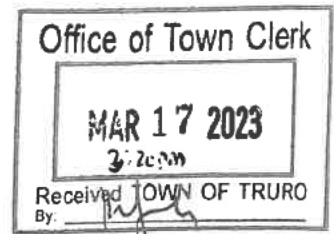




Truro Board of Health

Tuesday March 21, 2023
Remote Meeting- 5:00 PM



AMENDED

Remote Meeting Access Instructions

This will be a remote meeting. Citizens in Truro can view the meeting on Channel 18 and on the web on the "Truro TV Channel 18" button found under "Helpful Links" on the homepage of the Town of Truro website. To view, click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting, please call in toll free at 1-866-899-4679 and enter the following access code when prompted: 972-302-709; or access the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/972302709>**

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

II. AGENDA ITEMS

1. **Change of Manager/General Manager:** 640 Shore Road- Lexvest (2/11)
2. **Change of Manager:** 596 Shore Rd, Anchorage by the Bay (5/17)
3. **Discussion of Proposed amendments to Truro general by-laws:**
 - Stormwater Management: proposed addition of new Bylaw to would regulate stormwater flows
4. **Discussion on development of fertilizer bylaw for Truro**
5. **Water Resources Report for March 2023**

III. MINUTES

IV. REPORTS

- Report of the Chair
- Health Agent's Report



Emily Beebe

ebeebe@truro-ma.gov

January 6, 2023

Emily,

Thank you for discussing the manager situation with me regarding 104 Shore Road, Prince of Whales. For the purpose of this letter, I would like to add 640 Shore Road as well, Truro Beach Cottages. As you may know, I am part of the Lexvest Group, Director of Hospitality, working with my brother Eric Shapiro, and live at 648 Shore Road from April 1-Mid November. I am currently listed as off-site manager for both properties and we have had various employees as on site manager during the season.

I am requesting that we consider me as head manager for both properties, with a sub manager, an employee who lives on property but may change, year to year, as our staff changes.

The purpose of this request to avoid the constant need of applying for a new manager every year.

As I stated, I live just about next door to Truro Beach Cottages and just down the street from Prince of Whales and available to be at either property within minutes.

Additionally we have a very strong support group made up of a maintenance crew that live near by as well as other various staff on each property.

I appreciate any consideration you give to this request and available for further discussion if needed. I can be reached at 508-361-6612.

Thank you again.

Best,

Susan Casper

scasper@lexvest.com



TOWN OF TRURO

Health Department

P.O. Box 2030, Truro, MA 02666

PH: 508-349-7004, Ext. 131 Fax: 508-349-5508

Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 14 2023

RECEIVED BY:

~~PAID~~
10139

APPLICATION TO NAME A MANAGER

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

Section 1 - Business Information

Date: 3/3/23

Print Name of Applicant: Laurie Ferrari-Peters Property Management

Business Name or DBA to be managed: Anchorage on the Bay Condominiums Number of Units: 14

Street Address of Business: 596 Shore Road Business Email: info@peterspropertymgmt.com

Mailing Address of Business: (Check if New Address) PO Box 542, Provincetown, MA 02657

Section 2 - Manager Information

Name of Previous Manager: ELLEN FRIEDMAN On-Site Manager Unit #: H

Name of New Onsite Manager: Amy Kelly* On-Site Manager Unit #: B

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

Mailing Address of New Manager and/or Property Management Company: PO Box 542, Provincetown MA 02657 Phone (24 hours/day): _____ Email: info@peterspropertymgmt.com

Name of Co-Managers: PETERS PROPERTY MANAGEMENT Unit # _____ Phone (24hrs/day): 508-487-0399

Amy Kelly* Unit # B Phone (24hrs/day): _____

Unit # _____ Phone (24hrs/day): _____

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

Amy Kelly
SIGNATURE

Amy Kelly
PRINT NAME

3/6/23
DATE

Laurie Ferrari
SIGNATURE

Laurie Ferrari
PRINT NAME

3/6/23
DATE

SIGNATURE

PRINT NAME

DATE

Section 3 - **Office Use Only**

Team Inspection
(If over 3yrs since last one)

Scheduled

Date 11/8/2022

Fee \$45.00

Raid

Board of Health Hearing

Fee \$75.00
~~PAID~~
10139



TOWN OF TRURO

PROPOSED GENERAL BYLAW:
STORMWATER MANAGEMENT by DRAINAGE, EROSION
AND SEDIMENT CONTROL

[HISTORY: Proposed as Draft to TBoH 1-17-2023]

§ 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.

§ 3. 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 25-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.

§ 4. 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.

§ 5. Fines and penalties.

Any person violating this chapter shall be punished by a fine of not more than two hundred dollars (\$200.) for each offense and may have their permit revoked. Each day that such offense continues shall constitute a separate offense.

TOWN OF TRURO



HEALTH & CONSERVATION DEPARTMENT

Memo to: Truro Board of Health
From: Emily Beebe, Truro Health & Conservation Agent
Date: March 21, 2023
Re: Controlling Fertilizer use in Truro

Nitrogen and phosphate pollution threatens waters used for drinking, fishing, swimming, and other recreational purposes. Fertilizers are a controllable portion of the nitrogen and phosphate load that contribute to surface and groundwater impacts. As such, the use of fertilizers is regulated by the Federal government and the Massachusetts Department of Agricultural Resources.

It is reasonable for us to look at various ways to control fertilizer use in Truro. Should the Town consider adoption of a bylaw, it will require Town Meeting approval, and a request for a home rule petition be filed with the Massachusetts legislature.

Short of a bylaw, controlled and reduced use of fertilizers may also be achieved with a policy and vigorous public education about nutrient pollution, proper use of fertilizer, soil testing, interpreting label instructions and development of best management practices.

Fertilizer use can also be addressed in the Board of Health water protection regulations under section 7, and the proposed article 3 (last draft circa August 2019).

Finally, the use of fertilizers in Town can be sorted into three categories: agriculture, residential lawns, Town fields. Each category may need its own control plan.



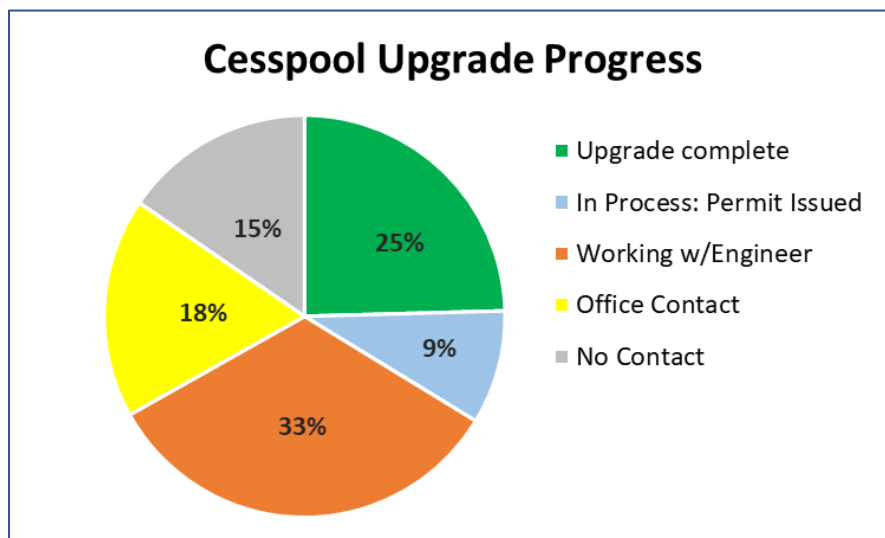
TOWN OF TRURO
HEALTH & CONSERVATION DEPARTMENT
24 Town Hall Road, Truro 02666
508-349-7004 x119

Memo to: Truro Board of Health
From: Emily Beebe, Truro Health & Conservation Agent
Date: March 20, 2023
Re: **Water Resources Update March 2023**

Regarding cesspool upgrades to Title 5

To date, 34% of the properties with cesspools have either completed the upgrade process or have permits issued to do so. 33% are working with engineers and 18% have contacted our office with questions but may not yet be under contract with an Engineer/designer.

Our current challenge is making direct contact with the 27 homeowners who we have not yet heard from, so that we may assist them in their efforts to comply.



Regarding Administrative Consent Orders (ACOs) Pending revisions to the Board of Health regulations would incorporate the use of ACO's to form legal agreements between the Board of Health and property owners regarding the specific circumstances about their septic upgrade process. ACO's will include a compliance schedule that is specific and unique to each property.

Regarding stormwater management- Stormwater and Sediment control regulations will be advanced to the Fall Town Meeting. Regulatory Board comments will be pursued, and education about the goals of this bylaw will be developed.

Regarding Private well water quality:

We have submitted the text for a warrant article for the 2023 ATM to fund “a hydrogeologic evaluation of a Truro Neighborhood (Pond Village)”. This article will fund the project to install monitoring wells, evaluate the groundwater flow direction and the basic water quality of the project area.

We hope that this project will increase the public’s understanding about the source of their drinking water, and will supply us with the data the Board of Health needs to change the current regulations about locating drinking water wells.

Regarding PFA’s:

We have scheduled a meeting with Scott Horsley to discuss moving forward with a source investigation regarding PFAS contamination of the Stones Throw (ST) Condominium Community Public Water Supply wells. PFA’s concentrations at the ST have declined steadily since September. The quarterly averaged water quality test results have not exceeded the standard. ST is not under a NON (notice of non-compliance) with the DEP, but they are required to investigate a new source, or mitigate by treatment. The Motel to the south (Cape View) has not tested positive to date. We will report back on this topic as we gain more information from Scott Horsley and the DEP about what level of investigation we may be able to pursue.

Water Resources discussion with Provincetown:

We anticipate meetings with Provincetown to formalize discussion on the location for a New Source Well, future demand and an infrastructure plan. Under a presentation of their growth management report, Provincetown staff recently made policy recommendations to their Select Board to limit allocations for future water use, below those allowed by the Provincetown Growth Management bylaw in order to reduce water use, and support the collaboration between the 2 Towns. This policy shift would continue to allow new water- use to be allocated for affordable housing.

Minutes of the Truro Board of Health, Tuesday January 3, 2023

This was a remote meeting.

Board members in attendance:

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

The meeting was called to order at 4:31 PM by the Vice Chair, who described the remote meeting procedures and the process for public participation.

PUBLIC COMMENT:

No Public Comment.

Local Variance Request: 72 Depot Road:

Brad Malo from Coastal Engineering represented the homeowners. The dwelling is served by a 1978 code septic system which will be replaced voluntarily with an I/A system with no increase in flow. The soil absorption system is proposed to be located in the riverfront area due to a well setback requirement. Jack Reimer asked what the total nitrogen concentration for the upgraded I/A system would be. The Health Agent answered that the target for the proposed system is 19 mg/l or less. Jack Riemer commented that in his opinion this property should install an enhanced I/A system due to its proximity to Pamet Harbor. Karen Ruyman commented that she understood that the retrofit to enhanced I/A was not a significant cost. There followed a discussion of the costs of the various I/A systems. Jack Riemer asked the board to table this request until more definitive cost estimates could be obtained. Brad Malo stated that the enhanced I/A systems can cost upwards of \$55,000. The Health Agent added that DEP changes to Title V will lead to plans for targeted protection of groundwater resources, but that regulations requiring enhanced I/A are not yet in place. Chair Tracey Rose stated that although this is an important conversation, to keep in mind that this particular matter included a voluntary upgrade that would offer an overall improvement, and that the Pamet Harbor area has not yet been designated as nitrogen sensitive. Board member Jason Silva thanked the public commenters and appreciated the discussion. Brad Malo stated that he has complied with the variance process and that the proposal is in compliance with Title V nitrogen loading requirements and that the homeowner is under no obligation to upgrade as the current system meets all requirements, but the additional treatment will be a great improvement. The Board thanked the public for the good conversation and commitment to protecting the town's water and the applicant for their voluntary upgrade which helps protect ground water.

Motion: Board Member Jason Silva moved to approve the variance request.

Second: Brian Koll; Vote: 4-0-0; the motion passed.

Local Variance Request: 8 North Union Field Road:

Danny Gonsalves represented the project. This 3-bedroom dwelling is currently being served by a cesspool, which will be upgraded. They request variance from the requirement for an Innovative/Alternative system since the lot is 305 square feet shy of the size required for three bedrooms. The Health Agent noted that the property is located in the Zone 2 of the North Union Field public water supply well and urged caution in approving a variance due to the sensitivity of the area. Chair Tracey Rose inquired about the distance between the property and the Walsh

property. The Health Agent shared a map and asked if the homeowner had explored any easement options with their neighbors to pick up the missing area. Danny Gonsalves stated that due to the cost, the property owners would not pursue I/A and would remove a bedroom if necessary. Board member Jason Silva added that this property abuts the seashore and that he can see both sides of the argument. Alternate board member Candida Monteith asked whether this is a full-time residence, to which Danny responded it was and that it is not rented. Danny Gonsalves asked to continue the request to the next meeting to be able to confer with the homeowner about options.

Motion: Board Member Jason Silva moved to continue until January 17, 2023. Second: Brian Koll; Vote: 4-0-0; the motion passed.

Re-Organization of the Board:

Since the full board was not preset, Chair Tracey Rose asked the Board to come prepared to make their nominations for chair, vice chair and clerk at the next meeting. Currently Tracey Rose is the chair, Jason Silva is the vice chair and Tim Rose is the clerk.

Minutes: November 1, 2022

Motion: Board Member Jason Silva moved to approve the minutes for November 1, 2022. Second: Brian Koll; Vote: 4-0-0; the motion passed.

Report of the Chair:

Tracey Rose stated that she has a memo that details the annual accomplishments of the Board of Health that will be ready to present at the next meeting.

Report of the Health Agent:

The Health Agent and the Board of Health discussed a draft letter to a homeowner who had requested relief from the cesspool upgrade requirement the Boards response was to state that they had made no exceptions to the regulation.

Board member Dr. Brian Koll gave an update on Covid, Flu and RSV.

Board member Jason Silva moved to adjourn the meeting: Second: Board member Brian Koll; Vote: 4-0-0, the motion passed.

The meeting was adjourned at 6:05 P.M.

Respectfully submitted by Nina Richey