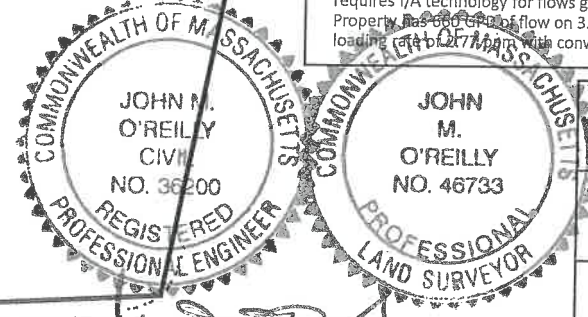
RECEIVED BY

- NO WELLS WITHIN 100' -
OF PROPERTY LINE

VARIANCE REQUESTED

TRURO BOARD OF HEALTH REGULATIONS:
SECTION VI, ARTICLE 8: I/A TECHNOLOGY

Variance requested from (1)(a) of this Article, which requires I/A technology for flows greater than 600 GPD. Property has 600 GPD of flow on 3.80 AC± lot, nitrogen loading rate of 27.7 lbs/yr with conventional Title 5 system.



SHEET 1 OF 2

Messinger Family Nominee Trust
c/o Joyce Messinger, 5 Prince Valley Way, Truro, MA

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A
P.O. Box 1773
Brewster, MA 02631 (508)896-8601 Office (508)896-8602 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
01/05/2022	As Noted	RFR	JMO	JMO-9171



GENERAL NOTES:

- A.) NEITHER DRIVEWAYS NOR PARKING AREAS ARE ALLOWED OVER SEPTIC SYSTEM UNLESS H-20 COMPONENTS ARE USED.
- B.) THE DESIGNER WILL NOT BE RESPONSIBLE FOR THE SYSTEM AS DESIGNED UNLESS CONSTRUCTED AS SHOWN. ANY CHANGES SHALL BE APPROVED IN WRITING.
- C.) CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES PRIOR TO COMMENCEMENT OF WORK.

CONSTRUCTION NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO THE STATE ENVIRONMENTAL CODE, TITLE 5, AND THE REQUIREMENTS OF THE LOCAL BOARD OF HEALTH.
- SEPTIC TANK(S), GREASE TRAP(S), DOSING CHAMBER(S) AND DISTRIBUTION BOX(ES) SHALL BE SET ON A LEVEL STABLE BASE WHICH HAS BEEN MECHANICALLY COMPACTED, OR ON A 6 INCH CRUSHED STONE BASE.
- SEPTIC TANK(S) SHALL MEET ASTM STANDARD C1127-93 AND SHALL HAVE AT LEAST THREE 20" DIAMETER MANHOLES. THE MINIMUM DEPTH FROM THE BOTTOM OF THE SEPTIC TANK TO THE FLOW LINE SHALL BE 48".
- SCHEDULE 40 PVC INLET AND OUTLET TEES SHALL EXTEND A MINIMUM OF 6" ABOVE THE FLOW LINE OF THE SEPTIC TANK AND SHALL BE INSTALLED ON THE CENTERLINE OF THE TANK DIRECTLY UNDER THE CLEANOUT MANHOLE.
- RAISE COVERS OF THE SEPTIC TANK AND DISTRIBUTION BOX WITH PRECAST CONCRETE WATER TIGHT RISERS OVER INLET AND OUTLET TEES TO WITHIN 6" OF FINISH GRADE, OR AS APPROVED BY THE LOCAL BOARD OF HEALTH AGENT.
- PIPING SHALL CONSIST OF 4" SCHEDULE 40 PVC OR EQUIVALENT. PIPE SHALL BE LAID ON A MINIMUM CONTINUOUS GRADE OF NOT LESS THAN 1%.
- DISTRIBUTION LINES FOR SOIL ABSORPTION SYSTEM (AS REQUIRED) SHALL BE 4" DIAMETER SCHEDULE 40 PVC LAID AT 0.005 FT/FT. LINE SHALL BE CAPPED AT END OR AS NOTED.
- OUTLET PIPES FROM DISTRIBUTION BOX SHALL REMAIN LEVEL FOR AT LEAST 2' BEFORE PITCHING TO SOIL ABSORPTION SYSTEM. WATER TEST DISTRIBUTION BOX TO ASSURE EVEN DISTRIBUTION.
- DISTRIBUTION BOX SHALL HAVE A MINIMUM SUMP OF 6" MEASURED BELOW THE OUTLET INVERT.
- BASE AGGREGATE FOR THE LEACHING FACILITY SHALL CONSIST OF 3/4" TO 1-1/2" DOUBLE WASHED STONE FREE OF IRON, FINES AND DUST AND SHALL BE INSTALLED BELOW THE CROWN OF THE DISTRIBUTION LINE TO THE BOTTOM OF THE SOIL ABSORPTION SYSTEM. BASE AGGREGATE SHALL BE COVERED WITH A 2" LAYER OF 1/8" TO 1/2" DOUBLE WASHED STONE FREE OF IRON, FINES AND DUST.
- VENT SOIL ABSORPTION SYSTEM WHEN DISTRIBUTION LINES EXCEED 50 FEET; WHEN LOCATED EITHER IN WHOLE OR IN PART UNDER DRIVEWAYS, PARKING AREAS, TURNING AREAS OR OTHER IMPERVIOUS MATERIAL; OR WHEN PRESSURE DOSED.
- SOIL ABSORPTION SYSTEM SHALL BE COVERED WITH A MINIMUM OF 9" OF CLEAN MEDIUM SAND (EXCLUDING TOPSOIL).
- FINISH GRADE SHALL BE A MAXIMUM OF 36" OVER THE TOP OF ALL SYSTEM COMPONENTS, INCLUDING THE SEPTIC TANK, DISTRIBUTION BOX, DOSING CHAMBER AND SOIL ABSORPTION SYSTEM. SEPTIC TANKS SHALL HAVE A MINIMUM COVER OF 9".
- FROM THE DATE OF INSTALLATION OF THE SOIL ABSORPTION SYSTEM UNTIL RECEIPT OF A CERTIFICATE OF COMPLIANCE, THE PERIMETER OF THE SOIL ABSORPTION SYSTEM SHALL BE STAKED AND FLAGGED TO PREVENT THE USE OF SUCH AREA FOR ALL ACTIVITIES THAT MIGHT DAMAGE THE SYSTEM.
- EXISTING CESSPOOL(S) TO BE REMOVED OR ABANDONED IN PLACE IN ACCORDANCE WITH 310 CMR 15.354. CESSPOOL AND ANY CONTAMINATED SOIL WITHIN 5' OF THE PROPOSED SOIL ABSORPTION SYSTEM SHALL BE REMOVED AND REPLACED WITH CLEAN SAND. AREA TO BE COMPACTED TO MINIMIZE SETTling.
- INSTALLER SHALL VERIFY INVERT ELEVATIONS PRIOR TO INSTALLATION OF ANY SEPTIC SYSTEM COMPONENTS.
- EXISTING WASTELINE(S): INSTALLER TO CONFIRM WASTELINE(S) BY WATER TESTING WITHIN THE DWELLING PRIOR TO SETTING ANY SYSTEM COMPONENTS.
- ALL EXTERIOR SEWER PIPING MUST BE MINIMUM 4" SCHEDULE 40 PVC. ANY EXISTING 2" PVC BUILDING SEWER EXIT LINES (SINK DRAINS) SHALL BE REPLUMBED TO CONNECT TO THE MAIN 4" PVC BUILDING SEWER EXIT LINE, OR REPLACED WITH 4" PVC PIPING. SINK DRAIN LOCATIONS FOR EACH DWELLING ARE SHOWN ON PLAN, BUT INSTALLER MUST CONFIRM WASTELINE LOCATIONS VIA WATER TESTING (SEE NOTE 17). ALL PLUMBING WORK SHALL BE COMPLETED BY A LICENSED PLUMBER AND SHALL MEET STATE PLUMBING CODE 248 CMR 2.0 STANDARDS AND REQUIREMENTS.

SYSTEM DESIGN CALCULATIONS:

SEWAGE DESIGN FLOW:
6 BEDROOMS TOTAL @ 110 GPD = 660 GPD

LEACHING CAPACITY REQUIRED:
6 BEDROOMS (MAX.) @ 110 GPD = 660 GPD REQUIRED

PRIMARY SEPTIC TANK CAPACITY REQUIRED:
DAILY FLOW = 660 GPD @ 200% = 1,320 GAL. REQUIRED

SECONDARY SEPTIC TANK CAPACITY REQUIRED:
DAILY FLOW = 660 GPD @ 100% = 660 GAL. REQUIRED

SEPTIC TANK CAPACITY PROVIDED:
2000 GALLON TWO-COMPARTMENT SEPTIC TANK (MIN. ALLOWED)

LEACHING CAPACITY PROVIDED:
ONE (1) 50.5' X 12.83' X 2.0' LEACHING CHAMBER CAN LEACH:
 $V = [(50.5 \times 12.83) + (50.5 \times 2.0) + (12.83 \times 2.0)] \times 0.74 \text{ GPD/SF} = 666.92 \text{ GPD}$
666 GPD > 660 GPD REQUIRED

NOTE: A GARBAGE DISPOSAL IS NOT PERMITTED WITH THIS DESIGN.

INSTALL:
ONE (1) - 2000 GALLON TWO-COMPARTMENT SEPTIC TANK
ONE (1) - 6 OUTLET DISTRIBUTION BOX (H-20 RATED)
FIVE (5) - 500 GALLON LEACH CHAMBERS WITH 4' OF STONE ALL AROUND

SOIL TEST LOGS:

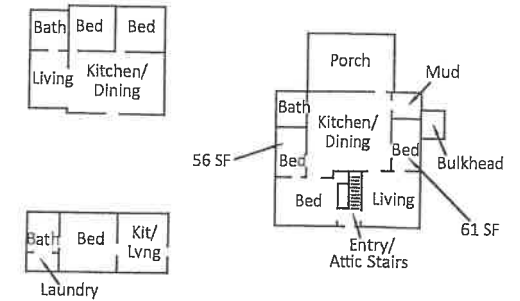
TEST HOLE 1: EL=48.0±					
DEPTH FROM SURFACE (INCHES)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0-18	A/E	Fine Loamy Sand	10YR3/2	NONE	
18-30	B	Loamy Sand	10YR6/8	NONE	
30-127	C1	Medium-Coarse Sand	10YR7/4	NONE	PERC @ 46": <2 MIN/IN

TEST HOLE 2: EL=44.0±					
DEPTH FROM SURFACE (INCHES)	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER
0-18	A/E	Fine Loamy Sand	10YR3/2	NONE	
18-35	B	Loamy Sand	10YR6/8	NONE	
35-140	C1	Medium-Coarse Sand	10YR7/4	NONE	

DATE OF TESTING: 11/30/2021
PERCOLATION RATE: LESS THAN 2 MIN/INCH IN 'C1' LAYER.
WITNESSED BY: ROBERT REEDY, P.E., J.M. O'REILLY & ASSOCIATES, INC.
AROZANA DAVIS, TRURO HEALTH DEPARTMENT
NO WATER ENCOUNTERED
USE A LOADING RATE OF 0.74 GPD/SF FOR SIZING OF SOIL ABSORPTION SYSTEM.

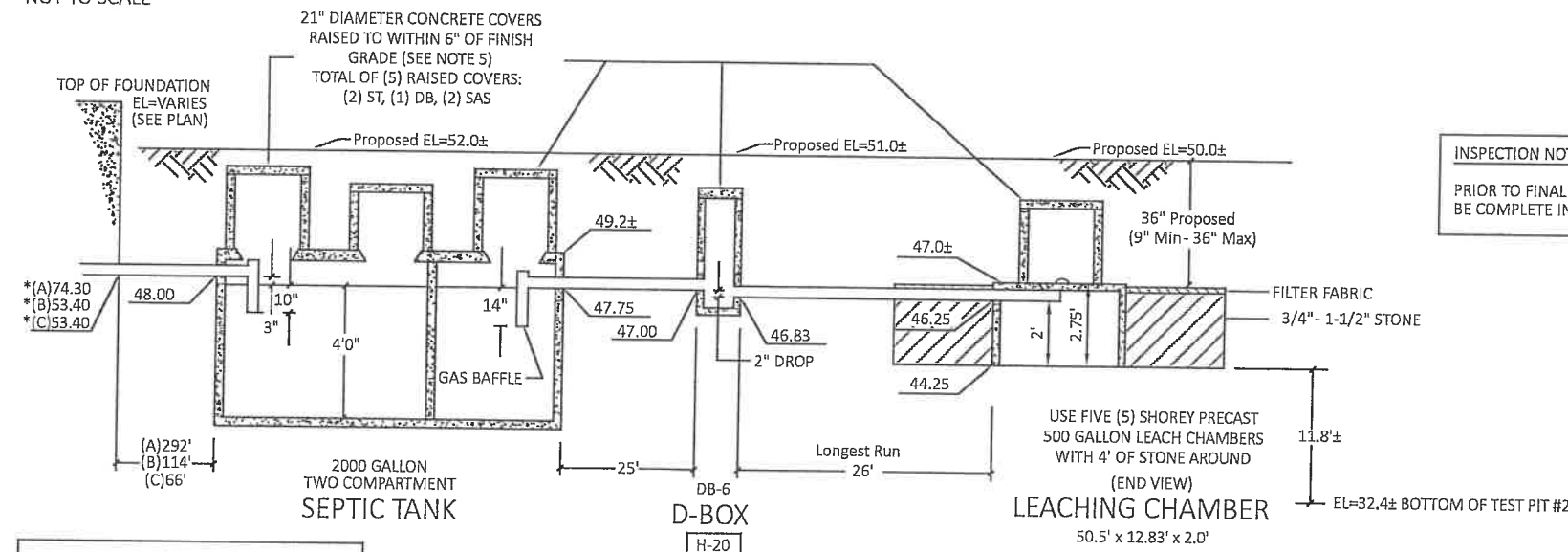
FLOOR PLAN

NOT TO SCALE



FLOW PROFILE:

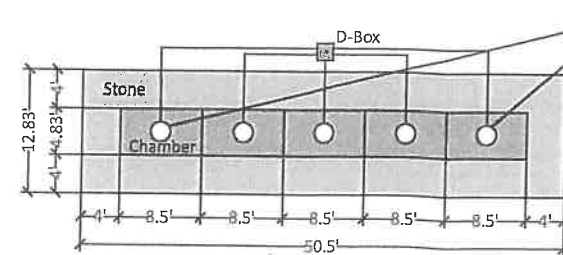
NOT TO SCALE



INSPECTION NOTE:
PRIOR TO FINAL INSPECTION BY THE ENGINEER, SYSTEM NEEDS TO BE COMPLETE INCLUDING BUILDUP FOR COVERS.

SAS DETAIL:

SCALE: 1" = 20'



TWO (2) COVERS TO BE BUILT UP TO WITHIN 6" OF FINISH GRADE.

JOHN M. O'REILLY CIVIL NO. 36200 REGISTERED PROFESSIONAL ENGINEER

COMMONWEALTH OF MASSACHUSETTS
JOHN M. O'REILLY NO. 46733 PROFESSIONAL LAND SURVEYOR

SHEET 2 OF 2

Messinger Family Nominee Trust
c/o Joyce Messinger, 5 Prince Valley Way, Truro, MA

WAGE DISPOSAL SYSTEM DESIGN & NOTES
5 Prince Valley Way, Truro, MA

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A
P.O. Box 1773
(508)896-8601 Office Brewster, MA 02631 (508)896-8602 Fax

DATE: 01/05/2022 SCALE: As Noted BY: RFR CHECK: JMO JOB NUMBER: JMO-9171



9(a)

SECTION VIII WATER WELLS

Article 1 Purpose and Authority

Under the authority of Massachusetts General Laws, Chapter 111, Section 31 and Chapter 21, Section 16, to better protect the public health of the inhabitants of the Town of Truro by ensuring that private wells are constructed in a manner that will protect the quality of the groundwater, the Truro Board of Health hereby adopts the following regulations.

Article 2 Definitions

Certified Laboratory: any laboratory which has full certification by the Department of Environmental Protection and is included in the most recent edition of "Certification Status of Commercial Environmental Laboratories."

Potable Well: Wells to be used as drinking water source.

Registered Well Driller: an individual authorized by registration with the Department of Environmental Protection to engage in the business and supervise the drilling, altering, or decommissioning of wells in Massachusetts, and who signs and submits the well completion report to the Department and the Truro Board of Health.

Replacement Well: any well which is being constructed to replace or repair a well currently existing and in use.

Well or Water Well: any hole or shaft constructed into the ground for the purpose of injecting or extracting water and other fluids, or to monitor groundwater levels and water quality.

Article 3 Registered Well Drillers

1. Water wells may only be constructed and/or replaced by a Registered Well Driller.
2. Before a water well is drilled within the Town of Truro, the well driller shall furnish to the Board of Health the well driller's name, trade name (if different), and address, shall furnish a copy of the driller's current State Registration Certificate, and shall comply with the regulations listed below.
3. The well driller shall submit to the Board of Health a copy of each driller's report submitted to the State containing the well owner's name, well 's location and depth, drilling log, description of casing and screen, static water level, method used to test well yield, length of time well was pumped, draw down, and well yield.

Article 4 Well Construction Permit

1. No well shall be installed, altered, replaced or repaired until a Well Construction Permit has been obtained from the Board of Health.
 - a. A fee (subject to change) per well installed shall accompany the application for

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- permit.
- b. An application for a Well Construction permit shall be submitted by the well driller or his agent on forms furnished by the Board. The well driller is responsible for obtaining said permit prior to well construction and for informing the Health Agent at the time of installation and covering.
- c. For new construction, application for a Well Construction Permit shall be made prior to the application for a building permit.
- d. For new construction the well shall be drilled prior to the installation of the septic system.

2. Water Quality Testing

- a. The well driller shall have a water sample tested by a Certified Laboratory for:
 - Coliform
 - pH
 - Conductivity
 - Iron
 - Nitrates
 - Sodium
 - Volatile Organic Compounds (VOCs)
 - Or any other parameters the Board of Health deems necessary.
- b. The results of this test shall be provided to the well owner and the Truro Board of Health.
- c. No building permit shall be issued until the report of this test has been returned to the Truro Town Hall and the Health Agent has determined the well water is potable.
- d. An acceptable sample of well water shall be of raw (untreated) water from the facility, using the approved water sampling bottles provided by a certified lab. The sample must be taken in accordance with standard methods and the protocol of a certified lab relative to chain-of-custody.

3. Plans

- a. For new construction: Site and Sewage Plans, stamped by a Professional Engineer and/or Registered Land Surveyor and/or a Registered Sanitarian, showing the location of the proposed well and septic system must be submitted to ensure that adequate setbacks between well and septic are being provided.
- b. For all other construction: the well driller must submit a plan of the land, accurately depicting the location of all septic system components and the location of the proposed well. The well driller must also sign a statement on the well permit application attesting to the fact that the well as installed will meet the required setbacks to the septic tank and soil absorption system defined in 310 CMR 15.211.

Article 5 Well Completion Report

New wells shall not be placed into use for human consumption until the Health Agent has approved the potability and quantity of the water provided and the well driller has filed a Well Completion Report with the Truro Health Department.

(WP)

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Article 6 - Required Water Quality Testing

1. Upon Transfer of Real Estate

Prior to selling, conveying, or transferring title to real property (a “transfer” of real property is defined in these Board of Health regulations section 6.5) in the Town of Truro, the owner thereof shall:

- a. Test the water of every private potable well serving that property. A water sample from each well shall be submitted to a certified laboratory for testing for the parameters outlined above in Article 4. This water quality test shall be performed not more than one year prior to transfer of the property.
- b. the owner shall provide copies of all water test results of which they have knowledge (regardless of age of results) for the private potable well in question to any buyer and/or broker identified with the transfer. In the event that there is no buyer at the time the water is tested, a copy of all water test results must be given by the owner to the buyer before the property is put under agreement.

2. Upon applying for a building permit, other than an express permit.

A water quality analysis result from sampling completed within one calendar year of the date of submitted application for a building permit shall be provided with the application. The analysis must be of a water sample taken from the private well serving the facility and shall be submitted to a certified laboratory to analyze the following parameters: Sodium, Nitrate N, pH, iron, conductivity, coliform bacteria) and sampled as described in Article 4.2.d.

3. Upon applying for a disposal works construction permit.

- a. A water quality analysis result from sampling completed within one calendar year of the date of submitted application for a disposal works construction permit shall be provided with the application. The analysis must be of a water sample taken from the private well serving the facility and shall be submitted to a certified laboratory to analyze the following parameters: Sodium, Nitrate N, pH, iron, conductivity, coliform bacteria), and sampled as described in Article 4.2.d.
- b. This applies to construction, upgrade and replacement of tanks, pump-chambers and leaching facilities. The replacement of the building sewer, tees, pumps, and distribution boxes, and the sealing of tanks are exempt from this requirement.

4. Upon applying for or renewing a rental registration certificate from the Town of Truro.

- a. A water quality analysis result from sampling completed within 4 months of the application shall be submitted with the application for a rental registration renewal. The analysis must be of a water sample taken from the private well serving the facility and shall be submitted to a certified laboratory to analyze the following parameters: Sodium, Nitrate N, pH, iron, conductivity, coliform bacteria), and sampled as described in Article 4.2.d.
- b. This analysis result must be provided prior to issuance of an annual rental registration certificate (as described in the Truro general bylaws Chapter 2 section 1).

Commented [EB1]: 1-25-2022: Proposal to change language to within 1 calendar year

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9(a)

5. Upon submitting a septic Inspection report to the Town of Truro for a facility served by a private well.

Article 7 Decommissioning of Water Wells

1. Abandoned wells, test holes and borings shall be decommissioned so as to prevent the well, including the annular space outside the casing, from being a channel allowing the vertical movement of water. Test holes to be filled and packed prior to completion of a finished well and done during location search do not require a "decommissioning."
2. The property owner shall be responsible for ensuring that all abandoned wells and test holes or borings associated with private well installation are properly plugged. Only registered well drillers may plug abandoned wells, test holes and borings.
3. In the case of new well construction, all test holes and borings shall be plugged before the well driller completes work at the site.
4. The owner of a private well shall decommission the well if the well meets any of the following criteria:
 - a. construction of the well is terminated prior to completion of the well;
 - b. the well owner notifies the Board that the use of the well is to be permanently discontinued;
 - c. the well is a potential hazard to the public health or safety and the situation cannot be corrected;
 - d. the well is in such a state of disrepair that its continued use is impractical.
5. The Department of Environmental Protection Private Well Guidelines for Decommissioning Abandoned Wells, Test Holes and Dry or Inadequate Borings shall be followed by registered well drillers.
6. A well decommissioning report shall be submitted to the Board of Health by the registered well driller within thirty (30) days of the completion of the decommissioning.

Article 8 Enforcement and Penalties

The Board shall have the authority to enforce these regulations and permits issued thereunder via all procedure set forth in Section I of these regulations.

966

2022 AMENDMENTS

FEB 1 2022

SECTION VI - LOCAL SEPTIC REGULATIONS TO SUPPLEMENT TITLE 5, STATE ENVIRONMENTAL CODE

Amended February 2, 2010; June 5, 2012; October 2, 2018, December 4, 2018, May 18, 2021

Commented [EB2]: Recommended additions and grammatical changes are highlighted in yellow

Article 1 - General Provisions

- 1) **Authority.** In accordance with Massachusetts General Laws, Chapter 111, Sections 31 and 127A, the Truro Board of Health hereby adopts the following regulations to supplement the provisions of the State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage (hereinafter, "Title 5"), and shall take effect upon passage.
- 2) **Purpose.** The purpose of this article is to ~~provide a greater degree of protection to the~~ environmental and public health, prevent the spread of disease, and provide ~~greater~~ clarification of the definitions used by the Board in applying the provisions of Title 5 and the Truro Board of Health Regulations pertaining to on-site sewage treatment and disposal systems. Of specific concern is the need to protect the groundwater, which is the sole source of drinking water for Truro, Wellfleet and Provincetown.
- 3) **Enforcement.** Enforcement of the provisions contained in this Section VI will be carried out in accordance with the provisions of Title 5 of the State Environmental Code set forth at 310 C.M.R. 15.000, et seq. and all enforcement methods outlined in Section I of these Board of Health Regulations.
- 4) **Definitions.** With the exceptions listed below, the definitions provided in the State Building and Sanitary Codes, Title 5 and the Wetland Protection regulations shall apply. All time frames referenced herein shall be counted as calendar days. The following terms used by the Board in applying the provisions of Title 5 and the Truro Board of Health Regulations pertaining to on-site sewage treatment and disposal systems, shall be defined as follows:

Accessory Dwelling Unit (ADU): A complete, separate housekeeping unit containing both a kitchen and sanitary facilities, as defined by the Truro Zoning Bylaws section 40.2.

Alter or Alteration: To make different by changing, adding and/or subtracting components, piping or location.

Bedroom

- a) Any room that meets the definition of a bedroom under Title 5 or any room or enclosed addition with at least 70 square feet of floor area and a building code conforming egress window, that provides minimum isolation necessary for use as a sleeping area. Rooms such as a finished basement with building code conforming egress may be considered a bedroom if it meets the definition. The definition does not apply to a bathroom, kitchen, hall, unfinished cellar, unfinished basement, unfinished attic, garage, unfinished area above a garage, unheated porch and open deck.

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- b) Notwithstanding the foregoing, any dwelling with six (6) rooms shall be construed to have at least three (3) bedrooms. Any dwelling with seven (7) rooms shall be construed to have at least four (4) bedrooms. Any dwelling with eight (8) or nine (9) rooms shall be construed to have at least five (5) bedrooms. Any dwelling with ten (10) or eleven (11) rooms shall be construed to have at least six (6) bedrooms. Each additional room beyond eleven (11) shall be construed as an additional bedroom and the number of bedrooms for the purpose of sizing a subsurface sewage disposal system (proposed and existing) shall be adjusted accordingly.
- c) All lofts that do not meet the criteria above, finished basements that do not have a building code conforming egress, and rooms and with cased openings at least 60 inches wide shall be considered rooms for the purposes of this definition.
- d) Dwellings built before the 1978 Building Code will have their bedrooms determined on a case- by- case basis.

Commented [EB3]: Using plans of record and walk-through inspections as needed

Buildable Upland: The area of contiguous upland on a lot exclusive of Wetland as defined herein.

Change of Use: With respect to properties with existing systems, a change in use will result when the use of the structure or the land is changed from one use group to another use groups as described in the Table of Uses in the Town’s Zoning Bylaws, as may be amended from time-to-time; an alteration of the structure or the land within the same use group that changes the intensity of the use, i.e. a business use changing from retail to office space or a residential use changing from single-family or multi-family; or any change or alteration to the land or structure that results in an increase in actual or design flow to the system.

Design Flow: The quantity of sanitary sewage, expressed in gallons per day (gpd), for which a system shall be designed in accordance with 310 CMR 15.203.

Failed System: Any Septic System which fails to protect the public health, safety and environment as determined by the Truro Board of Health, including but not limited to:

- a) any system which must be pumped in excess of two (2) times in a twelve-month period;
- b) any system which includes a component that the Board of Health determines is structurally unsound;
- c) any system which discharges effluent directly or indirectly to the surface of the ground through ponding, surface breakout or damp soils above the disposal area or to a wetland;
- d) any system which meets any of the failure criteria itemized on the Title 5 Official Inspection form as described in 310 CMR 15.303 or 310 CMR 15.304;
- e) Any system with a leaching area with less than 4-feet (for 1978-code systems) or 5-feet (for 1995-code systems) of vertical separation to ground water; this distance shall be measured in the field (not “per plan”) by the inspector.
- f) Any cesspool as defined in title 5 shall be deemed failed and shall be replaced with a title 5 compliant system no later than December 31, 2023.
- g) To the extent such a waiver would be consistent with the provisions of Title 5, the Board of Health may waive a finding that any of the foregoing systems have failed if the Board determines, at its sole discretion, that the system will continue to protect the public health, safety and environment.

Innovative/Alternative (I/A) Technology: Technology that is certified for enhanced nutrient removal that is described in 310 C.M.R. 15.202 and 15.217, and which is approved by the

Massachusetts Department of Environmental Protection pursuant to 310 CMR 15.280 through 15.289.

Remedial Use: Use of I/A systems for the upgrade of a Failed or Nonconforming Septic System: ~~and~~ There shall be no increase in the design flow served by the proposed I/A systems and no increase in habitable space or change use that, in the Board's judgement has the potential to increase sewage flow. The Board may consider a variance to this provision to allow the increase in flow from an "accessory dwelling unit" as defined herein and compliant with the Town of Truro conditions for the unit.

Nitrogen Credit is the use of I/A technology for development of a property beyond the standard of 110 gpd of wastewater flow per 10,000 sf of area. Nitrogen credit shall not be allowed for new construction, unless an ADU is being created.

Nitrogen Loading limitations: The 440 gpd per acre of land requirement for septic system design as described in title 5.

Non-conforming Septic System: Any system which, when installed did not comply with provisions of either the 1978 or 1995 iterations of Title 5, including cesspools and all similar systems in use prior to the adoption of the 1978 Code.

Title 5: Refers to Title 5 of the Massachusetts State Environmental Code, 310 CMR 15.000, et seq.

Title 5 Septic System: Includes any system installed in compliance with the 1978 or 1995 iterations of Title 5 but shall not mean cesspools or any similar system in use prior to the adoption of the 1978 Code.

TN: Means Total Nitrogen

Watersheds of Special Concern: Mapped watersheds designated by the Truro Board of Health and the Zone I and Zone II of public water supplies.

Wetlands: Any area that contains swamp, bog, dry bog, fresh or salt marsh, areas of exposed groundwater, embayment's, rivers, ponds, lakes, streams, inland banks, coastal banks, and coastal dunes, or any other area subject to the jurisdiction of the Conservation Commission as defined in G.L. c. 131, §40, 310 CMR 10.00, the Town of Truro Conservation Bylaw and/or regulations of the Conservation Commission, but not including buffer zones abutting such resources.

Article 2 - Variances

- 1) In addition to the variance criteria set forth in Section I of the Board of Health Regulations, an applicant may apply, and the Board of Health may grant a variance from this Section VI provided **all of** the following minimum criteria for said variance are ~~also~~ met:
 - a) A satisfactory inspection by a licensed system inspector of all system components if the variance sought pertains to an existing system.
 - b) The proposed or existing leaching facility has a minimum of five (5) feet of separation between the bottom of the leaching facility and the highest groundwater level as determined in 310 CMR 15.103(3); ~~and,~~
 - c) The proposed or existing leaching facility meets the minimum Title 5 requirements regarding setback distances for Soil Absorption Systems (SAS) as set forth in 310 C.M.R. 15.211; ~~and,~~
 - d) The existing system **does** not allowing surface breakout of the wastewater; ~~and,~~

- e) The existing system **does not require** pump-outs in excess of two (2) times in a twelve-month period; ~~and,~~
 - f) The Board of Health determines that the grant of the variance will not pose a risk to the public health, safety or the environment and, ~~further,~~ meets all the variance requirements contained in Section I of the Truro Board of Health Regulations.
- 2) All applications for variance must be accompanied by plans prepared by a qualified Professional Engineer or Registered Sanitarian and include all information required under 310 C.M.R. 15.220.
 - 3) Expiration of variances shall occur after 24 months if the approved septic design has not been installed, or, at such time as determined by the Board of Health.

Article 3 - Upgrading Septic Systems

1) Required Upgrades: In order to improve the quality of water for the Town of Truro by elimination of septic systems which do not comply with Title 5 and the more protective regulations adopted by the Truro Board of Health, ~~persons who own property with non-conforming septic systems shall bring those systems into compliance by upgrading them to meet the standards of this Section VI and/or Title 5 in the following situations trigger~~ **an upgrade:**

- a) Prior to any sale or transfer of title to the facility served by the system in all circumstances described in 310 CMR 15.301. Notwithstanding any exceptions set forth in 310 CMR 15.301(2), upgrade of Nonconforming Systems shall occur prior to transfers by inheritance, between parents and their children, between full siblings, and where the grantor transfers the real property to be held in a revocable or irrevocable trust, where at least one of the designated beneficiaries is of the first degree of relationship to the grantor; and including creation of an LLC;
- b) **Prior to any change of use or increase in design** flow of the facility served by a system; Prior to the subdivision or partitioning of a parcel on which a nonconforming septic system is located;
- c) If the system demonstrates any of the characteristics of a **failed system** as defined in this Section VI;
- d) If the septic system was not constructed according to the approved plan; or if the soil absorption system is not designed to meet the design flow of the facility it serves; ~~or;~~
- e) **If a facility is replaced**, relocated or demolished, **or torn-down** except when the building was destroyed by fire. A nonconforming system serving a facility destroyed by fire does not need to be upgraded to serve a new facility if the new facility is built in the same footprint as the original ~~and~~ provided that there is no change in use or increase in design flow of the facility and the system is not a failed system; ~~or~~
- f) The **liquid depth** in a leach pit is less than six inches from the inlet pipe invert or the remaining available volume within a leach pit above the liquid depth is less than ½ of one day's design flow.
- g) **All non-conforming** septic systems in the Beach Point and Pamet River Protection District or located within two hundred (200') feet of any Wetland or within the

floodplain as mapped by FEMA shall be considered failing to protect public health, safety, welfare and the environment and shall be upgraded to meet the requirements of this Section VI and/or Title 5.

- h) **Cesspools** in Truro are herein defined as failed systems and shall be upgraded to meet the requirements of Title 5 prior to December 31, 2023. All new systems replacing cesspools shall be installed and certified by that date.

2) Multiple Systems on One Lot.

In the event of the failure of one septic system on a lot that has more than one non-conforming septic system, the failing system shall be immediately upgraded and the remaining non-conforming septic systems shall be inspected by a Department of Environmental Protection system Inspector pursuant to Section 15.340 of Title 5 (hereinafter, "DEP System Inspector"), ~~except~~ where the total cumulative flow is over 2000 gallons per day, ~~then~~ all systems shall be upgraded with pressure distribution in accordance with Title 5. If any of the remaining non-conforming septic systems ~~shall fail inspection as defined in the Title 5 Official Inspection Form, or if the inspection shall~~ reveals that the system is a "Failed System" as defined in Article (3) set forth above, the non-conforming septic system shall be immediately upgraded to a fully conforming Title 5 septic system.

Article 4– Required Septic System Inspections

1) A current Inspection Report completed by a MA licensed Septic System Inspector shall be filed in the following circumstances:

- a) At or within two years prior to the time of sale or transfer of title to the facility as defined in Article 4 of this Section VI and title 5, 310 CMR 15.301;
- b) With an application for a building permit that proposes an increase in living space as determined by the Truro Health Agent. **If** an applicant or a direct abutter is aggrieved by the determination of "increase of living space" by the Health Agent, the applicant may appeal this determination to the Truro Board of Health;
- c) With an application for a *special permit* that allows uses not otherwise permitted by the Truro Zoning Bylaw; and Application for a new license or transfer of an existing license, or renewal of the annual operating permit for the operation of a motel, cottage colony, cabin, campgrounds, lodging house or restaurant. (see also 2.h in this article)
- d) Prior to renewal of permits for a facility served by a shared system. Inspections for all shared systems are required once every 3 years. Shared systems include condominiums, motels and camps and cabins.
- e) Prior to any change in use as defined in these regulations.
- f) At such time as a property owner/business owner is so ordered by the Board of Health.

2) Inspection Criteria:

All system inspections shall be documented in an official Title 5 inspection form and a Town of Truro Septic Inspection Form. An inspection shall not be considered complete unless all information required on both forms is provided. In addition to the inspection

criteria set forth in Title 5, the following criteria shall be observed in conducting system inspections:

- a) An open inspection of all components of the system is required. If a component cannot be found or uncovered after a reasonable search, the inspector must provide evidence for the system's success or failure. Replacement or installation of the component is required in this instance.
- b) The septic tank shall be pumped at the time of inspection if it has not been pumped within the past 3 years.
- c) Leach pits must have 6 inches of leaching capacity below the outlet invert in order to pass the inspection. The 6 inches of leaching capacity is determined by clean sidewall absent of staining or evidence of high water. The Inspector must clearly indicate on the inspection form the height of standing liquid in any leaching component, the level of staining in any leaching component, and the description of both sanitary tees in any inspected tank. In the case of missing sanitary tees, no passing report shall be issued unless there is proof (copy of permit) of the correction of the deficiency.
- d) Any work for the correction of component failures, such as, but not limited to, eroded distribution-boxes, new piping, or new tees will require a valid disposal works construction permit, inspection and issuance of a certificate of compliance.
- e) If the inspector finds that the access port covers of the septic tank inlet and outlet, distribution box and soil absorption system are not within 6 inches to grade, risers shall be provided as needed and the installation of risers shall be indicated in the septic system report.
- f) Failed systems shall include: cesspools; non-conforming systems as defined in Article 2; systems without adequate separation to groundwater; systems with leaching areas/pits that are essentially at capacity, as defined herein; systems that were not designed to accommodate the use; any system deemed as failing to protect public health, safety and the environment.
- g) All Inspections shall be conducted by a MA licensed Title 5 inspector, using both the local and state inspection forms; the local form and required water test results shall be attached to the State form when filed in accordance with, and addition to, the requirements of Title 5 for septic inspection reporting.
- h) The septic inspector must verify that the use of the facility (ie; # of bedrooms) matches the design flow of the system (ie; a 4 bedroom dwelling should have at least 440 gpd design flow). Design flow shall be based on the records on file at the office of the Board of Health and use of the facility, including the number of bedrooms, shall be based on a visual inspection at the time of inspection.

3) Difficulty in Locating Components:

- a) If a complete inspection cannot be performed, the inspector must provide adequate documentation of the specific conditions which prevented a complete inspection and should indicate on the inspection form how the inspector attempted to locate components; in this instance the report shall indicate that the system "Needs Further Evaluation from the Local Approving Authority."

- b) The Local Approving Authority shall evaluate all “Needs Further Evaluation” entries on the inspection form and determine whether further investigation is required to adequately evaluate the system.

Article 5- Subdivision Plans

- 1) All new subdivision plans shall have the proposed well location and septic system on each lot. These locations shall meet all sideline and other setback and distance requirements.
- 2) The Plan shall be on file with the Building Commissioner and Health Agent.
- 3) Applications for septic and well permits shall adhere to the plan unless sufficient data is presented to the Board of Health to justify the change.

Article 6 - Bedroom Count

- 1) **Bedroom Count Determination.** Notwithstanding the general provisions of Section 15.002 of Chapter 310 of the Code of Massachusetts Regulations, there shall be no presumption that single-family dwellings have at least three bedrooms in the Town of Truro. In each instance, a specific determination relative to bedroom count must be made without reliance upon any presumptions. The Health Agent shall have the authority to make the initial bedroom count determination. If the Health Agent finds the determination in a specific instance should be made by the Board of Health, the Agent may, in their sole discretion, refer the matter to the Board of Health for a final determination. The Agent may also, in their sole discretion, refer the bedroom count determination to the Board of Health upon request of the applicant.
- 2) **Deed Restriction.** A deed restriction may be required by the Board of Health to ensure that use of the septic system as proposed will not negatively impact the public health, safety, welfare or the environment.
- 3) **Building Permits.** No building permit, foundation permit, plumbing permit, special permit or variance shall be issued until a Disposal Works Construction Permit has been issued for installation of a subsurface sewage disposal system designed to accommodate the bedroom count; or the Board of Health has issued a written determination that the existing system is adequate for what is proposed.
- 4) **Floor Plans and Inspections.** For existing facilities, in order to determine compliance with any provision of the foregoing regulation, a floor plan must be filed with the Truro Board of Health at the time of submission of an inspection report for the Health Agent to make a determination as to bedroom count. If the Health Agent deems it necessary, they may refer the determination of the bedroom count to the Board of Health for a vote. If the Board of Health, by a majority vote of its members, deems that an inspection of an existing residence is necessary to confirm the bedroom count, the Health Agent, with the applicant’s permission, shall inspect the premises

and report their findings to the Board. In the absence of permission from the owner and without a witnessed confirmatory bedroom count, the bedroom count will be based on what is allowed under nitrogen loading standards, or Town records, whichever is lower.

Commented [EB4]: In response to a Q from Brian about an applicant not granting permission

- 5) Assessors' records, old plans and the like will not be considered as sufficient evidence of the size of the facility for purposes of determining design flow. In the event of a discrepancy between the results of the visual inspection and existing records, an in-person inspection by the Health Agent will be required and the Health Agent's determination of the size of the facility will be final.

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Article 7 - Regulation of Separate Site Systems

- 1) Septic systems shall be constructed on the same lot as the facility to be served.
- 2) Variances from this Article may be granted by the Truro Board of Health for structures in existence prior to March 31, 1995, provided all of the following conditions are met:
 - a) The system can be installed on a contiguous property owned by the same person and title to the lots is merged by virtue of a deed recorded at the Barnstable County Registry of Deeds;
 - b) The system is not being installed for the purpose of increasing the size or use of the existing structure; and,
 - c) The system will replace or repair a pre-existing, non-conforming septic system or components.
- 3) Any grant of variance pursuant to this Article must also be made in accordance with Article 2 of this Section VI and Section I of the Truro Board of Health Regulations.

Article 8- Innovative/Alternative Technology

Preamble: In considering the permitting and use of various alternative septic treatment technologies in the Town of Truro, the Board of Health of the Town of Truro recognizes that there may be specific local circumstances which warrant the Board to require more stringent conditions for the installation and monitoring of these alternative systems than may be required by the Massachusetts Department of Environmental Protection. As allowed under Massachusetts General Laws Chapter 111, Section 31 and as required by the revised 310 CMR Section 15.285 (2d), 15.286 (5) and 15.288 (4), the Board of Health of the Town of Truro hereby reserves the right to impose any additional conditions or monitoring requirements it views as necessary to ensure the safe performance of any alternative onsite septic system which the Board agrees to permit in the Town of Truro.

- 1). **Applicability:** The use of I/A technology is required in the following circumstances:
 - a) for flows greater than 600 GPD;

- b) for nitrogen credit applications (these are only allowed by request in limited circumstances in Truro);
- c) for upgrade of certain non-conforming systems as determined by the Board of Health;
- d) for upgrades of previously approved systems that exceed current nitrogen loading standards of 110 gpd/10,000sf of lot area;
- e) in certain cases where a variance is required and circumstances support the use of I/A to mitigate the environmental impact of the proposed system, as determined by the Board of Health.

2. Standards:

- a) In the circumstances described above, the I/A System shall be designed to achieve/produce no greater than 19 mg/l total nitrogen (TN) concentration in the effluent by using the secondary treatment achieved with an approved innovative/alternative (I/A) septic system. At least 1 lab test showing TN shall be submitted annually to the Health Department.
- b) Any existing facility with a design flow greater than 600 gpd shall be designed to achieve/produce no greater than 19 mg/l total nitrogen concentration in the effluent by using secondary treatment achieved with an approved innovative/alternative (I/A) septic system that complies with the requirements of this Section VI. At least 1 lab test showing TN shall be submitted annually to the Health Department.
- c) I/A Systems shall be tested and reported on a quarterly basis in accordance with O&M requirements, by means of obtaining an effluent sample from the distribution box or pump chamber to determine if the system meets the post-treatment standard of less than 19 mg/l total nitrogen. The results of such evaluations shall be submitted to the Board of Health within forty-eight hours of receipt thereof.

3) Non-Performance.

- a) Non-performance includes any I/A system that has been determined to be failing to protect public health and safety, and the environment, ~~or~~ an I/A system with equipment failure or an unresolved alarm event, or components that are not functioning as designed, ~~or~~ components that are not functioning in accordance with the manufacturers specifications, or a system that is in violation of the terms of its approval by the Truro Board of Health.
- b) Non-performance requires written notification **by the operator** to the Truro Health Department within 48 hours receipt of lab test, along with a statement describing what corrective actions will be taken.
- c) Corrective actions must be taken immediately (within 48 hours of a lab report or field test) to address performance that does not meet the standards as defined herein, or specific to the approval by the Truro Board of Health.
- d) Lab tests showing exceedance of TN triggers a re-test immediately following corrective actions taken to address the exceedance, until the corrective measures are shown to have improved performance to meet the standards.
- e) Failure to comply with the process as described may result in a written warning from the Truro Health Department, followed by possible fines and a hearing with the Truro Board of Health that must be attended by the property owner and the licensed inspector.

4) Applications and Hearings.

- a) Any application for a system proposing the use of I/A technology shall be submitted to the Truro Board of Health which shall hold a public hearing to consider its approval.
- b) All applications shall include a copy of the Massachusetts Department of Environmental Protection approval letter appropriate to the I/A technology being used and the level of approval (i.e., General Use, Provisional Use, Remedial Use, Piloting Use, or site-specific Pilot Approval).
- c) All applications for Pilot Approval shall include performance data from piloting sites where the I/A technology has been similarly configured and utilized.
- d) Notice of the public hearing of the Board of Health for the consideration of applications for I/A approval shall be in accordance with the provisions of the Open Meeting Laws in Massachusetts. Abutter notification will not be required unless mandated by Title 5.

Commented [EB6]: It is recommended that this process be completed by staff

5) Monitoring and Reporting.

- a) If an I/A system is approved, the applicant will be required to submit a proposed monitoring and reporting plan to evaluate the performance of the system to the Board of Health for approval. This plan shall include a description of any long-term operational or maintenance requirements needed to keep the system operational, and any educational, financial assurance or other mechanism proposed to ensure effective long-term operation and maintenance.
- b) Owners and operators of all I/A systems shall report the results of all operation, maintenance, and monitoring activities required by the foregoing provision or by the Department of Environmental Protection to the Truro Board of Health and to the Barnstable County Department of Health and Environment. Such Reporting must be performed in the manner specified by the Board of Health or in the form approved by the Barnstable County Department of Health and Environment and must occur within forty-eight hours after each maintenance or monitoring event.
- c) The Board of Health hereby further requires that when a system operator performs a system inspection and finds that a sewage treatment technology has malfunctioning components which have compromised the system's ability to treat sewage as designed, the operator shall report on the system's status and any planned corrective action, including a proposed deadline for said corrective action, to the Truro Board of Health and the Barnstable County Department of Health and Environment within 48 hours of inspection.
- d) If at any time a monitoring or maintenance report indicates that an I/A system needs corrective action, the Truro Board of Health may hold a hearing to inquire as to determine whether corrective action is needed. If at such hearing, the Truro Board of Health determines that such system needs corrective action, it may take enforcement action, including but not limited to, an order to cease operation of said system or any other action otherwise necessary to protect public health, safety, welfare, and the environment.
- e) I/A Systems that do not perform are required to be immediately evaluated by the licensed operator for the purpose of the inspector forming a diagnostic opinion of what corrective actions would address the non-performance.
- f) Non-performance includes any I/A system that has been determined to be failing to protect public health and safety, and the environment, or an I/A system with equipment

Commented [EB7]: Brian asked about the timeframe here

failure or an unresolved alarm event, or components that are not functioning as designed, or components that are not functioning in accordance with the manufacturers specifications, or a system that is in violation of the terms of its approval by the Truro Board of Health; or a system that is not achieving the total nitrogen standard in these regulations.

- g) Non-performance requires written notification to the Truro Health Department within 48 hours receipt of lab test, along with a statement describing what corrective actions will be taken.
- h) Corrective actions must be taken immediately (within 48 hours of a lab report or field test) to address performance that does not meet the standards as defined herein.
- i) Lab tests showing exceedance of TN standard triggers a re-test immediately following corrective actions taken to address the exceedance, until the corrective measures are shown to have improved performance to meet the standards.
- j) Failure to comply with the process as described may result in a written warning from the Truro Health Department, followed by possible fines, and a hearing with the Truro Board of Health that must be attended by the property owner and the licensed inspector.

6) Record Notice at Barnstable Registry of Deeds.

- a) All applicants gaining Board of Health approval for the installation of any I/A systems shall be required to record at the Barnstable County Registry of Deeds a Notice that the property is served by an I/A system together with an explanation of the Inspection, Monitoring and Reporting requirements, including the requirement of a service contract for the life of the system.
- b) **No Certificate of Compliance** for the installation of an I/A system will be issued until proof of recording is filed with the Health Department.

Article 9 - Required Setbacks for System Components

Notwithstanding the provisions of Title 5, 310 C.M.R. 2.11, all systems shall conform to the following minimum setback distances for septic tanks and soil absorption systems (SAS), including reserve areas, as measured in feet and set forth below:

	<u>Septic Tank or Pump Chamber</u>	<u>SAS</u>
Surface Water (except Wetlands)	50'	100'
Wetlands	100'	150'

Article 10 - Existing Systems Serving New Construction

For systems designed and approved prior to March 31, 1995, the size of the existing system shall not be considered in determining whether a change in use or new construction in the facility served by the system will result in an increase in design flow, i.e. an increase in the number of bedrooms, restaurant seats, retail space, office space etc. for facilities listed in 310 CMR 15.203(2) through (5), rather Review of the existing use of the facility (i.e., existing bedroom count; existing restaurant seats; existing retail space, etc.) at the time of the change, as determined by the Truro Health Agent, will be used to make such determination.

No increase in design flow to any system shall be allowed unless the lot meets the requirements of 15.214, Nitrogen Loading Limitations, and Article 11 and Article 13 below. Should an increase in design flow be allowed, the system shall be upgraded in full compliance with Title 5 for new construction.

Article 11 - Buildable Upland Calculations for Nitrogen Loading Limitations

When applying the nitrogen loading limitations set forth in Title 5 and this Section VI of the Truro Board of Health Regulations (see Article 14), only Buildable Uplands shall be included in the lot area calculations.

Article 12 - Deed Restrictions

- 1) Any deed restrictions required under this Section VI or under Title 5 shall be submitted to the Health Agent for review before they are finalized and executed.
- 2) Each deed restriction shall ~~adequately~~ describe the property and all restrictions placed thereon (i.e., bedroom count limitations shall include the number and location of approved bedrooms; monitoring agreements shall describe the specific monitoring and maintenance requirements, etc.).
- 3) All deed restrictions shall contain a provision permitting the Truro Health Agent to inspect the premises to ensure compliance with the provisions of the deed restriction at reasonable intervals and upon reasonable prior notice.
- 4) All deed restrictions shall be recorded at the Barnstable County Registry of Deeds ~~and~~ Proof of recording shall be submitted to the Health Department prior to the issuance of the Certificate of Compliance for the system.
- 5) A deed restriction required by the Board of Health, or its Agent shall be recorded prior to the issuance of the Disposal Works Construction permit, or any building permit, as determined to be required for compliance with these local regulations and Title 5 by the Board of Health or its Agent.

Article 13 - Nitrogen Loading Limitations

- 1) The Truro Board of Health ~~herby~~ requires that all properties within the Town of Truro meet the loading restrictions set forth in 310 CMR 15.214 and contain at least ten thousand (10,000) square feet of Buildable Upland (as defined in Article 1 hereunder) for every 110 gallons per day of design flow. ~~and that~~ All systems designed to serve said facilities **must** meet the same restrictions and requirements contained in Title 5 as the "Nitrogen Sensitive Areas" defined in 310 CMR 15.215 irrespective of whether the properties are located within "Nitrogen Sensitive Areas" as so defined.
- 2) Upgrades for systems that exceed current nitrogen loading shall include the use of I/A technology. **The** use of pressure distribution may be required when indicated and



determined by the Board, to satisfy the ~~such as a~~ need for certain variances such as depth to groundwater, lateral separation to marine water bodies or private wells.

Article 14 - Septage Haulers and Septic Installers Licenses

- 1) A **Septic Installers license** is required in the Town of Truro for any work done to alter a septic system or its components.
- 2) **Septage Haulers License Application:** The Board of Health will **only** issue Septage Haulers Licenses ~~only~~ upon written application that includes the following information:
 - a) Name and address of applicant and business name under which applicant will operate.
 - b) A written description of all equipment utilized in the business, including the capacity of any tanks; and an emergency contact name and number of a person available for contact 24 hours a day in cases of emergency.
- 3) **Inspection:** Prior to the issuance of the Septage Haulers License and annually thereafter, all equipment of the business must be inspected by the Health Agent. All equipment must be clearly marked and identified with markings indicating the capacity of the tank. Truck tanks must be cleaned and made free of sand and sludge for every inspection. Gauges must be cleaned and calibrated so that exact volume is easily determined.
- 4) **Septage Coupons:** Septage coupons must be **properly and completely** ~~and properly~~ filled out. The name, date, location and volume for each system serviced must be provided. The signature of the hauler and the customer must be executed on each coupon in order to validate the origin of the waste in the Town of Truro.
- 5) **Chemicals and Acids.** Use of chemicals and acids for cleaning cesspools and septic systems is prohibited.
- 6) **Failing Systems.** As a condition of their License, all Licensees shall accurately report all malfunctioning systems to the Board of Health, including but not limited to, the address of the malfunctioning system, the nature of the problem and the repairs,
- 7) Septage haulers are required to supply **accurate/legible** information to the Board of Health as a condition of their License.
- 8) **Licenses.** Licenses go into effect January 1st of each year. The annual fee for Licenses shall be determined by the Board of Health each year.
- 9) **Violations.** Failure to comply with any of these regulations shall constitute a violation which may result in a show cause hearing before the Board of Health to determine whether the License should be revoked. Violations may also result in the imposition of fines and/or any necessary legal action to be undertaken by the Board.

9(b)

Article 15- Miscellaneous Provisions

- 1) **As-Built Cards.** The measured location of all components of each septic system shall be recorded on a septic "As Built" card and filed with the Health Agent prior to the issuance of a Certificate of Compliance. The installer shall verify on said "As Built" card that the components are installed in accordance with the locations shown on the approved septic plan.
- 2) **Severability.** If any Article, section, paragraph, sentence, clause or phrase of these regulations should be declared invalid for any reason, such declaration shall not affect the remainder of these regulations which shall remain in full force and effect.



Minutes of the Truro Board of Health, Tuesday September 7, 2021

Remote Public Hearing

Board members in attendance: Chair Tracey Rose; Vice Chair, Jason Silva, members Helen Grimm , and Alternate member Candida Monteith. Member Tim Rose joined th call at 5 PM. Also Present: Health and Conservation Agent Emily Beebe; The Public Hearing was opened at 4:31 by the Chair. The Chair announced the procedures for remote participation by the public and the Board.

Public Comment Period:

Barbara Allen was present and stated that the matter concerning the Yacht club on the agenda was under appeal with the DEP.

Title 5 – Nitrogen Aggregate for an ADU: 12 Hart Rd, map 33, parcel 46; The engineer for Dig-it construction, Keith Fernandez was present representing the owner, Jonah Swain, Mr. Fernandez presented his proposal for nitrogen credit for the ADU, using the process of nitrogen aggregate under title 5. The credit property is across the street at #13 Hart Road, and belongs to Jonah’s mother, Janet London. The proposal in front of the Board was for approval of the ADU using nitrogen credit, the use of nitrogen aggregate, and the use of the I/A system.

The Agent framed the elements for the Board to consider. There are no variances for this proposal, but the Board would need to approve the nitrogen credit process, issuance of a covenant for the nitrogen aggregate, and well deed restrictions for both Jonahs property (for the new apartment unit as an ADU that is yearround) and also for the credit property. The house at #13 is 2 bedrooms with a studio in the barn, for a total of 3 bedrooms, and it is 36,888 sf; 6,889 SF available at #13 Hart road will be used as credit by #12 Hart Road, leaving 30,000 sf for the 3 bedroom use at 13 Hart Road.

The Chair suggested that there should be some documentation from the owner of #13 Hart Road. Alternate Board member Candida Monteith expressed concerned about the use of an easement, rather than having the lot sizes changed which would be neater in the long run. The Chair responded that the nitrogen aggregate covenant would be a perpetual easement. The engineer commented that the covenant and easements would be recorded in Barnstable, and run with the property. Board member Jason Silva agreed that the ADU process can work, and because it’s recorded in Barnstable any new party would be aware of the limitations on the property, including the use of the ADU as yearround. He also indicated that he thought that a letter from the owner of #13 would be appropriate.

The Agent commented that the nitrogen aggregate covenant and the other deed restrictions can only be released by the local Board of Health. Board member Tim Rose suggested that any letter should be notarized, unless the deed restrictions were enough.

Motion: Tim Rose moved to accept the deed restriction for 3 Bedrooms on 13 Hart Road, along with a notarized letter from the property owner, and a deed restriction for 12 Hart Road for no more than 5 bedrooms to include the ADU requirements of the bylaw; and approval of the nitrogen aggregate proposal.

Second from Helen Grimm.

In discussion of the motion the Agent suggested that the motion be clear that the deed restriction must reference the responsibilities of the owner to maintain the ADU unit as a year-round unit as required.

There was brief discussion about what details required additional submittal. There were additional details on the plan, the water test; the nitrogen aggregate covenant, and the office will assemble the deed restrictions, all in accordance with the discussion of the Board. Should there be obstacles or items not discussed the applicant will return to the Board. The Chair expressed appreciation that the process allowed creation of a new housing unit.

The vote: The roll-call vote was in favor of the motion, which carried, 4-0-1.

Title 5 – Local Upgrade Approval: 2 Ryder Hollow Rd, map 63, parcel 14; Laura Schofield from Schofield brothers Engineering represented the owner, Lawrence Cebula. The property is just east of the Ryder Beach parking lot. It is a 36,155 sf lot, with a 2 bedroom house that was built in 1967; cesspools serve the house. The property is for sale.

There is a single local upgrade request to exceed the maximum cover over the system. Variance requests for this project are from Truro Board of Health regulations: setbacks to wetlands, which are the vegetated wetland to the north and east of the property. The proposal includes removing the cesspools and installing a new well to obtain the required minimum setback of 100 feet.

The Agent suggested that the Board evaluate whether the plan proposes a level of environmental protection that is at least equivalent to what is required by title 5 and whether or not the variances requested can be granted. Candida asked why I/A would not be required in this case. The Agent was asked to respond and pointed out that the lot size is more than 36,000 sf, but only 2 bedrooms exist. Our local regulations restrict this property to 2 bedrooms although title 5 would allow 3 bedrooms, so the situation on the property actually puts the Board ahead. Board member Tim Rose appreciated the plan and how well thought out the design was

Motion: Tim Rose moved to accept the plan as presented;

Second from Helen Grimm; the roll call vote was unanimously in favor, and the motion carried, 4-0-1; Tracey Rose abstained.

Title 5 – Local Upgrade Approval: 7 Yacht Club Rd, map 50, parcel 37; David Lajoie, from FELCO engineering represented the Pamet Harbor Yacht Club, Inc. and presented a revised design plan for a septic upgrade. Mr. Lajoie described the design previously approved by the Board as a standard septic system with gravity distribution to the leaching area, which was elevated and contained by a “shoreguard” retaining wall. The neighbor appealed the Conservation Commission’s approval of the system. During the appeal the DEP requested that the wall be removed since it was in a Coastal Dune. This was done, and resulted in a reduced separation to groundwater which triggered I/A treatment. A fast system is now proposed to mitigate for the reduction.

The Chair asked the Agent for comments. The Agent asked the engineer if the SOC (superceding Order of Conditions) had been issued by the DEP. He replied it had been issued based on the revised FELCO plan dated 2-17-2021. The Agent then asked if an appeal of the SOC had been made? The Engineer responded that he had not been in contact with DEP. The Board had in front of them the latest plan revision, which included variances to wetland resources and the request to approve the use of the I/A in this location to mitigate the separation to GW. The plan shows the components in essentially the same (lateral) locations as previously approved. The Agent suggested that the Board continue the matter to the next meeting to verify the process with the DEP, which the engineer stated was fine.

The Chair asked for comments from the abutter, Mrs. Barbara Allen. She confirmed that they had filed another appeal. The chair asked what she was aggrieved by? Mrs. Allen responded that it was the location, and the endangerment to the water, but also the placement of a retaining wall in a dune. They (the Allens) had been denied a retaining wall by the DEP, but Felco had proposed a retaining wall in the dune which was approved by ConComm. She expressed concern that the system was not as far away from the water as possible, and it was close to their property line. She did agree that the Yacht Club needed a new system. When asked for a technical opinion of the system, the Agent replied that it qualified as maximum feasible compliance.

Board member Jason Silva agreed and commented that the system was centrally located, and could be approved at this meeting. The Chair agreed and commented that there was no changes to the use of the property or proposed increases in flow. Board member Tim Rose agreed with Mr. Silva.

Motion: Jason Silva moved to accept the plan as presented, pending a positive outcome from the DEP appeal;

Second from Helen Grimm; the roll call vote was unanimously in favor, and the motion carried, 5-0;



Request for waiver of time for property transfer and upgrade: 69 Old County Rd, map 54, parcel 43; Mr. Bill Proia was present, and spoke for the “69 Old County Road 2019 Realty Trust”; he explained that the applicant for the waiver was the buyer, and that he represented the seller. Noone was on the call to speak for the buyer.

Mr. Proia described why they qualified for a waiver. He said the closing was scheduled for December 1, and the buildings were not heated, and not able to be occupied until about Mid-October 2021, and until the spring, at least. He anticipated a design being produced quickly. The Board explained that they would want to condition any approval of this waiver with no occupancy until installation and certification, as well as a walk-through before a septic permit was issued. Board member Tim Rose suggested that this matter be postponed.

Motion: Tim Rose moved to continue this matter until the next meeting;

Second from Jason Silva; the roll call vote was unanimously in favor, and the motion carried, 4-0-1, with Tracey Rose abstaining.

DISCUSSION ON WATER RESOURCES

The Agent updated the Board that the well sampling program was underway; the program was targeting collection of samples from the recharge area of the Village Pond. The analysis will be done at the Barnstable County lab, and will be paid for by the Town; sampling will continue til late October. The Village Pond watershed study being conducted by the Cape Cod Commission is wrapping up and will be completed before the end of the month of October. The watershed study will inform/support work being done by the Horsley Witten Group on stormwater management plans under development for the Pond Road area.

Scott Horsely’s contract has been signed and he is reviewing the many Truro water resources reports to develop a road map for Truro water resources management planning.

Report of the Chair included a thank-you to the participants of the water recharge area sampling effort; an announcement of the upcoming Provincetown Water and Sewer Board on September 13 with the Provincetown Select Board and their new Town Manager Alex Morse.

Health Agent's Report included an update on COVID-19, such as the case count. The Agent suggested the Board consider a revised and more relaxed mask order, in keeping with what neighboring towns are doing with their mask orders and policies. Also, the Agent suggested that based on some questions from and discussion with Candida the Board may want to discuss the standard Beach Point wastewater management condition /title 5 at the next meeting.

Motion: Helen Grimm moved to adjourn the meeting;

Second from Jason Silva; the roll call vote was unanimously in favor, and the motion carried, 5-0.

Meeting adjourned at 5:51 PM.



Minutes of the Truro Board of Health, Tuesday September 14, 2021

Remote Public Hearing to consider proposed changes to the **Rule & Order requiring the use of masks and other protective measures**

Board members in attendance: Chair Tracey Rose; Vice Chair, Jason Silva, member Brian Koll.

Also Present: Health and Conservation Agent Emily Beebe; The Public Hearing was opened at 3:32 by the Chair. The Chair announced the procedures for remote participation by the public and the Board.

The Chair asked the Agent to read the proposed changes to the **Rule & Order requiring the use of masks and other protective measures**. There proposed changes to the order would relax the requirement for the public to mask while inside of any place of business in Town. The language would shift from “required“ to “recommended” in general businesses, and there would be a shift in the language of “required” to “should” relative to personal services. There were no proposed changes to the requirement for masking by all persons inside Public Buildings and on all public and private forms of transportation systems such as taxi’s, ride-shares and the CCRTA flex bus, and in all transportation shelters.

Board member Jason Silva felt that the different rules in different Towns was confusing to the public. Board member Brian Koll asked if the Order was really still a requirement (as stated in the title) or now more of an advisory? The Agent responded that the language was mixed, but there were still requirements in the Order itself. Board member Brian Koll suggested that the title of the Order might be changed to “regarding” instead of “requiring” the use of masks to be less confusing. The Chair agreed that it was confusing, yet thought it might be important to preserve the language of “requiring” for the future. There was a comment made by Mr. Ron Fichtner (6 Pilgrims Path) about the increasing positive case count in Barnstable County and he recommended that the Order remain unchanged until the 14-day moving average at the county level either slowed down or decreases.

The Agent described an incident that happened at a local establishment involving a patron who had no intention of masking, and employees of the establishment then having to deal with a belligerent customer. This type of situation is exacerbated by the differing rules in different communities.

Mr. Fichtner asked if the Town was considering requiring vaccination of Town Employees. The Agent responded through the Chair, that the topic was being discussed but that it was an operational matter under the discretion of the Town Manager. Mr Fichtner asked further, if it was something that the Board should take a position on? The Agent described the topic as one that was a task of the Town manager, as an operational matter.

The Chair reminded the Board members that they could amend the Order as needed, and called for a motion.

Motion: Member Jason Silva moved to approve amending the **Rule & Order requiring the use of masks and other protective measures** as proposed; Seconded by Tracey Rose; the vote was 2-1.

The Agent questioned whether the vote carried, as it was not a quantum of the quorum, and asked for a minute to research the matter. The Chair also took a minute to research Roberts Rules of Order, and read the rule that the vote must be more than half to carry. The Vote was determined to have carried, and the Agent was to follow-up on this reading to confirm.

Jason Silva Moved to adjourn the meeting. The meeting adjourned at 4:01.



4:00 PM

2. JOINT EXECUTIVE SESSION WITH THE TRURO SELECTBOARD

The meeting will be locked and closed to the public once the Board votes to enter into Executive Session.

Move that the Board of Health enter into Executive Session jointly with the Selectboard, in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares, re: Town of Truro v. Delgizzi, Southeast Housing Court, C.A. No. 19H83CV0357CI; and to not reconvene in open session.

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Minutes of the Truro Board of Health, Tuesday September 21, 2021

Remote Public Hearing

Board members in attendance: Chair Tracey Rose; Vice Chair, Jason Silva, members Brian Koll and Tim Rose. Alternate Board member Candida Monteith signed into the meeting at 5:15 PM. Also Present: Health and Conservation Agent Emily Beebe; The Public Hearing was opened at 4:35 by the Chair. The Chair announced the procedures for remote participation by the public and the Board.

Public Comment Period: Jack Reimer, resident of Fisher Road asked the Board when the board packet materials would be available for the members of the public, as the SB provides.

Request for waiver of time for property transfer and upgrade: 69 Old County Road, map 54, parcel 43; This matter was continued from 9-7-2021.

The buyer, Paul Berman, was on the call to request the waiver that would allow purchase of the property prior to the required upgrade. They had a closing pending for December 1. They plan to do some renovation work and the septic upgrade

2 structures are on the property, and the proposed plans are exactly what was observed. It's a 3 Bedroom lot. The main house is 3 bedroom house and there is a 1 bedroom studio.

The proposed septic plan shows 5 bedrooms and the use of I/A treatment. Mr. Berman said that the house is being sold as a 5 bedroom property. The Agent said they reviewed the files and found that at one point, there had been plans submitted to change the main house from 3 bedrooms to 2 bedrooms. That was not done. 3 bedrooms remain in the main house, and the floor plans show 1 bedroom and a studio- a working studio, in the second, making this a 4 bedroom property.

Motion: Tim Rose moved to continue this request to October 5.

Second from Brian Koll; the vote was 3-0-1 with The Chair abstaining.

Request for waiver of time for property transfer and upgrade: 139 Shore Road Rd, map 22, parcel 13; The property owners of the Magna View Realty Trust were on the call to discuss their request for the waiver. The property is 20,000 sf, built in 1930 and located in the zone II of the Knowles Heights municipal water supply. The Health Agent described the property, as 3 bedroom and served by a cesspool. Board member Tim Rose asked if the buyer lived in Provincetown full-time, which they do. They do not have septic plan designed yet. Jason Silva suggested that they get started on the planning process, and suggested that he would grant the waiver with the condition that the plan to upgrade included I/A treatment. There was discussion about the difficulty of having a plan done by someone who does not own the property.

Motion: Jason Silva moved to continue this request until a plan had been developed.

Second from Tim Rose; the vote was 4-0-1 with The Chair abstaining.

Update from Town Planner, Barbara Carboni

The planner described the current status of the cloverleaf appeal, which was in discovery, and there was anticipation that the matter would possibly go to trial in December. She also described the update of the Local Comprehensive Plan, which was last updated in 2005. They are currently gathering information and getting input. The individual Boards would be invited to participate. She described the Walsh committee's process, and let the Board know that a survey was being developed for the community to contribute their ideas.

Update from DPW Director Jarrod Cabral- The director provided and update on the transfer station tonnage, and the watermain extension project; there was an update on the Highland Road work with route 6 stormwater catchment.

DISCUSSION ON WATER RESOURCES

The Agent provided an overview of title 5 using the self-paced title 5 module developed by Barnstable County Health. There was discussion around a question by Alternante member Candida Monteith about grandfathering and how the public record can provide the Board with an understanding of previous approvals. These previous approvals are honored, but mitigation will be required by regulatory triggers.

Chairs report: There was a reminder from the chair about educational resources available through the APCC and CCNS.

Agents Report: The Agent provided the positive case count. The Agent responded to the comment about the public packet, which had been responded to previously, that the office was significantly understaffed and when the assistant administrative position was filled, the topic of the packet would be addressed. The Agent responded to the public comment about the appendix from the phase 2 report, which had also been responded to previously.

Motion: Jason Silva moved to adjourn.

Second from Tim Rose; the vote was 4-0 in favor.

Minutes compiled by E.Beebe 1/6/2022 at 1:45 PM