



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

To: Truro Board of Health
From: Emily Beebe, Health & Conservation Agent
Date: Oct 31,2022
Re: November 1 meeting: septic upgrades- review notes

5 Joseph's Road

This septic upgrade will serve an existing 3 Bedroom dwelling on a 2-bedroom (23,200 sf) parcel on a steep hillside adjacent to a low-lying freshwater resource area.

- There is no proposed increase in flow, however, the existing use on this lot size triggers the use of I/A technology. An Orenco Advantex AX-20 is proposed.
- Variances include less than 10' separation between the SAS (soil absorption system) and property lines and 48% reduction to the size of the leaching area, which is allowed under the general use approval for the Advantex system.
- This upgrade appears to be a significant improvement in treatment that will be of benefit to the resource area.
- No wells in this area appear downstream of the SAS.
- The standard of review for the Board of Health is to determine if the design showing reductions to the requirements of title 5 and local regulations will provide as much environmental and public health protection as would a plan without variances.

The Board can approve this system after:

- 1) making the determination that the standard of review has been met; and
- 2) issuing the condition that the designer provides the owners with information about proper care of an I/A septic system and with an explanation about the requirements of the annual Operation and Maintenance.

18 Bay View Drive

This septic upgrade will serve an existing 5 Bedroom dwelling on a 2-bedroom (23,100 sf) parcel.

- Assrs. card specifies 4 BR; the house was built as a 3 BR in 1971.
- In 2007 the assessor's card was revised to show 4 BR although there are no corresponding building permits.
- The files show that a note was made by the Building Commissioner in 1998 stating that it is a "max 3 BR house per .53-acre lot unless alternative septic"
- A walk-through has been conducted by our office:
 - There is a finished second-floor garage space, not used as a BR, that meets the definition of a bedroom;
 - There is a finished basement with 3 BR observed. None of these meet the requirements of the building code, regarding egress windows.
 - There is a bedroom on the main floor with the kitchen, living room and dining room.
- It is recommended that a deed restriction be crafted to specify the approved BR count (3) for the property. The owners must submit a plan describing how they will reconfigure the space as 3 bedrooms
- There are no title 5 variances, however, the existing use on this lot size triggers the use of I/A technology. An Orenco Advantex AX-20 is proposed.
- A 38% reduction to the size of the leaching area is proposed; this is allowed under the general use approval for the Advantex system.

- It appears that GW flow is toward the east, and the arrangement of the locus well and SAS is parallel. No wells in this area appear downstream of the SAS.
- **The Variance requested is to the time frame for completion of the upgrade to title 5 from a cesspool.**
- This could be approved conditionally under an ACO if the Board feels that it is warranted, however, significant and unique findings must be made by the Board prior to approval of the variance under an ACO or other condition.
- This matter should be continued to a date certain until the conditions of approval have been more thoroughly discussed with the applicant.

5 Ryder Beach Way

This preliminary septic plan shows a proposed 3 Bedroom dwelling on a 46,500 SF parcel with 34,583 SF of upland; this makes it a 3 BR parcel

- The plan does not show the elevations on the west side, from the BVW heading east; we have also asked the designer to explore the area upland of the floodplain for an associated Coastal Bank.
- On the east side, the resource area includes Riverfront, which we recognize as the Bound Brook system.
- In the presence of LSCSF on this east side, the grades suggest that there may be an associated Coastal Bank, and we have asked the designer to take another look at the resource area delineation.
- Until the resource areas are completely delineated, we do not have a clear picture of the amount of upland, and therefore the size of the development cannot be approved; this may be a 3-bedroom lot, but the questions on the resource areas must first be resolved.
- Local variances to wetlands cannot be avoided in most cases that come before you, as they are for existing construction that is upgrading. The preliminary plan before you proposes new construction. The SAS cannot be sited on the lot in compliance with the local setbacks for wetlands. 150-foot separation is required between the Leaching area and the wetland resource area. The wetland resource that is shown is the flood plain at elevation 14'. This is also the case for the reserve area, which also cannot meet the required setbacks. The question raised previously, about the resource area delineation is also pertinent to this setback issue.
- This preliminary plan is not ready for approval until more information is received and the plan is final; the matter should be continued to a date certain for further discussion of the questions raised herein.

45 Corn Hill Road

This septic upgrade will serve an existing 3 Bedroom dwelling on a 1-bedroom (16,203 sf) parcel on a steep hillside adjacent to a coastal dune and a low-lying freshwater resource area.

- There is no proposed increase in flow, however, the existing use on this lot size triggers the use of I/A technology. An Orenco Advantex AX-20 is proposed.
- A local variance request is made because the system will be installed in wetlands as defined by our local Board of Health regulations (LSCSF and Barrier Beach).
- This upgrade appears to be a significant improvement in treatment that will be of benefit to the resource area.

- *An easement across this property is noted on the abutting property deed; a note disclosing this easement should be included on this plan.*
- *The locus well has been installed and is not shown on the plan.*
- The standard of review for the Board of Health is to determine if the design showing reductions to the requirements of local regulations will provide as much environmental and public health protection as would a plan without variances.
- Provided abutters were notified, this matter should be continued to a date certain for receipt of a revised plan.

Minutes of the Truro Board of Health, Tuesday September 20, 2022

This was a remote meeting.

Board members in attendance:

Vice Chair Jason Silva, Chair Tracy Rose, Board Members: Helen Grimm, Brian Koll, Tim Rose, Candida Monteith Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren, Attorney Gregg Corbo

The meeting was called to order at 4:33 PM by the Vice Chair, who described the remote meeting procedures and the process for public participation.

PUBLIC COMMENT:

Karen Ruyman stated that Pond Village residents are interested in creating a “Friends” group for the Village Pond. She explained that a neighborhood gathering is being planned for October 15th, 2022, at Village Pond Park at 4:00 PM. They are requesting to have a Board of Health member present at the event as a speaker and request that this be added to the agenda for the next Board of Health meeting.

Variance Request/Local Upgrade Approval, 464 Shore Road:

Stephanie Sequin was representing the project. This is a cesspool upgrade for a 3-bedroom cottage. Due to the size of the lot, the only place available to install the new septic tank is in the same location as the cesspool, which is in the front yard. They are proposing to install a 1500-gallon Mircofast septic tank and SAS. The water line will need to be rerouted for this installation. The variances requested include depth to the components, reduced leaching capacity, distance of septic tank to the property line, and separation to the water line. Board member Tracy Rose asked about the reduction in the leaching area. The Health Agent explained that the treatment provided by the I/A systems allows for the reduction in the size of the leaching area. There was a brief about the proposed system achieving feasible compliance, and that the variance request will not impede protection of the environment. There was also a question around the process for water line relocation. The Agent explained that the applicant would file with the Provincetown Water Department and would not need to come back to the Board of Health. **Motion: Board Member Helen Grimm moved to approve the Variance Requests; Second: Board Member Brian Koll; Vote 5-0-0, Motion approved.**

Water Resources Discussion:

- The Health Agent presented a chart to illustrate the cesspool upgrade progress to date. Cesspool upgrade financing options were also covered including different grant and loan services that can help residents with their upgrades. Alternate member Candida Monteith was concerned about the cost of upgrading for those residents who rely on a fixed income. The Agent explained that through the new housing rehab loan there is a forgiveness aspect and if an owner qualifies, the loan will be forgiven in 15 years with no payment required toward the loan if the owner remains at the address. The Agent highlighted the importance of property owners reaching out to the health department to discuss their options for dealing with the cesspool upgrade. Board member Tracy Rose reiterated how helpful the program is and highlighted the importance of protecting our groundwater.
- The Assistant Health Agents have been conducting field work to gather data for the storm management project.

- Both Snow Pond and Ryder Pond have both tested positive for Cyanobacteria and the park is working with the APCC to monitor the contamination.

Public Hearing on proposed revisions to Truro Board of Health Regulations Section 6, local Title 5, final draft- review and discussion:

Gregg Corbo was on the call to discuss the proposed changes to the regulations. The Health Agent shared her screen and board members discussed the wording of the regulations to clarify the language and intent. The definitions of a bedroom and usable space were discussed.

Alternate member Candida Monteith expressed concern over the strict regulations surrounding usable space and suggested that it was an intrusion of privacy. The Health Agent explained how determination of a bedroom correlates to the septic use how important it was to be thorough. Chair Tracy Rose explained that although the state regulations for Title 5 are sufficient, Cape Cod has different environmental circumstances than most of the state and, therefore, the Truro Board of Health regulations need to be more stringent. The bedroom count is important because it determines the amount of nitrogen that the septic tank will have to handle, and it is important to avoid nitrogen overloading.

The Board members worked with Gregg Corbo to make the language in the regulations clear and concise. Board members also discussed the cesspool upgrade deadlines. The Health Agent explained that when a Title 5 system fails, the homeowners are now given six months to correct the system. The cesspool upgrades have a deadline of December 31, 2023. Jason Silva felt that it would be clearer to place one deadline on upgrades. Gregg Corbo reviewed the basic elements of an ACO (Administrative Consent Order). The ACO is an agreement that offers flexibility to the property owner based on different situations and allows the Town to defer the replacement or repair of the system until certain conditions are met as outlined in the agreement. There is also an escrow agreement that requires the property owner to put money into escrow for the deferred correction of their system. Greg Corbo suggested adding a list of circumstances to the regulations that outline when an ACO might be utilized. The board discussed the different aspects of an ACO and how to incorporate the language into the regulations.

MINUTES:

August 16, 2022

Motion: Board Member Helen Grimm moved to approve the minutes.

Second: Board Member Tim Rose; Vote: 4-0-1; Board member Brian Koll abstained; the motion passed.

Report of the Chair: There was none.

Health Agent's Report:

The Health Agent announced that a flu shot clinic would be held on October 27th from 9AM to 11AM. It will also offer bivalent covid boosters. The Health Agent hopes to work with the Beach Committee to revise the bylaws regarding the leashing of dogs.

Motion: Member Tim Rose moved to adjourn the meeting. Second: Member Brian Koll; Vote: 5-0-0; the meeting was adjourned at 6:35 PM.

Respectfully submitted by Nina Richey