



Truro Board of Health

Tuesday October 17, 2023

Remote Meeting start at 4:30 PM

AMENDED

Truro Board of Health Regular Meeting

Remote Meeting start time is 4:30 PM

Remote Meeting Access Instructions This will be a remote meeting. Citizens in Truro can view the meeting on Channel 8 and on the homepage of the Town of Truro website on the "Truro TV Channel 8" button found under "Helpful Links". Once the meeting has started, click on the green "Watch" button in the upper right of the page. **To join the meeting by phone or to provide comment during the meeting, please call-in toll free at 1 309 205 3325 and enter the following Meeting ID when prompted: Meeting ID: 820 4967 1786** To join this Zoom meeting from your computer, tablet or smartphone <https://us02web.zoom.us/j/82049671786> Please note that there may be a slight delay between the meeting and the live-stream (and television broadcast). If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in; citizens may also provide public comment for this meeting by emailing the Health Agent at ebeebe@truro-ma.gov with your comments.

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

II. AGENDA ITEMS

1. **Discussion on ARTICLE 8 of the Special Town Meeting warrant:** proposed "senior pass" non-binding resolution
2. **Local upgrade approval/Variance Request- 82 Shore Road, Salt Air Cottages** – request for relief from setbacks to crawl space and depth to components.
3. **Local Variance Request: 47 Pond Road, Eric Varty;** request for variance from Truro Board of Health regulations section 6, article 3.1.j request to enter into an administrative consent order

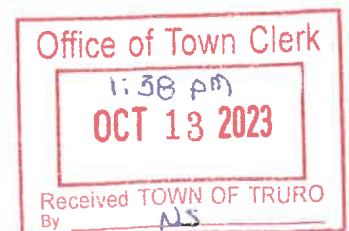
III. WATER RESOURCES DISCUSSION

- **Cesspool Upgrade program** – Update on enforcement schedule and strategy
- **Article 9 -Proposed Bylaw:Stormwater Management by drainage, erosion and sediment control**

IV. MINUTES

V. REPORTS

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



SENIOR PASS NON-BINDING RESOLUTION

Article 8: Advisory Vote on Implementation of a Senior Pass Pilot Program

To see if the Town will vote to recommend to the Select Board to research a Senior Pass Pilot Program that results in elimination or reduction of fees for transfer station access and beach permits for Truro property owners and resident seniors of an age to be determined and as defined by the Select Board on a one-year pilot program basis that would be effective in Fiscal Year 2025. The terms, requirements and costs of this Program shall be determined by the Select Board and shall require Board of Health approval as appropriate and may be contingent on an appropriation vote at the 2024 Annual Town Meeting. The administration of the program shall be overseen by the Select Board or its designee; or take any other action relative thereto.

Requested by the Select Board

Explanation: A petitioned article asking the Town to approve a Senior Pass that “shall eliminate fees for transfer station and beach permits for Truro property owners and other resident seniors aged sixty (60) years and over” and would include a one-time fee of \$50 per recipient that would grant passes in perpetuity was submitted for town meeting consideration at the 2023 Special Town Meeting. As town meeting is not an authorized fee-setting body in accordance with Massachusetts General Law, the Select Board prepared an alternative article that would allow town meeting to provide an advisory vote on a similar program in the form of a non-binding resolution. The proposed article provides for guidance on a pilot program, similar to the pilot program established in 2021. A pilot program would allow the Select Board, the Board of Health, the Finance Committee, and staff an opportunity to study:

- *the costs associated with such a program;*
- *implementation challenges;*
- *potential needs for Board of Health Regulation changes or Rules and Regulations for Beach Sticker Eligibility for Taxpayers, Residents, and Visitors;*
- *funding sources to mitigate the reduction in receipts;*
- *most appropriate residency and age requirements for the program;*
- *ways to address transference of passes;*
- *ways to address changes in residency;*
- *and other key considerations of establishing a long-term program.*

If town meeting votes favorably on this article, these various factors will be considered over the course of the FY2025 budget preparation process so that a pilot program may be implemented for implementation in FY2025 (July 1, 2024- June 30, 2025). These factors will be further studied during the implementation of the pilot program and may result in a future town meeting article requesting the necessary appropriation to make this program a permanent program.

	In Favor	Not In Favor	Abstain
Finance Committee Recommendation	0	5	0
Board of Health Recommendation			
Select Board Recommendation	5	0	0

Fee: \$75.00

V# 2023-24



APPLICATION FOR BOARD OF HEALTH VARIANCES HEALTH DEPARTMENT
TOWN OF TRURO

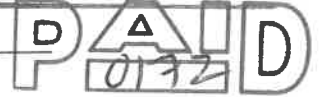
Date: 10/5/23

OCT 06 2023

RECEIVED BY:

Property Owner's Name: Salt Air Cottage Condominium

Mailing Address: P.O. Box 688, N. Truro, MA 02652



Address of Property: 82 Shore Road

Map and Parcel Number: Map # 36 Parcel # 27

Design Engineer/Sanitarian: Glen E. Harrington, R.S.

Firm/Company Name: Geo-Cape Env. Consultants Phone #: 774-238-1813

Address: 100 Independence Drive, Suite 7-623

Please check type of variance requested:

Title 5 Variance Request: Section 105 CMR 15.211/405(1)(b) -
Reduction to crawl space 20' to 12', depth of SAS 3' to 5'

Board of Health Variance Request: Section/Article _____

Glen E. Harrington
Signature (Representative)

10/5/23
Date

Signature (Property Owner)

A PERFECT ENVIRONMENT LLC
dba
GEO-CAPE ENVIRONMENTAL CONSULTANTS
100 INDEPENDENCE DRIVE, SUITE 7-623
HYANNIS, MA 02601
Phone: 774-238-1813
Email: aperfectenvironment@gmail.com

HEALTH DEPARTMENT
TOWN OF TRURO

OCT 06 2023

RECEIVED BY:

July 5, 2023

Emily Beebe, Health/Conservation Agent
Truro Board of Health/Conservation Commission
P.O. Box 2030
Truro, MA 02666

RE: Salt Air Cottages Condominium, 82 Shore Road, Truro, MA

Dear Ms. Beebe and Honorable Board Members:

On June 13, 2023, the Truro Board of Health issued an "Order to Correct" letter to the trustees of the condominium of the above-referenced property as a result of a septic inspection. The septic inspection reported that one leaching pit was in "failure" and another leaching pit was within the Zone I to the on-site potable well. This letter was prepared as a narrative description in regard to the required septic upgrade and compliance with Title 5 of the State Environmental Code and Truro Board of Health Regulations. This narrative description is also a required submittal to a request for variances of said septic upgrade design plan.

The subject property contains a seasonally-used, residential condominium that consists of seven buildings with 18 total bedrooms on a 1.34 acre property. The property is located in between the west side of Route 6A and Amanda Lane. A gravel driveway allows central access to a parking area at the three larger buildings at the front of the property and to a smaller parking area that services the four smaller cottages at the rear of the property.

The subject property is serviced by a DEP permitted public water supply well (DEP #4300031-01G) with a protective radius of 126 feet. There are two septic systems on the property. System 1 services two buildings (1 & 2) with eight bedrooms. Therefore, a septic system consisting of a MicroFAST Model 0.9 will be proposed to replace the existing 1,500-gallon septic tank. The existing septic tank is located within the 50 foot

well setback so that tank will be pumped and abandoned in place. Failed Pit #1 on System 1 will be pumped and backfilled.

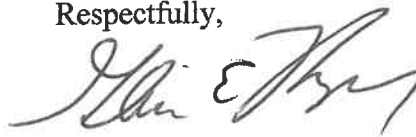
The existing septic system at System 2 services five buildings (3-7) with 10 bedrooms. A 2,000-gallon septic tank and two leach pits currently make up System #2. Leach pit #1 was identified as being within the 126 foot protective radius to the on-site potable well. Testing and analysis of the potable well showed no impacts from the septic systems. In order to keep the new innovative/alternative technologies smaller and more affordable, two MicroFAST Model 0.75 treatment units are proposed. Each Model 0.75 can handle the five bedroom, 550 gallons per day flow from each set of buildings.

The proposed leaching facility, aka soil absorption system (SAS), is proposed to be a 76 foot long by 13 foot wide by 2 foot depth SAS with 6, 500-gallon concrete chambers in stone. The proposed SAS is sized at 50% of the total design flow as the inclusion of the MicroFAST treatment unit allows for this reduction under DEP Remedial Approval. The chambers will be H-20 rated so they can be driven over and handle being put greater than three feet below grade. A vent is provided so the system can provide oxygen to the aerobic bacteria in the SAS. The proposed SAS is located over Pit #2 of System 2 which will have to be removed.

After approval from the board, bids will be sought for installation cost. A November install is anticipated so that the required timeframe is complied with.

If you have any questions or comments, please do not hesitate to contact the office at the above number.

Respectfully,



Glen E. Harrington, R.S.

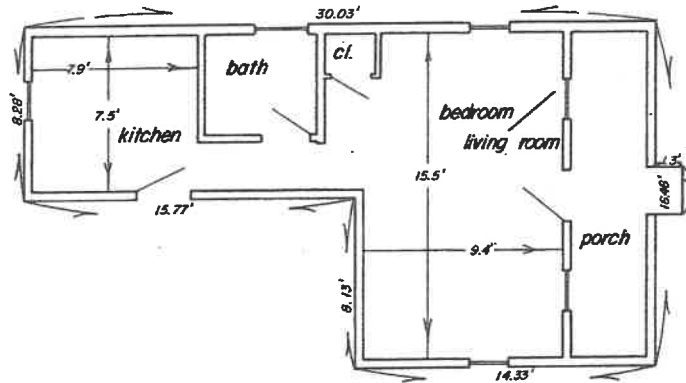
Cc: client
RKM Property Management

374-83

"SALT AIR COTTAGES CONDOMINIUM"

UNIT 10

SCALE: 1 IN. = 4 FT.
Area = 367 SQ. FT.±
(incl. porch)



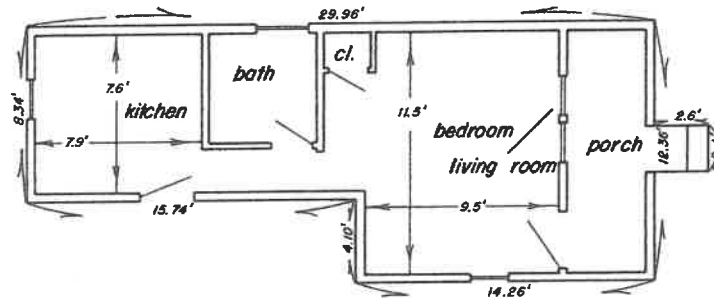
UNIT 10 is a 1 story, wood-frame building on concrete block tiers.

RECEIVED & APPROVED
JUL 11 3 11 PM 1983
OFFICE OF THE REGISTERED PROFESSIONAL ARCHITECT

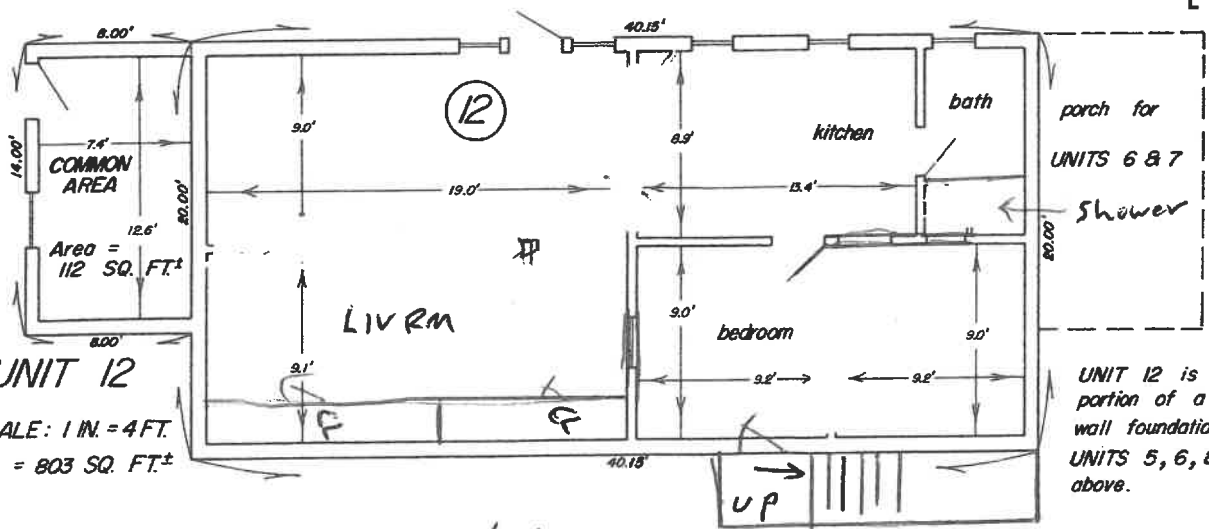
NATIONAL BOARD OF PROFESSIONAL ARCHITECTS
 374-83
 OFFICE OF THE REGISTERED PROFESSIONAL ARCHITECT

UNIT 11

SCALE: 1 IN. = 4 FT.
Area = 308 SQ. FT.±
(incl. porch)



UNIT 11 is a 1 story, wood-frame building on concrete block tiers.



UNIT 12

SCALE: 1 IN. = 4 FT.
Area = 803 SQ. FT.±

UNIT 12 is a portion of a concrete wall foundation with UNITS 5, 6, & 7 above.

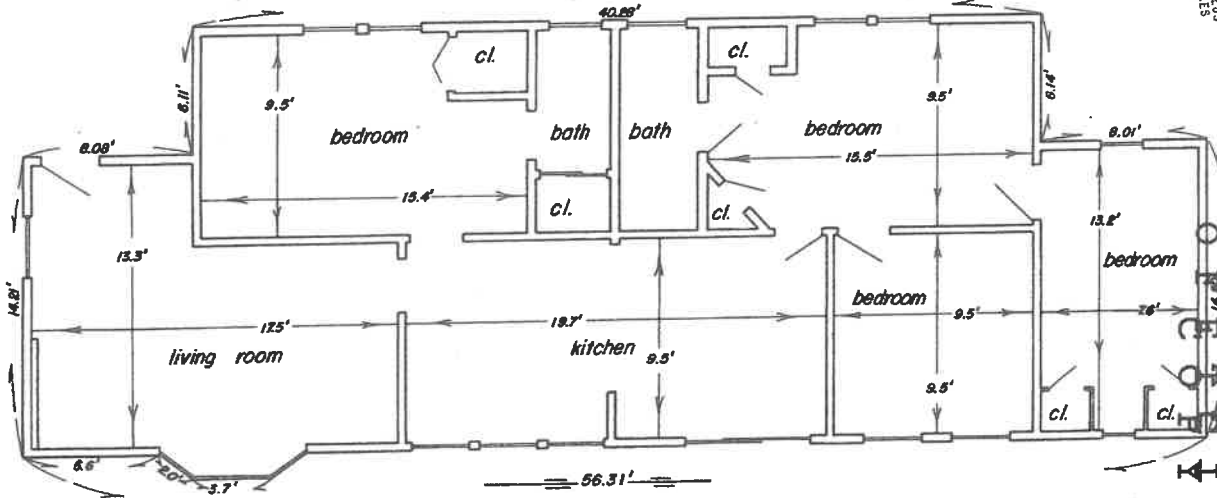
Rev'd by GEHRS as observed on 8/23/83.

374-81

"SALT AIR COTTAGES CONDOMINIUM"

RECEIVED & RECORDED
 JUN 11 3 08 PM 1983
 AMERICAN CONCRETE
 GENERAL SERVICES
 REGISTERED

UNIT 1

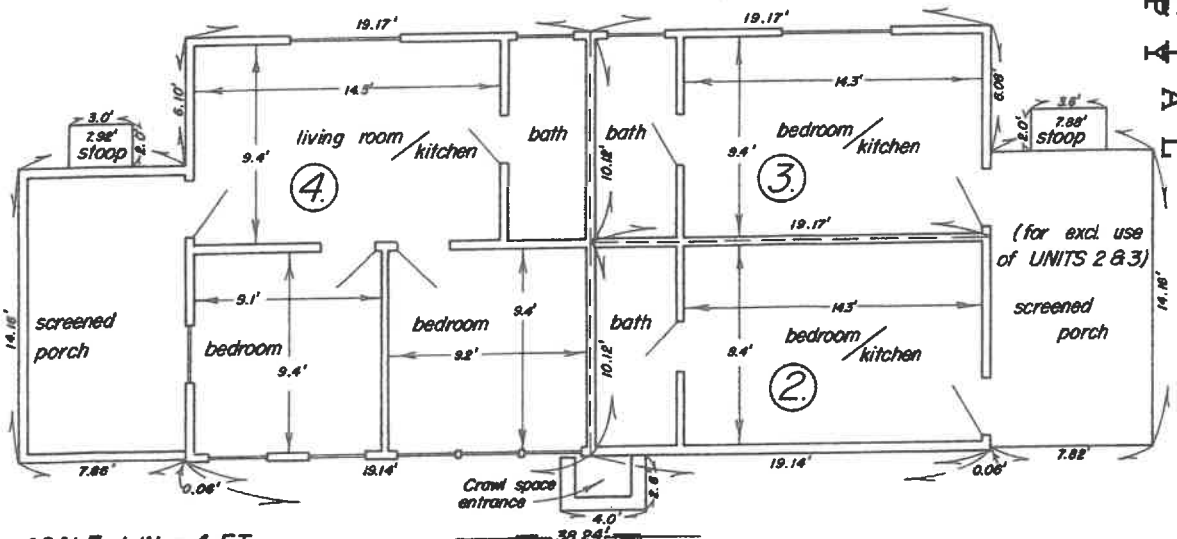


SCALE: 1 IN. = 4 FT.
 Area = 1054 SQ. FT. ±

UNIT 1 is a 1 story, wood-frame building with full foundation (see Sheet 1) under.

OFFICIAL
 OF THE
 COUNTY OF
 CHESTER
 REGISTERED
 BOOK 374

UNITS 2, 3, & 4



SCALE: 1 IN. = 4 FT.

Areas:
 UNIT 2 = 194 SQ. FT. ±
 UNIT 3 = 194 SQ. FT. ±
 UNIT 4 = 500 SQ. FT. ± (incl. porch)

UNITS 2, 3, & 4 are in a 1 story, wood-frame building with crawl space under.

OFFICIAL
 OF THE
 COUNTY OF
 CHESTER
 REGISTERED
 BOOK 374



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

Date: October 5, 2023

To: Glen Harrington, Geo-Cape Environmental Consultants

From: Assessors Department

Certified Abutters List: 82 Shore Road (Map 36 Parcel 27)

Board of Health

Attached is a combined list of abutters for 82 Shore Road (Map 36 Parcel 27).

The current owner is the Salt Air Cottages Condo Trust.

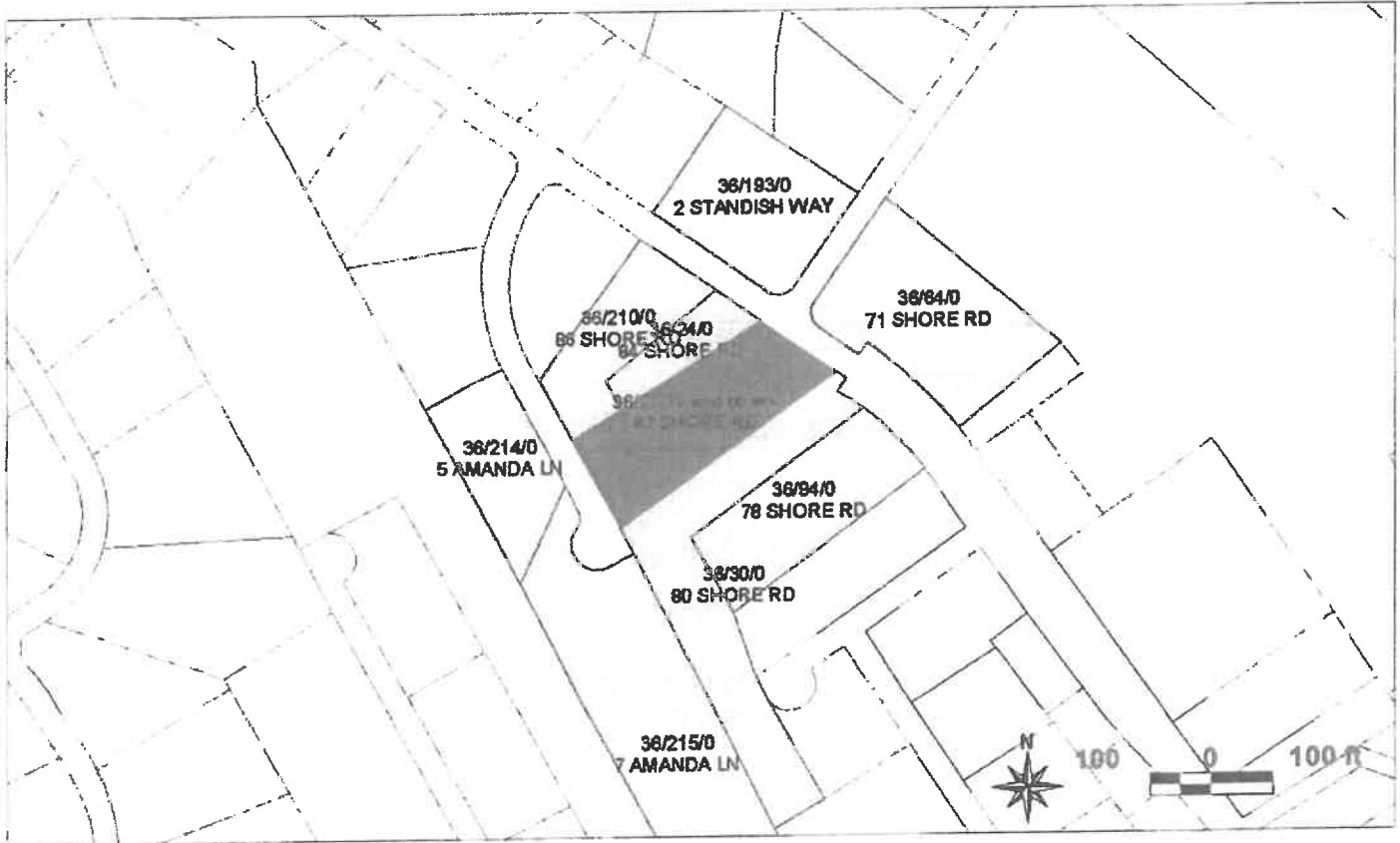
The names and addresses of the abutters are as of September 29, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: _____

Laura Geiges
Assistant Assessor / Data Collector

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
912	36-24-0-R	WAGEMAN ROBERT & KRISTI	84 SHORE RD	PO BOX 1072	NO TRURO	MA	02652
929	36-30-0-R	TINKHAM JOHN J & MARGARET	80 SHORE RD	PO BOX 794	NO TRURO	MA	02652-0794
961	36-64-0-R	DAYS THOMAS L	71 SHORE RD	PO BOX 201	NO TRURO	MA	02652-0201
983	36-94-0-R	MARISSAL KATHI E & CANDAGE PAULA	78 SHORE RD	PO BOX 755	NORTH TRURO	MA	02652-755
1078	36-193-0-R	BOLDUC-CERUTTI 2023 JOINT TRST TRS: FRANCESCA D CERUTTI ET AL	2 STANDISH WAY	PO BOX 43	PROVINCETOWN	MA	02657
1094	36-210-0-R	M J M TRURO LLC	86 SHORE RD	PO BOX 1367	PROVINCETOWN	MA	02657
1098	36-214-0-R	RODERICK JANICE M	5 AMANDA LN	PO BOX 42	NO TRURO	MA	02652
1099	36-215-0-R	AMANDA LANE REALTY TRUST TRS: STACEY A PARKS	7 AMANDA LN	26 BEAVER POND	LINCOLN	MA	01773

LG 10/5/23

7022 2410 0003 4481 6174

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com

North Truro, MA 02652

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *Wageman*

Street and Apt. No., or PO Box No. *P.O. Box 1072*

City, State, ZIP+4® *No Truro MA 02652*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions

7022 2410 0003 4481 6181

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North Truro, MA 02652

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *Tinkham*

Street and Apt. No., or PO Box No. *P.O. Box 794*

City, State, ZIP+4® *No Truro MA 02652*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions

7022 2410 0003 4481 6198

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North Truro, MA 02652

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *Days*

Street and Apt. No., or PO Box No. *P.O. Box 201*

City, State, ZIP+4® *No Truro MA 02652*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions

7022 2410 0003 4481 6204

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For delivery information, visit our website at www.usps.com

North Truro, MA 02652

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *Marissel + Candace*

Street and Apt. No., or PO Box No. *P.O. Box 755*

City, State, ZIP+4® *No Truro MA 02652*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions

7022 2410 0003 4481 6211

**U.S. Postal Service™
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Domestic Mail Only

For delivery information, visit our website at www.usps.com

Hyannis Port, MA 02647

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *Baldac-ceruti*

Street and Apt. No., or PO Box No. *P.O. Box 43*

City, State, ZIP+4® *Provincetown MA 02657*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions

7022 2410 0003 4481 6228

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CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Provincetown, MA 02657

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$8.56

Sent To *MSM Truro LLC*

Street and Apt. No., or PO Box No. *P.O. Box 1367*

City, State, ZIP+4® *Provincetown MA 02657*

PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions



New England Testing Laboratory, Inc.
(401) 353-3420

REPORT OF ANALYTICAL RESULTS

NETLAB Work Order Number: 3F29057
Client Project: Salt Air Cottages

Report Date: 07-July-2023

Prepared for:

Andrew Donnelly
WhiteWater
253B Worcester Road
Charlton, MA 01507

Richard Warila, Laboratory Director
New England Testing Laboratory, Inc.
59 Greenhill Street
West Warwick, RI 02893
rich.warila@newenglandtesting.com

Samples Submitted:

The samples listed below were submitted to New England Testing Laboratory on 06/29/23. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. This report of analytical results pertains only to the sample(s) provided to us by the client which are indicated on the custody record. The case number for this sample submission is 3F29057. Custody records are included in this report.

Lab ID	Sample	Matrix	Date Sampled
3F29057-01	SS	Drinking water	06/29/2023
3F29057-02	SS	Drinking water	06/29/2023

Request for Analysis

At the client's request, the analyses presented in the following table were performed on the samples submitted.

SS

Total Nitrogen	Calculation
Total Kjeldahl Nitrogen	SM4500-N-C (11)
Nitrite	EPA 300.0
Nitrate	EPA 300.0
Ammonia	SM4500-NH3-D (11)
Total Coliform and E. coli bacteria	SM9223B(04) (Collert 18)

The analytical methods provided are documented in the following references:

Manual of Methods for Chemical Analysis of Water and Water Wastes, EPA-600/4-79-020 (Revised 1983), USEPA/EMSL.
Standard Methods for the Examination of Water and Wastewater, 20th Edition, 1998, APHA, AWWA-WPCF.
40 CFR 136, *Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act*, Office of Federal Register National Archives and Records Administration.

Results:

Sample: **SS**
3F29057-01 (Drinking water)

Microbiology

	Result	Reporting Limit	Units	Date Analyzed
Total coliform	ABSENT	1.00	P/A	06/29/23 18:20

General Chemistry

	Result	Reporting Limit	Units	Date Analyzed
Ammonia	ND	0.1	mg/L	07/06/23
Nitrate as N	1.84	0.10	mg/L	06/30/23 20:18
Nitrite as N	ND	0.02	mg/L	06/30/23 20:18
Kjeldahl Nitrogen	0.1	0.1	mg/L	07/03/23
Total Nitrogen	1.94	0.100	mg/L	07/03/23

Sample: **SS**
3F29057-02 (Drinking water)

Microbiology

	Result	Reporting Limit	Units	Date Analyzed
Total coliform	ABSENT	1.00	P/A	06/29/23 18:20

General Chemistry

	Result	Reporting Limit	Units	Date Analyzed
Ammonia	ND	0.1	mg/L	07/06/23
Nitrate as N	1.83	0.10	mg/L	06/30/23 20:32
Nitrite as N	ND	0.02	mg/L	06/30/23 20:32
Kjeldahl Nitrogen	ND	0.1	mg/L	07/03/23
Total Nitrogen	1.83	0.100	mg/L	07/03/23

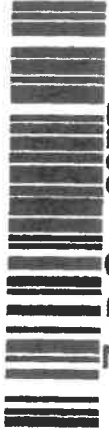
Work Order: 3F29057
Date: 7/7/2023 12:58:08PM

Case Narrative

All samples were submitted in the proper containers and were properly cooled/preserved upon receipt with the following exceptions: none.

The chain of custody was adequately completed and corresponded to the samples submitted with the following exceptions: none.

All preparation/analysis holding times were met and all quality control audits were within control limits with the following exceptions: none.



3 F 2 9057



253B Worcester Road, Charlton MA 01507 Phone: (888) 377-7678 Fax: (508) 248-2895

PWS ID #: 4300031 PWS CLASS: TNC JOB/SO #:

PWS NAME: Salt Air Cottages

PWS ADDRESS: 82 Shore Road, North Truro, MA 02652

PWS PHONE #: _____

DATE COLLECTED: 6/29/23 Is the source treated? YES NO
sample after treatment? YES NO

ROUTINE SAMPLE SPECIAL SAMPLE
 REPEAT SAMPLE WAF SAMPLE
 24 HR RUSH? PRESEASON SAMPLE

SPECIAL NOTES:

Special Sample
Not required from MassDEP

TN = Total Nitrogen

METER READINGS: Cu Ft. or Gal

LOCATION CODE	SAMPLE LOCATION	SAMPLE TYPE	TIME	CHLORINE RESIDUAL	TC	TN	NH3	NOTES (# of Bottles)
SS	Unit #5	SS	10:38		✓	✓	✓	
SS	Basement Spigot	SS	10:43		✓	✓	✓	

CR

Custody Transfer	Name & Signature	DATE	TIME
Sampler:	<i>Chris Skirvan</i>	6/29/23	10:22
Relinquished by:	<i>Chris Skirvan</i>	6/29/23	1:40
Received by:	<i>[Signature]</i>	6/29	1420
Relinquished by:	<i>[Signature]</i>	6/29	1545
Received by:	<i>[Signature]</i>	6/29/23	1545

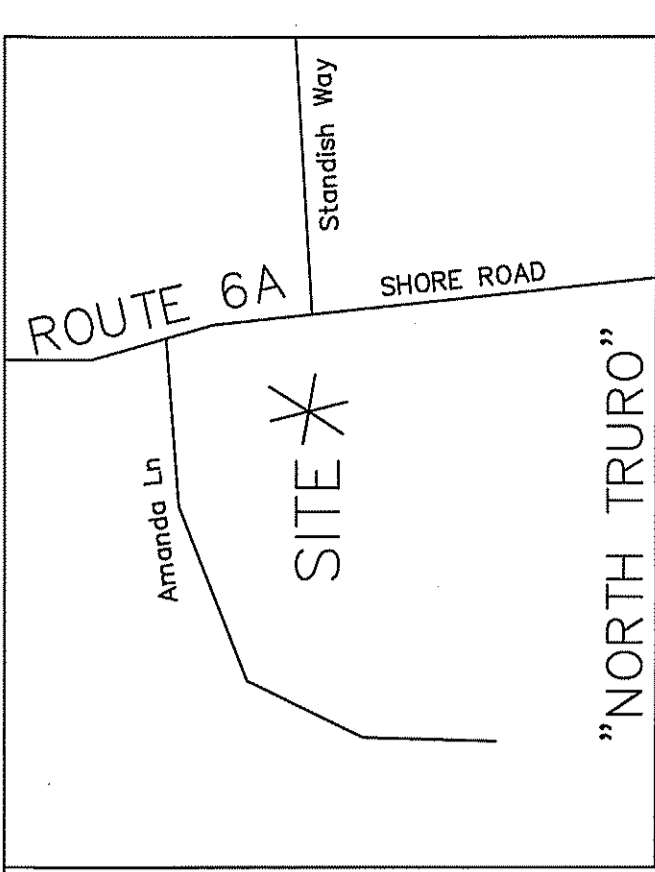
PLEASE EMAIL THIS REPORT WITH RESULTS & INVOICE TO: Adonnelly@RHWhite.com and CStephen@RHWhite.com

GENERAL NOTES

- ADDRESS: #82 SHORE ROAD, TRURO
- ASSESSOR'S NUMBER: MAP 36 PARCEL 27
- TOPOGRAPHIC INFORMATION WAS COMPILED FROM AN ON THE GROUND INSTRUMENT SURVEY
- GROUND INSTRUMENT SURVEY
- WELL WATER IS PROVIDED TO THE SITE & SURROUNDING PROPERTIES.
- NO WETLANDS ARE LOCATED WITHIN 150 FEET OF THE PROPOSED SAS.
- UTILITIES WERE LOCATED BY DIGSAFE. UTILITY LOCATIONS ARE APPROXIMATE.
- REFERENCE PLAN/PLAN BOOK 374 PAGE 80
- THE PROPERTY IS NOT LOCATED WITHIN A DEP ZONE II GROUNDWATER CONTRIBUTION AREA.
- THE PROPERTY IS LOCATED WITHIN FLOOD ZONE X - MINIMAL FLOOD HAZARD.
- THE POTABLE WELL ON THE PROPERTY IS PERMITTED AS A TRANSIENT NON-COMMUNITY WELL DEP #4300031-016.

Design Calculations
 Number of Bedrooms: 18
 Existing Design Flow: 18 BEDROOMS X 110 GPD/BEDROOM=1,980 GPD.
 Garbage Disposal: Not Allowed with this design
 Existing Design Flow: 18 BEDROOMS X 110 GPD/BEDROOM=1,980 GPD.
 Existing Capacity: 1,980 GPD
 Septic Tank Capacity Provided: MicroFAST Model 0.75 Treatment Unit
 SYSTEM #1
 Existing Design Flow: 10 BEDROOMS X 110 GPD/BEDROOM=1,100 GPD.
 Septic Tank Capacity Provided: 1,100 GPD X 2.0X = 2,200 GPD
 Septic Tank Capacity Provided: MicroFAST Model 0.75 Treatment Unit
 Application Rate for Class 1 soil: 2.0 in./month = 0.74 gal/SF ft.
 Leaching Capacity Required: 1,980 Gal./Day / 0.74 gal/SF = 2,676 SF
 Leaching Capacity Provided: 50% Reduction Requested per DEP Remedial Approval
 Bottom Leaching Area Provided = 988 Sq. Ft.
 Side Leaching Area Provided = 356 sq. ft.
 Total Leaching Capacity Provided = 1,344 sq. ft. X 0.74 gal/SF ft. = 996 gal./day.
 Leaching Capacity Provided = 996 gal./day > 988 gal./day required. (50% of 1,980 gpd).

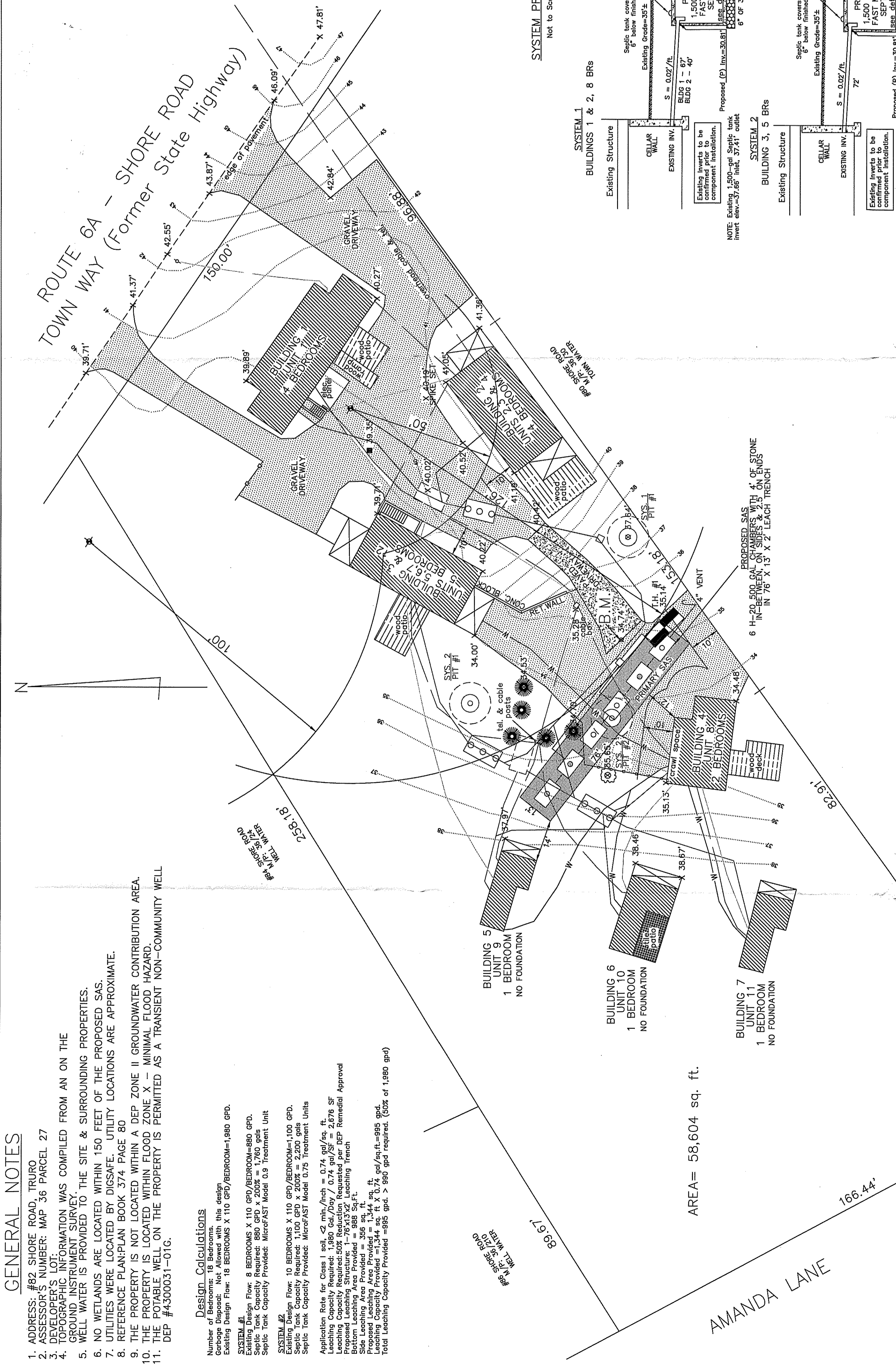
AREA = 58,604 sq. ft.



LOCUS
NO SCALE

CONSTRUCTION NOTES

- Contractor is responsible for Dewatering, dewatering and protection of all underground utilities, site features and pipes.
- The septic tank-type chamber and distribution box shall be set on a concrete pad.
- Backfill should be clean sand or gravel with no stones over 3" in size.
- This system is subject to inspection during installation by Geo-Cape Environmental Consultants, in accordance with Title 5 of the Massachusetts Environmental Code and the Regulations of the Town of Truro.
- Provide 3" H-20 1,500-gal., FAST septic tanks #FTM152M, 1" H-20 DB-9 D-Box and 6, 500-gal. concrete chambers by Acme-Enviro.
- No. 10 mesh geotextile shall be installed over the septic system unless noted as H-20 septic components.
- Install 2" MICROFAST Model 0.75 and one Model 0.9 septic treatment units by Biomicrobics.
- All existing inverts and site conditions shall be verified by contractor.
- If, during installation the contractor encounters any soil conditions not shown on the site plan, the contractor shall halt installation immediately and notify Geo-Cape Environmental Consultants.
- Designer not responsible for undocumented septic components.
- The existing septic tank and leach pit at System #1 shall be pumped and abandoned in place.
- The existing septic tank at System #2 shall be pumped and abandoned in place.
- The existing leach pit #2 at System #2 shall be pumped and abandoned in place.
- The Contractor shall notify the Designer and Board of Health 24 hours prior to completion of septic repair for as-built certification purposes.
- As-built certification shall be installed one foot below grade above all septic components.
- As-built certification shall be installed one foot below grade above all septic components.
- Disposal facilities shall be at least 18' below water supply lines, wherever sewer lines must cross water supply lines, both pipes shall be constructed of Class 150 pressure pipe and pressure tested to assure watertightness. For additional protection, water supply lines shall be sleeved in SCH 40 PVC 10 feet from interactions with sewer lines or within 10 feet of septic components.



SOIL EVALUATION & PERK TEST

Date of SOIL EVALUATION: July 11, 2023
 Evaluation Performed By: Glen E. Harrington, R.S.
 Excavator: Shawn's Tree Service for TLH Excavation
 Witness: Arzand Davis, R.S. BOH Agent
 Percolation Rate: < 2 mpi

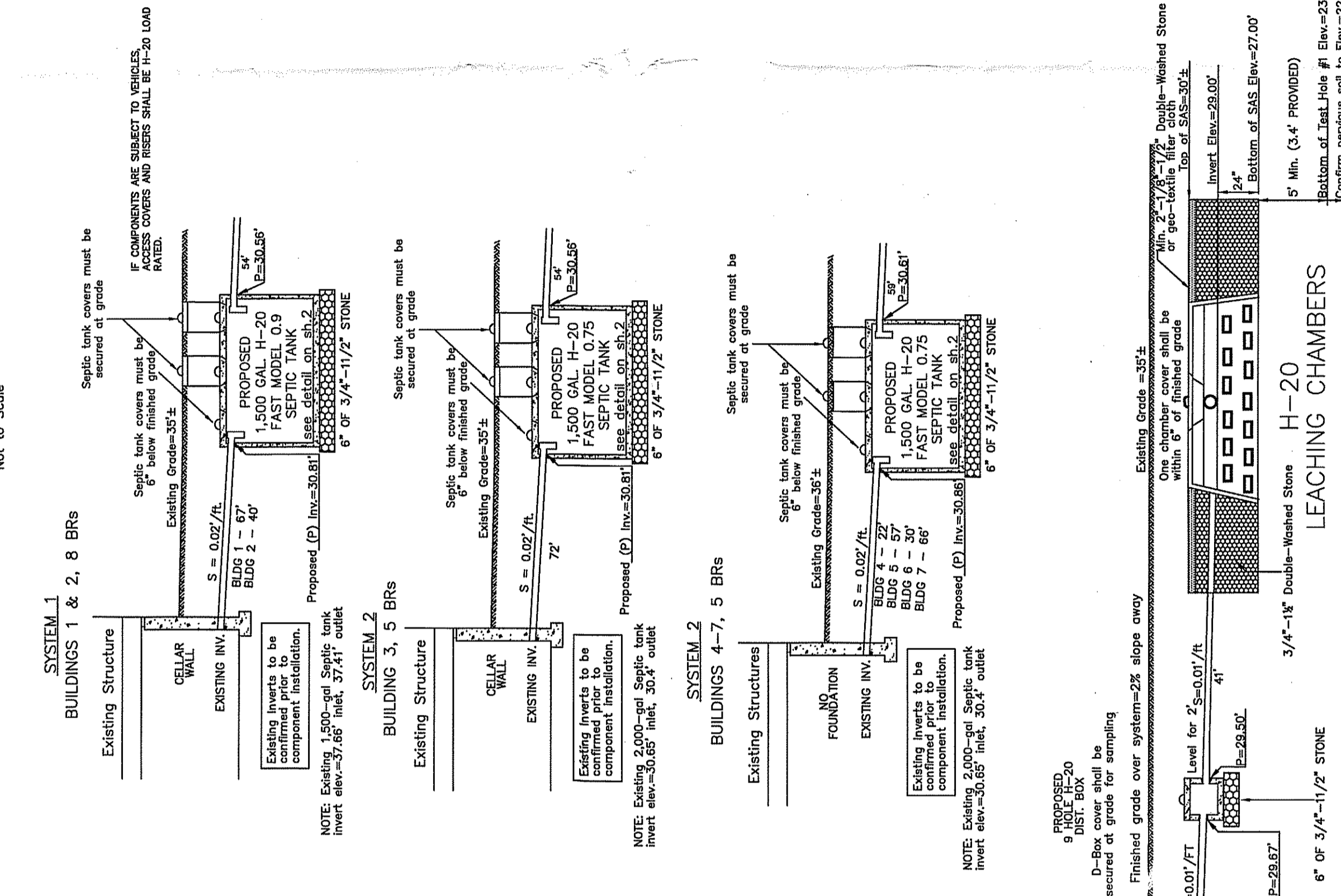
DEPTH	SOILS	ELEV.
0	A, LS	35.14
3"	10YR6/2	34.89
18"	E, LS	33.64
33"	10YR6/8	32.39
54"	med. sand	30.64
138"	10YR6/5	23.64

No Observed Ground Water

SITE PLAN
 SCALE: 1" = 20'
 CONTOUR INTERVAL=1'
 B.M. = 34.74' (APPROX. GIS) ON P.K. NAIL SET.

- LEGEND:**
- Existing 1,500 or 2,000 GALL septic tanks
 - Proposed 1,500 GALL H-20 MicroFAST treatment tank
 - Existing underground electric lines
 - Existing post & rail fence
 - Existing underground septic components
 - Proposed underground components
 - Approximate location of water line
 - Existing underground cable or telephone unless otherwise noted
 - Spot topo shot
 - Existing topo contour

SYSTEM PROFILE



LEACHING CHAMBERS



HEALTH DEPARTMENT
TOWN OF TRURO
OCT 06 2023
RECEIVED BY:

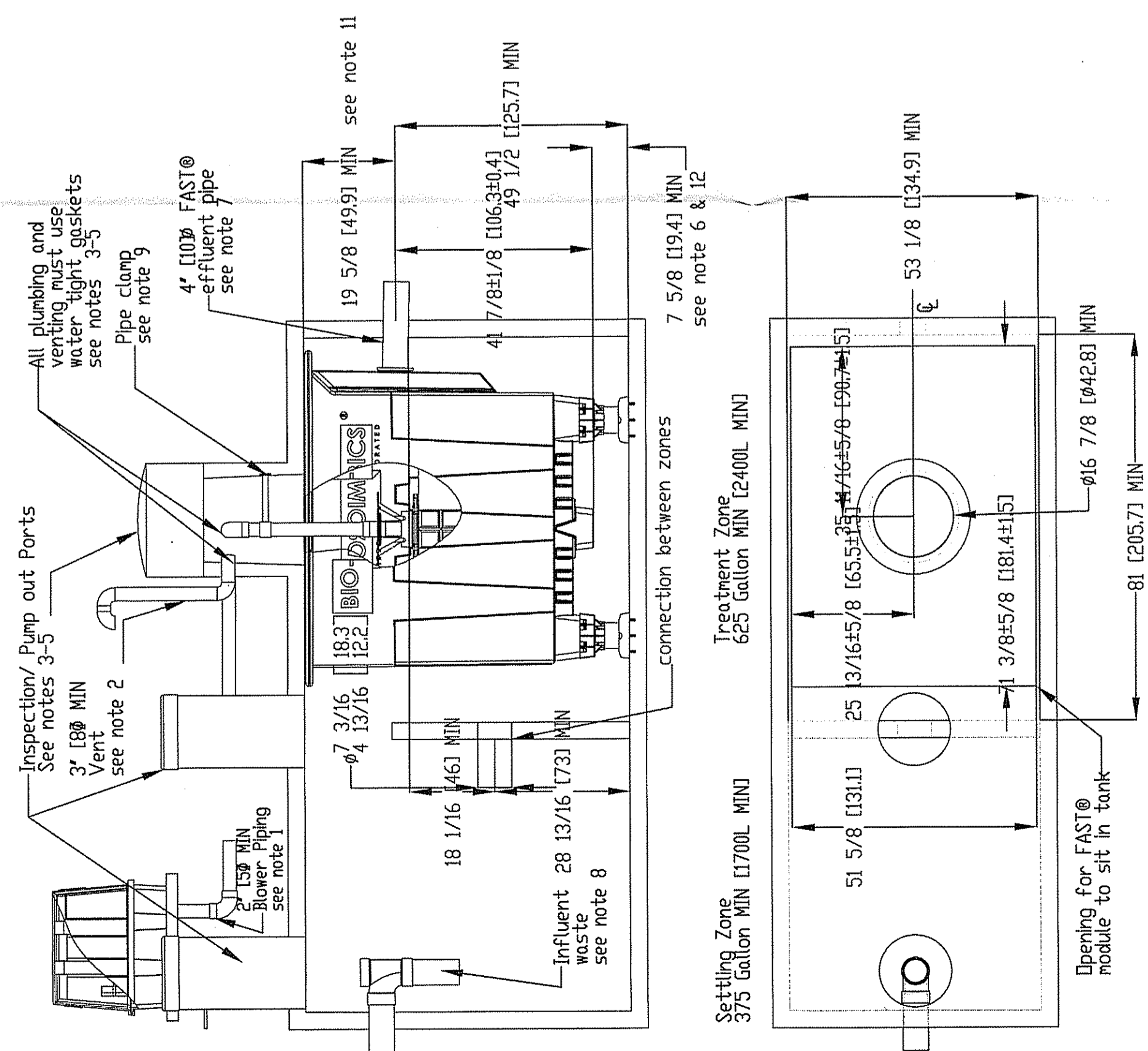
PROPOSED SEPTIC SYSTEM REPAIR
 PREPARED FOR
SALT AIR COTTAGES CONDOMINIUM
 AT
 82 SHORE ROAD
 TRURO, MA

PREPARED BY:
A PERFECT ENVIRONMENT LLC
 GEO-CAPE ENVIRONMENTAL CONSULTANTS
 100 Independence Drive, Suite 7-823
 Hyannis, MA 02601
 Email: PerfectEnvironment@gmail.com

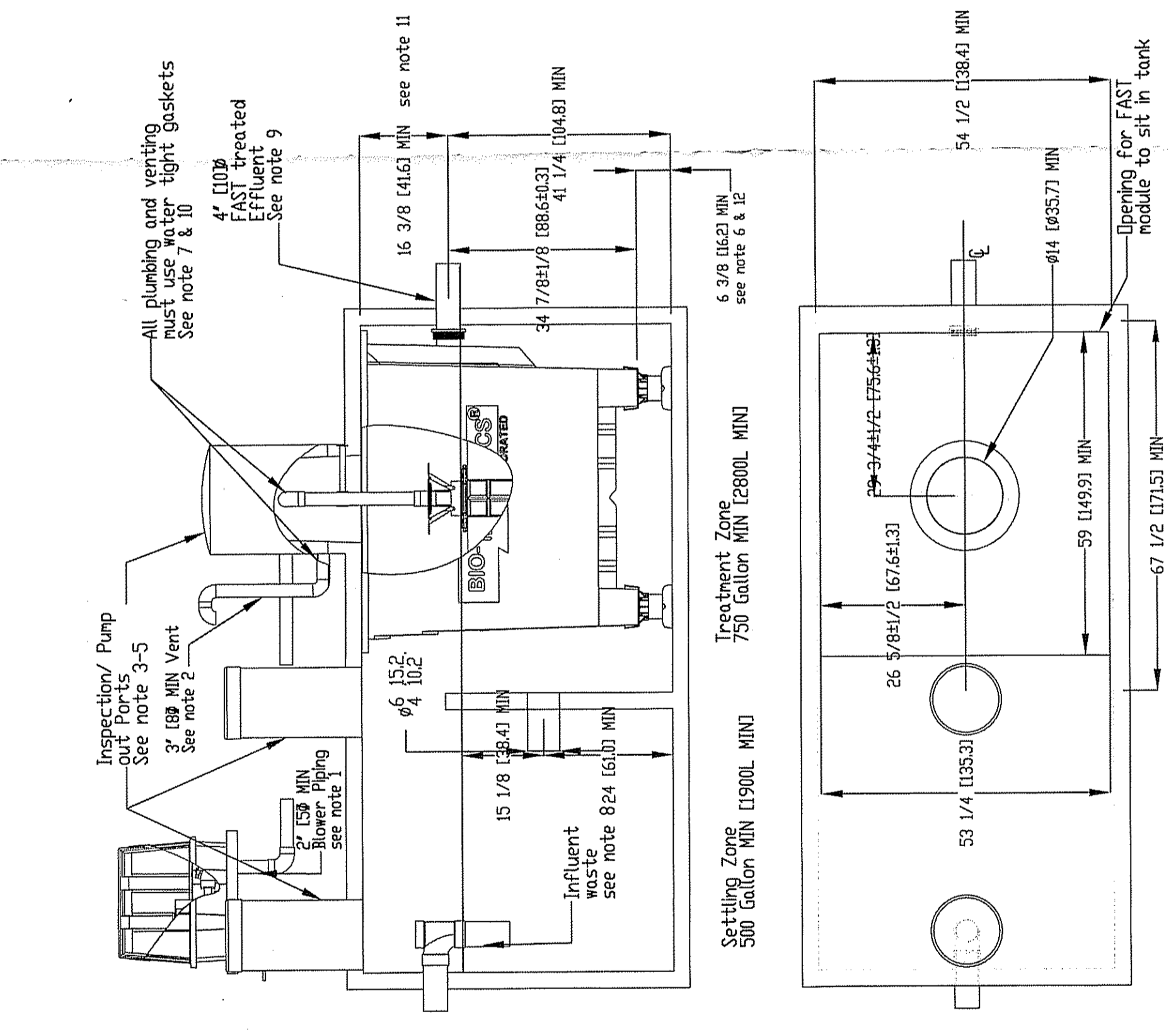
SCALE: 1" = 20'
 DRAWN BY: GEH
 FILE: 82ShoreTruro
 DATE: 4 OCT 2023
 SHEET 1 OF 2

Soil Evaluation Certification
 I certify that on October, 1995, I have passed the soil evaluator examination approved by the DEP and that the analysis was performed by the required training, expertise and experience described in 310 CMR 15.017.

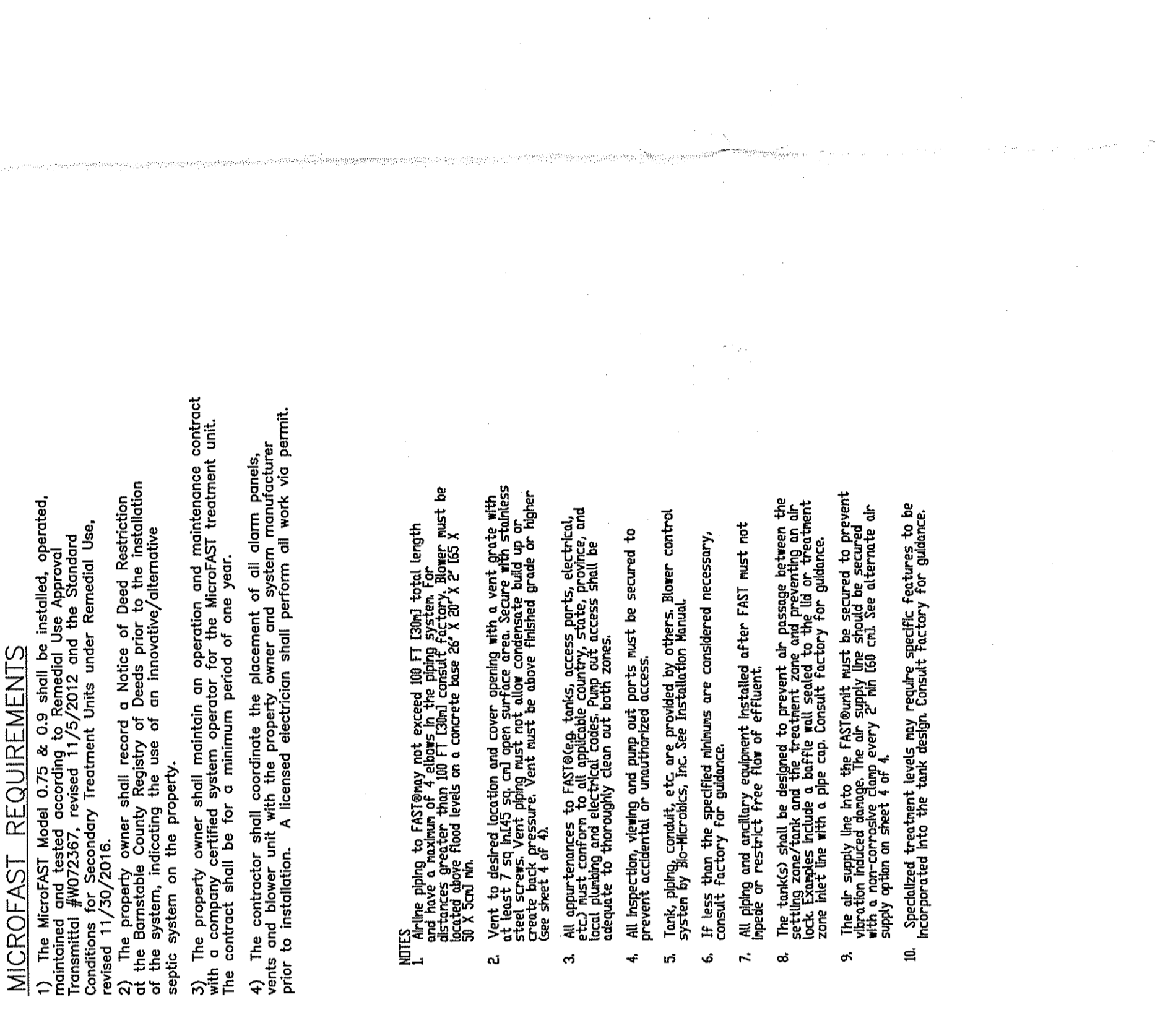
GLEN E. HARRINGTON, R.S.



MicroFAST 0.75 FAST Unit
 MicroFAST 0.75 with Feet
 REVISED 9/18/2018 REV. INT-07-3
 BID-MICROBICS © 2013



MicroFAST 0.90 FAST Unit
 MicroFAST 0.90 with Feet
 REVISED 10/15/2018 REV. INT-09-0
 BID-MICROBICS © 2014



MicroFAST 0.50 FAST Unit
 MicroFAST 0.50 with Feet
 REVISED 10/15/2018 REV. INT-05-0
 BID-MICROBICS © 2014

MICROFAST REQUIREMENTS

- The MicroFAST Model 0.75 & 0.9 shall be installed, operated, maintained and tested according to Remedial Use Approved Conditions for Secondary Treatment Units under Remedial Use, revised 11/30/2016.
- The property owner shall record a Notice of Dead, Resurrection of the system, indicating the use of an innovative/alternative septic system on the property.
- The property owner shall maintain an operation and maintenance contract with a company certified in operation and maintenance of septic systems. The contract shall specify the placement of all alarm panels, control wires, and electrical components. The property owner and system manufacturer shall be responsible for the placement of all alarm panels, control wires, and electrical components. A licensed electrician shall perform all work via permit prior to installation.

- NOTES**
- All piping to FAST unit shall be installed with a minimum length of 10 feet. All piping shall be installed with a minimum length of 10 feet. All piping shall be installed with a minimum length of 10 feet.
 - Vent to desired location and cover opening with a vent grate with a minimum height of 4 feet. Vent pipe shall be installed with a minimum height of 4 feet. Vent pipe shall be installed with a minimum height of 4 feet.
 - All connections to FAST tanks, access ports, electrical, etc. shall be installed with a minimum height of 4 feet. All connections shall be installed with a minimum height of 4 feet. All connections shall be installed with a minimum height of 4 feet.
 - All inspection, wiring and pump out ports must be secured to prevent accidental or unauthorized access.
 - Tank, piping, control, etc. are provided by others. Blower control shall be installed by others. Blower control shall be installed by others.
 - All piping and ancillary equipment installed after FAST must not impede or restrict free flow of effluent.
 - The tanks shall be designed to prevent an passage between the tanks. All connections shall be installed with a minimum height of 4 feet. All connections shall be installed with a minimum height of 4 feet.
 - The tanks shall be designed to prevent an passage between the tanks. All connections shall be installed with a minimum height of 4 feet. All connections shall be installed with a minimum height of 4 feet.
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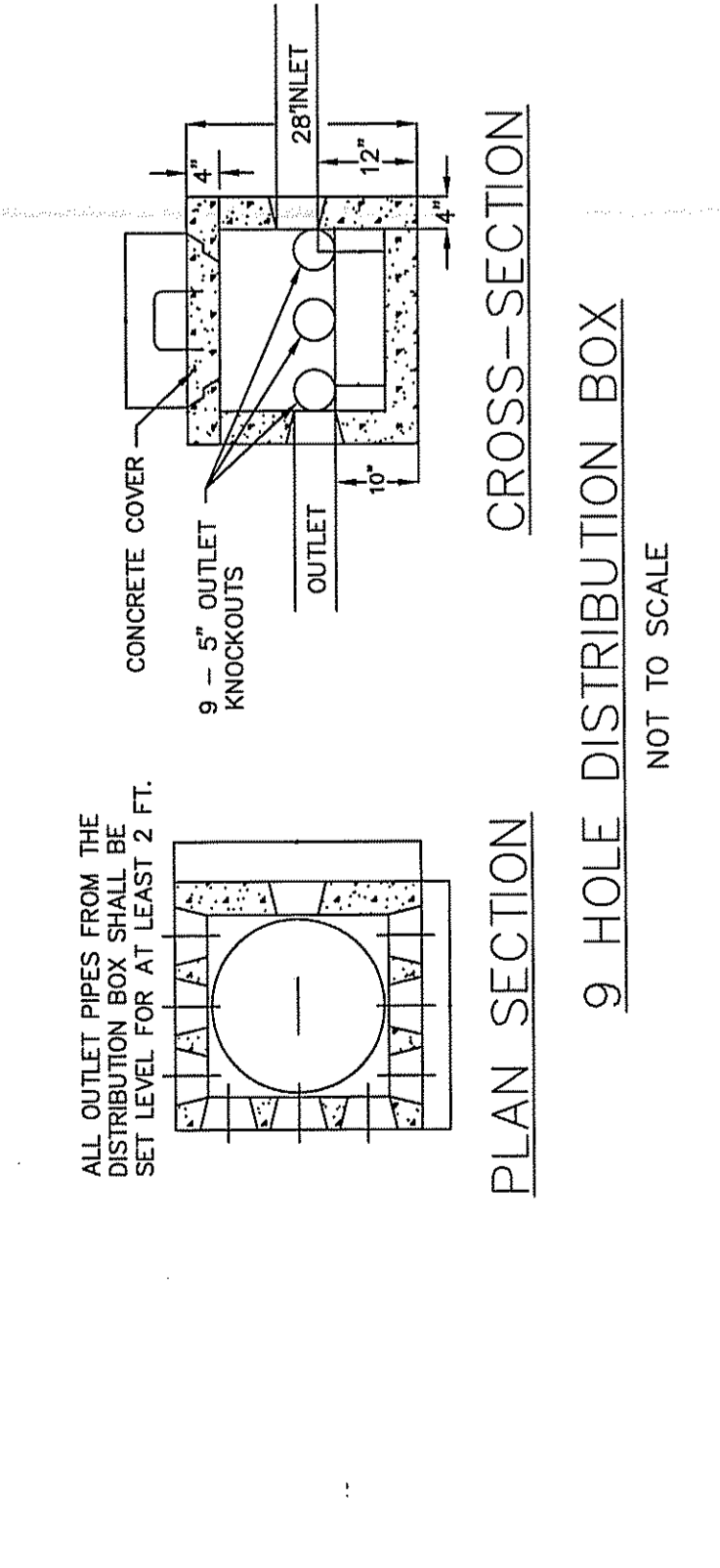
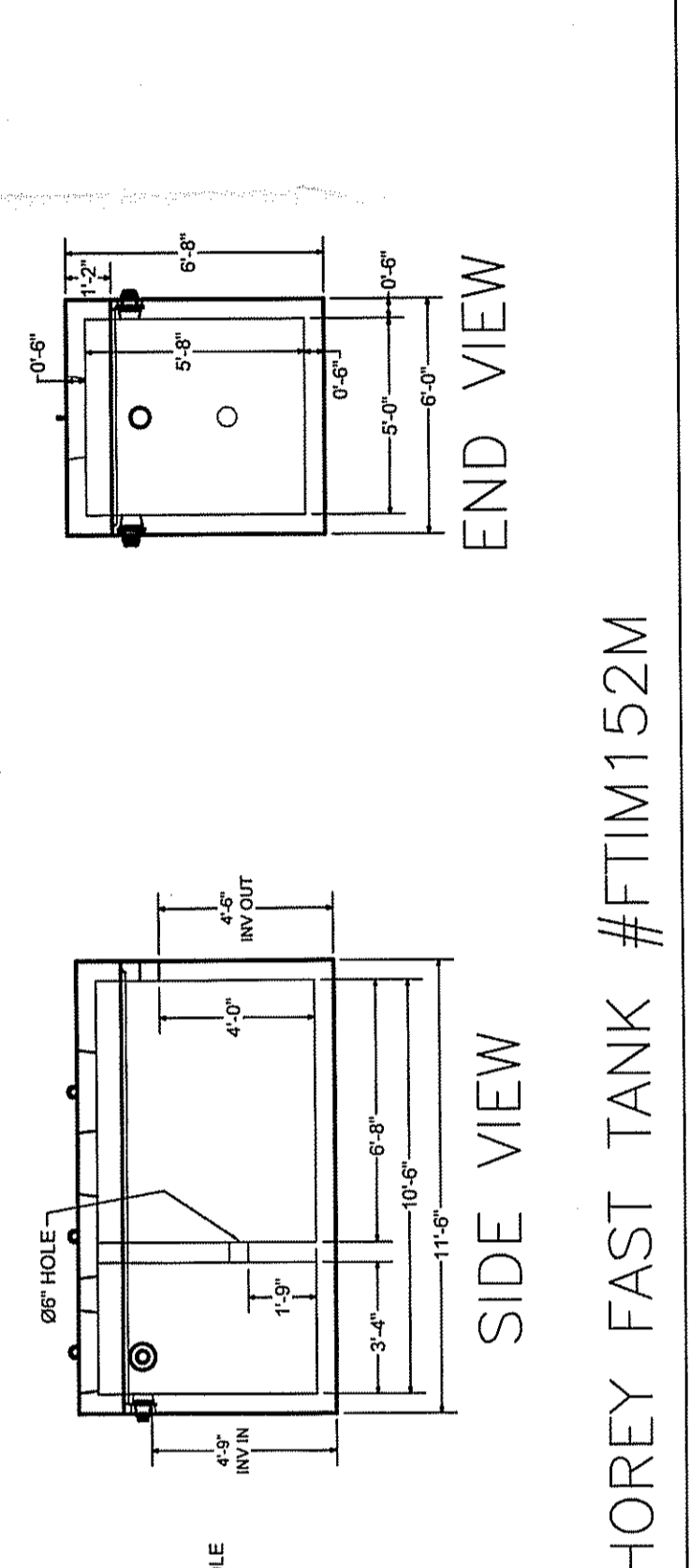
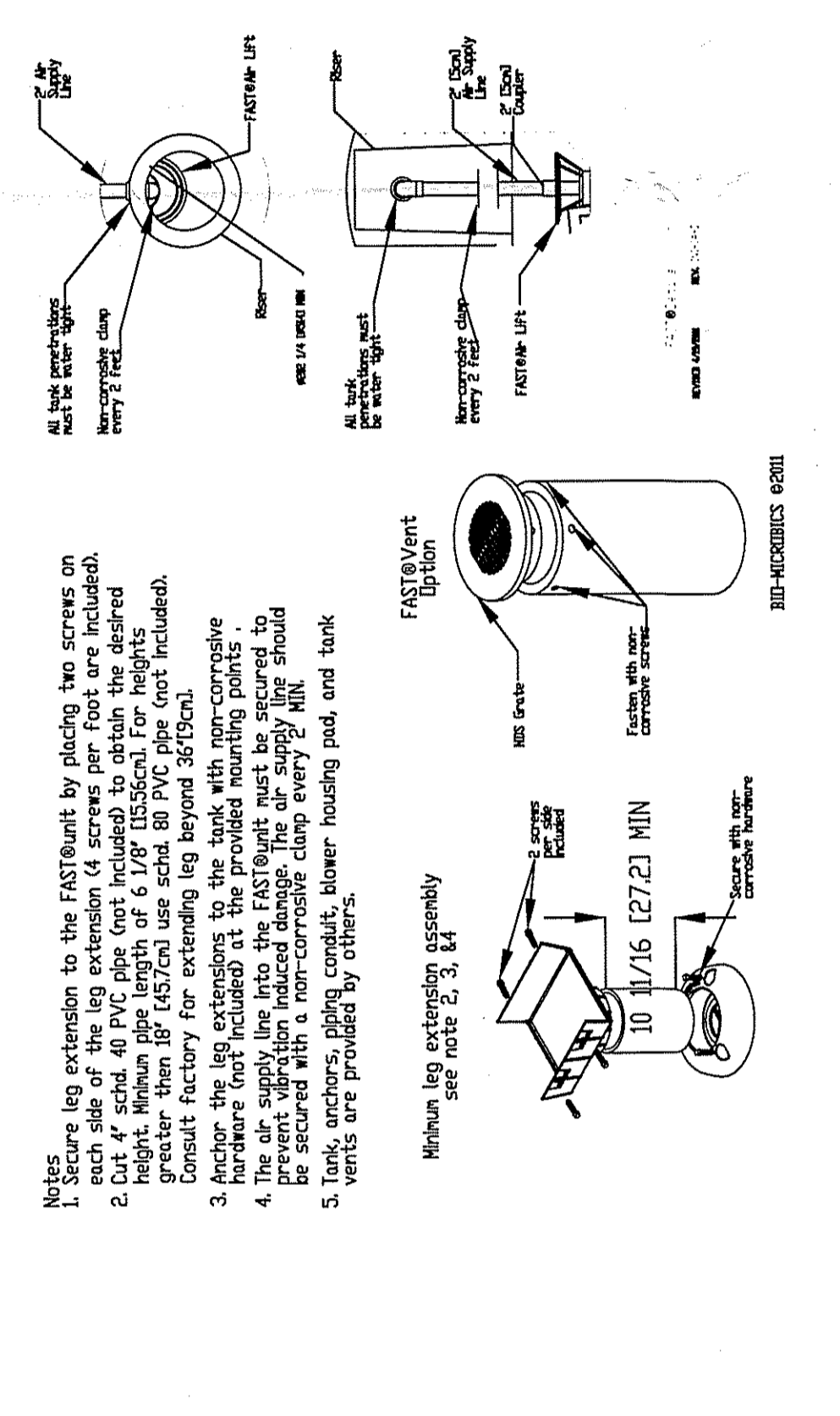
PROPOSED SEPTIC SYSTEM REPAIR

PREPARED FOR
SALT AIR COTTAGES CONDOMINIUM
 AT
82 SHORE ROAD
TRURO, MA

PREPARED BY:
A PERFECT ENVIRONMENT LLC
 GEO-CAPE ENVIRONMENTAL
 CONSULTANTS
 300 Independence Drive, Suite 7-823
 Truro, MA 01963
 Email: aperec@perfectenvironment.com

DATE: 4 OCT 2023
 SHEET 2 OF 2

SCALE: 1"=20'
 DRAWN BY: GEH
 FILE: 82ShoreTruro
 DATUM: APPROX. GIS



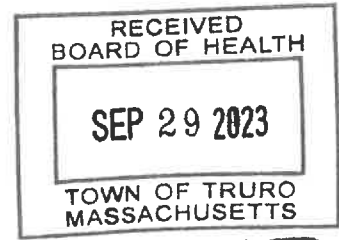


V# 2023-23

TOWN OF TRURO

Board of Health

P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004 x-32 Fax: (508) 349-5508



APPLICATION FOR BOARD OF HEALTH VARIANCES

Date Submitted: 9/29/23 Board of Health Hearing Date: 10/17/2023 @ 4:30

Property Owner's Name: ERIC W VARTY

Mailing Address: 8430 LAKE SHORE DRIVE, YALAHUA, FL 34797

Address of Property: 47 POND ROAD NORTH TRURO 02652

Map and Parcel Number: Map # 3B Parcel # 4

Design Engineer/Sanitarian JOHN McELWEE

Firm/Company Name: COASTAL ENGINEERING/INC. Phone #: (508) 255-6511

Address: 260 CRANBERRY HWY, ORLEANS MA

Real Estate Broker Contact: DNA

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

Complete Upgrade: JANUARY 1, 2028

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

Please check type of variance requested:

- Title 5 Variance Request Section _____
- Board of Health Variance Request Section/Article SECTION 6/ARTICLE 3.1.i
- Board of Health Variance Request from Section VI, Article 3(1)a. Required Upgrade Upon Property Transfer. Please include Buyer's Information below:

~~BUYER'S~~ Buyer's Name: DNA

Mailing Address: DNA

~~BUYER'S~~ Phone #: 508.637.3410 Fax: - Email: ewvarty@gmail.com

Signature (Property Owner)
[Signature]

Signature (Buyer)

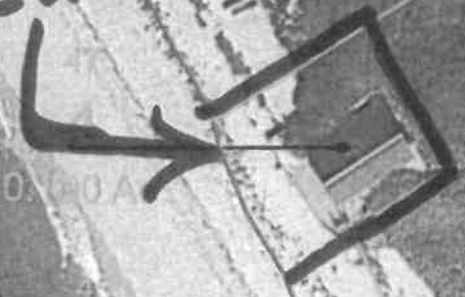
Date
September 28, 2023

Date

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

47 POND ROAD
ERIC VARTY, OWNER

LOCUS



2
0.030 Ac

5
0.01

6
0.120 Ac

7
0.01

8
0.01

9
0.550 Ac

10
0.930 Ac

11
0.120 Ac

12
0.120 Ac

13
0.120 Ac

14
0.120 Ac

15
0.120 Ac

16
0.120 Ac

17
0.120 Ac

18
0.120 Ac

19
0.120 Ac

20
0.120 Ac

81.12 (S)
24.45
23.76

150.06
26.37
147.16
10.35

91.11 (S)
28.5 Ac

TOWN OF TROURO
0.180 Ac

0.550 Ac
67.46
242.28 (S)

262.29
126.79 (S)

34
10
0.930 Ac

72.60
15

16

17

TBOH REGS—SECTION 6 ARTICLE 3.3

3. Time for Upgrades and Administrative Consent Orders

- a. PURPOSE: To allow the Town to execute an agreement with private property owners who need to upgrade, repair or replace their cesspools or septic systems during the Municipal wastewater planning process, which may include the availability of public sewer.

- b. DEFINITIONS:
ADMINISTRATIVE CONSENT ORDER (ACO) is a duly executed and recorded document that affords a property owner in Truro an opportunity to defer major repair, replacement and /or upgrade of a non-conforming or failed on-site wastewater treatment system until a municipal plan is available to direct the course of action for that owner, subject to certain conditions including but not limited to establishment of an escrow account to fund work required to achieve compliance.

SEPTIC SYSTEM INSPECTION REPORTS: Inspections of septic systems shall report on the functioning and condition of the system, and a description of the components. This report will be the basis to determine whether a property is eligible for an Administrative Consent Order (ACO) or will be required to upgrade immediately. When an inspection is required by Order of the Board of Health, or by the Truro Board of Health regulations, those properties with a cesspool system will not be required to submit a Title 5 inspection form; however, a licensed inspector must provide the Board of Health with a letter describing the condition of the cesspool system and a description of its components.

TIME FOR UPGRADES

All onsite septic systems shall be upgraded within one hundred and eighty (180) days from completion of an inspection of the system, unless another time frame is specified in these regulations or by order of the Board of Health, whenever an inspection determines that the system requires upgrade due to a condition identified in Section VI, Article 3 of the Truro Board of Health Regulation or Title 5.

The Board of Health may grant a variance extending the time for completing the required upgrade, subject to the property owner entering into an Administrative Consent Order approved by the Board .

- c. Administrative Consent Orders shall be at the sole discretion of the Board whenever the Board determines that an extension of time to complete required work will avoid undue hardship or manifest injustice to the owner of the facility and will not jeopardize public health, safety or the environment. Without limiting the generality, the Board may but is not required to issue Administrative Consent Orders in the following circumstances listed below.
- d. Applications for Administrative Consent Order shall be in writing and must be received by the Board of Health within thirty (30) days of the completion of system inspection. Requests for Administrative Consent Order not received within said thirty days will be rejected unless the Board extends the deadline for good cause shown.
- e. Administrative Consent Orders shall be on such terms and conditions as the Board determines are in the best interests of protecting public health and the environment until such time as the

system is upgraded.

Examples of possible scenarios may include:

- When an upgrade can be delayed until Best available technology (BAT) is available.
- When circumstances dictate that a solution cannot be implemented until a future date.
- When a property is a candidate for future sewer connection that may become available.
- When the size or location of the property dictates it be part of a shared system with another property.

f. All Administrative Consent Orders shall include the following minimum terms:

1. The Board of Health agrees to extend the time for upgrading the system for __ days provided that there is compliance with the terms of the ACO.
2. The Property owner agrees to deposit a predetermined sum of money* into an interest-bearing escrow account. The amount shall be sufficient to either pay a betterment fee or complete the installation; said sum may be paid in installments.

*(This sum will be based on estimated costs for plans, estimated costs for I/A system installation or cost to connect to a wastewater sewer- example \$48/gallon of Title 5 design flow for installing a standard Title 5; \$65/gallon of Title 5 design flow for connection to the Provincetown sewer; \$97/gallon of Title 5 design flow for installing an I/A or enhanced I/A Title 5.)

3. The Property owner agrees to upgrade the system or connect to a public sewer upon expiration of the stay.
 4. The Property owner agrees to periodic inspections and pumping of the system as needed.
 5. The Property owner agrees to abate any imminent health hazards arising prior to upgrade of the system, which may require earlier repairs or upgrade.
 6. Stipulated penalties for failing to comply with the ACO; and
 7. The Property owner agrees to record the ACO in the chain of title to the property and that the ACO will be binding on any successors in interest.
- g. Notwithstanding the terms of this Regulation or an ACO issued pursuant thereto, the Board reserves the right to issue any such order as may be deemed necessary to protect public health and the environment from an imminent hazard caused by any onsite septic system, including requiring pumping, repairs, or immediate upgrades.
- h. All requests for an ACO shall be processed in accordance with the variance process outlined in Section I, Article 2 of the Truro Board of Health Regulations and 310 CMR 15. 305 and shall be within the sole discretion of the Board.

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 3.1.b of this Section VI and Title 5, 310 CMR 15.301.

TOWN OF TRURO
BOARD OF HEALTH

In the matter of:

Property belonging to:

Eric Varty
8430 Lakeshore Drive
Valaha, FL 34797

Regarding:

47 Pond Road, Truro, Massachusetts
Assessor's Map: 38 Parcel: 4
Deed Book: 10796 Page: 002

**ADMINISTRATIVE CONSENT
ORDER**
Future Septic Upgrade

PARTIES

1. The Town of Truro (the "Town"), acting by and through its Board of Health ("Board"), is a municipal corporation within the Commonwealth of Massachusetts with offices at 24 Town Hall Road, Truro, MA, 02666.
2. Eric Varty, (the "Respondent") is the owner of property located at 47 Pond Road in the Town (the "Property"). Respondent's mailing address is: 2925 53RD ST SOUTH GULFPORT, FL 33707-5647

AUTHORITY

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

STATEMENT OF FACTS

4. The Town requires the upgrade of cesspool systems to meet the minimum standards of 310 CMR 15.000 Title 5 and the Truro Board of Health regulations by December 31, 2023.
5. The Respondents' Property is served by a cesspool, is not compliant with Title 5, and the Board has determined that the cesspool requires an upgrade pursuant to 310 CMR 15.000 (Title 5).
6. Deeded access to the Respondents' Property is the subject of pending litigation in the case of XXXXXXXXXX, Barnstable Superior Court, C.A. No. XXXXXXXXXX. Based on the current configuration of the Property, it is landlocked; that is, it has no frontage on any way, public or private, and the only access to it is made by a footpath which traverses across Town property (49 Pond Road). The parcel area is approximately 4,200 square feet, 3,300 of which is located within the FEMA V(velocity) zone. The single-family structure on the Property is served by a private well. Due to the

restricted access to the Property and the presence of wetland resource areas, the owner is seeking redress from the Massachusetts Superior Court and has engaged in the services of professional engineers at Coastal Engineering in Orleans to prepare the necessary documents, and by Janine P. Burke Esq. a specialist in title work to work with the Court to resolve the access issues, a process that is estimated to take 2 years to resolve . Due to the protracted timeframe for action by the court, the property owner needs relief from the December 31, 2023 deadline for completion of the design and installation work for the upgraded septic system.

7. Given the unique circumstances concerning the Property, the Board of Health is willing to extend the deadline for the completion of the design and installation work to replace the existing cesspool, subject to the Respondent's compliance with the terms and conditions of this Administrative Consent Order.

CONSENT ORDER

8. The Respondent is not required to undertake design or construction of a subsurface sewage disposal system at this time, provided that the following temporary remedial measures shall be undertaken by the Respondent: Inspection to the cesspool every year commencing December 31, 2023. Any repairs deemed necessary shall be completed under the benefit of a permit by a licensed installer.
9. When the Respondent has had remedy provided by the court, the Respondent shall notify the Town, and the Respondent shall immediately commence with design work for an upgraded subsurface sewage disposal system to be approved by the Board of Health within 90 (ninety) days of said notice and commence with installation of a Title 5 compliant septic system on the Property in accordance with the approved engineered plan. Such approval shall be obtained at a duly noticed Board of Health meeting. The Respondent shall abandon the existing cesspool by, and complete construction of an upgraded sewage disposal facility in accordance with the approved engineered plan within one hundred twenty (120) days from said notice. **Whether or not the litigation has been resolved, a Title 5 compliant system shall be installed by January 1, 2028.** Notwithstanding the requirements of this Paragraph, the Board may, in its sole discretion, elect to extend the time for completion of the upgrade to an on-site title 5 septic system by renewal of this Consent Order for such additional period as it sees fit, with all other requirements of this Consent Order remaining in full force and effect.
10. In the event that the Respondent transfers title to or an interest in the Property to another person at any time during the life of this Consent Order, the property shall be immediately upgraded to meet the standards of title 5 and the Truro Board of Health regulations and requirements.
11. Within five (5) days of the execution of this Consent Order, the Respondents shall provide to the Board, proof of recording of the Consent Order at the Registry of Deeds or Registry District of the Land Court, as appropriate. The Town may record the Order at the Respondents' expense in the event the Respondents fail to do so.

STIPULATED PENALTIES

12. If any action required by this Consent Order is not completed by the prescribed deadline, including but not limited to any deadlines associated with required septic system installation, the Respondent shall pay

to the Town without demand a stipulated penalty of \$500 per day unless said deadline is delayed on account of matters beyond the reasonable control of the Respondent or on account of the Respondents' contractor's inability to meet said deadline. Each day of non-compliance shall constitute a separate violation. Payment of the penalty shall be made by certified check, cashier's check or money order payable to the Town of Truro and such payment shall be mailed to the Board of Health, 24 Town Hall Road, TRURO MA 02666. Nothing herein shall limit the authority of the Board of Health or Town to pursue additional enforcement measures, whether legal or equitable, including fines and injunctive relief, to enforce this Consent Order or G.L. c.111, §§31 and 122, G.L. c.21A, §13 and 310 CMR 15.00.

TERMINATION

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

OTHER PROVISIONS

- 14. This Consent Order shall apply to and bind the parties, their officers, employees, agents, successors, heirs, assigns, and all other persons and entities acting under them.
- 15. The Respondents voluntarily agree to the terms of this Consent Order.
- 16. This Consent Order may be modified only upon the written agreement of the Board of Health and Respondents.
- 17. If any term or provisions of this Consent Order or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of the Consent Order or the application thereof shall be valid and enforceable to the fullest extent permitted by law.
- 18. Nothing in this Consent Order shall be deemed an admission of any facts or liability as to boundaries of the Property, including but not limited to any facts or liability which may be at issue in the litigation referenced herein, with any such liability being expressly denied.
- 19. Each undersigned representative hereby certifies that they are fully authorized to enter into the terms signing.

Entered into on this _____ day of _____, 2023.

Respondent(s)

On Behalf of Town of TRURO
Board of Health

Eric W. Varty

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

COMMONWEALTH OF MASSACHUSETTS

_____, SS.

On this ____ day of _____, 2022, before me, the undersigned notary public personally appeared **Emily Beebe, Health Agent**, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

_____, SS

On this ____ day of _____, 20__, before me, the undersigned notary public personally appeared _____ (name of document signer), proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

Notary Public



October 13, 2023

RE: Updated ORDER TO CORRECT to Properties with installation permits as of December 31, 2023

Dear Property Owner,

This letter is sent to provide you with an update on the Board of Health compliance schedule for upgrading your septic system.

As you know, the completion date for upgrades is December 31, 2023, however, the Board of Health has determined that property owners who have completed the plan design/approval phase and have contracted with a licensed installer who have pulled a permit by December 31, 2023 will avoid fines or court action by completing their installation and certification process by December 31, 2024. Failure to meet this new deadline shall result in enforcement action.

Please, contact our office with any questions you may have or to provide us with an update on the progress you are making. We can be reached at (508)-214-0920/(508)-214-0919 or email me directly at ebeebe@truro-ma.gov

Sincerely,

Emily Beebe, Health & Conservation Agent

DRAFT



October 13, 2023

RE: Updated ORDER TO CORRECT to Properties with ACO's as of December 31, 2023

Dear Property Owner,

This letter is sent to provide you with an update on the Board of Health compliance schedule for upgrading your septic system.

As you know, the completion date for upgrades is December 31, 2023, however, the Board of Health has determined that property owners who are on Beach Point and have contracted with an engineer to develop their upgrade plans are eligible to enter into an Administrative Consent Order (ACO) with the Town of Truro. An ACO may be granted by the Board of Health as an extension to property owners who wish to connect to the Provincetown Sewer system, should it become feasible to do so. The ACO will delay either the final installation and certification of a septic system upgrade, or connection to the Provincetown Sewer system.

The Town of Truro is currently working with GHD engineering to complete their Comprehensive Wastewater Management Plan. A portion of this plan includes an exploration of the available alternatives for treating wastewater. Because of the largely rural context, most Truro residences cannot expect to see any sewer collection in their neighborhoods, and on-site systems will likely continue to be the most practical treatment technique. However, because of the density of Beach point, and the proximity to Provincetown, the 2 Towns are exploring the feasibility of including Beach Point in the expansion of their sewer system, and wastewater treatment facility. There are such significant environmental benefits to treating wastewater at the scale of a treatment plant, that it became apparent that Truro Beach Point property owners should be given the opportunity to pursue the best environmental solution to correction of their failed systems. There is a chance that the feasibility study will not bear out in favor of sewer collection, so we are requiring that plans for upgrade be completed to enable installation if necessary.

We are including a "sample" ACO for you to review, and we hope to discuss the ACO process with you further in the next few weeks.

Please, contact our office with any questions you may have or to provide us with an update on the progress you are making. We can be reached at (508)-214-0920/(508)-214-0919 or email me directly at ebeebe@truro-ma.gov

Sincerely,

Emily Beebe, Health & Conservation Agent



October 13, 2023

RE: Updated ORDER TO CORRECT to Properties in process by December 31, 2023

Dear Property Owner,

This letter is sent to provide you with an update on the Board of Health compliance schedule for upgrading your septic system.

As you know the completion date for upgrades is December 31, 2023, however, the Board of Health has determined that property owners who have contracted with an engineer and have plans in development or completed and not yet permitted have made substantial progress toward completion of the project, and therefore, these property owners have been granted an extension to complete the final installation and certification of the system upgrade. The new final compliance date for your property is December 31, 2024.

To avoid fines or court action you must comply with the following milestones:

By March 1, 2024, you shall submit a copy of your stamped plan to the health department.

By May 1, 2024, your installation contractor shall file a disposal works construction permit.

By December 31, 2024, your system should be installed, and the certificate of compliance issued.

Failure to meet these deadlines shall result in issuance of a \$100 fine each day until the milestone is met.

We encourage you to proceed toward compliance with due diligence, as there are many other property owners vying for the same services that you require, and the process will become more difficult as the milestones click by.

Please anticipate at least 2 months for permitting and installation.

At this stage in the process we ask you to please contact our office with any questions you may have or to provide us with an update on the progress you are making. We can be reached at (508)-214-0920/(508)-214-0919 or email me directly at ebeebe@truro-ma.gov

Sincerely,

Emily Beebe, Health & Conservation Agent



Date: October 13, 2023

Re: final notice- ORDER TO CORRECT, SEPTIC SYSTEM UPGRADE

The Town of Truro Board of Health Regulations have designated all cesspools as failed systems that shall be upgraded to meet title 5 prior to December 31, 2023.

This notice is an Order to Correct the matter of the failed cesspool on your property, by replacing it with a septic system that meets the requirements of Title 5 prior to December 31, 2023, as required by Section VI, Article 3.1.h of the Truro Board of Health regulations.

To date we have no evidence that you have made any progress toward completion of the project to upgrade your septic system. Because you have not yet contracted with an engineer to complete the design for a new system you will not be able to comply with the requirements by December 31, 2023.

Please be advised that your failure to submit proof of contract with an engineer to the Truro Health Department prior to December 31, 2023, shall cause the Town to initiate enforcement.

Enforcement may include fines and shall include the Town filing a civil complaint to the Housing Court.

Proof of contract with an engineer means that you have hired an engineer to meet the Board of Health requirements to complete an upgraded design by the timeframe described below. To avoid future fines or court action we require a confirmatory email directly from the engineer that specifies you will have a completed design by June 1, 2024; further, an upgraded system shall be installed at your property and certified prior to December 31, 2024. Failure to meet the 2024 milestone dates will result in daily fines and Court action to gain compliance.

The design of the upgrade plans for the title 5 system will require several months for an engineer or designer to complete, and the permitting and installation will also take several weeks. **Please contact an engineer/designer to start the planning process** immediately.

A list of some of the engineers and designers that serve our area are listed below.

Please contact our office with any questions you may have so that we can assist you, and please provide us with an update on the progress you are making.

Emily Beebe, Health & Conservation Agent
ebeebe@truro-ma.gov
(508)-214-0919

Arozana Davis, Assistant Health & Conservation Agent
adavis@truro-ma.gov
(508)-214-0202

Courtney Warren, Assistant Health & Conservation Agent
cwarren@truro-ma.gov
(774)-383-3393

LOCAL DESIGNERS AND ENGINEERS

Schofield Brothers.: 508-255-2098 **Down Cape Engineering:** 508-362-4541

Glenn Harrington, RS: 774-238-1813 **ECO Tech:** 508-364-0894

J.M. O'Reilly & Associates: 508-896-6601 **J.C. Ellis Design:** 508-240-2220

Ryder & Wilcox: 508-255-8312 **East-SouthEast, LLC:** 508-945-3965



Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 5, 2023

To All Interested Parties:

The Massachusetts Department of Environmental Protection (MassDEP), Watershed Planning Program (WPP), announces the approval of the Final Wellfleet Harbor Embayment System Total Maximum Daily Loads (TMDL) For Total Nitrogen by the U.S. Environmental Protection Agency (EPA). MassDEP released the draft Wellfleet Harbor Embayment System TMDL for public comment in 2022. The final TMDL report includes MassDEP responses to the comments received. You can find a copy of the final TMDL report on the Mass.Gov website at:

<https://www.mass.gov/doc/final-total-nitrogen-tmdl-for-wellfleet-harbor/download>

EPA requires states to develop TMDL studies for waters that do not meet water quality standards and are listed as "impaired." The Final Wellfleet Harbor Embayment System TMDL addresses waterbodies listed in the table below that have failed to meet the Massachusetts Surface Water Quality Standards and are considered impaired for causes related to nitrogen pollution.

Waterbody Name	Segment ID	Impairment	TMDL Type	TMDL (kg/day)
Wellfleet Harbor	MA96-34	Total Nitrogen, Nutrient Eutrophication, and Biological Indicators	Restoration	217.16
Herring River	MA96-33	Estuarine Bioassessments	Protection ¹	48.64
Duck Creek	MA96-32	Total Nitrogen, Benthic Macroinvertebrates, Dissolved Oxygen, Nutrient Eutrophication, and Biological Indicators	Restoration	70.6
Blackfish Creek	MA96-123		Protection ²	0.37
Fresh Brook	MA96-126		Protection ²	3.81
Hatches Creek	MA96-124		Protection ²	5.80
Loagy Bay	MA96-125	Chlorophyll <i>a</i> and Dissolved Oxygen	Restoration	10.83
Wellfleet Harbor (total system)				357.17

¹Protective TMDL assigned based on hydraulic connection to Wellfleet Harbor. TMDL or Alternative Plan for Herring River restoration to be developed separately.

²Not impaired for nutrients, but TMDL needed since embayments are hydrologically linked. (Also referred to as a Pollution Prevention TMDL.)

A TMDL is essentially a "pollution budget" designed to restore the health of an impaired waterbody. The goal for the Final Wellfleet Embayment System TMDL is for the reduction of total nitrogen concentrations in each impaired waterbody to support the attainment of designated uses, including support of habitat for fish and other aquatic life, as established in the Massachusetts Surface Water Quality Standards. The primary locally controllable source of nitrogen is sanitary wastewater from septic systems (>80%). Other significant controllable sources of nitrogen to the system include leaching fertilizers from lawn and golf courses, and stormwater runoff.

Thank you for your interest in the Final Wellfleet Harbor Embayment System TMDL. Please feel free to contact me (holly.brown@mass.gov; 508-767-2792) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly Brown". The signature is fluid and cursive, with the first name "Holly" being more prominent than the last name "Brown".

Holly Brown
TMDL Analyst
Watershed Planning Program, MassDEP

cc: Richard O. Carey, Ph.D., Director, Watershed Planning Program, MassDEP
Matthew Reardon, TMDL Section Supervisor, Watershed Planning Program, MassDEP
Courtney Rainey, MassDEP

GENERAL BYLAW ARTICLES**Article 9: Amend General Bylaws to Add New Chapter IX Stormwater Management by Drainage, Erosion and Sediment Control**

To see if the Town will vote to amend the General Bylaws of the Town of Truro by adding new Chapter IX Stormwater Management by Drainage, Erosion and Sediment Control and enumerating the subsequent Chapters of the Bylaw accordingly by adding new language as follows (new language shown **bold underline**):

CHAPTER IX STORMWATER MANAGEMENT by DRAINAGE, EROSION AND SEDIMENT CONTROL**§ 1. Purpose**

The purpose of this bylaw is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements to control the adverse effects of stormwater runoff and erosion. Through proper management of stormwater, sediment and erosion controls this bylaw safeguards the public health, safety, environment and general welfare of the public. This bylaw serves to protect surface water and groundwater resources, promote groundwater recharge and prevent flooding.

§ 2. Applicability

The requirements of this bylaw shall apply to existing development, new development, and redevelopment projects to minimize adverse impacts of erosion and stormwater runoff, off-site and downstream, which would be borne by abutters, townspeople, the general public and wetland resource areas.

The Select Board may delegate from time-to-time certain duties described in this bylaw to designees who will act on its behalf for the purposes of enforcement. The Select Board may also enact regulations to carry out the intent and the purpose of this bylaw, including establishing an approval process for any activities subject to this bylaw, setting fees, and designating a Town board or officials to administer and enforce this bylaw.

§ 3. Definitions

New Development: development resulting from the conversion of previously undeveloped land or agricultural land uses.

Nutrient Pollution Sensitive: Nutrient pollution is the process where too many nutrients, mainly nitrogen and phosphorus, are added to bodies of water and can act like fertilizer, causing excessive growth of algae. This process is also known as

eutrophication. Excessive amounts of nutrients can lead to more serious problems such as low levels of oxygen dissolved in the water. Severe algal growth blocks light that is needed for plants, such as seagrasses, to grow. When the algae and seagrass die, they decay. In the process of decay, the oxygen in the water is used up and this leads to low levels of dissolved oxygen in the water. This, in turn can kill fish, crabs, oysters, and other aquatic animals.

Recharge: hydrologic process where water moves downward through the soil from surface water to groundwater.

Redevelopment: the action or process of developing something again, or differently.

Runoff: the draining away of water (or substances carried in it) from the surface of an area of land, a building or structure such as a driveway.

Storm, 50-year: refers to a storm that has a 2% chance of occurring on any given year and will produce 6.60 inches of rain in a certain area within a 24-hour period.

Stormwater: surface water that collects in abnormal quantity resulting from heavy falls of rain or snow.

§ 4. Drainage requirements

a. Runoff. All runoff from impervious surfaces of a lot shall be recharged on that lot. Runoff shall be diverted towards areas covered with vegetation for surface infiltration.

b. Stormwater. All stormwater drainage shall be contained on the development site and away from wetland resources. All stormwater shall be treated on site unless there is a public benefit to connecting to another drainage system or allowing stormwater to flow off site. Commercial development shall be required to handle calculated flows from a 50-year storm.

c. Drains. In no instance shall roof drains, subsurface drains, or overflow drains of any kind be directed to the public road layout.

§ 5. Erosion and sediment control requirements

a. Erosion. Erosion control provisions shall be designed and executed to prevent erosion or excessive uncontrolled surface water runoff from draining onto any public way, both during and after construction. No grading or clearing of land shall begin until all required erosion control measures are in place and fully constructed. Permanent erosion control measures including but not limited to re-vegetation, retention basins and siltation barriers may be required to ensure stormwater will not discharge onto the public way.

b. Sediment control. The Town may require measures to reduce tracking of sediment from construction vehicles onto the public way. The contractor is required to clean up any sediment inadvertently discharged, through tracking or other means, into the public way or drainage systems. In no case shall sediment be allowed to discharge onto a public way or into public drainage infrastructure.

§ 6. Nutrient Pollution Sensitive Areas

For nutrient pollution sensitive areas, please refer to the Best Management Practices within the Massachusetts Stormwater Handbook, Wetlands regulations, 310 CMR 10.00, and the Water Quality Regulations, 314 CMR 9.00, relating to stormwater.

§ 7. Fines and penalties

Violation of this bylaw shall be punishable by a fine as established in Appendix A. Each day a violation exists shall be deemed a separate offense, unless substantial progress or unforeseen delays are demonstrated by the owner/applicant. Pursuant to MGL c. 1 §1.1.4 such fines may be enforced either through a criminal complaint or through the non-criminal disposition process pursuant to MGL c. 40, §21D.

and further to amend the General Bylaws by inserting, in Appendix A, the following terms in a new row corresponding to the above Section 7, Stormwater Management by Drainage, Erosion and Sediment Control Bylaw:

<u>Chapter & Section</u>	<u>Subject</u>	<u>Fine \$</u>	<u>Enforcing Authority</u>
<u>x-x-8</u>	<u>Stormwater management</u>	<u>\$300 per violation, per day</u>	<u>Building Commissioner, Health/ Conservation Agent, Public Works Dept</u>

or to take any other action relative thereto.

Requested by the Health & Conservation Agent and Town Planner & Land Use Counsel

Explanation: The proposed Stormwater Management by Drainage, Erosion and Sediment Control bylaw will promote the stewardship of our groundwater resources, by introducing the citizenry of Truro to the importance of controlling stormwater on their own property. The bylaw requires property owners to meet the performance standards for stormwater by keeping rainfall from washing from their roofs and driveways onto private or public ways.

	In Favor	Not In Favor	Abstain
Board of Health Recommendation	4	0	0
Conservation Commission Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 10: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts

To see if the Town will vote to amend the General Bylaws of the Town of Truro Chapter IV Public Safety, by adding a new Section 8, Curb Cuts by adding new language as follows (new language shown **bold underline**):

SECTION 8: CURB CUTS

SECTION 1: Purpose

4-8-1 The purpose of this Bylaw is to protect public safety, including but not limited to safe passage for emergency vehicles and personnel, and to protect Town roads and infrastructure, as they are impacted by the location and use of Curb Cuts on Town- and State-owned roads.

SECTION 2: Curb Cut Requirement

4-8-2-1 Applicability

All new Curb Cuts off of a Town or State-owned roads, and all alterations of existing curb cuts off such roads, shall require a Curb Cut Permit. This includes Curb Cuts associated with new construction; Curb Cuts absent new construction; and new Curb Cuts on lots with existing Curb Cuts (relocation).

All modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application, as described below in s. 4-8-5.

4-8-2-2 Prerequisite to issuance of building permit and certificate of occupancy

Where a Curb Cut is proposed on a Town or State road, a Curb Cut Permit must be obtained prior to application for a building permit for construction on the subject lot. No certificate of occupancy shall issue unless all conditions of the Curb Cut Permit have been met as certified by the Director of Public Works to the Building Commissioner.

SECTION 3: Definition

4-8-3 For purposes of this Bylaw, a Curb Cut is any portion of the frontage of a lot, on a public way, used for vehicular access to and egress from such lot.

SECTION 4: Approving Authorities

4-8-4 Permits for Curb Cuts on Town roads are issued by the Select Board following Town Department review. Permits for Curb Cuts on State-owned roads are referred to the Massachusetts Department of Transportation for review and approval.

SECTION 5: Procedures

4-8-5-1 Curb Cut Application. *Prior to performing commencing any work on a Curb Cut onto a Town- or State-owned road, the property owner or representative shall submit a completed Curb Cut Application to the Building Department. Such Application shall be available at the Building Department, and may be amended from time to time.*

4-8-5-2 Required Information. *The following materials shall be submitted with a completed Curb Cut Application:*

- **Complete plans of subject property (engineered; stamped; scale no less than 1" = 40'), showing property lines; topography; existing and proposed driveway(s); and grade of driveway to be served by Curb Cut.**
- **List of materials**
- **Explanation/illustration of means and methods for construction, stormwater management and erosion control**

4-8-5-3 Town Department Review. *The completed Curb Cut Application with supporting materials shall be reviewed for compliance with the Curb Cut Standards by the Director of Public Works and other Town Departments as deemed necessary, including but not limited to the Police and Fire Departments. The Director of Public Works shall submit to the Select Board with a recommendation of approval; approval with conditions; or disapproval.*

4-8-5-4 Select Board Review. *The Select Board shall, following review of the Curb Cut Application and Town Department comment, approve or disapprove the Curb Cut, imposing on an approval any conditions deemed necessary for public safety and/or the protection of Town property.*

4-8-5-5 Construction of Curb Cut. *All approved Curb Cuts must be completed within one year of approval. Upon written request, an extension may be granted by the Director of Public Works.*

4-8-5-6 Inspection and Certification. *The Director of Public Works shall inspect the completed Curb Cut and certify its compliance with applicable standards and any conditions of approval.*

4-8-5-7 Violation or Noncompliance with Curb Cut Standards. *The Director of Public Works may inspect a Curb Cut under construction, and may direct the issuance of a stop work (cease and desist) order for noncompliance with the Curb Cut Standards and/or violation of the approval granted, including any conditions of approval.*

4-8-5-8 Modifications to Existing Curb Cuts. *All modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application. The Director of Public Works*

is authorized to approve alterations to existing Curb Cuts (i.e., without approval of Select Board) following a modified review process.

SECTION 6: Curb Cut Standards

4-8-6-1 General

- A. **One (1) Curb Cut is permitted on each lot. The Select Board may grant a variance from this limit upon demonstration of site-specific need.**
- B. **Curb Cuts and driveways shall be located to maximize safety for entrance to and exit from the property, considering factors of grade, road alignment, profile, and sight distance conditions.**

4-8-6-2 Grade; Radius; Sight Distances

- A. **Driveways served by Curb Cuts shall have a maximum grade of 15%.**
- B. **The radius of a private driveway may not extend beyond the private owner's property line without the written consent of the abutting property owner.**
- C. **All Curb Cuts shall be constructed such that the sight distance in each direction is not less than three hundred (300) feet; however, when intersecting Route 6, the sight distance in each direction shall be no less than four hundred seventy-five (475) feet.**

4-8-6-3 Public Safety Clearing (Vegetation). Consistent with General Bylaw 1-9-13, for driveways in excess of fifty (50) feet in length, the following standards shall be met:

- A. **The traveled way of any driveway shall be no less than eight (8) feet wide**
- B. **The combined traveled way and clearance of any obstacles including vegetation shall be no less than (14) feet. (8' wide driveway 3' clearing on either side of driveway).**
- C. **Height clearance shall be no less than fourteen (14) feet from the road surface.**

4-8-6-4 Erosion Control; Damage. All Curb Cuts and related driveways shall be located and constructed so as to preclude, during and after construction:

- **Erosion of sand, soils, and other materials onto any Town or State Road**
- **Stormwater runoff onto any Town or State road**
- **Damage to any Town or State road.**
- **Any other potential hazard to public safety or Town property as may be identified by the Director of the Department of Public Works, Building Commissioner, Chief of Police, and/or Fire Chief.**

Temporary vegetation and/or mulching shall be used to protect exposed areas during construction. Permanent (final) vegetation and any mechanical measures required to stabilize the land surface and control erosion shall be installed as soon as practicable after construction ends.

SECTION 7: Costs to be borne by property owner

4-8-7-1 All costs relating to construction of a Curb Cut shall be borne by the property owner(s) and any successors in interest.

4-8-7-1 The cost of any repairs to Town property caused during or after construction of the Curb Cut, and/or caused by failure to comply with this Bylaw or any condition(s) of Curb Cut approval, shall be borne by the property owner(s) and/or any successors in interest.

SECTION 8: Enforcement; Penalties

4-8-8-1 Denial of Building Permit/Certificate of Occupancy. Violation of this Bylaw, and/or failure to comply with the conditions of a Curb Cut approval shall result in a denial by the Building Department of any application for a building permit and/or for issuance of a certificate of occupancy for any construction on the property.

4-8-8-2 Request to MassDOT for Disapproval of Requested Permit. Violation of this Bylaw shall result, where applicable, in a request by the Town to the Massachusetts Department of Transportation for the Department's disapproval of an owner/applicant's request for a permit to enter a State road.

4-8-8-3 Penalties. Violation of this Bylaw, and/or failure to comply with the conditions of a Curt Cut approval shall be punishable by a fine as established in Appendix A. Each day a violation exists shall be deemed a separate offense, unless substantial progress or unforeseen delays are demonstrated by the owner/applicant. Pursuant to General Bylaw Chapter 1, s. 1.1.4, such fines may be enforced either through a criminal complaint or non-criminal disposition in accordance with G.L. c. 40, s. 21D.

and further to amend the General Bylaws by inserting, in Appendix A, the following terms in a new row corresponding to the above Section 8, Curb Cut Bylaw:

<u>Chapter & Section</u>	<u>Subject</u>	<u>Fine \$</u>	<u>Enforcing Authority</u>
<u>4-8-8</u>	<u>Curb Cut</u>	<u>\$300</u>	<u>Building Commissioner</u>

or take any other action relative thereto.

Requested by the Select Board

Explanation: Presently, Select Board Policy 28 Curb Cut Policy provides the purpose, applicability, process, standards, and enforcement for curb cuts in Truro. The Select Board has discussed at various meetings over the years the need for better enforcement mechanisms related to Curb Cut violations, which can best be achieved by the adoption of a Section of General Bylaw and accompanying fine schedule in Appendix A of the General Bylaws.

	In Favor	Not In Favor	Abstain
Select Board Recommendation	5	0	0

Minutes of the Truro Board of Health, Tuesday September 19, 2023

This was a remote meeting.

Board members in attendance:

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Brian Koll, Helen Grimm, Tim Rose (joined the meeting at 4:15 pm); Absent: Alternate Member Candida Monteith
Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

The meeting was called to order at 4:03 pm by the Chair, who described the remote meeting procedures and the process for public participation.

Public Comment:

There was no public comment.

Transfer Station off-season schedule: discussion with DPW Director Jarrod Cabral

The Director gave a brief overview of the proposed changes to the off-season transfer station schedule. Staffing shortages are an issue heading into October, and suggested addressing the e proposes an earlier seasonal reduction of open days, meaning the transfer station will close Wednesday and Thursday starting October 1st rather than the usual November 1st date. Chair Tracey Rose suggested advertising the schedule change. Board member Brian Koll suggested amending the blue sign posted at the transfer station that announces the Nov 1 date. The Chair requested notice be placed on the town website. **Motion: Board member Helen Grimm moved to endorse the request. Second: Board member Brian Koll; Vote: 4-0-0; the motion passed.**

Board member Tim Rose joined the meeting.

Proposed change of on-site manager: Colonial Village Condominium, Pamela Beshold, new on-site manager; Josh Weinbaum, new co-onsite manager Pamela Beshold and Josh Weinbaum were representing the request. This condominium recently became year-round. Chair Tracey Rose reminded the applicants of the expectations of the Board of Health for on-site managers and encouraged them to stay in contact with the Health Agent.

Motion: Board member Brian Koll moved to approve the request; Second: Board member Tim Rose; Vote: 5-0-0; the motion passed.

Discussion on proposed Administrative Consent Order (ACO): 47 Pond Road; Eric Varty
Motion: Board member Second: Vote: 5-0; the motion carried.

Property owner, Eric Varty, was on the call. The Agent gave an overview of this landlocked property. Access to the property is currently being litigated, and without legal access, a system cannot be engineered or installed. The homeowner presented documentation of his responsiveness to the Health Department orders for upgrade. The cesspool, although failed per the Board of Health regulations, is still functioning according to septic inspections that have been conducted. The owner has hired Coastal Engineering to design an upgrade plan, probably for a tight tank once access has been sorted out. An Administrative Consent Order has been suggested by the Health Agent as a device to allow the owner time to complete the required court process that will resolve the property access issue. The Board and the owner discussed occupancy scenarios until the system is upgraded. Mr. Varty described how he left it closed for a season and reported that a boarded property like his “invites trouble”. It is a 1-bedroom dwelling and is

seasonal. Jason Silva asked if the system could be installed from the beach, and it appeared possible with an access permit from the Town. There was discussion about how the ACO is a variance because it grants an extension to the cesspool upgrade regulation. The Health Agent suggested a proper variance hearing be held in October and let Mr. Varty know that they would help him file the appropriate paperwork for this hearing, including notice to abutters.

Water Resources Update:

The Agent updated the Board of Health on the cesspool upgrade progress. They are continuing to reach out to the property owners who have yet to communicate with the Health department and another certified mailing was sent to those homeowners on the no-contact list. A draft of the proposed stormwater management by-law draft will be presented for BoH recommendation vote at the October 3rd Board of Health meeting. Staff will meet with DEP about the new title 5 regulations at the Health Agents Coalition meeting next week.

Jack Reimer was present and asked what public outreach was planned for the new stormwater by law, and he requested that Scott Horsley's Stormwater presentation be available on the Town website.

Karen Ruyman also requested a link of Scott Horsely's video presentation for the autumn edition of the Friends of The Pond Village report.

Minutes: August 15, 2023 **Motion:** Board member Tim Rose moved to approve the August 15 minutes as amended; **Second:** Board member Helen Grimm; **Vote:** 5-0-0; the motion passed

Report of the Chair-

The Chair commented that there was not a September meeting of the Provincetown Sewer Board and reminded the Board members that the special fall town meeting will be on Saturday October 21, 2023, at 10:00 am.

Health Agent's Report -

The next Board of Health meeting will be held on Zoom instead of GoToMeeting.

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

The meeting was adjourned at 5:03 P.M.

Respectfully submitted by Nina Richey.