



## TOWN OF TRURO BOARD OF HEALTH

P.O. Box 2030  
Truro MA 02666-0630

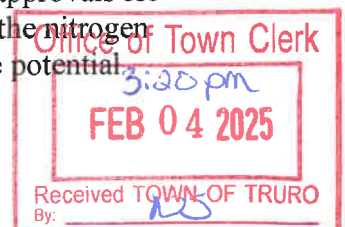
### **Board of Health Meeting Minutes: November 19, 2024**

This was a hybrid meeting held in person at Truro Town Hall in the Select Board chambers and via Zoom. **Board members present:** In person: Chair Tracey Rose, Vice Chair Jason Silva, Board Members, Helen Grimm and Tim Rose; Remote: Brian Koll and Alternate member John Dundas; **Also Present in person:** Health Agent Emily Beebe, Assistant Health Agent Courtney Warren; **Also Present virtually:** Select Board member Susan Girard-Irwin

The meeting was called to order at 4:30 pm by the Chair, who described the remote meeting procedures and the process for public participation.

**Public Comment:** There was no public comment.

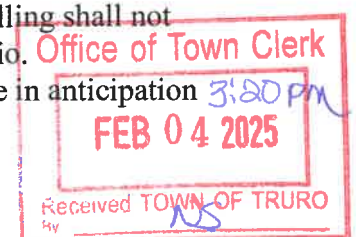
**Variance Request/Local Upgrade Approval:** 8 Highland Rd, Katharine Reed  
Glen Harrington described the property as mixed use with both residential apartments and commercial use. The existing system consists of a 1000-gal. grease trap and a 2500-gal. septic tank which are under the upper parking area, and a 1000-gal. pump chamber. The existing leaching chambers, however, are in failure. The design proposes to reuse the existing grease trap and septic tank. A Micro-FAST system will be added to provide enhanced treatment; the treated wastewater will flow by gravity to the d-box and leaching area in the lower parking lot. The proposal includes a variance to reduce the minimum separation between the leaching area and groundwater to 4 feet. Chair Tracey Rose questioned locating the tanks underneath pavement, the Agent replied that manhole covers will be provided for maintenance access. The Chair then asked the Agent to provide an opinion on the proposed plan. The Agent stated that the site is quite challenging due to the lot area and grades; she appreciated that the plan would re-use some components and would provide advanced treatment to mitigate the requested reduction in the size of the leaching area, and the variance to depth to groundwater. The Agent noted that an abutter had contacted her with concerns about proposed construction inadvertently impacting the retaining wall on the west side of the property. After visiting the site, she found it unlikely that there would be an issue, based on the location of the retaining wall and the fact that no excavation would occur near it. Additionally, an email was received from Clinton Kershaw expressing his concerns about the requested variance to groundwater and suggesting a different configuration of components to avoid this. The Agent explained that although the Board of Health does not require an alternatives analysis, in this case, preliminary designs done by another designer combined with the current design have allowed for a de facto alternatives analysis. As a result, she believes that this is the best design for this property. She noted that the deed notice for the alternative system will need to call out both the remedial and general use approvals for this system to cover both the allowance for the reduced leaching area and the nitrogen reduction required by the local regulations. Glen Harrington noted that the potential



buyer is interested in converting the office space to additional restaurant seats. The Agent noted that this flow is already accounted for but is a change in use. Chair Tracey Rose thanked both the abutter and Clint Kershaw for their comments. Vice Chair Jason Silva stated that this plan will require less disturbance and that keeping the tank where it is will avoid any issues with having the tank itself in groundwater if it were to be placed in the lower parking lot. **Motion:** Board member Helen Grimm moved to approve the variance as requested with the condition that the plan, the I/A deed notice, and the O/M Agreement reference both the Remedial Use Approval and the General Use Approval for the Micro FAST System. **Second:** Board member Tim Rose; **Vote:** 4-0-1 with Chair Tracey Rose abstaining; the motion carried.

Alternate John Dundas left the meeting.

**Appeal of Health Agents Decision:** 5 Corn Hill Landing, Sarah Lamb & Edward Black (*continued from 10/15/2024*) The Chair stated that she had watched the video of the previous meeting from which she had been absent. She also noted that the engineer had the wrong address on the septic plan. Attorney Ben Zehnder stated that they have provided a better floor plan of both the existing dwelling and the proposed studio, a septic design with I/A treatment, and nitrogen loading calculations with and without I/A. The homeowners are also open to installing a composting toilet in the studio. He suggested some deed restriction language limiting the property to three bedrooms with no overnight habitation in the studio. The Chair reminded the applicants that the Board is charged with protecting the water resources and upholding their own regulations. The Agent re-stated the issue at hand: this is an existing three-bedroom house with a “pass-through” room being used as a bedroom, and a proposed studio that would meet the definition of a bedroom. She suggested the use of a deed restriction to clarify the use of the dwelling: the pass-through room is not an approved bedroom space; and the studio is a working space accessory to the main dwelling with no habitation allowed. She did not believe that the use of I/A at this time was warranted because future regulations will likely require enhanced I/A in this location and the upgrade should happen correctly-- once. She expressed support for the floor plan as proposed with the condition that a deed restriction clearly define the bedroom count and location. The Chair noted that this was a very challenging situation and confirmed with the homeowners that the pass-through room was not being used as a bedroom and that they were comfortable with a deed restriction. Board member Helen Grimm was interested in continuing the conversation on the idea of composting toilets. She also asked where the gray water from the sink would go. The Agent stated that a composting toilet requires a Title 5 system for gray water so a small waste line would flow into the existing septic system. Board member Helen Grimm asked if there are other similar workspaces permitted in Truro. The Agent replied that there are others that also have deed restrictions. **Motion:** Board member Helen Grimm moved to approve the building of a working studio and accepted the floor plans for both the existing dwelling and the proposed studio with the condition that a deed restriction be filed limiting the property to three bedrooms. In addition, the deed restriction shall state that: (1) The studio shall be considered accessory to the main dwelling and is not a bedroom; (2) The pass-through room on the ground floor of the main dwelling shall not be used as a bedroom; (3) No overnight habitation is permitted in the studio. Additionally, the proposed I/A septic system was not approved at this time in anticipation



of future, potentially tighter regulations that will likely impact this location. Instead, a composting toilet and a handwashing sink are approved for the new studio. **Second:** Board member Tim Rose; **Vote:** 5-0-0; the motion carried.

**Change of Manager:** Sandbars Inn, 570 Shore Road – Jonah Cutter; No representative was present at the meeting. **Motion:** Board member Helen Grimm moved to continue the matter until the December 3, 2024, meeting; **Second:** Board member Jason Silva; **Vote:** 5-0-0; the motion carried.

**Water Resources Report** – The Agent deferred this report until December.

**Minutes:** September 3, 2024. **Motion:** Board member Brian Koll moved to approve the minutes from the September 3, 2024 meeting as presented.; **Second:** Board member Helen Grimm; **Vote:** 4-0-1 with Board member Tim Rose abstaining; the motion carried.

**Report of the Chair:**

The Provincetown Water & Sewer board met on Thursday November 14<sup>th</sup>. The Chair noted that Wellfleet has postponed an upcoming public hearing on their proposed regulation changes and asked the Agent to give an update on their process. The Wellfleet Board of Health is working on revising their regulations which have not been updated since 2017. Most of Wellfleet has been designated as a Nitrogen Sensitive Area and Wellfleet and to address this, they are proposing to require enhanced I/A on transfer and are requiring upgrade of all existing cesspools. There is some funding available to assist with some of the installation costs. The Chair noted that both APCC and the Cape Cod Commission have good resources on water and nitrogen sensitive areas.

**Health Agent's Report:**

Staff all attended the MA Health Officers Association conference last week in Springfield. It was a very informative and educational conference. A total of 129 people attended the vaccination clinic held in October. 103 covid boosters were given and 124 flu shots.

**Motion:** Board member Tim Rose moved to adjourn the meeting; **Second:** Board member Helen Grimm; **Vote:** 5-0-0, the motion carried.

The meeting was adjourned at 5:41 PM.

*Respectfully submitted by Courtney Warren* CW

