



# Truro Board of Health

Tuesday March 1, 2022

Joint meeting with Truro Select Board in Executive session 3:30 PM

Regular Meeting- 4:30 PM

## EXECUTIVE SESSION

<https://meet.goto.com/519733685>

1 866 899 4679 Access Code: 519-733-685

Joint Executive Session between Select Board and Board of Health 3:30 PM - 4:30 PM

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

## REGULAR MEETING

### Remote Meeting Access Instructions

This will be a remote meeting. Citizens in Truro can view the meeting on Channel 18 and on the homepage of the Town of Truro website on the "Truro TV Channel 18" button found under "Helpful Links". To view, click on the green "Watch" button in the upper right of the page. To provide comment during the meeting, please call in toll free at 1-866-899-4679 and enter the following access code when prompted: 972-302-709; or access the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/972302709> There may be a slight delay (15-30 seconds) between the meeting and the live-stream and television broadcast. If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Health Agent Emily Beebe at [ebeebe@truro-ma.gov](mailto:ebeebe@truro-ma.gov) with your comments.

## I. PUBLIC COMMENT

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

## II. PUBLIC HEARING

Current COVID-19 guidance and review of the "rule and order requiring the use of masks and other protective measures" (last revision date 2-15-2022).

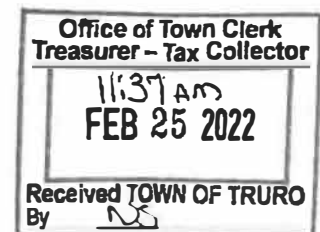
## III. AGENDA ITEMS

1. **Variance Request:** 45 Corn Hill Road- continued from 2-15-2022
2. **Discussion:** Upgrade process for business establishments for the 2022 licensing year, and standards for use of an Administrative Consent Order (ACO)=
3. **Local Board of Health Regulation Review**
  - a. **Section IIX - Well Water Testing (proposed amendment to Rental Registration water test validity schedule)**
  - b. **Section VI – local title 5**

## IV. MINUTES: November, December

## V. REPORTS

- o Report of the Chair
- o Health Agent's Report





**RULE AND ORDER REQUIRING THE USE OF MASKS AND OTHER PROTECTIVE MEASURES: AMENDED 2-15-2022**

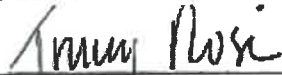
Pursuant to the Massachusetts General Laws, Chapter 111, Sections 31 and 122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, we, the members of the Truro Board of Health hereby order the following:

1. In addition to physical distancing and in a continued effort to protect the Public Health, all members of the public entering any municipal building must continue to wear a cloth face covering that covers their nose and mouth, such as a fabric or surgical mask in addition to practicing physical distancing. Wearing a mask is not a substitute for maintaining 6 feet of physical distancing.
2. The indoor mask mandate for businesses and other indoor spaces will transition to a voluntary program based on the continued decrease in the incidence and prevalence of cases of COVID-19, improved availability of testing and improved availability of COVID-19 vaccines for Truro residents and visitors.
3. The Board of Health recognizes that business establishments in Truro may choose to require the public to mask in order to mitigate impacts from high volumes of customers and/or address situations where physical distancing is difficult, to better protect their staff and vulnerable members of the public and extends this Order to support those establishments.
4. The Board of Health continues to advise that a fully vaccinated person wear a mask or face covering when indoors (and not in your own home) if you have a weakened immune system, or if you are at increased risk for severe disease because of your age or an underlying medical condition, or if someone in your household has a weakened immune system, is at increased risk for severe disease or is unvaccinated.
5. For individuals who are not fully vaccinated, it is important that you continue to wear a face covering or mask to help prevent you from spreading COVID-19 to other people.
6. The face covering requirements of this Order for municipal buildings shall be in place until it is rescinded by the Board of Health. It will be reconsidered on March 1, 2022, and as conditions warrant.
7. Notwithstanding any provision in this Order, pursuant to guidance issued by the CDC face coverings should not be placed on young children under 2-years-old, anyone who

has trouble breathing, anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance, or anyone who due to disability is unable to wear a mask.

8. To the extent necessary, this Order shall be enforced by the Truro Health Agent, assistant Health Agent and Truro Police Officers. Whoever violates any provision of this Order may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, section 21D and the Town's non-criminal disposition by-law. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to for a first offense, a written warning; for a second offense, a penalty in the amount of one hundred dollars (\$100), for a third offense, a penalty of two hundred dollars (\$200); and for a fourth or subsequent offense, a penalty in the amount of three hundred dollars (\$300.00). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

This Order, as amended shall be effective beginning February 16, 2022, and remain in effect until further notice is given and pursuant to the Truro Board of Health's judgement that the Public Health Emergency no longer exists.

  
\_\_\_\_\_  
**Tracey Rose, Chair of Truro Board of Health**



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

**Memo To: Truro Board of Health**

**From: Emily Beebe, Health and Conservation Agent**

**Re: BoH Packet for 3-1-2022**

**No materials have been submitted for:**

**III.2 45 Corn Hill- upgrade**

**III.2 Discussion on the upgrade process for business establishments for 2022 licensing year and standards for an ACO (we expect materials from Town Counsel on the ACO process, and may be joined by Attorney Corbo for discussion)**

\*\*\*\*\*  
**SECTION VI - LOCAL SEPTIC REGULATIONS TO SUPPLEMENT  
TITLE 5, STATE ENVIRONMENTAL CODE**  
*Amended February 2, 2010; June 5, 2012; October 2, 2018, December 4, 2018, May 18, 2021*

Commented [EB1]: February-March 2022 proposed amendments and edits

Commented [EB2]: some additions and grammatical changes are highlighted in yellow- the rest are tracked changes

**Article 1 - General Provisions**

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

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

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

**Bedroom**

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

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

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

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

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

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

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

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



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

**Living space:** excludes screened in porches and sunrooms... (needs more work)

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

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

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

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

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

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

**TN:** Means Total Nitrogen

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

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

## **Article 2 - Variances**

1. In addition to the variance criteria set forth in Section I of the Board of Health Regulations, an applicant may apply, and the Board of Health may grant a variance from this Section VI provided all of the following minimum criteria for said variance are also met:
  - a) A satisfactory inspection by a licensed system inspector of all system components if the variance sought pertains to an existing system.
  - b) The proposed or existing leaching facility has a minimum of five (5) feet of separation between the bottom of the leaching facility and the highest groundwater level as determined in 310 CMR 15.103(3); and;
  - c) The proposed or existing leaching facility meets the minimum Title 5 requirements regarding setback distances for Soil Absorption Systems (SAS) as set forth in 310 C.M.R. 15.211; and;

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

**Article 3 - Triggers for uPgrading Sseptic Ssystems**

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

- a) Prior to any sale or transfer of title to the facility served by the system in all circumstances described in 310 CMR 15.301.
- b) Notwithstanding any exceptions set forth in 310 CMR 15.301(2), upgrade of Nonconforming Systems shall occur prior to transfers by inheritance, between parents and their children, between full siblings, and where the grantor transfers the real property to be held in a revocable or irrevocable trust, where at least one of the designated beneficiaries is of the first degree of relationship to the grantor; and including creation of an LLC;
- c) Prior to any change of use or increase in design flow of the facility served by a system;
- d) Prior to the subdivision or partitioning of a parcel on which a nonconforming septic system is located;
- e) If the Any system demonstrat~~ing~~es any of the characteristics of a failed system as defined in this Section VI;
- f) If the Any septic system ~~that~~ was not constructed according to the approved plan;
- g) Any system with ~~a~~ or if the soil absorption system is not designed to meet the design flow of the facility it serves; or, with inadequate design capacity to serve the facility;
- h) If a Any facility served by a 1978-code system that is replaced, relocated or demolished, except when the building was destroyed by fire. A ~~nonconforming compliant~~ system serving a facility destroyed by fire does not need to be upgraded to serve a new facility if the new facility is built in the same footprint as the original

Formatted: No underline



- and provided that there is no change in use or increase in design flow of the facility and the system is not a failed system; or
- f) The liquid depth in a leach pit is less at least than six inches from the inlet pipe invert or the remaining available volume within a leach pit above the liquid depth is less than ½ of one day's design flow.
- g) All non-conforming septic systems in the Beach Point and Pamet River Protection District or located within two hundred (200') feet of any Wetland or within the floodplain as mapped by FEMA shall be considered failing to protect public health, safety, welfare and the environment and shall be upgraded to meet the requirements of this Section VI and/or Title 5.
- h) Cesspools in Truro are herein defined as failed systems and shall be upgraded to meet the requirements of Title 5 prior to December 31, 2023. All new systems replacing cesspools shall be installed and certified by that date.

2. Multiple Systems on One Lot.

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

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Article 4- Required Septic System Inspections

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

- a. At or within two years prior to the time of sale or transfer of title to the facility as defined in Article 4 of this Section VI and title 5, 310 CMR 15.301;
- b. With an application for a building permit that proposes an increase in living space as determined by the Truro Health Agent, ~~if~~ if an applicant or a direct abutter is aggrieved by the determination of "increase of living space" by the Health Agent, the applicant may appeal this determination to the Truro Board of Health;
- c. With an application for a special permit that allows uses not otherwise permitted by the Truro Zoning Bylaw;

Formatted: Font: Not Bold

Commented [EB3]: Needs to be defined

Formatted: Font: Bold

~~d. With and Application~~ for a new license or transfer of an existing license,  
~~e. or Every three years at the~~ renewal of the annual operating permit for the operation of a motel, cottage colony, cabin, campgrounds, lodging house or restaurant. (see also 2.h in this article)

Formatted: Font: Bold

~~e.g.~~  
~~d.f.~~ Prior to renewal of permits for a facility served by a shared system. Inspections for all shared systems are required once every 3 years. Shared systems include condominiums, motels and camps and cabins.

Formatted: Font: Bold

~~e.g.~~ Prior to any change in use as defined in these regulations.

~~f.h.~~ At such time as a property owner/business owner is so ordered by the Board of Health.

## 2. Inspection Criteria:

All system inspections shall be documented in an official Title 5 inspection form and a Town of Truro Septic "addendum to MA title 5 inspection form". An inspection shall not be considered complete unless all information required on both forms is provided. In addition to the inspection criteria set forth in Title 5, the following criteria shall be observed in conducting system inspections:

- a) An open inspection of all components of the system is required. If a component cannot be found or uncovered after a reasonable search, the inspector must provide evidence for the system's success or failure. Replacement or installation of the component is required in this instance.
- b) The septic tank shall be pumped at the time of inspection if it has not been pumped within the past 3 years.
- c) Leach pits must have at least 6 inches of leaching capacity below the outlet invert in order to pass the inspection. The 6 inches of leaching capacity is determined by clean sidewall absent of staining or evidence of high water. The Inspector must clearly indicate on the inspection form the height of standing liquid in any leaching component, the level of staining in any leaching component, and the description of both sanitary tees in any inspected tank. In the case of missing sanitary tees, no passing report shall be issued unless there is proof (copy of permit) of the correction of the deficiency.
- d) Any work for the correction of component failures, such as, but not limited to, eroded distribution-boxes, new piping, sealing a tank or installing new tees will require a valid disposal works construction permit, inspection and issuance of a certificate of compliance.
- e) If the inspector finds that the access port covers of the septic tank inlet and outlet, distribution box and soil absorption system are not within 6 inches to grade, risers shall be provided as needed and the installation of risers shall be indicated in the septic system report.

3. **Failed systems shall include:** cesspools; non-conforming systems as defined in aArticle 2; systems without adequate separation to groundwater; systems with leaching areas/pits that are essentially at capacity, as defined herein; systems that were not designed to accommodate the use; any system deemed as failing to protect public health, safety and the environment.

4. **All Inspections** shall be conducted by a MA licensed Title 5 inspector, using both the local and state inspection forms; the local form and required water test results shall be attached to the State form when filed in accordance with, and addition to, the requirements of Title 5 for septic inspection reporting.
5. **The septic inspector** must verify that the use of the facility (ie; # of bedrooms) matches the design flow of the system (ie; a 4 bedroom dwelling should have at least 440 gpd design flow). Design flow shall be based on the records on file at the office of the Board of Health and use of the facility, including the number of bedrooms, shall be based on a visual inspection at the time of inspection.
6. **Difficulty in Locating Components:** If a complete inspection cannot be performed, the inspector must provide adequate documentation of the specific conditions which prevented a complete inspection and should indicate on the inspection form how the inspector attempted to locate components; in this instance the report shall indicate that the system "Needs Further Evaluation from the Local Approving Authority." The Local Approving Authority shall evaluate all "Needs Further Evaluation" entries on the inspection form and determine whether further investigation is required to adequately evaluate the system.

#### Article 5- Subdivision Plans

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

#### Article 6 - Bedroom Count

- (1) **Bedroom Count Determination.** Notwithstanding the general provisions of Section 15.002 of Chapter 310 of the Code of Massachusetts Regulations, there shall be no presumption that single-family dwellings have at least three bedrooms in the Town of Truro. In each instance, a specific determination relative to bedroom count must be made without reliance upon any presumptions. The Health Agent shall have the authority to make the initial bedroom count determination. If the Health Agent finds the determination in a specific instance should be made by the Board of Health, the Agent may, in their sole discretion, refer the matter to the Board of Health for a final determination. The Agent may also, in their sole discretion, refer the bedroom count determination to the Board of Health upon request of the applicant.
- (2) **Deed Restriction.** A deed restriction may be required by the Board of Health to ensure that use of the septic system as proposed will not negatively impact the public health, safety, welfare or the environment.

(3) **Building Permits.** No building permit, ~~foundation permit, plumbing permit, special permit or variance~~ shall be issued until a Disposal Works Construction Permit has been issued for installation of a subsurface sewage disposal system designed to accommodate the bedroom count or the Board of Health has issued a written determination that the existing system is adequate for what is proposed.

(4) **Floor Plans and Inspections.** For existing facilities, in order to determine compliance with any provision of the foregoing regulations, a floor plan ~~must be filed with the Truro Board of Health at the time of submission of an inspection report formay be requested by~~ the Health Agent to make a determination as to bedroom count. If the Health Agent deems it necessary, they may refer the determination of the bedroom count to the Board of Health for a vote. ~~If the Board of Health, by a majority vote of its members, deems that an inspection of an existing residence is necessary to confirm the bedroom count, the Health Agent, with the applicant's permission, shall inspect the premises and report their findings to the Board.~~

~~(4)~~(5)

~~(5)~~(6) **Assessors' records, and old unstamped plans and the like** will not be considered ~~as~~ sufficient evidence of the size of the facility for purposes of determining design flow. In the event of a discrepancy between the results of the visual inspection and existing records, an in-person inspection by the Health Agent will be required and the Health Agent's determination of the size of the facility will be final.

Formatted: Indent: Left: 0.5", No bullets or numbering

#### **Article 7 - Regulation of Separate Site Systems**

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

#### **Article 8- Innovative/Alternative Technology**

Preamble: In considering the permitting and use of various alternative septic treatment

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

- 1). **Applicability:** The use of I/A technology is required in the following circumstances:
- a) for flows greater than 600 GPD;
  - b) for nitrogen credit applications (these are only allowed by request in limited circumstances in Truro);
  - c) for upgrade of certain non-conforming systems as determined by the Board of Health;
  - d) for upgrades of previously approved systems that exceed current nitrogen loading standards of 110 gpd/10,000sf of lot area;
  - e) in certain cases where a variance is required and circumstances support the use of I/A to mitigate the environmental impact of the proposed system, as determined by the Board of Health.

## 2. Standards:

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

Formatted: Font: Bold

## 3) Non-Performance.

- a) Non-performance includes any I/A system that has been determined to be failing to protect public health and safety, and the environment, ~~or~~ an I/A system with equipment failure or an unresolved alarm event, or components that are not functioning as designed, or components that are not functioning in accordance with the manufacturers specifications, or a system that is in violation of the terms of its approval by the Truro Board of Health.



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

#### 4) Applications and Hearings.

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

#### 5) Monitoring and Reporting.

- a) If an I/A system is approved, the applicant will be required to submit a proposed monitoring and reporting plan to evaluate the performance of the system to the Board of Health for approval. ~~T~~his plan shall include a description of any long-term operational or maintenance requirements needed to keep the system operational, and any educational, financial assurance or other mechanism proposed to ensure effective long-term operation and maintenance.
- b) Owners and operators of all I/A systems shall report the results of all operation, maintenance, and monitoring activities required by the foregoing provision or by the Department of Environmental Protection to the Truro Board of Health and to the Barnstable County Department of Health and Environment. ~~Such + R~~reporting must be performed in the manner specified by the Board of Health or in the form approved by the Barnstable County Department of Health and Environment and must occur within forty-eight hours after each maintenance or monitoring event.
- c) The Board of Health ~~hereby further~~ requires that when a system operator performs a system inspection and finds that a sewage treatment technology has malfunctioning components which have compromised the system's ability to treat sewage as designed, the operator shall report on the system's status and any planned corrective action, including a proposed deadline for said corrective action, to the Truro Board of Health and



the Barnstable County Department of Health and Environment within 48 hours of inspection.

- d) If at any time a monitoring or maintenance report indicates that an I/A system needs corrective action, the Truro Board of Health may hold a hearing to ~~inquire as to whether determine~~ corrective action is needed. If at such hearing, the Truro Board of Health determines that such system needs corrective action, it may take enforcement action, including but not limited to, an order to cease operation of said system or any other action otherwise necessary to protect public health, safety, welfare, and the environment.
- e) I/A Systems that do not perform are required to be immediately evaluated by the licensed operator for the purpose of the inspector forming a diagnostic opinion of what corrective actions would address the non-performance.
- ~~f) Non-performance includes any I/A system that has been determined to be failing to protect public health and safety, and the environment, or an I/A system with equipment failure or an unresolved alarm event, or components that are not functioning as designed, or components that are not functioning in accordance with the manufacturers specifications, or a system that is in violation of the terms of its approval by the Truro Board of Health; or a system that is not achieving the total nitrogen standard in these regulations.~~
- ~~g) Non-performance requires written notification to the Truro Health Department within 48 hours receipt of lab test, along with a statement describing what corrective actions will be taken.~~
- ~~h) Corrective actions must be taken immediately (within 48 hours of a lab report or field test) to address performance that does not meet the standards as defined herein.~~
- ~~i) Lab tests showing exceedance of TN standard triggers a re-test immediately following corrective actions taken to address the exceedance, until the corrective measures are shown to have improved performance to meet the standards.~~
- ~~j) Failure to comply with the process as described may result in a written warning from the Truro Health Department, followed by possible fines, and a hearing with the Truro Board of Health that must be attended by the property owner and the licensed inspector.~~

#### **6) Record Notice at Barnstable Registry of Deeds.**

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

#### **Article 9 - Required Setbacks for System Components**

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

**Septic Tank or Pump Chamber                      SAS**

Surface Water (except Wetlands)	50'	100'
Wetlands	100'	150'

**Article 10 - Existing Systems Serving New Construction**

Commented [EB4]: This section needs discussion

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

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

**Article 11 - Buildable Upland Calculations for Nitrogen Loading Limitations**

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

**Article 12 - Deed Restrictions**

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

5) A deed restriction required by the Board of Health, or ~~its~~ their Agent shall be recorded prior to the ~~issuance of the Disposal Works Construction permit, or approval/sign-off on~~ any building permit, as determined to be required for compliance with these local regulations and Title 5 by the Board of Health or its Agent.

~~5)6)~~ A deed restriction is required by the Board of Health or their Agent prior to sign-off on all ADU specifying it's approval and the requirement for year-round rental in perpetuity.

Formatted: List Paragraph, No bullets or numbering

### Article 13 - Nitrogen Loading Limitations

- 1) The Truro Board of Health ~~hereby~~ requires that all properties within the Town of Truro meet the loading restrictions set forth in 310 CMR 15.214 and contain at least ten thousand (10,000) square feet of Buildable Upland (as defined in Article 1 hereunder) for every 110 gallons per day of design flow. ~~and that a~~ All systems designed to serve said facilities must meet the same restrictions and requirements contained in Title 5 as the "Nitrogen Sensitive Areas" defined in 310 CMR 15.215 irrespective of whether the properties are located within "Nitrogen Sensitive Areas" as so defined.
- 2) Upgrades for systems that exceed current nitrogen loading shall include the use of I/A technology. ~~the use of p~~Pressure distribution may be required when indicated and determined by the Board, ~~to mitigate such as a need for~~ certain variances such as depth to groundwater, lateral separation to marine water bodies or private wells.

### Article 14 - Septage Haulers and Septic Installers Licenses

1. A **Septic Installers license** is required in the Town of Truro for any work done to alter a septic system or its components, such as piping, tee replacement, tank and d-box replacement and tank sealing.
2. **Septage Haulers License Application:** The Board of Health will issue Septage Haulers Licenses only upon written application that includes the following information:
  - a) name and address of applicant and business name under which applicant will operate.
  - b) written description of all equipment utilized in the business, including the capacity of any tanks; and an emergency contact name and number of a person available for contact 24 hours a day in cases of emergency.
- ~~3. **Inspection:** Prior to the issuance of the Septage Haulers License and annually thereafter, all equipment of the business must be inspected by the Health Agent. All equipment must be clearly marked and identified with markings indicating the capacity of the tank. Truck tanks must be cleaned and made free of sand and sludge for every inspection. Gauges must be cleaned and calibrated so that exact volume is easily determined.~~

**4.3. Septage Coupons:** Septage coupons must be ~~completely and~~ properly filled out. The name, date, location and volume for each system serviced must be provided. The signature of the hauler and the customer must be executed on each coupon in order to validate the origin of the waste in the Town of Truro.

**5.4. Chemicals and Acids.** Use of chemicals and acids for cleaning cesspools and septic systems is prohibited.

**6.5. Failing Systems.** As a condition of their License, all Licensees shall accurately report all malfunctioning systems to the Board of Health, including but not limited to, the address of the malfunctioning system, the nature of the problem and the repairs,

**7.6.** Septage haulers are required to supply **accurate/legible** information to the Board of Health as a condition of their License.

**8.7. Licenses.** Licenses go into effect January 1<sup>st</sup> of each year. The annual fee for Licenses shall be determined by the Board of Health each year.

**9.8. Violations.** Failure to comply with any of these regulations shall constitute a violation which may result in a show cause hearing before the Board of Health to determine whether the License should be revoked. Violations may also result in the imposition of fines and/or any necessary legal action to be undertaken by the Board.

#### **Article 15- Miscellaneous Provisions**

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

## **Minutes of the Truro Board of Health, Tuesday November 2, 2021**

This was a remote meeting. Board members in attendance:

Chair Tracey Rose; Vice Chair, Jason Silva, Board members; Helen Grimm, Brian Koll and Tim Rose. Also Present: Health and Conservation Agent, Emily Beebe. The meeting was called to order at 4:34 PM by the Chair, Tracey Rose. The Chair announced the remote meeting procedures and described the process for public participation

**Public comment:** Eric Parker sent an e-mail to the Agent requesting information on Covid and suggested posting updates for the public on the Truro webpage. Chair Tracey Rose addressed the public comment by stating that the inquiry would be brought up in the next meeting.

### **Cape Cod Mosquito Control Project:**

Cape Cod Mosquito Control representative, Gabrielle Sakolsky, showed a powerpoint that included a brief overview of the mosquito life cycle as mosquitos breed and cultivate in standing/stagnant water. Water management and pest management education are the best tools for minimizing the mosquito population. Cape Cod Mosquito Control looks to control Mosquitos that may carry illness, and they utilize IPM, (integrated pest management) which follows three basic steps:

1. Educate the public on year-round property maintenance to minimize chances of mosquito cultivation
2. Investigate any stagnant water on or around the area where mosquito populations are being reported.
3. If larvae are discovered in water samples, conduct larvicide treatments. Larvicide is a targeted response that uses different bacteria strains to kill the mosquitos in their larval stage. CCMCP sets up surveillance in specific locations to monitor the mosquito populations and test for arbovirus, such as EEE(eastern equine encephalitis) or WNV (west nile virus). Cape Cod Mosquito Control is responsible for both identifying and monitoring viruses in mosquitos on the Cape. The rapid increase in mosquito populations over the summer months in Truro was primarily due to the overwash at Duck Harbor in Wellfleet. This was an area without any CCMCP control efforts for 40 years as it was land not previously owned by the Commonwealth, and therefore had not been permitted. Ms. Sakolsky reported that they applied for a special use permit from the Cape Cod National Seashore to open the area for access, and to treat the area where mosquito populations were breeding, with larvicide. The permit was issued at the end of July to larvicide the area. At the end of August the special use permit was extended to cut access paths through the dead vegetation. The Special Use Permit with the National Seashore expires at the end of December. There is a trap site less than half a mile from the Truro town line. The mosquitos trapped last spring near this area were Ochlerotatus cantato, and they are salt and brackish water mosquitos that bite during the day, have a range of five to ten miles and also fly for a longer time period than sweet water mosquitos. The Agent inquired whether the overwash at Duck Harbor was still experiencing the same amount of water accumulation from the eroded dune, or whether the water overwash had resolved itself. Ms. Sakolsky said that it overwashed at recent moon tides and had observed the water "rushing" through the area. Ms. Sakolski expressed concern over private citizens hiring companies to spray their properties with pesticides, which includes spraying their vegetation which kills other insects. She is concerned about spraying by un-licensed personnel which could create a harmful situation for homeowners and their neighbors.

### **I/A system review: 139 Shore Road(map-22,parcel 13): Magnaview Realty Trust:**

The Agent described the subject property as a 21,000 square foot lot with a 3 bedroom existing dwelling. The homeowner is requesting to use an I/A system on the property. There were no variances requested. The Agent communicated that a vote would be needed to accept the plan. The Board members accepted the use of the I/A system on the lot.

**Motion:** Board member Jason Silva moved to approve the I/A system

**Second:** Board member Tim Rose; **Vote:** 4-0-1, Chair Tracey Rose abstained.

**Waiver Request: 20 Great Hollow Road (map 42, parcel 174):** Waiver requested to TBoH regulation section 6 article 3.1.(a) to allow septic upgrade following transfer of deed

## **Minutes of the Truro Board of Health, Tuesday November 2, 2021**

Jan Taylor represented her father as the conservator of his estate, and they requested that the Board grant a waiver to Section 6 article 3.1.(a) of the Truro Board of Health regulations to have the responsibility to upgrade transferred to the buyer. It was understood and agreed that the the buyer shall complete the Septic upgrade within 6 months of the sale. The buyer, Iskren Georgiev, was present at the meeting and assented. Mr. Georgiev has hired Billy Rogers to complete the upgrade. Chair Tracy Rose asked whether Mr. Georgiev understood that the home shall not be occupied until the upgrade is complete. Mr. Georgiev agreed to complete the upgrade and not occupy the estate until said upgrade was complete. Another individual involved in the transfer of the property, Tanya, inquired whether an extension could be filed if the upgrade was not completed by the end of the 6 month deadline period. that the Chair responded that if circumstances prevent the upgrade from being completed within the deadline, the buyers shall be in contact with the Health Agent to request an extension through the Board of Health.

**Motion:** Board member Brian Koll moved to approve the waiver of TboH regulation section 6 article 3.1.(a) to allow upgrade following tranfer of the deed under the following conditions: 1. That the upgrade be completed within 6 months of the property transfer. 2. That no one will occupy the property until the upgrade is completed. 3. If buyer is unable to complete the upgrade within the 6 month deadline, the health Agent shall be contacted and an extension request must be officially filed with the Truro Board of Health.

**Second:** Board member Helen Grimm

**Vote:** 4-0-1 with Chair Tracey Rose abstaining

### **Agent's Notes:**

The Agent suggested the Board meet to discuss a draft of Babe's upgrade plans. The Board agreed to continue the conversation at the next meeting with the owners.

**Motion:** Board member Tim Rose moved to adjourn the meeting.

**Second** from Board member Brian Koll; the roll call vote was unanimously in favor and the motion carried, 5-0.

**Meeting adjourned at 5:40 PM.**



## **Minutes of the Truro Board of Health, Tuesday November 16, 2021**

### **Remote Public Hearing**

Board members in attendance: Chair Tracey Rose; Vice Chair, Jason Silva, members Brian Koll, Helen Grimm, and Tim Rose and Alternate member Candida Monteith. Also Present: Health and Conservation Agent Emily Beebe; The Public Hearing was opened at 4:02 by the Chair. The Chair announced the procedures for remote participation by the public and the Board.

### **Public Comment Period:**

Water Service Application: 405 Shore Road, Kenneth Shapiro, map 10 parcel 5: Ken Smith was representing the project. Mr. Smith stated that the water service application was requested to complete the 1-bedroom construction project at 405 Shore Road. The Agent explained that the plan had been reviewed and approved in 2018 and the application was acceptable. Mr. Smith elaborated that the time frame had been elongated due to circumstances revolving around Covid-19.

**Motion:** Jason Silva moved to accept the water service application for the 1 Bedroom construction project at 405 Shore Road.

**Second from Brian Koll; vote: 5-0**

Change of Manager: Braemar Condominiums, 132 Shore Road; map 22 parcel 45:

Diane Lynch was representing the Braemar Condominiums as an owner. Ms. Lynch explained that the change of manager was effectuated because the previous manager was an owner of one of the condominiums on the property and recently moved off the property after it was sold. Ms. Lynch bought the property in 2019 and runs the condominiums as a seasonal business not a year-round business. Chair Tracy Rose asked Ms. Lynch whether she was familiar with all the responsibilities pertaining to becoming manager of Braemar Condominiums. Ms. Lynch confirmed that she understood the responsibilities that she was accepting as the new manager of Braemar Condominiums and affirmed that she understood and had access to all the tools necessary to offer protection to all transient owners. The Agent stated that she had had conversations with both the previous and current owners and that they understood the responsibilities of manager. Tracey Rose referred Ms. Lynch to the Agent if she needed to ask any questions.

**Motion:** Brian Koll moved to accept the change of manager request.

**Second from Helen Grimm; the roll call vote was unanimously in favor, 5-0.**

Babes Restaurant: 63 Shore Road, discussion on 2022 food service permit; map 36 parcel 78: Claudia Boespflug, owner of Babe's, was present to discuss the food service permit for Babe's Restaurant. The Board of Health members highlighted the fact that the cesspool update was necessary to move forward with the permitting process. A preliminary septic plan had been provided, and the Agent suggested setting up a meeting with the engineer to discuss the different possibilities for the sewage system upgrade. Board Member Tim Rose brought up that the sewage system update was requested a couple years ago, and nothing had materialized from that request. He stated that for the Board of Health to issue an approval vote for the food service permit health regulations would have to be met first, including having a plan in place for the upgrade of the current cesspool. The Board of Health members assented and concluded that for them to move forward towards approval of any business licensing, a cesspool upgrade would be required. Ms. Boespflug inquired about a notification she received from the town, which she states conveys the message that businesses have till 2024 to upgrade their cesspools before being denied business licensing. Ms. Boespflug alleged that she had not received any other notifications from the town regarding her property besides the forementioned one. Ms. Boespflug was confused by what she determined to be contradicting letters. Chair Tracy Rose rebutted by explaining that Ms. Boespflug had agreed to update the sewage system two to three years ago and what the letter stated was void

due to the ongoing conversations between Ms. Boespflug and the Board of Health. Ms. Boespflug stated that she had requested something in writing and alleged that she had never agreed to anything before receiving her written document requiring her to upgrade the cesspool

The Agent clarified, after the board decided to take a quick minute, that she had indeed listed the requirements for business licensing approval in a written document for Claudia Boespflug. The written document included the requirement of a sewage system upgrade before approval of any licensing through the Board of Health. The Agent stated that she had met with Babe's restaurant representatives at the beginning of November and recalls discussing the requirements and going over the written document which also indicated that were the restaurant separate from the rest of the property, the deadline would indeed shift to 2024. The restaurant requires the property to be inspected prior to opening and would fail due to the cesspool pursuant to Truro Board of Health regulations Section VI article 3.1h,

The only conclusion that would meet Truro Board of Health regulations and allow Babe's to open and be licensed would be to compile and put into action a plan for a septic system upgrade. The Chair Tracy Rose moved toward closing the discussion and asked if there were other comments to be added by Claudia Boespflug or the Board of Health Members. No other comments were reported and the discussion was closed.

### **Local Regulations – review:**

The Agent stated that Truro Board of Health regulation VI required further updates to address I/A systems Section VI could be more organized and concise and more clearly convey the requirements expected.. Board Member Candida Monteith agreed saying that editing and reorganizing Section VI of the Board of Health regulations would be helpful.

Chair Tracy Rose decided to move the matter and discussion to the next meeting.

### **Update on high performance I/A systems and RME:**

The Agent described a presentation held in Wellfleet about enhanced Innovative Alternative(I/A) septic systems. The Agent suggested that Town would need to see more installations of this new generation of I/A system to reduce nitrogen levels in wastewater The Agent gave a brief overview of the "layer cake" system being tested by the Barnstable County Septic Test center. The director, Brian Baumgarten, had described several different "layer cake" designs. Some of these designs were presented at the presentation. The innovated I/A systems are similar to the layer cake system, in their results. The layer cake system utilizes a pressure dose leaching field, 18 inches of title V sand and 18 inches of sawdust or woodchips chips underneath it and the developers have discovered that the 18-inch layer of that carbon-source can be saturated creating a deep-nitrogen reduction system. She referred the Board of Health members to the Truro website where she would attempt to post the video of the presentations she attended. A typical I/A system must meet the target of 19 milligrams per liter of total nitrogen. Any system that treats beyond that target is considered an enhanced I/A system. In the enhanced system the denitrification process is amplified and targets less than 10 mg N per liter and, in some cases, less than 5 milligrams of nitrogen per liter. These I/A systems are technology that can be used to better protect our ground water resources with deeper-nitrogen reduction. The Agent also discussed the RME which is a centralized and standardized operation and maintenance system creating a more uniform way of monitoring I/A efficiency. With RME the same entity has control over the operation and maintenance of each individual system. The Agent states that the accepted knowledge in the field is that I/A systems work, and the forthcoming technology is an exciting insight into what is possible for the future to protect ground water environment and effectively reduce nitrogen.

The Agent reports that Wellfleet is working on incorporating broad scale use of enhanced I/A systems in their comprehensive Wastewater Management Plan. At this stage it is voluntary, however, anyone who is interested in installing one of these systems can register for assistance with funding with a portion of the cost of acquiring the system. The Agent is interested in educating the public on what the options are for I/A systems and the benefits of acquiring one. Board Member Silva expressed that he had done some research on the enhanced I/A

systems and the pros and cons of different waste management systems and felt it was an important subject., and referred the public and anyone interested in researching the subject to [www.newea.org](http://www.newea.org).

**Minutes:** Tuesday, August 3<sup>rd</sup>, 2021

**Motion:** Jason Silva moved to approve the minutes as amended

**Second** from Tim Rose; vote 5-0

**Minutes:** Tuesday, May 25<sup>th</sup>, 2021

**Motion:** Tim Rose moved to approve the minutes

**Second** from Jason Silva; ; vote 5-0

**Minutes:** Tuesday, June 1<sup>st</sup>, 2021

**Motion:** Jason Silva moved to approve the minutes

**Second** from Brian Koll; vote 5-0

**Minutes:** Tuesday, June 15<sup>th</sup>, 2021

**Motion:** Jason Silva moved to approve the minutes

**Second** from Brian Koll; vote 5-0

**Minutes:** Tuesday, July 1<sup>st</sup>, 2021

**Motion:** Jason Silva moved to approve the minutes

**Second** from Brian Koll; vote 5-0

**Minutes:** Tuesday, July 20<sup>th</sup>, 2021

**Motion:** Jason Silva moved to approve the minutes

**Second** from Brian Koll; vote 5-0

**Motion:** Tim Rose moved to adjourn the meeting.

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

**Meeting adjourned at 5:28 PM.**

Minutes prepared by Janina Richey