



# Truro Board of Health

Tuesday March 7, 2023  
Remote Meeting- 4:30 PM

## Remote Meeting Access Instructions

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

**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*

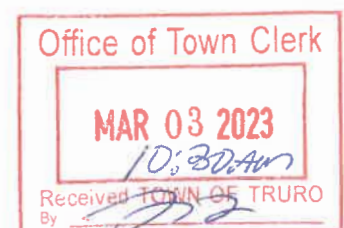
## II. AGENDA ITEMS

1. **Local Upgrade Approval & variance request:** 492 Shore Road (8/22) *cont from 2-21-2023*
2. **Variance request/Local Upgrade Approval:** 18 Bay View Drive (39/33) *cont from 1-17-2023*
3. **Variance request/Local Upgrade Approval:** 38 Fisher Road (53/35)
4. **Variance request/Local Upgrade Approval:** 392 Shore Road (map 10/26)
5. **Discussion on regulations regarding Manager Requirements** - Truro BoH regulation section 3, articles 2,3,4
6. **Change of Manager:** 104 Shore Road- Prince of Whales/Lexvest (35/68)
7. **Variance request:** 570 Shore Road- VaCasa- (5/28) Variance requested from on-site manager requirement
8. **Discussion of Proposed amendments to Truro general by-laws:**
  - Dog leash by-law; proposed amendment to existing bylaw would require dogs to be leashed, regardless of voice control
  - Stormwater Management by-law- proposed addition of a new Bylaw that would regulate stormwater flows
9. **Discussion on development of fertilizer bylaw for Truro**

## III. MINUTES

## IV. REPORTS

- Report of the Chair
- Health Agent's Report



Fee: \$75.00

V2023-05



TRURO HEALTH &  
CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666

## APPLICATION FOR BOARD OF HEALTH VARIANCES

Date: FEBRUARY 15, 2023

PAID  
9840

Property Owner's Name: KIMBERLY B. CHESTER

Mailing Address: 6 PERTY STREET, SHERBORN, MA 01770-1303

Address of Property: 38 FISHER ROAD

Map and Parcel Number: Map # 53 Parcel # 35

Design Engineer/Sanitarian WILLIAM N. ROGERS II

Firm/Company Name: WILLIAM N. ROGERS II, P.E., PLS Phone #: 1-508-487-1565

Address: 41 OFF CEMETERY ROAD, P.O. BOX 631  
POUNCEVILLE, MA 02657

Please check type of variance requested:

☒ Title 5 Variance Request: Section SEE ATTACHED PLAN FOR LIST

OF VARIANCES FROM 310 CMR 15.000 TITLE 5 STATE ENVIRONMENTAL  
CODE.

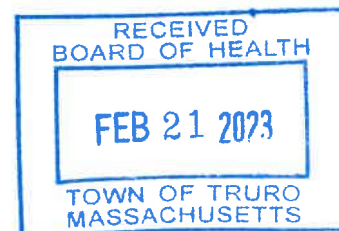
☒ Board of Health Variance Request: Section/Article SECTION 6, ARTICLE 9

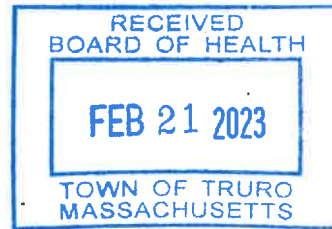
William N. Rogers II  
Signature (Representative)

FEBRUARY 15, 2023  
Date

\* Kimberly B. Chester  
Signature (Property Owner)

FEBRUARY 18, 2023





## NOTIFICATION TO ABUTTERS

Check One: ☐ This is the applicant ☒ Applicant's Representative Other ☐

Dear Abutter:

You are being notified pursuant to 310 CMR 15.000, State Environmental Code Title 5 and the Truro Board of Health Regulations that the Board of Health will hold a public hearing to hear requests for variances from applicable State and Local regulations.

### Applicant Information:

KIMBERLY B. CHESTER  
Name  
6 PERRY STREET, SHERBORN, MA 01770-1303  
Address

### Representative Information:

WILLIAM N. ROGERS II  
Name  
41 OFF CEMETERY ROAD, P.O. BOX 631, PROVINCETOWN, MA 02657  
Address

1. Address of proposed work: 38 FISHER ROAD, TRURO
2. Description of Work: INSTALLATION OF UPGRADED SEPTIC SYSTEM.
3. Variance from Regulation (list regulation):  
SEE DESIGN PLAN  
\_\_\_\_\_  
\_\_\_\_\_

4:30

1. The variance hearing begins at ~~4:00~~ 4:30 pm in the Selectmen's Meeting Room, 2nd Floor, Truro Town Hall, 24 Town Hall Road, Truro MA 02666 on MARCH 7, 2023.  
(date of hearing)

The Variance Request, plans and other pertinent information may be examined prior to the public hearing at the Health Department, Town Hall, 24 Town Hall Rd., Truro from 8am to 4pm, Monday thru Friday, 508-349-7004 x 32.

William N. Rogers II  
Signature of Applicant or Representative

FEBRUARY 15, 2023  
Date



# TOWN OF TRURO

## Assessors Office Certified Abutters List Request Form



DATE: JANUARY 6, 2022

NAME OF APPLICANT: WILLIAM N. ROGERS II

NAME OF AGENT (if any): \_\_\_\_\_

MAILING ADDRESS: P.O. Box 531, Provincetown, MA 02657

CONTACT: HOME/CELL N.A. EMAIL WILLIAM@VERIZON.NET

PROPERTY LOCATION: 32 FISHER ROAD, TRURO  
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 53 PARCEL 35 EXT. \_\_\_\_\_  
(if condominium)

### ABUTTERS LIST NEEDED FOR:

(please check all applicable)

(Fee must accompany the application unless other arrangements are made)

FEE: \$15.00 per checked item

☒ Board of Health<sup>5</sup>  
☐ Cape Cod Commission  
☐ Conservation Commission<sup>4</sup>  
☐ Licensing  
Type: \_\_\_\_\_

Planning Board (PB)  
☐ Special Permit<sup>1</sup>  
☐ Site Plan<sup>2</sup>  
☐ Preliminary Subdivision<sup>3</sup>  
☐ Definitive Subdivision<sup>3</sup>  
☐ Accessory Dwelling Unit (ADU)<sup>2</sup>

Zoning Board of Appeals (ZBA)  
☐ Special Permit<sup>1</sup>  
☐ Variance<sup>1</sup>

☐ Other \_\_\_\_\_ (Fee: Inquire with Assessors)  
(Please Specify)

**Note:** Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

### THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 1/6/2023

Date completed: 1/16/2023

List completed by: [Signature]

Date paid: 1/6/2023 Cash/Check \$15.00

<sup>1</sup>Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

<sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

<sup>3</sup>Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. **Note:** For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

<sup>4</sup>All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

<sup>5</sup>Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.



**TRURO ASSESSORS OFFICE**

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

**Date:** January 10, 2023

**To:** William N. Rogers II

**From:** Assessors Department

**Certified Abutters List:** 38 Fisher Road (Map 53, Parcel 35)

**Board of Health**

Attached is a combined list of abutters for the property located at 38 Fisher Road.

The current owner is Kimberly B Chester QPR Trust, Kimberly Bell Chester, Trustee.

The names and addresses of the abutters are as of January 6, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

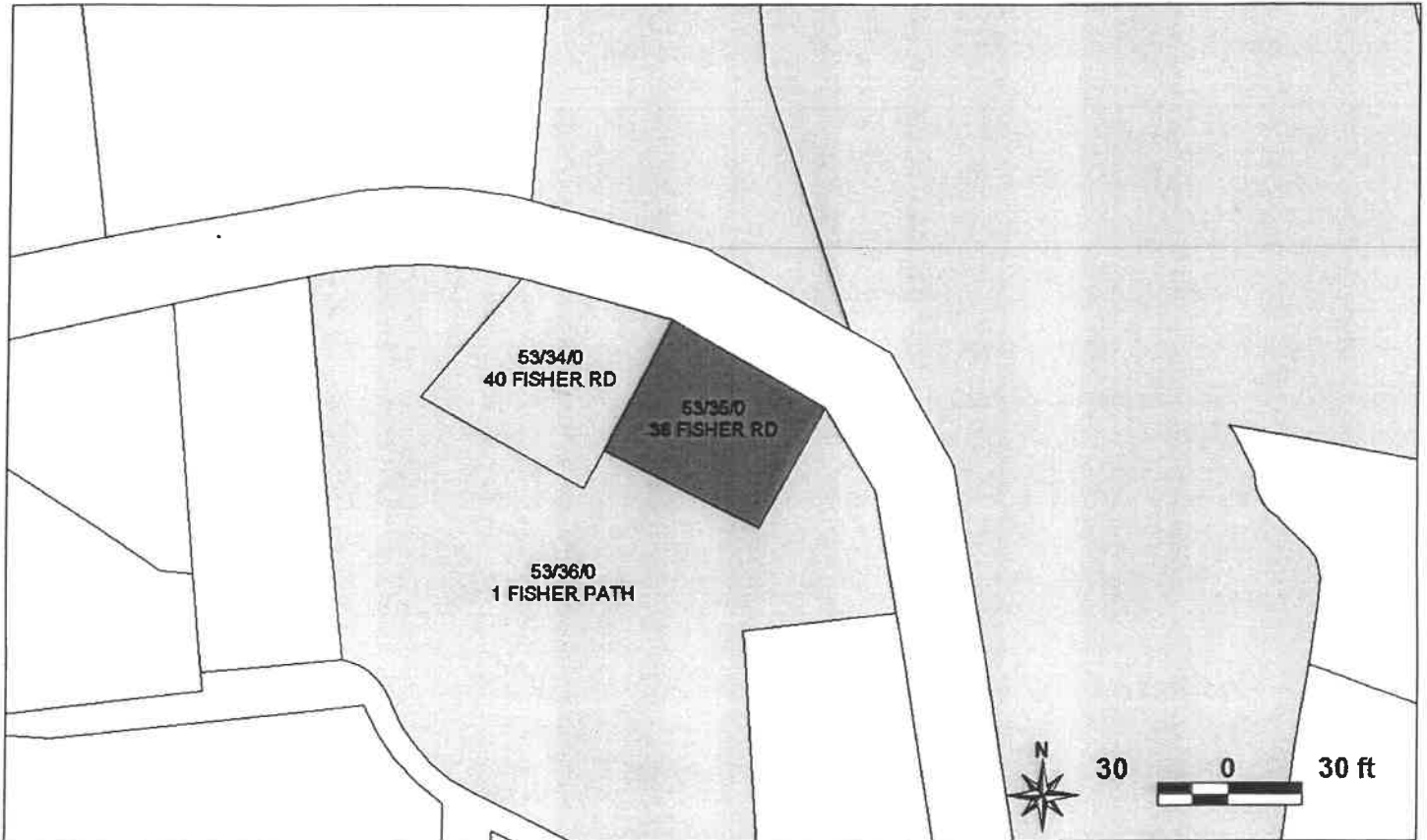
Certified by:

Olga Farrell  
Assessing Clerk

38 Fisher Road  
Map 53, Parcel 35  
Board of Health

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3175	53-28-0-R	TUFANO PETER & MARY JEANNE	41 FISHER RD	10 FROST ST	CAMBRIDGE	MA	02140
3176	53-29-0-R	REISER LINDA F	35 FISHER RD	128 LINDEN ST	EVERETT	MA	02149
3180	53-34-0-R	JANET L CAPASSO FAMILY TRUST & CAPASSO ELLIOT P&FONTANA CHRIS	40 FISHER RD	c/o CHRIS FONTANA 9380 GULF SHORE DR, APT 306	NAPLES	FL	34108
3182	53-36-0-R	HADLEY ERNEST C LIVING TRST & MULLINS ANNE L LIV TRST AGRMNT	1 FISHER PATH	PO BOX 441	TRURO	MA	02666

*[Handwritten signature]* 1/10/2023

53-28-0-R

TUFANO PETER & MARY JEANNE  
10 FROST ST  
CAMBRIDGE, MA 02140

REISER LINDA F  
128 LINDEN ST  
EVERETT, MA 02149

53-29-0-R

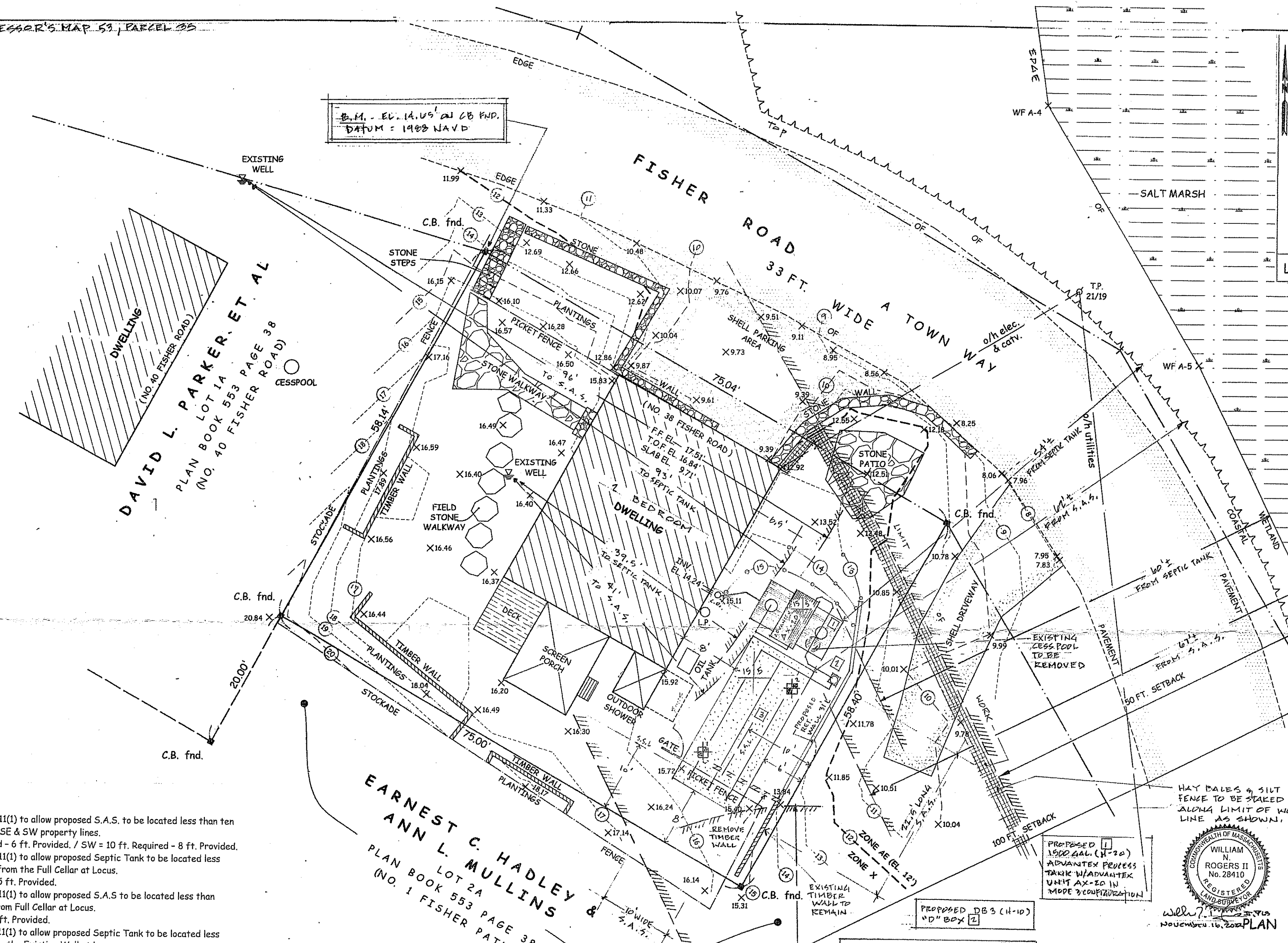
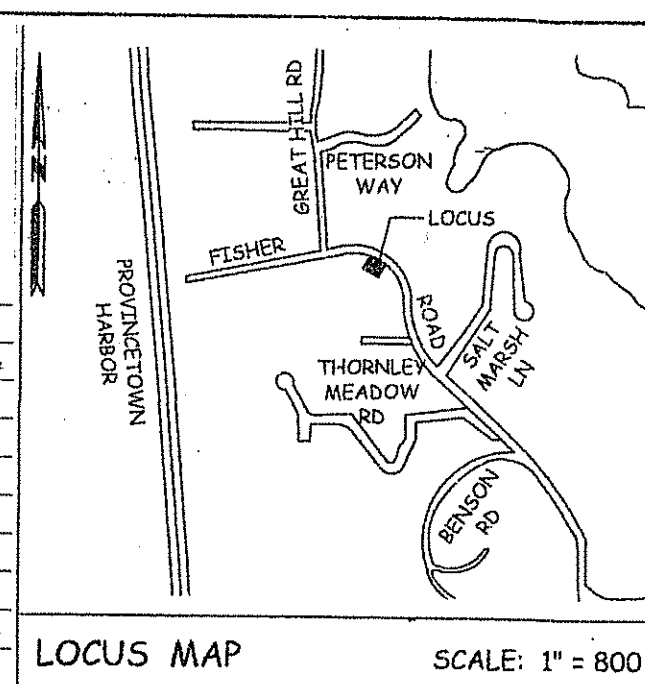
53-34-0-R

JANET L CAPASSO FAMILY TRUST &  
CAPASSO ELLIOT P&FONTANA CHRIS  
c/o CHRIS FONTANA  
9380 GULF SHORE DR, APT 306  
NAPLES, FL 34108

53-36-0-R

HADLEY ERNEST C LIVING TRST &  
MULLINS ANNE L LIV TRST AGRMNT  
PO BOX 441  
TRURO, MA 02666





**Variance Requests:**

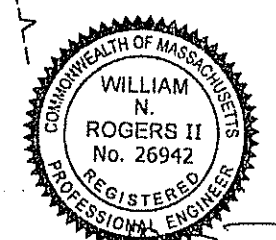
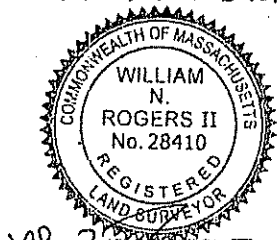
- 1 From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than ten (10') feet from the SE & SW property lines.  
SE = 10 ft. Required - 6 ft. Provided. / SW = 10 ft. Required - 8 ft. Provided.
- 2 From 310 CMR 15.211(1) to allow proposed Septic Tank to be located less than ten (10') feet from the Full Cellar at Locus.  
10 ft. Required - 6.5 ft. Provided.
- 3 From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than twenty (20') feet from Full Cellar at Locus.  
20 ft. Required - 8 ft. Provided.
- 4 From 310 CMR 15.211(1) to allow proposed Septic Tank to be located less than (50') feet from the Existing Well at Locus.  
50 ft. Required - 39.5 ft. Provided.
- 5 From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than one hundred (100') feet from the Existing Well at Locus.  
100 ft. Required - 41 ft. Provided.
- 6 From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than one hundred (100') feet from the Existing Well at 40 Fisher Road.  
100 ft. Required - 96 ft. Provided.
- 7 From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than one hundred (100') feet from the Existing Well at 1 Fisher Path.  
100 ft. Required - 50 ft. Provided.
- 8 Per 310 CMR 15.405 (1)(c) to allow the proposed S.A.S. area to be reduced by 25% with Innovative Technology (Advantex AX-20 by Orenco in mode 3 configuration) w/ general use approval.  
165 gpd. Required - 167 gpd. Provided.
- 9 Per Section 6, Article 9 of Local Board of Health Regulations to allow the proposed Septic Tank, and S.A.S. to be located less than one hundred (100') feet & one hundred and fifty (150'), respectively, from the existing Resource Area Wetland (Coastal Bank).  
100 ft. Required - 54 ft. Provided - Septic Tank  
150 ft. Required - 62 ft. Provided - S.A.S.

**NOTE:** FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001C0227J FOR THE TOWN OF TRURO COMMUNITY NO. 255222 DATED JULY 16, 2014.

**NOTE:** BOUNDARY OF THE WETLAND RESOURCE AREAS WERE DETERMINED IN THE FIELD WITH THE ASSISTANCE OF PAUL J. SHEA, P.W.S., INDEPENDENT ENVIRONMENTAL CONSULTANTS ON APRIL 20, 2021.

**LEGEND:**

S.S.L.	= SEPTIC SETBACK LINE
C.O.	= CLEAN OUT
D.M.H.	= DRAINAGE MANHOLE
M.H.	= MANHOLE
S.M.H.	= SEWER MANHOLE
W.G.	= WATER GATE
T.P.	= UTILITY POLE
U/G	= UNDERGROUND
L.P.	= LIQUID PROPANE
O/H	= OVER HEAD
10.04X	= EXISTING SPOT ELEVATION
14-0-0	= PROPOSED CONTOUR
10-0-0	= EXISTING CONTOUR
WF	= WETLAND FLAG
15/16	= PROPOSED SPOT ELEVATION
S.A.S.	= SOIL ABSORPTION SYSTEM



WILLIAM N. ROGERS II  
NOVEMBER 16, 2022

**TRURO**  
DEPICTING A  
**SANITARY SUBSURFACE SEWAGE  
DISPOSAL SYSTEM UPGRADE**  
AS PREPARED FOR  
**KIMBERLY B. CHESTER**  
(NO. 38 FISHER ROAD)

SCALE: 1" = 10'-0" NOVEMBER, 2022

**WILLIAM N. ROGERS**  
PROFESSIONAL  
CIVIL ENGINEERS & LAND SURVEYORS  
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.

RECEIVED  
BOARD OF HEALTH  
TOWN OF TRURO  
MASSACHUSETTS  
FEB 21 2023

51



## SCHEMATIC FLOW PROFILE

NOT TO SCALE  
DATUM = 1988 NAVD\* NOTE: IF LOCATED UNDER PAVING OR PARKING  
OR LOCATED GREATER THAN 36" BELOW GRADE -  
PROVIDE 4" Ø SCH. 40 PVC VENT - AS SHOWN.

## OPTIONS:

1. EXTEND UP BLDG. - 1 FT. ABOVE ROOF LINE.
2. KEEP @ GRADE & PROVIDE CHARCOAL FILTER - COORD. LOCATION W/ THE OWNER ON SITE PRIOR TO INSTALLATION.

NOTE: EXIST'G.  
GRADE OVER SEPTIC  
SYSTEM = VARI'USNOTE: ALL EXIST'G.  
INVERT ELEV. &  
LOCATIONS TO BE  
VERIFIED IN THE  
FIELD BY THE  
CONTRACTOR  
PRIOR TO  
INSTALLATION,  
AS NECESSARY.\* NOTE: RAISE COVERS TO FINISH  
GRADE W/ WATER TIGHT MANHOLES  
W/ METAL FRAME & COVERS IF  
LOCATED UNDER PAVING OR PARKING.DRENLO ADVANTEK AX-20  
FILTER UNIT - INSTALLED IN  
MODE 3 CONFIGURATION PER  
MANUFACTURER'S SPECIFICATIONS\* NOTE: DROP EXIST'G.  
OUTLET PIPE DOWN  
TO ELEV. SHOWN

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Fee: \$75.00

V2023-06



TRURO HEALTH &  
CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666

## APPLICATION FOR BOARD OF HEALTH VARIANCES

Date: FEBRUARY 15, 2023

PAID  
9840

Property Owner's Name: REHARD S. GOLDBERG

Mailing Address: 95 MILL HILL ROAD, WELLFLEET, MA 02667-7441

Address of Property: 392 SHORE ROAD

Map and Parcel Number: Map # 10 Parcel # 26

Design Engineer/Sanitarian WILLIAM N. ROGERS II

Firm/Company Name: WILLIAM N. ROGERS II, PE, PLS Phone #: 1-508-487-1565

Address: 41 OFF CEMETERY ROAD, P.O. BOX 631  
PROVINCETOWN, MA 02657

Please check type of variance requested:

☒ Title 5 Variance Request: Section SEE ATTACHED PLAN FOR LIST OF

VARIANCES FROM 310 CMR 15.000 TITLE 5 STATE ENVIRONMENTAL CODES.

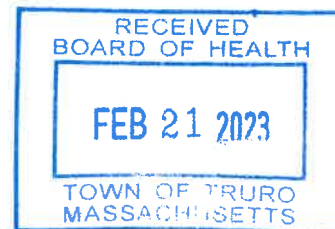
☒ Board of Health Variance Request: Section/Article SECTION 6, ARTICLE 9

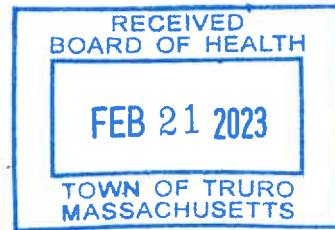
William N. Rogers II  
Signature (Representative)

FEBRUARY 15, 2023  
Date

\* Rehard S. Goldberg  
Signature (Property Owner)

FEBRUARY 17, 2023





### NOTIFICATION TO ABUTTERS

Check One: ☐ This is the applicant ☒ Applicant's Representative Other ☐

Dear Abutter:

You are being notified pursuant to 310 CMR 15.000, State Environmental Code Title 5 and the Truro Board of Health Regulations that the Board of Health will hold a public hearing to hear requests for variances from applicable State and Local regulations.

#### Applicant Information:

RICHARD S. GOLDBERG  
Name  
95 MILL HILL ROAD, WELFLEET, MA 02667-7441  
Address

#### Representative Information:

WILLIAM N. ROGERS II  
Name  
41 OFF CEMETERY ROAD, PROVINCETOWN, MA 02657  
Address P.O. BOX 631

1. Address of proposed work: 392 SHORE ROAD, NORTH TRURO
2. Description of Work: INSTALLATION OF UPGRADED SEPTIC SYSTEM.
3. Variance from Regulation (list regulation):  
SEE DESIGN PLAN.

1. The variance hearing begins at <sup>4:30</sup>~~4:00~~ pm in the Selectmen's Meeting Room, 2nd Floor, Truro Town Hall, 24 Town Hall Road, Truro MA 02666 on MARCH 7, 2023.  
(date of hearing)

The Variance Request, plans and other pertinent information may be examined prior to the public hearing at the Health Department, Town Hall, 24 Town Hall Rd., Truro from 8am to 4pm, Monday thru Friday, 508-349-7004 x 32.

William N. Rogers II  
Signature of Applicant or Representative

FEBRUARY 15, 2023  
Date



# TOWN OF TRURO

## Assessors Office

### Certified Abutters List

### Request Form



DATE: JANUARY 6, 2023

NAME OF APPLICANT: WILLIAM N. ROGERS II

NAME OF AGENT (if any): \_\_\_\_\_

MAILING ADDRESS: P.O. Box 631, PROVINCETOWN, MA 02657

CONTACT: HOME/CELL N.A. EMAIL bill@truroverizon.net

PROPERTY LOCATION: 392 SHORE ROAD, NORTH TRURO  
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 10 PARCEL 26 EXT. \_\_\_\_\_  
(if condominium)

#### ABUTTERS LIST NEEDED FOR:

(please check all applicable)

FEE: \$15.00 per checked item

(Fee must accompany the application unless other arrangements are made)

<input checked="" type="checkbox"/> Board of Health <sup>5</sup>	Planning Board (PB)	Zoning Board of Appeals (ZBA)
<input type="checkbox"/> Cape Cod Commission	<input type="checkbox"/> Special Permit <sup>1</sup>	<input type="checkbox"/> Special Permit <sup>1</sup>
<input type="checkbox"/> Conservation Commission <sup>4</sup>	<input type="checkbox"/> Site Plan <sup>2</sup>	<input type="checkbox"/> Variance <sup>1</sup>
<input type="checkbox"/> Licensing	<input type="checkbox"/> Preliminary Subdivision <sup>3</sup>	
Type: _____	<input type="checkbox"/> Definitive Subdivision <sup>3</sup>	
	<input type="checkbox"/> Accessory Dwelling Unit (ADU) <sup>2</sup>	
<input type="checkbox"/> Other _____		

(Fee: Inquire with Assessors)

(Please Specify)

**Note:** Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

#### THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 1/06/2023

Date completed: 1/10/2023

List completed by: [Signature]

Date paid: 1/6/2023 Cash ☒ Check \$15.00

<sup>1</sup>Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

<sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

<sup>3</sup>Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. **Note:** For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

<sup>4</sup>All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

<sup>5</sup>Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.



**TRURO ASSESSORS OFFICE**

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

**Date:** January 10, 2023

**To:** William N. Rogers II

**From:** Assessors Department

**Certified Abutters List:** 392 Shore Road (Map 10, Parcel 26)

**Board of Health**

Attached is a combined list of abutters for the property located at 392 Shore Road.

The current owner is Richard Goldberg.

The names and addresses of the abutters are as of January 6, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

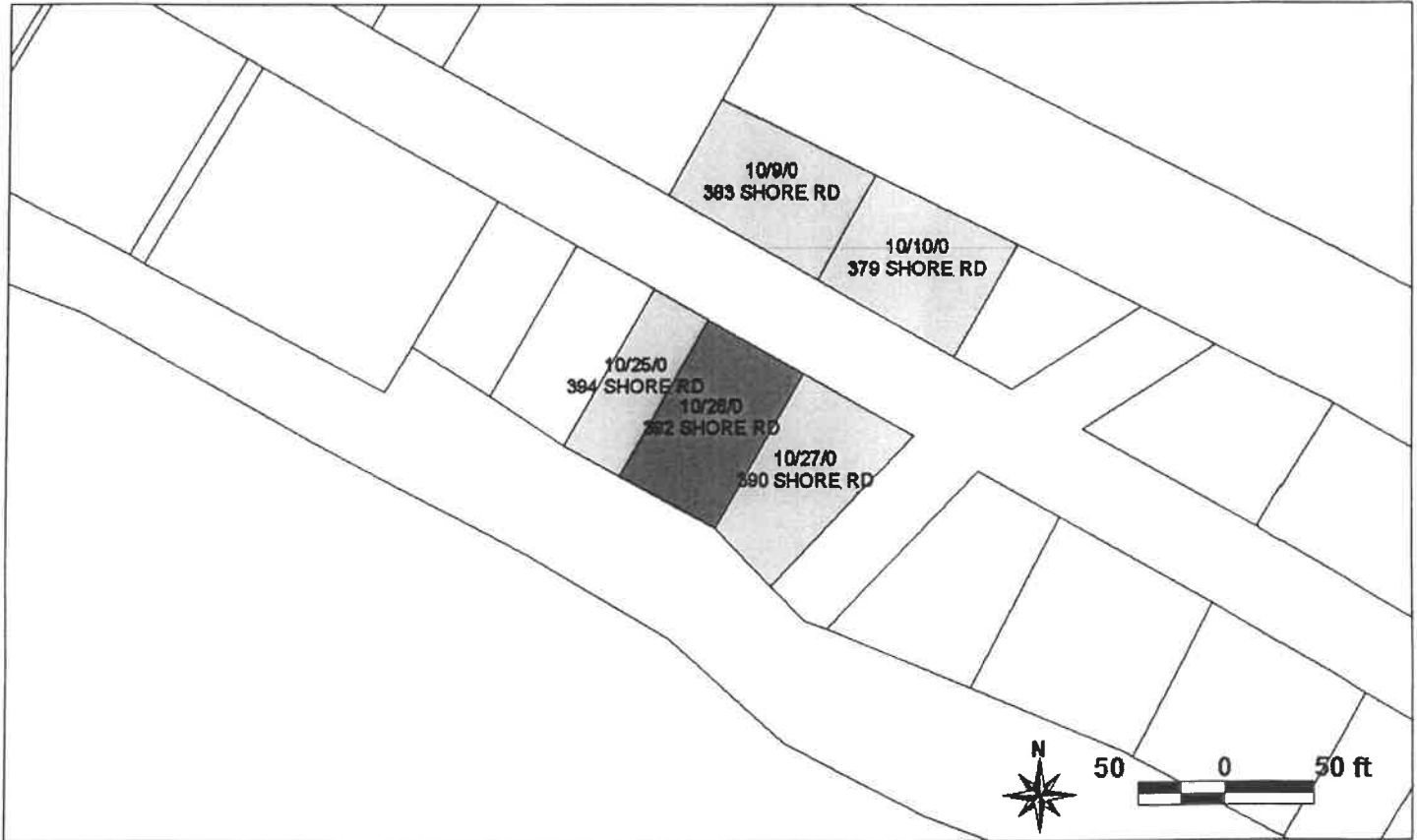
Certified by:

Olga Farrell  
Assessing Clerk

392 Shore Road  
Map 10, Parcel 26  
Board of Health

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
304	10-9-0-R	WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY WILLIAM & BLANCHE	383 SHORE RD	326 COUNTRY CLUB RD	AVON	CT	06001
305	10-10-0-R	SILVA CHARLES T	379 SHORE RD	39 SHIPS WAY RD	PROVINCETOWN	MA	02657
320	10-25-0-R	WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY W BLANCHE	394 SHORE RD	326 COUNTRY CLUB RD	AVON	CT	06001
322	10-27-0-R	390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI	390 SHORE RD	98 BEACH ST	QUINCY	MA	02170

*R. J. [Signature]*  
1/10/2023



10-9-0-R

WILLIAM & BLANCHE SHANLEY TRST  
TRS: SHANLEY WILLIAM & BLANCHE  
326 COUNTRY CLUB RD  
AVON, CT 06001

10-10-0-R

SILVA CHARLES T  
39 SHIPS WAY RD  
PROVINCETOWN, MA 02657

10-25-0-R

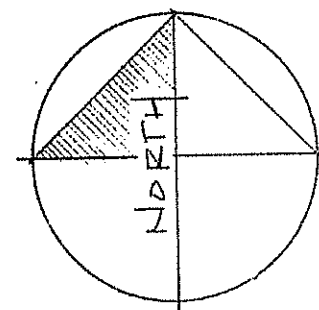
WILLIAM & BLANCHE SHANLEY TRST  
TRS: SHANLEY W BLANCHE  
326 COUNTRY CLUB RD  
AVON, CT 06001

10-27-0-R

390 SHORE ROAD REALTY TRUST  
TRS: WILLIAM J SEMPOLINSKI  
98 BEACH ST  
QUINCY, MA 02170

## Variance Requests:

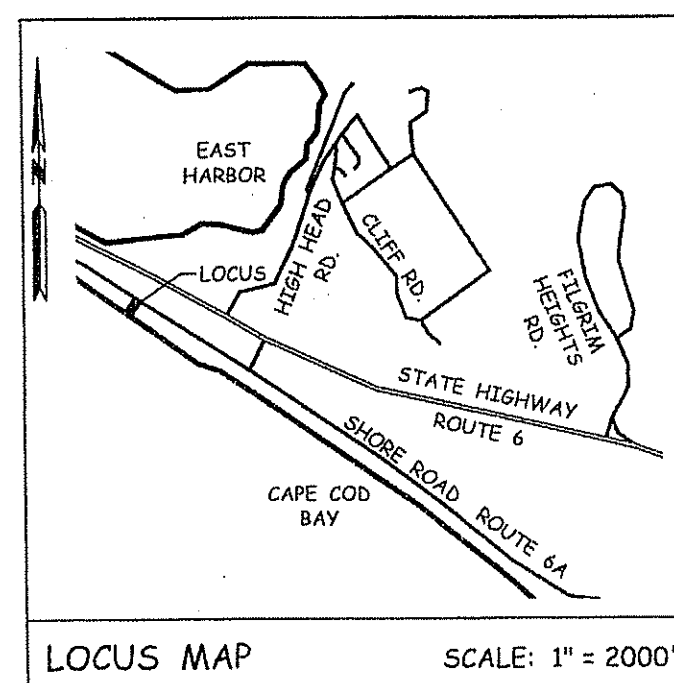
- From 310 CMR 15.211(1) to allow proposed Septic Tank to be located less than ten (10') feet from the NW property line.  
10 ft. Required - 7 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than ten (10') feet from the NE property line.  
10 ft. Required - 1.5 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed Septic Tank to be located less than twenty (20') feet from existing Crawl Space at Locus.  
20 ft. Required - 7 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than twenty (20') feet from the existing Crawl Space at Locus.  
20 ft. Required - 4 ft. Provided.
- Per 310 CMR 15.405 (1)(c) to allow the proposed S.A.S. area to be reduced by 25% with Innovative Technology (BioMicrobics Micro-Fast 0.5) w/ general use approval.  
248 gpd. Required (w/25% reduction) - 254 gpd. Provided.
- Per Section 6, Article 9 of Local Board of Health Regulations to allow the proposed Septic Tank, and S.A.S. to be located less than one hundred (100') feet & one hundred and fifty (150'), respectively, from the existing Resource Area Wetland (Coastal Dune).  
100 ft. Required - 25 ft. Provided - Septic Tank  
150 ft. Required - 40 ft. Provided - S.A.S.



PROPOSED 1500 GAL.  
(H-20) SEPTIC TANK  
FOR MICRO-FAST 0.5  
TREATMENT UNIT  
(IN TANK)

SHANLEY FAMILY TRUST  
(No. 394 SHORE ROAD)

A TOWN SHORE ROAD (ROUTE 6A)  
50 FT. WIDE (1920 LAYOUT)



NOTE: B-A-X DENOTES TYP. WETLAND FLAG LOCATION.

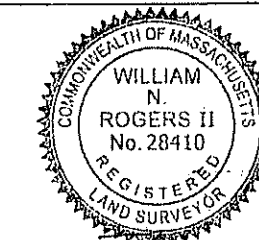
NOTE: BOUNDARY OF THE WETLAND RESOURCE AREAS WERE DETERMINED IN THE FIELD WITH THE ASSISTANCE OF PAUL J. SHEA, P.W.S., INDEPENDENT ENVIRONMENTAL CONSULTANTS ON OCTOBER 29, 2021.

REFER TO SHEET S.2 FOR DESIGN DATA

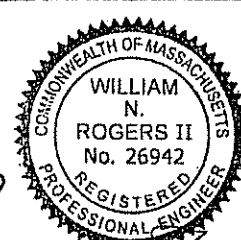
## GENERAL NOTES:

- ALL SYSTEM COMPONENTS SHALL BE INSTALLED IN ACCORDANCE W/ TITLE 5 OF THE SANITARY CODE & ANY APPLICABLE REGULATIONS.
- PRIOR TO BACKFILLING THE INSTALLATION, THE ENGINEER & HEALTH AGENT SHALL BE NOTIFIED FOR INSPECTION.
- ANY ALTERATIONS TO THIS DESIGN MUST BE APPROVED BY THE ENGINEER & BOARD OF HEALTH, IN WRITING.
- ALL LINES SHALL BE 4" DIA. SCH. 40 PVC PIPE PITCHED 0.010'/FT. MINIMUM, EXCEPT AS NOTED.
- ANY/ALL UNDERGROUND UTILITIES ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO SYSTEM INSTALLATION. (CONTACT DIG SAFE)
- ALL UNSUITABLE MATERIAL WITHIN 5 FT. IN ALL DIRECTIONS FROM THE SOIL ABSORPTION SYSTEM SHALL BE REMOVED & REPLACED W/CLEAN, COARSE WASHED SAND.
- ALL FILL MATERIAL UTILIZED FOR THE SOIL ABSORPTION SYSTEM SHALL BE CLEAN, COARSE, WASHED SAND FREE FROM DELETERIOUS MATERIAL & SHALL HAVE A PERC. RATE OF LESS THAN 2 MIN./IN. BEFORE & AFTER PLACEMENT.
- ALL FILL SERVICING THE SOIL ABSORPTION SYSTEM SHALL BE PROPERLY PLACED & COMPACTED TO MINIMIZE SETTLEMENT.
- FINISH GRADES SHALL COMPLY W/MINIMUM COVER & SLOPE SETBACK REQUIREMENTS OF TITLE 5.
- DURING INSTALLATION, THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE PROTECTION TO ADJUTING PROPERTIES & TO MAINTAIN A SAFE EXCAVATION AREA.
- DATUM = 1988 N.A.V.D.
- PROVIDE SHOP DWGS. OF ALL PRECAST COMPONENTS FOR ENGINEERS APPROVAL - PER ENGINEERS REQUEST.
- IN CASE OF FAILURE, THE LEACHING TRENCH SHALL BE REMOVED, REHABILITATED & REPLACED IN THE SAME LOCATION.

NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001C0136J THE TOWN OF TRURO - COMMUNITY NO. 235122 DATED JULY 16, 2014.



PLAN OF LAND  
IN  
(NORTH) TRURO



DEPICTING A  
SANITARY SUBSURFACE SEWAGE  
DISPOSAL SYSTEM UPGRADE

AS PREPARED FOR

RICHARD S. GOLDBERG  
(No. 392 SHORE ROAD)

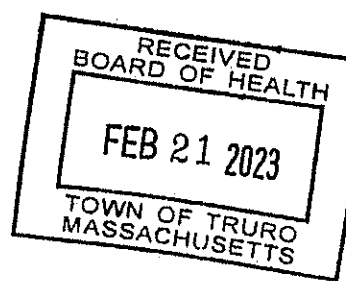
SCALE: 1" = 10'-0" NOVEMBER, 2021

NOVEMBER 2, 2021

WILLIAM N. ROGERS  
PROFESSIONAL  
CIVIL ENGINEERS & LAND SURVEYORS  
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.  
508.487.1565 / 508.487.5809 FAX

S.1

LEGEND: S.S.L. = SEPTIC SETBACK LINE  
C.O. = CLEAN OUT  
D.M.H. = DRAINAGE MANHOLE  
M.H. = MANHOLE  
S.M.H. = SEWER MANHOLE  
W = WATER GATE  
T.P. = UTILITY POLE  
U/G = UNDERGROUND  
L.P. = LIQUID PROPANE  
o/h = OVER HEAD  
10.04X = EXISTING SPOT ELEVATION  
14-0-0 = PROPOSED CONTOUR  
10-0-0 = EXISTING CONTOUR  
WF = WETLAND FLAG  
15/5 = PROPOSED SPOT ELEVATION  
S.A.S. = SOIL ABSORPTION SYSTEM



NOT TO SCALE  
DATUM =

\* NOTE: IF LOCATED UNDER PAVING OR PARKING OR LOCATED GREATER THAN 36" BELOW GRADE - PROVIDE 4" O SQ. 40 PVC VENT - AS SHOWN.

• NOTE: LOCATED FINAL LOCATION  
OF 1" C. VENT W/ OWNER &  
CONTRACTOR ON SITE PRIOR  
TO INSTALLATION

- OPTIONS:

1. EXTEND UP BLDG. - 1 FT. ABOVE ROOF LINE.  
OR
2. KEEP @ GRADE & PROVIDE CHARCOAL FILTER - COORD. LOCATION W/THE OWNER ON SITE PRIOR TO INSTALLATION.


INSPECTION PORT REQUIRED;  
MIN. (1) 4"  $\phi$  SCH. 40 PVC PERFORATED  
PIPE SHALL BE PLACED VERTICALLY  
DOWN INTO STONE TO THE NATURALLY  
OCCURRING SOIL OR SAND FILL BELOW  
THE STONE. PIPE/S SHALL BE CAPPED  
WITH A SCREW-TYPE CAP, AND ACCESSIBLE  
TO WITHIN 3" OF FIN. GRADE.

EAST UNIT GENERAL NOTES:

1. INSTALL UNIT PER MANUF. SPECIFICATIONS.
2. BLOWER MUST BE WITHIN 100 FT OF EAST UNIT.
3. NOTE ALL PVC VENTS TO BE SUPPLIED WITH CHARCOAL FILTERS

**GENERAL NOTES:**


- 1.) ALL SYSTEM COMPONENTS SHALL BE INSTALLED IN ACCORDANCE W/ TITLE 5 OF THE SANITARY CODE & ANY APPLICABLE REGULATIONS.
- 2.) PRIOR TO BACKFILLING THE INSTALLATION, THE ENGINEER & HEALTH AGENT SHALL BE NOTIFIED FOR INSPECTION.
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- 4.) ALL LINES SHALL BE 4" DIA. SCH. 40 PVC PIPE PITCHED 0.010'/FT. MINIMUM, EXCEPT AS NOTED.
- 5.) ANY/ALL UNDERGROUND UTILITIES ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO SYSTEM INSTALLATION. (CONTACT DIG SAFE)
- 6.) ALL UNSUITABLE MATERIAL WITHIN 5 FT. IN ALL DIRECTIONS FROM THE SOIL ABSORPTION SYSTEM SHALL BE REMOVED & REPLACED W/CLEAN, COARSE WASHED SAND.
- 7.) ALL FILL MATERIAL UTILIZED FOR THE SOIL ABSORPTION SYSTEM SHALL BE CLEAN, COARSE, WASHED SAND FREE FROM DELETERIOUS MATERIAL & SHALL HAVE A PERC. RATE OF LESS THAN 2 MIN./IN. BEFORE & AFTER PLACEMENT.
- 8.) ALL FILL SERVICING THE SOIL ABSORPTION SYSTEM SHALL BE PROPERLY PLACED & COMPACTED TO MINIMIZE SETTLEMENT.
- 9.) FINISH GRADES SHALL COMPLY W/MINIMUM COVER & SLOPE SETBACK REQUIREMENTS OF TITLE 5.
- 10.) DURING INSTALLATION, THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE PROTECTION TO ABUTTING PROPERTIES & TO MAINTAIN A SAFE EXCAVATION AREA.
- 11.) DATUM = 1982 NAVD
- 12.) PROVIDE SHOP DWGS. OF ALL PRECAST COMPONENTS FOR ENGINEERS APPROVAL - PER ENGINEERS REQUEST.
- 13.) IN CASE OF FAILURE, THE LEACHING TRENCH SHALL BE REMOVED & REINTEGRATED & REPLACED.



COMMONWEALTH OF MASSACHUSETTS  
WILLIAM N. ROGERS II  
No. 28410  
REGISTERED  
LAND SURVEYOR

*William N. Rogers II*  
DECEMBER 13, 2002

PLAN OF LAND  
IN  
(NORTH) TRURO



COMMONWEALTH OF MASSACHUSETTS  
WILLIAM  
N.  
ROGERS II  
No. 26942  
REGISTERED  
PROFESSIONAL ENGINEER

DEPICTING A  
SANITARY SUBSURFACE SEWAGE  
DISPOSAL SYSTEM UPGRADE

RICHARD S. GOLDBERG  
(NO. 392 SHORE ROAD)

SCALE: AS SHOWN.. NOVEMBER, 2022

WILLIAM N. ROGERS  
PROFESSIONAL  
ENGINEERS & LAND SURVEYORS  
METERY ROAD, PROVINCETOWN, MASS.  
508.487.1565 / 508.487.5809 FAX

4.2

SHEET 2 OF 2 SHEETS

T-22-2163 A

\* WATER SERVICE GENERAL NOTE:

WHENEVER SEPTIC LINES CROSS WATER  
SERVICE LINES OR WHEN WATER SERVICE  
LINES COME WITHIN 10 FT. OF THE PROPOSED  
S.A.S., PIPES SHALL BE SLEEVED W/ CLASS 150  
PRESSURE PIPE AND SHOULD BE PRESSURE  
TESTED TO ASSURE WATER TIGHTNESS. -  
COORD. W/ TOWN OF PROVINCETOWN WATER  
DEPT. AS NECESSARY.

• TEST DATE:

DEC. 13, 2022

• TEST BY :

• L. SCHOFIELD - CERTIFIED  
SOTI EVALUATOR SE#2173

• C. WARREN AGENT FOR  
BOARD OF HEALTH

• PERC. RATE: IN HORIZON

- IT IS THE OPINION OF THE ENGINEER THAT THE SOIL PROFILE DOES NOT VARY SIGNIFICANTLY THROUGHOUT THE LOT.

DEPTH	HORIZON	TEXTURE	COLOR	MOTTING	COMMENTS
0-16"	FILL	VARIABLE	VARIABLE	NONE	SINGLE GRAIN - LOOSE
16"-26"	2'	SAND	10 YR 5/2		
26"-120"	2 1/2'	COARSE SAND	10 YR 7/4	↓	↓

DEPTH	HORIZON	TEXTURE	COLOR	MOTTING	CONTAMINANT
0 - 2 1/2"	FILL	VARIABLE	VARIABLE	NONE	SINGLE GRAIN
2 1/2" - 120"	C	COARSE SAND	10 YR 7/4	↓	100% C


NOTE : ENGINEER TO CONFIRM SOILS @  
TIME OF CONSTRUCTION

# DEEP OBSERVATION HOLE LOGS

## DETAIL PLAN

SCALE: 1" = 10' - 0"

(DATUM = 1988 NAVD)

A horizontal graphic scale bar with vertical tick marks. Below the bar, the numbers 0, 5, and 10 are printed, indicating feet. The bar is divided into segments, with the first segment from 0 to 5 feet being slightly longer than the subsequent segments.

BENCHMARK EL. 14.9  
(1988 NAVD). ON  
C.B. FND.

LEGEND :

(29) --- = EXIST'G CONTOUR  
 (26) --- = PROPOSED CONTOUR  
 + (102.60) = EXISTING SPOT ELEV.  
 ▽ = EXISTING WELL  
 ▽ = PROPOSED WELL  
 ◇ TP. = UTILITY POLE  
 C.O. = CLEAN OUT  
 ---W--- = WATER LINE

#1 = TEST HOLE LOCATION  
 B.S.L. = SETBACK LINE  
 S.S.L. = SEPTIC SETBACK LINE  
 29/25 = PROPOSED SPOT ELEV.

DESIGN DATA:

- 1.) REQUIRED FLOW: 3 BEDROOMS x 110 GPD/BEDROOM = 330 GPD  
NOTE: 330 GAL. x .75 (25% REDUCTION) = 248 GPD
- 2.) SEPTIC TANK CAPACITY 330 GPD x 2 = 660 GPD  
USE (1) LOW PROFILE (4-20) "FAST" TANK (MODEL# FT1M12HLP FOR "FAST"
- 3.) LEACHING FACILITY:  
SIDES: 29 FT. WIDE x 1.5 FT. DEEP x 24 IPS x .74 GPD/S.F. =  $\frac{64 \text{ GPD}}{\text{SIDE}}$   
ENDS: 8 FT. WIDE x 1.5 FT. DEEP x 2 ENDS x .74 GPD/S.F. =  $\frac{18 \text{ GPD}}{\text{ENDS}}$   
BOTTOM: 29 FT. WIDE x 8 FT. WIDE x .74 GPD/S.F. = 172 GPD  
(Bottom Area)  
TOTAL = 254 GPD

\* NOTE: TANK, "D" BOX & FLOW DIFFUSORS TO BE H-20 BY AIME-SHOFFLEER

\* 254 GPD PROVIDED > 248 GPD REQUIRED. (w/ 25% REDUCTION)  
USE (3) 4' x 8' (H-10) CONC. FLOWDIFFUSORS IN A  
29' L x 8' W x 1.5' D LEACHING TRENCH AS SHOWN.

SHEET 2 OF 2 SHEETS

T-22-2163 A



## TOWN OF TRURO



Memo to: Truro Board of Health

From: Emily Beebe, Truro Health & Conservation Agent *EBeebe*

Date: March 3, 2023

Re: Discussion on requirement for an on-site Manager

Our accommodations industry is regulated largely by the Truro Board of Health regulations, and the Truro Rental Bylaw. These 2 local codes are in agreement with each other in the requirement for an on-premises manager, or an Agent designated to perform managerial duties. Board of Health regulations allow smaller establishments the option of employing an off-site management entity to replace or supplement this requirement provided the off-site entity designates an individual who can respond within 30 minutes to the site.

Recent requests for variances to this requirement have precipitated the need for a broader conversation about the definition of a manager and their job duties; the goals of section 3 of the Truro Board of Health regulations, and how we might clarify the intent and the language in this regulation for the benefit of all parties.

### TRURO BOARD OF HEALTH REGULATIONS:

#### **SECTION III -- LICENSING OF COTTAGE COLONIES, CABIN COLONIES, MOTOR COURTS, MOTELS, HOTELS, CONDOMINIUMS AND CAMPGROUNDS**

##### **Article 1 Purpose and Authority**

WHEREAS, the Town of Truro and its Board of Health have had long experience with the density of both resort accommodations and year-round accommodations within the Town;

WHEREAS, the proximity of living quarters can, without supervision, endanger public health and safety;

NOW, THEREFORE, the Board of Health of the Town of Truro, acting under the authority conferred upon it by both Massachusetts General Laws, Chapter 111, Section 31, as amended, and Massachusetts General Laws, Chapter 140, Section 32B, as amended, hereby adopts the following regulations.

##### **Article 2 Definitions**

*Amendment Adopted by the Board of Health on April 21, 2009*

Cottage colony, cabin colony, **condominium, co-op**, motor court, motel, or hotel, *herein after referred to as "Establishments"*, regardless of its form of ownership shall include (a) every establishment so licensed, (b) every establishment so defined by the Zoning by-laws of the Town of Truro, and (c) any other establishment subsequently so defined by the Board of Health in order to effectively implement this regulation. Campground shall include every establishment so licensed by the Board of Health in accordance with the provisions of the State Sanitary Code.

Manager shall be defined as the on-premise person or persons who manage the day-to-day operations of a commercial or noncommercial arrangement or enterprise and whose supervisory powers include the hiring and firing of employees, the ordering of supplies and materials, the booking of reservations when reservations are accepted, the maintenance of a guest register, the entering of contracts, and the general upkeep and maintenance of the premises.

### **Article 3 License required**

*Amendment Adopted by the Board of Health on November 18, 2014*

1. Establishments and campgrounds shall be licensed annually by the Board of Health.
2. Unless otherwise stated, licenses expire on December 31 of each year.
3. Applicants are responsible for obtaining an approved license each year, prior to opening.

### **Article 4 Manager Regulation**

*Adopted by the Board of Health on January 22, 1988. Amendment Adopted by the Board of Health on April 21, 2009*

Regardless of the form of ownership in which it is held, establishments and campgrounds as previously defined, shall have a manager or managers who shall reside on or be present continuously on the premises throughout the period when persons reside permanently or transiently on the premises. This "on-premises manager" shall be responsible for all the lawful duties and obligations imposed upon him, or them, and this manager shall in every respect conform to the Board of Health's definition of manager set forth in these regulations.

Establishments containing ten or fewer units, regardless of ownership, may employ a management service provided that the management service is in full compliance with the duties of a manager as stipulated in the definition of manager, excepting residency.

The management firm so engaged must have a specified person whose name and telephone number is available to each condominium/cooperative owner and is on file with the Truro Health Department, the Licensing Agent and the Truro Police Department. Said management service must be pre-approved by the Truro Board of Health. Without exception every unit of any Condominium Association or Cooperative that avails itself of this provision shall be used seasonally only. Those organizations that choose to employ an off-site manager shall have a response time of 30 minutes or less to any complaint.

By the phrase "present continuously," the Board does not prohibit short absences, but an "on-premise manager" should usually be present physically on the premises throughout the day, including the nighttime. If any party wishes to ascertain whether he, she, they, or it, is subject to this regulation and/or is in compliance with it, that party may petition this Board for such a determination.

## **TRURO GENERAL BYLAWS**

### **CHAPTER II**

#### **LICENSING AND PERMITS-**

##### **Section 1: RENTING OR LEASING BUILDINGS**

**2-1-1** No building may be leased or rented residentially for any period of one hundred twenty (120) or fewer days until the building or appropriate portion of it has been registered with the Licensing Agent. (Separate rental or lease periods totaling more than one hundred twenty (120) days in any calendar year will not excuse compliance with this Bylaw if any single rental or lease period is one hundred twenty or

fewer days in length.) The rental or lease of summer homes is the principal, but not exclusive, subject of this Bylaw.

**2-1-2** The Town's Licensing Agent shall determine the number of persons that the premises can legally accommodate and shall issue a certificate of registration of the premises. The Licensing Agent will follow the Board of Health regulations and the Board of Health's bedroom count in such determination. The certificate shall be posted conspicuously on the registered premises and reflect this number.

**2-1-3** Every property owner who offers registered living accommodations for rent shall have available, when absent, an agent authorized to act in case of an emergency that endangers the property or the welfare of any person on the premises. Failure to provide the services of a competent person to act in an emergency shall be deemed sufficient cause, upon an Order of Violation from the Licensing Agent for a fine and/or for the revocation or suspension of the certificate of registration, as described in Appendix A of this document.

**2-1-4** Any building or portion thereof which must be registered in accordance with this Bylaw must be so registered each year, and a fee may be charged for this registration. This fee shall be fixed annually by the Board of Selectmen, and the amount of this fee shall bear a reasonable relationship to both the cost of administering the rental registration program and the benefits conferred upon the property owners and the tenants.

**2-1-5** The tenant occupying a portion or all of a building registered in accordance with the provisions of this Bylaw shall be eligible to park at all Town beach parking lots, including those available only to holders of a resident's beach sticker, and shall be eligible for a beach parking sticker at a non-resident's rate. Regardless of the length of their occupancy, such tenants shall become eligible for off-road vehicle (ORV) permits at non-resident rates, and they shall also become eligible for transfer-station stickers at non-resident rates.

**2-1-6** The funds generated by the rental registration fees shall be available generally to defray the costs of registration record keeping, the administration of the beach program, the maintenance and improvement of Town beaches and parking lots, the installation of signs, the furnishing of sanitary facilities, the provision of facilities for the physically handicapped, and the supply and operation of associated amenities.

**2-1-7** Failure to comply with any section of this Bylaw shall subject the owner to a fine for each offense as described in Appendix A and loss of rental certificate.





Emily Beebe

[ebeebe@truro-ma.gov](mailto: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](mailto:scasper@lexvest.com)

Fee: \$75.00

PAID  
250266234

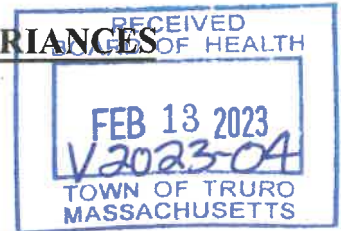


TRURO HEALTH &  
CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666

**APPLICATION FOR BOARD OF HEALTH VARIANCES**

Date: 2/9/2022

HEARING DATE : 3/7/2023



Property Owner's Name: Beachtree Property Holdings, LLC d/b/a Sandbars Inn

Mailing Address: 1404 Crain Highway South, Glen Burnie, MD 21061

Address of Property: 570 Shore Road, North Truro, MA 02652

Map and Parcel Number: Map # 5 Parcel # 28

Design Engineer/Sanitarian N/A (Non-Resident Manager will be Brian Hemler of Vacasa)

Firm/Company Name: N/A Phone #: N/A

Address: N/A

Please check type of variance requested:

☐ Title 5 Variance Request: Section \_\_\_\_\_

☒ Board of Health Variance Request: Section/Article Section III, Article 4

See attached for detailed application for variance.

Matthew T. [Signature]  
Signature (Representative )

2/9/2023  
Date

[Signature]  
Signature (Property Owner)

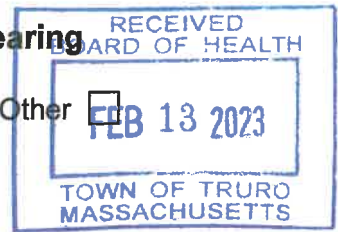
2/9/23

**Board of Health Variance Request:**

Applicant Beachtree Property Holdings, LLC d/b/a Sandbars Inn ("Sandbars") is applying for a variance from Section III, Article 4 of the Truro Board of Health Regulations, which requires an "on-premises manager", to allow the property to operate similarly to an establishment containing ten or fewer units by employing a management service is in full compliance with the duties of a manager as stipulated in the definition of manager, excepting residency.

If the variance is granted, Sandbars would engage vacation rental management company Vacasa as its managing service to manage the day-to-day operations of the property, including the hiring and firing of employees, the ordering of supplies and materials, the booking of reservations when reservations are accepted, the maintenance of a guest register, the entering of contracts, and the general upkeep and maintenance of the premises. In addition, Vacasa shall have a response time of 30 minutes or less to any complaint. The individual manager of Vacasa that will be responsible for management of Sandbars shall be Brian Hemler of Vacasa, who may be contacted via telephone number (774) 212-7718 or email: [brian.hemler@vacasa.com](mailto:brian.hemler@vacasa.com).

## NOTIFICATION TO ABUTTERS: Truro Board of Health Hearing



Check One: ☐ applicant

☒ Applicant's Representative Other ☐

Dear Abutter:

You are being notified pursuant to Truro Board of Health Regulations that a:

☐ Title 5 Variance

☒ Local Board of Health Variance

☐ Local Board of Health variance request from section VI, article 3(1)a.  
(required upgrade prior to property transfer)

has been submitted to the Truro Board of Health regarding a project at:

570 Shore Road., North Truro, MA 02652 Map 5 Parcel 8.

### Applicant (Owner) Information:

(1) Name: Beachtree Property Holdings, LLC Address: 570 Shore Road, N. Truro, MA 02652

(2) Name: \_\_\_\_\_ Address: \_\_\_\_\_

### Representative Information:

Name: Matt Tucker Organization: Beachtree Property Holdings, LLC

Address: 1404 Crain Highway South, Glen Burnie, MD 21061

### 1. Description of Proposed Project:

Applicant Beachtree Property Holdings, LLC d/b/a Sandbars Inn ("Sandbars") is applying for a variance from Section III, Article 4 of the Truro Board of Health Regulations, which requires an "on-premises manager", to allow the property to operate similarly to an establishment containing ten or fewer units by employing a management service is in full compliance with the duties of a manager as stipulated in the definition of manager, excepting residency. If the variance is granted, Sandbars would engage vacation rental management company Vacasa as its managing service to manage the day-to-day operations of the property, including the hiring and firing of employees, the ordering of supplies and materials, the booking of reservations when reservations are accepted, the maintenance of a guest register, the entering of contracts, and the general upkeep and maintenance of the premises. In addition, Vacasa shall have a response time of 30 minutes or less to any complaint. The individual manager of Vacasa that will be responsible for management of Sandbars shall be Brian Hemler of Vacasa.

The public hearing begins at 4:30 pm in the:


☐ Selectmen's Meeting Room, 2nd Floor, Truro Town Hall, 24 Town Hall Road,  
Truro MA 02666

☐ Truro Community Center, 7 Standish Way MA 02666

☒ Remote/Online (link to be provided by the Town of Truro)

on March 7, 2023.  
(date of hearing)

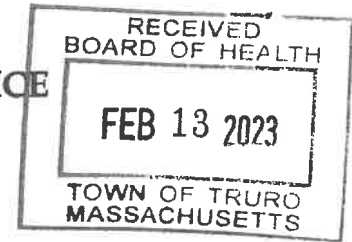
The variance request, plans and other pertinent information may be examined prior to the public hearing at the Truro Health & Conservation Department, Town Hall, 24 Town Hall Road, Truro, Monday thru Friday, from 8am to 4pm. Office phone: 508-349-7004 x 131 or 130.

  
\_\_\_\_\_  
Signature of Applicant or Representative

2/10/2023  
\_\_\_\_\_  
Date



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



**Date:** February 2, 2023

**To:** Matt Tucker, Beachtree Property Holdings LLC

**From:** Assessors Department

Certified Abutters List: 570 Shore Road (Map 5 Parcel 28).

Board of Health

Attached is a combined list of abutters for 570 Shore Road (Map 5 Parcel 28).

The current owner is Beachtree Property Holdings LLC.

The names and addresses of the abutters are as of January 27, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: \_\_\_\_\_

Laura Geiges  
Assistant Assessor / Data Collector



5-11-0-R

GRIBBIN BEAU L & KATHLEEN  
PO BOX 1851  
PROVINCETOWN, MA 02657

5-12-0-R

LAHAIE GUY & DONNA  
28 CLORAN ST  
PUTNAM, CT 06260

5-29-1-R

BISSON CHRISTINE DELGRECO &  
BISSON JOSHUA J  
7 THOMPSON CIRCLE  
PLYMOUTH, MA 02360

5-29-2-R

PARKER CAROL M & CARLSON KELLY  
58 EATON STREET  
CONCORD, MA 01742

5-29-3-R

FRANCESCA A BUSALACCHI TRUST  
TRS: FRANCESCA A BUSALACCHI  
10 FORGE POND RD, UNIT F  
CANTON, MA 02021

5-29-4-R

CLIFFORD BARRY L  
16 MACMILLAN WHARF  
PROVINCETOWN, MA 02657

5-29-5-R

HURLBURT-WEBSTER BRIDGET J  
1187 SALEM ST  
NORTH ANDOVER, MA 01845-4909

5-29-6-R

SIERRA PEDRO &  
SCHACHTER BRUCE N  
210 W 101ST ST #11F  
NEW YORK, NY 10025

5-29-7-R

POLISKEY KAREN CASSANDRA &  
POLISKEY STANLEY ANTHONY  
437 D STREET, UNIT F  
BOSTON, MA 02210

5-29-8-R

DONOGHUE TAVANIS REV LIV TRST  
TRS DONOGHUE JANE F  
1689 WATERMARK CIR NE  
ST PETERSBURG, FL 33702

5-29-9-R

BISSON CHRISTINE D & JOSHUA J  
7 THOMPSON CIRCLE  
PLYMOUTH, MA 02360

5-29-10-R

CARR MAUREEN & FRUSTACI JOANNE  
C/O CARR-FRUSTACI FAMILY TRUST  
6 VALLEY CIRCLE  
BURLINGTON, MA 01803

5-29-11-E

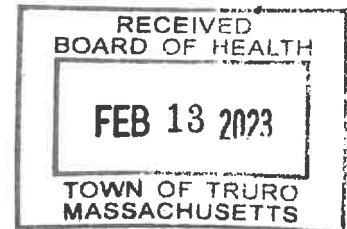
OCEAN BREEZE CONDO TRUST  
566 SHORE RD  
NO TRURO, MA 02652

5-30-0-R

MARIELLEN SERENA TRUST  
TRS: MARIELLEN SERENA  
838 COMMERCIAL ST  
PROVINCETOWN, MA 02657

6-1-0-R

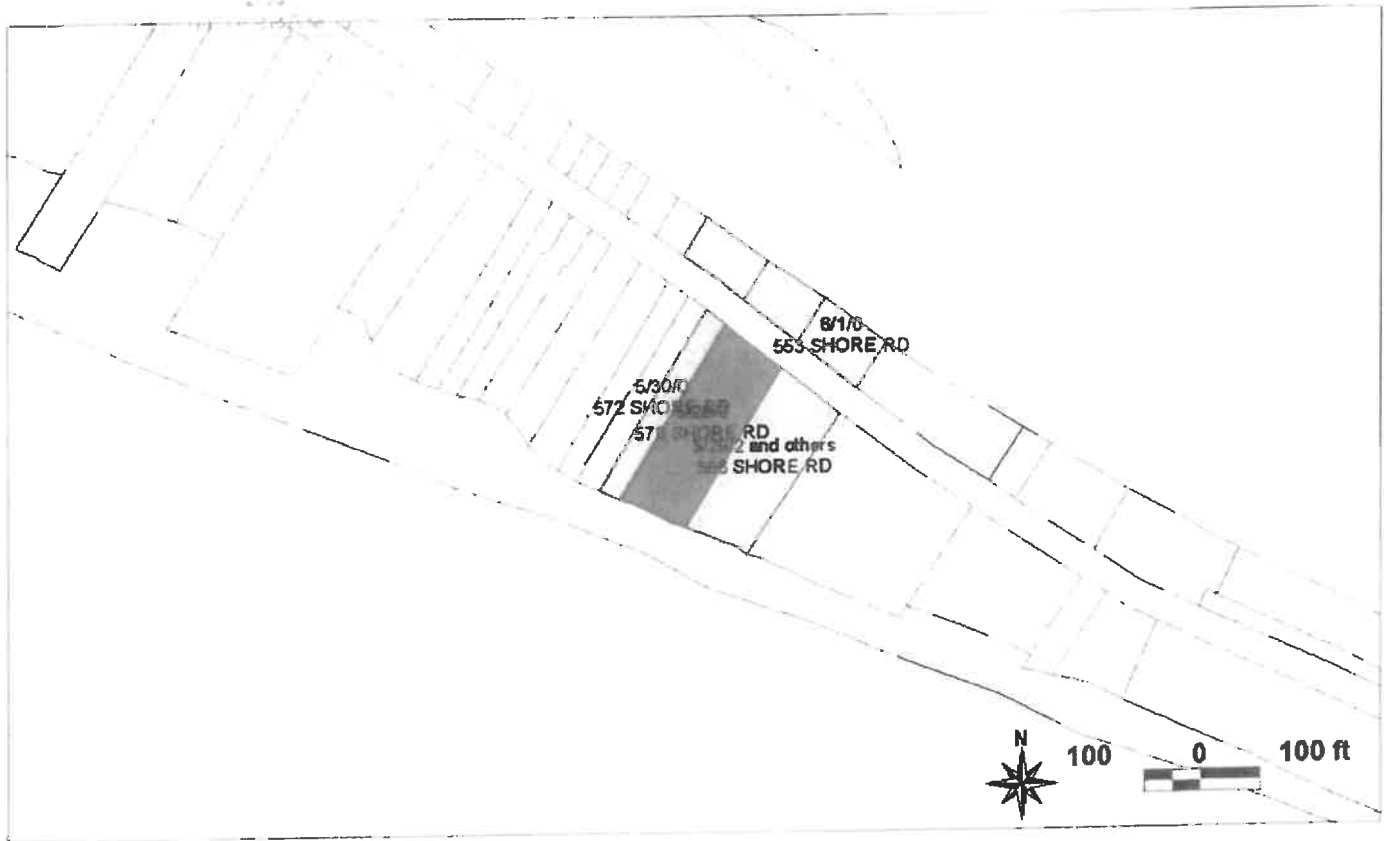
ERAMIAN ROBERT & LINDA  
19 JINELLA CT  
BOONTON, NJ 07005-2328



570 Shore Road  
Map 5 Parcel 28  
Board of Health

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
184	5-11-0-R	GRIBBIN BEAU L & KATHLEEN	563 SHORE RD	PO BOX 1851	PROVINCETOWN	MA	02657
185	5-12-0-R	LAHAIE GUY & DONNA	559 SHORE RD	28 CLORAN ST	PUTNAM	CT	06260
216	5-29-1-R	BISSON CHRISTINE DELGRECO & BISSON JOSHUA J	566 SHORE RD	7 THOMPSON CIRCLE	PLYMOUTH	MA	02360
217	5-29-2-R	PARKER CAROL M & CARLSON KELLY	566 SHORE RD	58 EATON STREET	CONCORD	MA	01742
218	5-29-3-R	FRANCESCA A BUSALACCHI TRUST TRS: FRANCESCA A BUSALACCHI	566 SHORE RD	10 FORGE POND RD, UNIT F	CANTON	MA	02021
219	5-29-4-R	CLIFFORD BARRY L	566 SHORE RD	16 MACMILLAN WHARF	PROVINCETOWN	MA	02657
220	5-29-5-R	HURLBURT-WEBSTER BRIDGET J	566 SHORE RD	1197 SALEM ST	NORTH ANDOVER	MA	01845-4909
221	5-29-6-R	SIERRA PEDRO & SCHACHTER BRUCE N	566 SHORE RD	210 W 101ST ST #11F	NEW YORK	NY	10025
222	5-29-7-R	POLISKEY KAREN CASSANDRA & POLISKEY STANLEY ANTHONY	566 SHORE RD	437 D STREET, UNIT F	BOSTON	MA	02210
223	5-29-8-R	DONOGHUE TAVANIS REV LIV TRST TRS DONOGHUE JANE F	566 SHORE RD	1889 WATERMARK CIR NE	ST PETERSBURG	FL	33702
224	5-29-9-R	BISSON CHRISTINE D & JOSHUA J	566 SHORE RD	7 THOMPSON CIRCLE	PLYMOUTH	MA	02360
225	5-29-10-R	CARR MAUREEN & FRUSTACI JOANNE C/O CARR-FRUSTACI FAMILY TRUST	566 SHORE RD	6 VALLEY CIRCLE	BURLINGTON	MA	01803
6957	5-29-11-E	OCEAN BREEZE CONDO TRUST	566 SHORE RD	566 SHORE RD	NO TRURO	MA	02652
226	5-30-0-R	MARIELLEN SERENA TRUST TRS: MARIELLEN SERENA	572 SHORE RD	838 COMMERCIAL ST	PROVINCETOWN	MA	02657
227	6-1-0-R	ERAMIAN ROBERT & LINDA	553 SHORE RD	19 JINELLA CT	BOONTON	NJ	07005-2328

LG 2/2/23

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1689 WATERMARK CIR NE  
ST PETERSBURG, FL 33702  
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FEB 13 2023



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St. Petersburg, FL 33702

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
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Street and Apt. No., or PO Box No. **28 CLORAN ST**  
City, State, ZIP+4® **PUTNAM, CT 06260**

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BOARD OF HEALTH

FEB 13 2023

TOWN OF TRURO  
MASSACHUSETTS

HEALTH DEPARTMENT  
TOWN OF TRURO

MAR 01 2023

RECEIVED BY:

Truro Board of Health  
Truro Town Hall  
Truro, MA

Dear Town of Truro,

I write to encourage denial of Sandbars Inn's request for a variance to Truro's on-premise management requirement.

During the 2022 season, neighborhood Issues included Sandbars guests walking over fragile dunes onto adjacent properties, unrestrained dogs of Sandbars' guests roaming the beach and private property areas beyond the dunes, and an unattended outdoor beach fire on the property.

Of note, four of five TripAdvisor reviews from 2022 are negative. One from October raised issues related to there being "no manager on site" and characterized Sandbars as "autonomous self-operating". Another guest described their room being incompletely cleaned prior to their arrival. I can not attest to the conditions within Sandbars Inn, but the unfavorable reviews seem to fit what could be expected based on neighborhood observations.

At 17 units (per the listing on [vacasa.com](https://www.vacasa.com)), Sandbars Inn is well above the number of units that would permit an establishment not to have on-premise management according to the existing by-law. Neighborhood experience indicates that waiver of this requirement would not be appropriate for Sandbars Inn.

Sincerely,



Leonard Connolly  
586 Shore Road  
Truro, MA

February 26, 2023

Truro Town Hall  
Board of Health  
Truro, MA

HEALTH DEPARTMENT  
TOWN OF TRURO

MAR 01 2023

RECEIVED BY:

I am writing in regards to the Sandbars Inn, 570 Shore Road, request for a variance to eliminate the requirement of an onsite manager.

I'm not sure how the Sandbars did not have an onsite manager last year but this was extremely troublesome to our neighborhood.

The Sandbars' guests could be found wandering on private property, not respecting our dunes, had animals that were not leashed and no one picking up after them, open fire pit with no one in attendance, and no one monitoring the number of guests per room.

For these reasons I can not support the Sandbars request for this variance. I strongly recommend that the Sandbars Inn have an onsite manager.

Respectfully,

  
Susan Connolly  
582 Shore Road  
Truro, MA



February 28, 2023

Truro Health Department  
Truro Town Hall, 24 Town Hall Road, Truro, MA

RECEIVED BY  
MAR 01 2023  
HEALTH DEPARTMENT  
TOWN OF TRURO

Dear Truro Board of Health,

I am writing regarding a Certified Letter I received as a direct abutter to the Sandbars Inn, 570 Shore Road, Truro.

The applicant is applying for a variance from Section III, Article 4 of the. Truro Board of Health Regulations which requires an 'on-premises manager...'

Last season the Sandbars did not have an on sight manager and used Vacasa as their management company. This did not go well.

During the summer season I rent my property with the understanding that my property is private and for my guests use alone.

Practically daily my guests would call me upset because the Sandbars trespassers were sitting on my chairs and my private property. When I would politely explain the situation some guests were respectful but the majority were not. I would be challenged and many times a normal interaction to explain the situation became confrontational.

I contacted Vacasa but there never was an immediate response, certainly not 30 minutes. I found it interesting that the busiest checkin days, Saturday and Sunday, were days that Vacasa gave their staff off. After many phone calls they did put up two feeble property signs but the first strong wind, the strings broke and the signs were gone.

Last year the amount of guests at the Sandbars Inn seemed to have tripled from years past, perhaps due to the fact there is no one overseeing the maximum guests allowed.

The very annoying trespassers, the number of guests, an unattended open fire-pit, unruly loud guests late into the night, animals off leash, even the unfavorable website reviews shows that this property needs an on-premise manager.

I feel strongly that the Town's rules and regulations be upheld and this variance be denied.

Sincerely



Mariellen Serena. 572 Shore Road. Truro, MA



tripadvisor.com



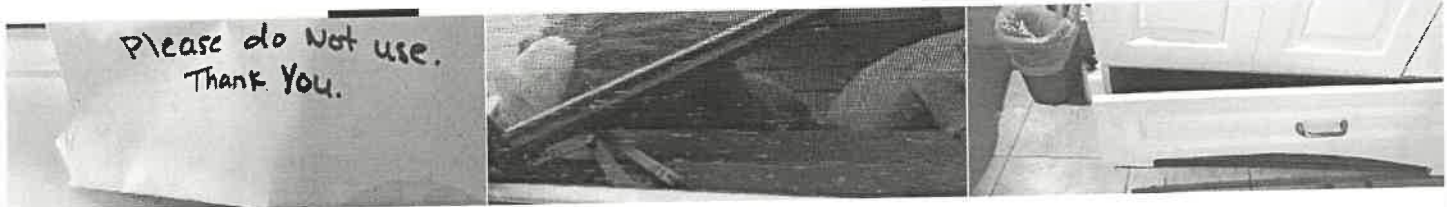
52


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About

Location

Reviews



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### Bait and Switch - Our Room 8 Horror Story

"After owning a hotel for 15 years, I know the difference between a clean and complete room, and a damaged room, a rip off. The appearance of the Room 8 had welfare hotel written all over it.

The room was open, not locked, towels strewn on the bed. It looked like the housekeeping team had not completed the turnover. We left to sit outside and wait.

Once inside, the room was dismal, the side door to the patio was broken. It had no screen, it couldn't be opened. The windows were broken, and could not be propped open for fresh air, and posed a safety hazard.

The bed was uncomfortable, like a waterbed filled with old sheets and towels. No bedside lamp for reading, other than the parking lot light which was shining all night. Good thing there were room darkening shades to close the rotten view of the laundry bags, mops and brooms outside our room and the view of the parking lot. Again, we called the 800 number to contact a manager or owner to address and correct the problems with the damaged room. Then, I tried another Vacasa phone number, and spoke to someone. I was told an operations team would contact me. We were hopeful, but no one contacted us.

This hotel is a churn & burn operation. It needs better management and maintenance, and a plan to revert this room to housekeeping. The space is needed, as we were not charmed by the laundry, portable ac units, mops and brooms outside. Instead, we feel ripped off. \$700 dollars down the drain. And, with no on-site owner or manager, it heads in beds, up and out. We couldn't wait to leave.

Bottom line:

- Rented a damaged room for top dollar
- No owner or manager on site
- No employees to address problems
- No replies to dissatisfied customer
- Promises to send help or contact customer not kept
- No response to request for a refund
- A total rip off"

Read less ▲

Date of stay: September 2022

Trip type: Traveled as a couple

HEALTH DEPARTMENT  
TOWN OF TRURO

MAR 01 2023

RECEIVED BY



tripadvisor.com



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About

Location

Reviews

HEALTH DEPARTMENT  
TOWN OF TRURO

MAR 01 2023

RECEIVED BY:

Date of stay: September 2022

Trip type: Traveled as a couple

*This review is the subjective opinion of a Tripadvisor member and not of Tripadvisor LLC. Tripadvisor performs checks on reviews.*



Helpful



Share



Borninboston wrote a review Oct 2022

Boston, Massachusetts • 116 contributions • 5 helpful votes



### Great hotel - until "Vacas" took over

"We stayed at Sandbars many times before Covid. Great location, great rooms, pet friendly - our favorite place in Truro.

What an unpleasant surprise to arrive in September 2022 and discovery that the property is now managed (owned? - unsure) by "Vacasa", a huge rental management company.

What does this mean for guests? Keypad entry, no manager on site. It is basically a motel that runs itself. You've heard the term "AV"? That stands for autonomous vehicle. This an "AM" - an autonomous motel.

If you want any information - when does the P-Town bus stop here, what's a good restaurant, can I check out an hour late? ... anything, there's no one there to answer. If you get there a bit before checkin time (as we did) and you call them, you get a call center operator, with all the negative things that implies.

Maybe this is a trend in the U.S. now - autonomous, self- operating motels. Sure, saves money on salaries, but is really negative for the guests. Suc.ks all the character out of the facility.

Will we stay at this motel again? I'm really unsure. The whole thing makes me ... sad."

Read less ▲

Date of stay: September 2022

*This review is the subjective opinion of a Tripadvisor member and not of Tripadvisor LLC. Tripadvisor performs checks on reviews.*

2 Helpful votes



Helpful



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[← See all 12 hotels in North Truro](#)[About](#)[Location](#)[Reviews](#)**Date of stay:** August 2022**Trip type:** Traveled as a couple*This review is the subjective opinion of a Tripadvisor member and not of Tripadvisor LLC. Tripadvisor performs checks on reviews.*

3 Helpful votes



Helpful



Share

**judyg735** wrote a review Apr 2022

Malvern • 17 contributions • 21 helpful votes

**5 stars for the apartments and zero for Vacasathe new owners**

"These apartments are great (slightly dated) but a wonderful location 3 miles from Provincetown in North Truro. Our room 214 was on the second floor with 2 double beds, shower room and a useful kitchenette, but no dishwasher. The views from the balcony are fabulous and the heating/aircon efficient. The block has its own private beach with chairs, tables and a fire pit. So why only 3 stars? The block has recently been acquired by Vacasa. We booked before this via Booking.com. Despite having paid in full weeks before we were kept waiting outside for 90 minutes whilst the two companies sorted out the money. Vacasa's automated system could not issue a door entry code until the payment was transferred to them by booking.com. Promised contact from Vacasa to 'compensate us' has yet to materialise. So 5 stars for the apartments and zero for Vacasa."

Read less ▲

**Date of stay:** April 2022**Trip type:** Traveled as a couple**Room Tip:** A wonderful location out of season, though many shops and restaurants are closed. Provincetown...[See more room tips](#)*This review is the subjective opinion of a Tripadvisor member and not of Tripadvisor LLC. Tripadvisor performs checks on reviews.*

4 Helpful votes



Helpful



Share

**zmatthies8** wrote a review Aug 2021

1 contribution





Donna wrote a review: Aug 2022

New Jersey • 38 contributions • 10 helpful votes



## Bait and Switch

"Such a disappointment! We booked them based on the photos of sliding doors opening to a patio on the beach. What we got was Unit 8, which is an offset unit that is in front of the building. The patio we got opens to the side of the building along the neighboring properties fence. A tiny slice of ocean view can be seen, but you have to bear looking at the outdoor showers while doing so.

The unit has one small window which we cannot even open, if we wanted privacy, as the stairs from the second floor units is about 4 feet from it. Some view!

Honestly, we drove 6 hours to get there and if we were not so tired, we would have gone up and left! Instead we were forced to pay for the night.

You can tell there have been problems with this unit before as we barely had to ask for a refund of the other 4 days we wanted to stay. As polite as the staff has been (Jocely and Jasmin), it was not worth to pay over \$400 for what essentially is a dark box, an evening full of aggravation and a ruined vacation. We really feel we have an argument to get a full refund even on the night we stayed as it was a total BAIT AND SWITCH, but we did stay.

And as an additional tip, if you happen to have people above you who like to pace around at night, you cannot just hear it but actually feel the vibration of their steps as well! Our upstairs neighbor finally quit pacing about when my husband finally yelled from our bed for them to please stop after midnight."

Road loss ▲

**Date of stay:** August 2022

**Trip type:** Traveled as a couple

*This review is the subjective opinion of a Tripadvisor member and not of Tripadvisor LLC. Tripadvisor performs checks on reviews.*

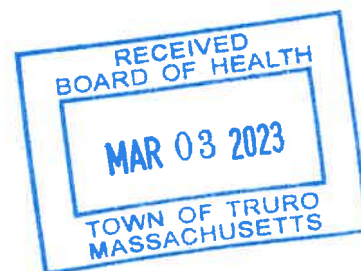
3 Helpful votes



Helpful



Share





**Jesse H.**

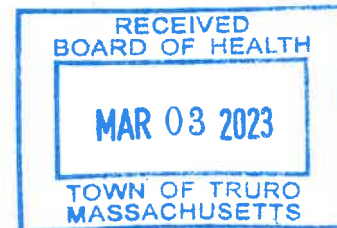
Westport, CT

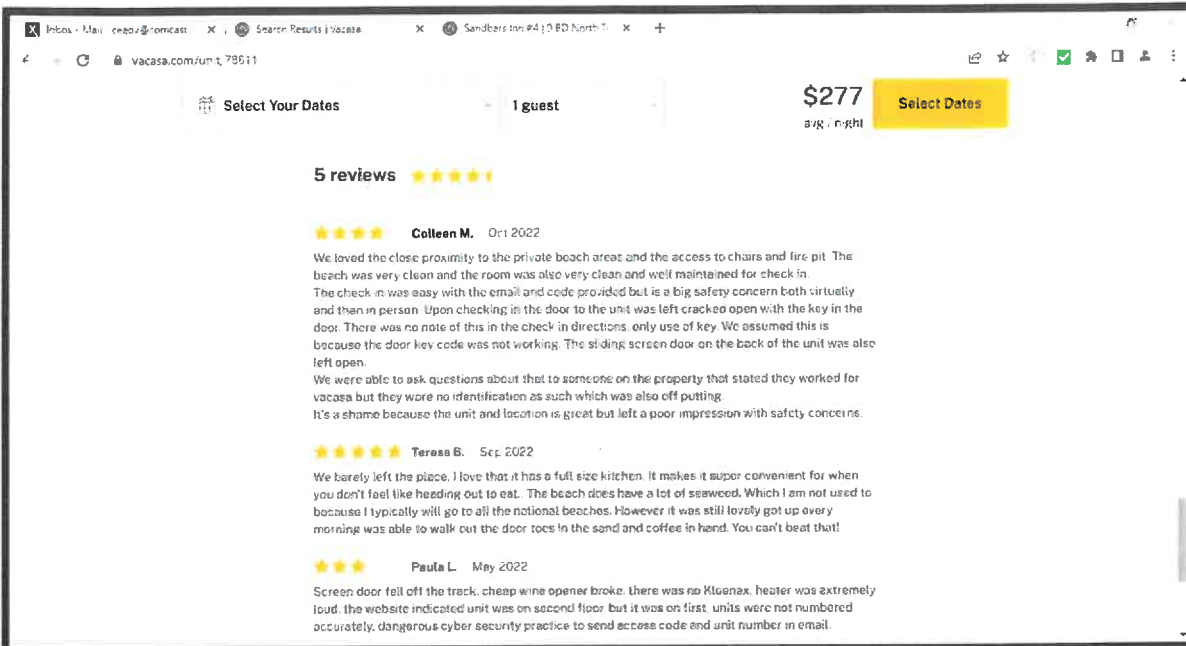
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7/16/2022

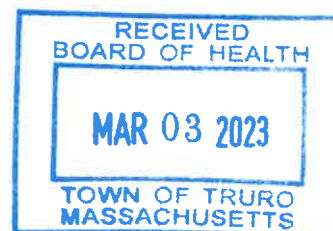
This is our 5th time staying at this property. Unfortunately we are going to have to find a new place to stay. We found it before the pandemic and loved the location, the staff, and service. And the facilities were nice with grills, fire pit, outdoor shower etc. The big change is this is no longer a Hotel. It's now run as a vacation home with no on-site management, automated booking through a company called Vacasa that took 9 days to answer an email, 15 calls to get a live person on the phone and no help at all. All they know is what is on the website about the hotel. We are here for a week and now there's no maid service or change of sheets. No tissues in the room. No vacuum to pick up all the sand you inevitably track in and when asked about that we were told there's a broom in the room! I'd like to know if the new owner has ever tried to sweep a rug???? The fire pit is brand new and doesn't work, no one to call. Sliding doors operate poorly if at all. Room is not being kept up. They disconnected the hot water from the outdoor showers. They used to police the beach for seaweed and set up the chairs daily, and now there's zero care given to any of that, you're on your own. This is not the same property that I was a loyal customer of, and the choice to eliminate personal customer service for increased profits is the reason. Choosing Vacasa to run this property was a big mistake.





### Natalie B. Oct 2022

I have stayed three previous times at Sandbars when it was under different management and had an exceptional time. Now that Vacasa is managing this property I have noticed a significant decrease in my comfort and satisfaction, especially during my recent stay. We traveled to Sandbars to celebrate my boyfriend's 40th birthday. I was expecting an easy breezy time like I have always had before. Instead right off the bat we had major issues and inconveniences. Bad customer service, no one on-call or nearby/available to help us with our check-in issue. We arrived to our rental room #13, the door had a key jammed into the lock and would not budge, plus the digital passcode was also not working properly. Because we had a problem with the key we could not properly lock the door. This really worried us because someone could enter from the outside at anytime during our stay. We did not feel safe sleeping in this unit overnight. I spent 2 hours on the phone with Vacasa customer service, located in Oregon, who misunderstood our issue and passed along the incorrect issue to the local Vacasa property manager, Alexandra. Property management/maintenance showed no urgency to fix our lock issue. They said someone would come by sometime that night or morning of the next day. Thankfully they let us stay in a different room on our first night. The next day we traveled around with all of our belongings in the car with us until we received the notice that our room #13 was ready. I had to continue to text the property manager for updates on our room. We were so worried we wouldn't have a room for the rest of our stay that we drove up and down route 6A looking for alternate accommodations. Additionally, on the property, there were no safety lights around the stairs or around the main Sandbars road sign. It was raining most of our stay and the stairs were very slick. The outdoor lights for each unit were not on either, and caused a very dark parking lot. No house keeping during our stay, not even fresh towels were offered. Maid service entered our room late in the afternoon on Friday without knocking. Overall, very disappointed.



MAR 03 2023

**Bonnie C.**Jun 2022

This was my second time staying here and it is really nice. The beach just steps away is so relaxing. There are plenty of chairs for guests to use as well. The beach towels are also a nice touch. The only improvement I would like them to make is to provide more than 2 bath towels in the room. There is no daily service and I couldn't locate anyone to ask for more. Other than I would stay again.

**Sue K.**Jun 2022

The beautiful location in Truro was outstanding. Your steps to the second floor are falling apart. Your windows and windows door to the porch were rusted and need oil. I shouldn't have to use a cork screw to shut and lock a window. We stayed 10 nights. No cleaning of rooms. We were not given any cleaning tools. You are not VRBO. The corporate greed in not providing in writing that your company was denying the cleaning of the room was an insult. Your sneaky language was misunderstood by a the guest we met. Yiu owe us st least a 1 night refund. Oh, your manager was never on site, and there was no staff on site to greet us or help us with luggage. We did not have cable gor five nights because the staff on site could not solve. Get it together. Cheapness will destroy this Cape Cod Vacasa site.

**Manager response:** Thank you for your review, Sue. We are happy that you enjoyed this beautiful location. We apologize for any maintenance issue you encountered. Please know our local team has been made aware of the issues and is working to address them. As this is a vacation rental, we do not offer daily turndown service. That said if guests request a mid-stay clean it can be accommodated, with a fee. We appreciate your feedback and hope that the compensation we were able to provide helped to alleviate some of your frustration. Thank you for staying with us.

**Jay M.**Nov 2022

We are "seasoned" Provincetown visitors that like to use multiple accommodations throughout the year ( we visit almost every month) and we were hoping to add the Sandbars to our list of accommodations. Unfortunately we won't be doing that any time soon. Having payed just under \$800.00 for a 3 night stay the end of October we expected much nicer accommodations for the money. When we arrived the visitors next door to us were treated with a room that was NOT cleaned from the prior vacationers and they let their disappointment be heard loud and clear, not the best way to start your vacation for either them or my wife and I as we were opening our room. Fortunate for us our room was cleaned BUT under close scrutiny we were greeted with numerous hairs in the bathroom and a bit of mold also. The kitchenette featured a broken counter top and broken tiles on the floor. For \$800.00 one would expect these things to not overlooked. Outside our room through the patio door we were greeted with numerous broken children's beach toys spread around and myself and another guest had to pick up trash that was all over the back court yard by the chairs and fire pits. It is quite evident their is no one from the facility taking the time to make sure the paying guests are greeted with a clean and enjoyable vacation environment. With the added service fee of \$250.00 that shows up AFTER you book The advertised rate one would expect a top tier vacation rental property, My wife and I were very disappointed. We have stayed in inexpensive accommodations, mid level accommodations and pricy accommodations and each time we were more than satisfied with our stays based on the price, this visit we were not and we know we will pass on the Sandbars in the future. The higher end rates don't match the facility. I



would again question the \$250.00 service fee that goes beyond The advertised rates with taxes.  
Very disappointed with the Sandbars

**Brigitte C.** Aug 2022

Very disappointing stay. The door lock impossible to open, for the five days was was there, I didn't see one employee I could have asked a question. Could not get any fresh towels and the list goes on. Obviously this is not the place it used to be and would not recommend it for a longer vacation.

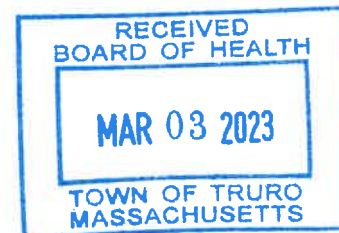
**BOB H.** Oct 2022

Location is great as right on water with own little beach supported with chairs, firepits and grills. Rooms basic but clean No management on site

**Melissa S.** Aug 2022

Very clean and spacious. Great beach front rooms! Horrible code locks on the doors 10 numbers to put in every time and if you don't get it on the second try your locked out. No humans work on the property so you have to always be calling some number for assistance. If you are a senior citizen and need any help, there is no one there to help.

**Manager response:** Thank you for your review, Melissa, we are glad you enjoyed the location of our home. We apologize for any issues you experienced with the door lock. Our team is available to assist you during your stay with any issues. We have 24/7 support on the phone, by email, and text. We are sorry for the inconvenience and hope we can host you again.




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## TOWN OF TRURO



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Memo to: Darrin Tangeman, Truro Town Manager  
Truro Board of Health, Truro Select Board  
From: Emily Beebe, Truro Health & Conservation Agent   
Date: March 3, 2023  
Re: Proposal to amend Truro General Bylaws regarding Dogs

Truro's general Bylaw regarding control of dogs is worded to allow a dog to be off leash provided it is under the command and visual control of its owner. This ambiguous language pertaining to the restraint of dogs by a leash has proven ineffective and extremely difficult to enforce; it also presents a potentially dangerous margin of error. This issue presents an avoidable risk to the public at large, and a liability to the Town that can be addressed by the simple amendment to the bylaw as shown highlighted below.

Proposed Bylaw Change:

### **Truro General Bylaws Chapter 4-2-1 DOGS**

All dogs shall be restrained by a leash. ~~unless under the command and visual control by their master or confined to property of their owners, except when used for hunting~~ During the hunting season and while hunting under the control of its owner, who must have a hunting license, a dog may be off-leash. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.

The current penalty is a \$50 fine. We recommend that this fine be increased to \$100.



# 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.

## **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



## Emily Beebe

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**From:** RegionalPublicHealth, Local (DPH)  
<LocalRegionalPublicHealth@MassMail.State.MA.US>  
**Sent:** Monday, February 27, 2023 9:56 AM  
**To:** Connor, Caroline A (DPH)  
**Cc:** McCarthy-Licorish, Lisa N (DPH)  
**Subject:** Tax Relief Announcement from Governor Healey and Lieutenant Governor Driscoll  
**Attachments:** FY 2024 Budget Recommendation Brief - Providing Meaningful Tax Relief.pdf; Tax Relief Announcement.docx

Dear Public Health Colleagues,

Governor Maura T. Healey and Lieutenant Governor Kimberley Driscoll today unveiled a \$742 million tax relief package that provides significant savings for families, renters, seniors, farmers, commuters and more. The proposal also includes key reforms to the tax code that will bring Massachusetts in line with other states, making it a more attractive place to live, work and do business.

Some aspects of this announcement is relevant to local and regional health, including an increase to rental deduction, Title 5 repair/replacement, lead paint abatement, and brownfield cleanups.

Office of Local and Regional Health  
Massachusetts Department of Public Health

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Governor Healey and Lieutenant Governor Driscoll Unveil \$750 Million Tax Relief Package

*Proposal includes direct relief for families, seniors and those dealing with high costs of housing*

Governor Maura T. Healey and Lieutenant Governor Kimberley Driscoll today unveiled a \$742 million tax relief package that provides significant savings for families, renters, seniors, farmers, commuters and more. The proposal also includes key reforms to the tax code that will bring Massachusetts in line with other states, making it a more attractive place to live, work and do business.

“Everywhere we go, the Lieutenant Governor and I hear from people who are struggling to get by as the cost of living continues to skyrocket past them – the family watching their grocery bill grow each week, the young mom who wants to return to her dream job but can’t afford child care, the recent college graduate who can’t afford both his rent and student loan payments, the seniors who want to keep the home where they raised their family,” said **Governor Healey**. “We’re filing this tax relief package for each of them. This proposal centers affordability, competitiveness and equity each step of the way, delivering relief to those who need it most and making reforms that will attract and retain more businesses and residents to our great state.”

“Massachusetts is a national leader in so many ways – in education, business, science and technology, democracy and civil rights. But we’re not leading when it comes to affordability,” said **Lieutenant Governor Driscoll**. “If people can’t afford to live and work here, we’re not going to be able to maintain our economic edge. Our tax relief package will put more money back in the pockets of those who need it most while also making key reforms in areas where we are an outlier among other states.”

This package of tax reforms for Fiscal Year 2024 (FY24) will be filed on Wednesday as companion legislation to the administration’s FY24 budget (H.1). The proposal is built around relief that will go directly to families, seniors and those dealing with the high costs of housing.

That includes:

- **Healey’s Child and Family Tax Credit**, a new benefit that will provide families with a \$600 credit per dependent, including children under 13, people with disabilities, and senior dependents aged 65 and older.
- **An increase to the rental deduction**, currently capped at 50 percent of rent up to \$3,000, to \$4,000. At a cost of \$40 million, this increase will help offset the high cost of housing for 880,000 renters.
- **A proposal to double the senior circuit breaker credit** from \$1,200 to \$2,400 for low-income seniors with high property taxes or rent, helping seniors in 100,000 households stay in their homes.
- Reforms to two taxes in which the state is currently an outlier. It would **reduce the short-term capital gains tax** from 12 percent to 5 percent. It would also **eliminate the**

**estate tax** for all estates valued at up to \$3 million with a credit of up to \$182,000. Massachusetts is one of only 12 states that has an estate tax.

Other components of this tax package include:

- **Housing Development Incentive Program (HDIP)** - Increase the \$10 million annual cap on HDIP credits to \$50 million in the first year, and \$30 million per year moving forward for developers as an incentive to produce more market-rate housing in the state's Gateway Cities.
- **Apprenticeships Tax Credit** – Improve access to apprenticeships for workers by expanding the list of occupations that qualify for employer tax credits and doubling the statewide cap on credits to \$5 million.
- **Dairy Tax Credit** – Increase the statewide cap from \$6 million to \$8 million to protect the state's dairy farmers from fluctuations in wholesale milk prices.
- **Live Theater** – Promote local live theater productions with a new credit for a share of payroll, production and transportation costs for qualifying productions.
- **Title V** – Double the maximum credit to \$12,000 (40 percent of \$30,000) for expenses incurred at a primary residence for repair or replacement of failed cesspool or septic systems.
- **Lead Paint Abatement** – Double the allowable deductions to \$3,000 for full lead paint abatement and \$1,000 for partial abatement.
- **Local Cider** – Promote more locally produced hard cider and still wine by allowing higher-alcohol content ciders and wines (up to 8.5 ABV) to qualify for lower tax rates typically reserved for low-alcohol content products.
- **Student Loan Repayment** – Exempt employer assistance with student loan repayment from income taxation for student borrowers.
- **Commuter Transit Benefits** – Add regional transit passes and bike commuter expenses, such as bike-share memberships, purchases and storage, to those that qualify for tax deductions, alongside existing expenses like tolls and MBTA passes.
- **Brownfields** - Extend the brownfields tax credit program, currently set to expire in 2023, through 2028. This program allows taxpayers to claim a credit for costs related to cleanup of contaminated properties.

The Administration has created a special brief titled, *FY 2024 Budget Recommendation Budget Brief: Providing Meaningful Tax Relief*. Read more about these proposals in that document, which is attached to this update.

# FY 2024 BUDGET RECOMMENDATION

## BUDGET BRIEF

*Maura T. Healey, Governor | Kimberley Driscoll, Lt. Governor*

### *Providing Meaningful Tax Relief*

*John Caljouw, Finance Director*

#### Introduction

The Healey-Driscoll Administration is committed to fulfilling the promise of delivering an affordable, equitable, and competitive tax structure for Massachusetts. This package will use the state's fiscal strength to deliver real benefits for families balancing caregiving responsibilities. It will provide relief to our most vulnerable populations and make our tax structure more competitive – all in combination with key investments in these areas delivered through the budget. Delivering this package alongside the administration's FY24 H.1 budget recommendation means that we can budget for it sustainably and affordably.

FY24 H.1 funds a tax relief package of \$742 million net to budget, or \$859 million gross in the first year. Extraordinary tax growth over the past several years, in concert with prudent fiscal management, enables this proposal to be both responsible and provide meaningful relief.

Proposals	Effective	FY24 Cost
<b>Child &amp; Family Credit:</b> Establishes a \$600 credit per qualifying dependent, including children, disabled adults, and seniors, uncapped regardless of number of dependents, fully refundable, and available at all income levels.	Jan-23	\$458 M
<b>Estate Tax:</b> Reduces estate taxes for all and eliminates tax on estates under \$3 M.	Jan-23	\$167 M
<b>Housing – Renter Deduction:</b> Increases the cap on the rent deduction to \$4,000; current deduction is currently 50% of rent, capped at \$3,000.	Jan-23	\$40 M
<b>Housing – Senior Circuit Breaker Credit:</b> Doubles the maximum allowed credit.	Jan-23	\$60 M
<b>Short term capital gains:</b> Reduces tax rate on short term capital gains to 5% from 12%.	Jan-23	\$117 M (\$0 net)
Other changes	-	\$17 M
<b>Total Tax Relief Package (and net cost to budget)</b>		<b>\$859 M; \$742 M net</b>

#### Tax Relief Package at a Glance

The tax relief proposal is focused on delivering meaningful investments in four key areas, within a framework of affordability, equity, and competitiveness:

***Child & Family Tax Credit***

An expanded and simplified Child & Family credit would establish a \$600 refundable credit for each qualifying dependent, including children under 13, disabled adults, and seniors. The centerpiece of the administration's tax proposal, this credit would provide relief for over 700,000 taxpayers who are supporting over 1,000,000 dependents across the Commonwealth.

An expanded and simplified structure would provide relief for all income levels while getting the neediest families the cash benefit of a fully refundable credit. It would provide support for families without requiring potentially burdensome demonstrations of expenses and assist the most burdened families by uncapping the count of qualifying dependents. The credit would replace two interrelated credits that are more complex and smaller than the proposed credit and are capped at two dependents.

Affordable child care is a key building block to an affordable Massachusetts. This credit, in taking some pressure off families' child care budgets, will help attract working professionals and aid businesses as they recruit a skilled workforce. This challenge demands a significant investment, which is why the administration is simultaneously supporting important early childhood care and education initiatives through FY24 H.1.

***Estate Tax Relief***

A reduction in the estate tax would eliminate the tax for estates under \$3 million and reduce taxes for larger estates. Massachusetts is an outlier as one of only 12 states that impose an estate tax at all. The state runs the risk that older residents leave the state, and professionals may not wish to move here if they see the tax climate as unfavorable for themselves and their families.

Under current law, estates with a gross value over \$1 million are subject to taxation, starting at a rate of 0.8% and growing to a marginal rate of 16%. (Gross value means the value with certain gifts made by decedents added back to the estate.) Nearby states impose their estate taxes at a much higher threshold – including Vermont at \$5 million, Maine at \$5.8 million, New York at \$6.1 M, and Connecticut at the federal threshold (\$12.3 M) beginning next year. The administration's proposal would establish a non-refundable \$182,000 credit for each estate, without a tax increase on estates of any size. This credit would have the effect of eliminating all taxes on estates of up to \$3 M in net taxable value and would represent \$182,000 of tax relief on larger estates. Since 70% of estates now paying tax are under \$3 M, this change would eliminate taxes for most estates – and would help keep Massachusetts competitive.

***Housing Tax Relief for Seniors and Renters***

The housing crisis in Massachusetts demands a multifaceted approach. The administration is committed to expanding the production of housing and assuring emergency relief supports, alongside other strategies to address this issue. As part of this approach, this tax proposal would provide targeted relief to renters and seniors.

## ***Budget Brief: Providing Meaningful Tax Relief***

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First, increasing the rental deduction would assist many of our 880,000 residents who rent. Current law allows filers to deduct up to 50% of the cost of the rent for their primary residence, up to \$3,000; with this change, the maximum deduction would be \$4,000.

Further, the package would double the maximum Senior Circuit Breaker credit from approximately \$1,200 up to approximately \$2,400. This credit, indexed to inflation, provides critical relief to low-income homeowners and renters aged 65 or older. Equal to the amount by which a homeowner's property tax payments in the current tax year exceeds 10% of the taxpayer's total income, up to a maximum credit amount, the expansion of this credits' cap would recognize the rising cost of housing for many of our most vulnerable residents.

### ***Short Term Capital Gains Rate Relief***

A simplified capital gains rate structure, aligning the short-term capital gains tax rate with the long-term capital gains rate at 5%, would eliminate a key area where Massachusetts' tax structure is an outlier compared with nearly all other states. Under current law, capital gains on assets held for less than one year are taxed at 12%, versus 5% for virtually all other forms of individual income. Only two other states tax short-term capital gains at a higher effective rate than long-term capital gains. By eliminating this inconsistency, we will provide relief for 150,000+ taxpayers while simplifying our tax code.

This change has no net cost to the budget, as capital gains taxes above a threshold of approximately \$1.4 billion are not available to the budget under current law. Therefore, this change can bring the tax on capital gains more in line with other states, without requiring any tradeoff in terms of other potential budget uses for the funds.

### ***Affordability, Equity, and Competitiveness – A framework for success***

The administration has also identified targeted opportunities to improve our tax structure to deliver on making our state more affordable, equitable, and competitive. These investments include:

- *HDIP Cap Increase:* The Housing Development Incentive Program (HDIP) currently awards up to \$10 million per year in state tax credits to developers of market-rate housing in Gateway Cities for qualified project expenditures, expanding the supply of housing. The administration would increase the statewide cap from \$10 million to \$50 million on a one-time basis, and thereafter to \$30 million annually. This would provide critical relief to an oversubscribed program, allowing an initial infusion of development support, while sustainably funding an expansion in the future.
- *Apprenticeship Tax Credit:* The package also proposes doubling the statewide cap on the Apprenticeship Tax Credit to \$5 million and expanding eligible occupations to ensure employers in critical industries can utilize this credit to grow and modernize our economy and prepare our workforce for success.



## ***Budget Brief: Providing Meaningful Tax Relief***

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- *Student Loan Repayment Exemption:* This package would create a new exemption from taxable income for employer assistance with student loan repayment, ensuring that these benefits will no longer be treated as taxable compensation.
- *Commuter Transit Benefit Expansion:* The expansion of commuter transit benefits to include regional transit passes and bike commuter expenses will both incentivize climate-friendly commuting alternatives and make our tax code more equitable.
- *Lead Paint Abatement Credits:* Doubling the credit for lead paint abatement to \$3,000 for full and \$1,500 for partial abatement would assist residents with the expense of removing lead paint, and make available housing safer for families.
- *Septic Tank Repair Credits:* The tax relief proposal will also double the maximum credit for septic tank repair or replacement in a primary residence to \$12,000, and will allow taxpayers to access these credits on a more accelerated schedule.
- *Brownfields Program:* This proposal also extends the expiring Brownfields tax credit program through 2028, so that eligible taxpayers may claim a credit for certain costs related to cleanup of contaminated properties, making them ready for redevelopment opportunities and creating a cleaner future for Massachusetts communities.
- *Live Theater Tax Credit:* Creating a live theater tax credit would enable tax credits to be claimed for a share of payroll, production, and transportation costs of qualifying live theater productions, fostering an important aspect of our cultural landscape.
- *Dairy Tax Credit:* Expanding the dairy tax credit cap from \$6 million to \$8 million would support local farms across the state.
- *Cider Tax Treatment:* Allowing locally produced hard cider and still wines to be taxed at a more competitive rate, comparable to similar alcoholic beverages, would make our tax structure more equitable and support local producers.

Together with the FY24 H.1 budget filing, the tax relief package outlined here is both sustainable and meaningful for our residents, and addresses the important issues of affordability, equity, and competitiveness across our Commonwealth. It draws on the consensus that started to emerge in 2022 around opportunities for tax relief and delivers on our promise to support Massachusetts families.