

**Truro Board of Health Minutes
December 30, 2014
4:30 PM-Truro Town Hall**

Members Present: Vice Chair-Tracey Rose, Alternate-Ansel Chaplin, Clerk-Jason Silva, Mark Peters

Members Absent: Chair-Dianne Eib, Tim Rose

Present: Health Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, BoS Liaison-Bob Weinstein, David Lajoie, Alan Dinsfriend

REVIEW/APPROVE MINUTES

Tracey Rose called the meeting to order at 4:30PM. She informed the audience that the meeting was being recorded, and asked if anyone else was making a recording. Hearing no answer in the affirmative, she continued by asking anyone coming up to speak to state their name for the minutes. Tracey was chairing the meeting in Dianne's absence.

December 9, 2014 minutes

Jason Silva made a motion to approve the minutes as presented.

Ansel Chaplin seconded this motion.

Vote: 3-0 (Mark Peters abstained), motion carries

November 18, 2014 minutes

Mark Peters made a motion to approve the minutes as presented.

Ansel Chaplin seconded this motion.

Vote: 3-0 (Jason Silva abstained), motion carries

November 5, 2014 minutes

Mark Peters made a motion to approve the minutes as presented.

Jason Silva seconded this motion.

Vote: 3-0 (Ansel Chaplin abstained), motion carries

REPORTS

Water Resources Oversight Committee

Per Mark Peters, there is no report at this time. Tracey mentioned that the next meeting will be held in the third week of January.

Health Agent's Report

Due to the Health Agent not being at the meeting, there is no report.

Tracey stated that so far there are no items for the January 6th agenda, and she would entertain a motion to cancel that meeting due to lack of agenda items.

Jason Silva made a motion to cancel the January 6th meeting.

Mark Peters seconded this motion.

Vote: 4-0, motion carries.

Tracey asked Noelle to inform herself and Dianne if any items come up.

PUBLIC HEARINGS

1. Hayden Herrera and Jonathan Phillips, Horseleech Pond LLC, 110 Slough Pond Road, Request for Variance to Truro Board of Health Regulation, Section VI, Article 8, Required Setbacks for System Components.

David Lajoie from Felco Engineering came before the Board. He gave abutter notifications to Noelle. This lot has two sites known as "The Turkey Houses" and "The Phillips Camp".

The Turkey Houses

There are five existing bunk rooms and a one bedroom dwelling on this site. Felco is proposing a simple upgrade, indicating a 1500 gallon septic tank, 1500g pump chamber d-box, and a soil absorption system (SAS) using (5) 4.8; x 8.5; leach chambers for a total design flow of 677 gpd. David is requesting variances to both Title V and BoH Regulations:

15.211

1. 5' variance from the septic tank to the ends of wetland (bordering vegetated wetland (BVW). 20' proposed, 25' required.

Section VI, Article 8, Required Setback for System Components

1. Septic tank and pump chamber is less than 100 ft from wetland (BVW) and top of the bank)

The distance from the BVW to the ST is approx. 20'±

The distance from the top of the bank to the ST is 60'±

The distance from the BVW to the PC is approx. 34'±

The distance from the top of the bank to the PC is approx. 70'±

2. Leach area is less than 150' from wetland (BVW)

The distance from the proposed SAS to the edge of the BVW ranges from 95'± to 100'±

The distance from the proposed SAS to the top of the bank ranges from 135'± to 143'±

Due to the sloping topography of the lot, ranging from elevation 12 to 36, a pump chamber is necessary. Tracey read Pat's recommendation:

Given the location of locus well and wetland areas, this is the best location where the septic can be sited. This system will better serve to protect public health and the environment to a much greater degree than the cesspool. Other than the pending Deep Observation Hole Log information that is pending on the plans, I recommend approval of the variance as requested for 110 Slough Pond Rd, "The Turkey Houses site.

Mark Peters made a motion to approve the requested variances, conditioned upon the pending Deep Observation Hole Log information.

Ansel Chaplin seconded this motion.

Vote: 4-0, motion carries.

The Phillips Camp

This site has a 2 bedroom dwelling and existing studio with two bedrooms as well. They share a common well. Both structures have their own cesspool, which Felco is proposing to eliminate. They will need a septic tank and a pump chamber. They will pump uphill about 20' to a normal 4 bedroom leeching area. David is requesting variances to the BoH Regulations:

Section VI, Article 8, Required Setback for System Components

1. Septic tank and pump chamber is less than 100 ft. from wetland (bordering vegetated wetland (BVW) and top of the bank)

The distance from the BVW to the ST is approx. 20'±

- The distance from the top of the bank to the ST is 60'±
- The distance from the BVW to the PC is approx. 34'±
- The distance from the top of the bank to the PC is approx. 70'±
- 2. The leach area is less than 150' from wetland (BVW and top of the bank)
 - The distance from the proposed SAS to the end of the BVW ranges from 91'± to 115'±
 - The distance from the proposed SAS to the top of the bank ranges from 115'± to 135'±

Tracey read Pat's recommendation:

Given the location of locus well and wetland areas, this is the best location where the septic can be sited. This system will better serve to protect public health and the environment to a much greater degree than the cesspool. Other than the pending Deep Observation Hole Log information that is pending on the plans, I recommend approval of the variances as requested for 110 Slough Pond Rd, "The Phillips Camp" site.

Mark Peters made a motion to approve the requested variances, conditioned upon the pending Deep Observation Hole Log information.

Jason Silva seconded this motion.

Vote: 4-0, motion carries.

- 2. Lorraine E. Neumann Trust, 5 Great Hills Road, Request for Title 5 Variance 15.211, Minimum Setback Distances and Truro Board of Health Regulation, Section VI, Article 8, Required Setbacks for System Components.**

Dave Lajoie approached the Board. This property abuts Cape Cod Bay. The existing dwelling has two cesspools. The owners need to upgrade in order to sell the home. Felco is proposing a 1500 gallon septic tank, 1000g pump chamber d-box, and a soil absorption system (SAS) using (3) 4.8' x 8.3' leach chambers for a total design flow of 340gpd. David is requesting a variance to Title V regulations:

15.211

- 1. Entire lot is within a coastal dune and barrier beach.

Section VI, Article 8, Required Setback for System Components

- 1. Septic tank and pump chamber is less than 100' from wetland (entire lot is located within a wetland; coastal dune and barrier beach)
- 2. Leach area is less than 150' from wetland (entire lot is located within a wetland; coastal dune and barrier beach)

Tracey read Pat's recommendation:

Given the location of the marine scarp, coastal beach and locus well, this is the best location where the septic can be site. This system will better serve to protect public health and the environment to a much greater degree than the cesspool.

I recommend approval of the variances as requested.

Mark Peters made a motion to approve the variances with the recommendation from the Health Agent.

Jason Silva seconded this motion.

Vote: 3-0 (Tracey Rose abstained), motion carries.

- 3. Steven Downey, R.E.D Realty Trust, 12 Truro Center Road, Request for Title 5 Variance 15.211, Minimum Setback Distances, 15.255 Construction in Fill and 15.203, System Sewage Flow Design Criteria.**

Dave Lajoie approached the Board. This is an existing office building on Truro Center Road. This is a voluntary upgrade. Felco is proposing a 1500 gallon septic tank, pump chamber d-box and a soil absorption system with an 8' x 26' leach field for a total design flow of 154gpd. Per Title V 15.203, the minimum design for an office building is 200gpd.

Dave is requesting the following variances to Title V regulations:

15.211

1. 6' variance from the septic tank to cellar wall-crawl space (4' provided, 10' required).
2. 8' variance from septic tank to property line (2' provided, 10' required)
3. 5' variance from pump chamber to cellar wall (5' provided, 10' required)
4. 8' variance from pump chamber to property line (2' provided, 10' required)
5. 6' variance from leach area to cellar wall (4' provided, 10' required)
6. 23' variance from leach area to locus well (77' provided, 100' required)
7. 22' variance from leach area to catch basin (3' provided, 25' required)

15.255

8. Modify 5' excavation for construction in fill. Per CN#2 all unsuitable soil under the leach area down to medium sand will be replaced with clean medium sand. This will not be a mounded or elevated system.

15.255: Construction in fill states;

(1) Any system where fill is required to replace topsoil, peat or other unsuitable or impervious soil layer above the requisite four feet of naturally occurring pervious material is a system constructed in fill. Any system constructed in fill which extends either wholly or partially above natural grade for the purpose of complying with 310 CMR 15.212 (depth to groundwater) is a mounded system. All soil absorption systems constructed in fill shall be sized using the soil class of the underlying naturally occurring pervious material.

15.203

(9) Proposed leach area is less than the required 200gpd

To mitigate the above variances (a reduced size leach area and setback requirements to cellar wall, property line and catch basin), a pressure dosed system and flow barrier is proposed. The well will be relocated to the northwest corner of the lot.

Tracey read Pat's recommendation:

Given the tight lot constraints and location of the PWS at the abutting property to the north, this is the only location where the septic can be sited. This system will better serve to protect public health and the environment to a much greater degree than the cesspool which is only 35 ± ft from the existing well.

No septic permit will be issued until:

1. *The existing well is abandoned and new well is installed and well water analysis is received.*

Mark Peters made a motion to approve the variances with the conditions listed by the Health Agent.

Ansel Chaplin seconded this motion.

Vote: 4-0, motion carries.

4. Alan Dinsfriend, Beach Shore LLC, 124 Shore Rd., Request for Temporary License (Change of Manager).

Alan Dinsfriend approached the Board. He explained that the previous manager has moved, and the managers unit is vacant. He lives three minutes away, and is available 24 hours a day. Alan would like to be appointed the manager. Tracey let the Board know that this is a year-round business. A team inspection has been scheduled. Once that has occurred, pending any issues, the change of manager will

be advertised in the local paper for two weeks and then the public hearing will be scheduled for the license. This request is for a temporary license while these steps are taken.

Mark Peters made a motion to approve a temporary license and change of manager for Beach Shore LLC, 124 Shore Road.

Ansel Chaplin seconded this motion.

Vote: 4-0, motion carries.

AGENDA ITEMS:

- 1. Discussion: Truro Board of Health Regulation Section III, Article 3, Manager Regulation (continued from 12/9/14)**

Tracey Rose stated that since the full board was not in attendance, she would like to continue this item to the next scheduled meeting.

Mark Peters made a motion to continue this agenda item to the January 6, 2015 meeting.

Jason Silva seconded this motion.

Vote: 4-0, motion carries.

LICENSING RENEWAL APPROVALS

- 1. Alan Dinsfriend, Mgr of Beach Shore, LLC, 124 Shore Road, Temporary Motel License**
- 2. Barbara Golding, Mgr of Hayman's Hillside Cottages, 17 Great Hollow Road, Motel License**
- 3. John Gordon and Owen Hart, Mgrs of Idle Hours Motel, 86 Shore Road, Motel License**

Tracey asked if all the applicants were in good order. Noelle stated "yes".

Mark Peters made a motion to approve licenses for all three applicants listed above.

Ansel Chaplin seconded this motion.

Vote: 4-0, motion carries.

Jason Silva made a motion to adjourn at 5:20PM.

Ansel Chaplin seconded this motion.

Vote: 4-0, motion carries.

Chair-Dianne Eib

Vice Chair-Tracey Rose

Clerk-Jason Silva

Mark Peters

Tim Rose

Alternate-Ansel Chaplin