



## TOWN OF TRURO BOARD OF HEALTH

P.O. Box 2030  
Truro MA 02666-0630

### **Board of Health Meeting Minutes: April 16, 2024**

This was a hybrid meeting held in person at Truro Town Hall in the Select Board chambers and via Zoom. **Board members in attendance:** In person: Chair Tracey Rose; Vice Chair Jason Silva; Board Members Brian Koll, Present Virtually: Helen Grimm, Absent: Board member Tim Rose and Alternate Candida Monteith; Also Present in person: Health Agent Emily Beebe; Assistant Health Agent Courtney Warren.

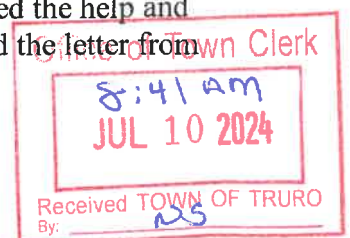
The meeting was called to order at 4:32 pm by the Chair, who described the remote meeting procedures and the process for public participation.

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

### **Local Upgrade approval and Local Variance Requests:** Cesspool upgrade at 18 Phat's Valley Road, John Field Revocable Trust

Laura Schofield from Schofield Brothers engineering represented the Field family. There is a four-bedroom seasonal home built in 1830 on a one acre lot with no upland. She showed a locus map to describe the property location and described the access challenges with this property. She also showed a color-coded plan to better illustrate the various wetland resources which include the riverfront area, two salt marsh areas, land subject to coastal storm flowage, coastal banks, and a freshwater swamp. The design calls for plastic components (tank and Cultec chambers) to facilitate installation without requiring substantial improvements to the driveway. Title 5 local upgrade approval is requested for a 25% reduction in the size of the soil absorption system and >36" cover over the d-box and leach area-to provide room in the design for future enhanced I/A. Local variances requested include the setbacks to wetlands and delayed installation of I/A until enhanced I/A is required. The Agent clarified that the extra fill was not over the plastic tank and Laura Schofield confirmed that it was only over the d-box and leach area. The Agent stated that this was a good plan that balances many challenges. The temporary variance to the I/A requirement will require a deed restriction. She stated that the board could make a finding that complete conformance with the code would not provide a greater benefit than is shown on this plan. **Motion:** Board member Brian Koll moved to approve the variances as requested with the finding as stated by the Agent and with the condition of deed restrictions; **Second:** Board member Jason Silva; **Vote:** 4-0-0; the motion carried.

**Title 5 Variance request for Administrative Consent Order:** 398 Shore Road, Judith McDermott Powers, Trustee. Judy Powers was present virtually to represent her siblings and described the documents that had been submitted for this request which included: the variance request and supporting documents, BOH approval of the septic plan, and Conservation Commission approval of the installation. They acknowledged the help and guidance of the Agent. Chair Tracey Rose thanked the applicants and read the letter from



the packet from the family. Board member Brian Koll asked about the use of the term “as necessary” regarding future inspections and if simple repairs would be allowed in terms of a failure. The Agent explained that a concern with cesspools is collapse, and that if a failure happened a simple repair like a leach pit could be added. As for inspections, it was agreed to coordinate timing of inspections with the need to renew existing permits/variances. Chair Tracey Rose asked about a discrepancy between the lot size described on the field card and the engineering plan. The Agent stated that it was best to use the value from the survey/engineered plan and the ACO document would be amended to reflect area of 5539 sq. feet as shown on that plan. As for the inspections, it was decided that they should be done in conjunction with any needed permit extensions. The Agent thanked the Powers for their attention to detail. Clarity is still needed around the escrow and how payments will be made. **Motion: Board member Jason Siva moved to approve the variance and to enter an ACO with the property owner with edits to the document as discussed (lot size and inspection frequency); Second: Board member Brian Koll; Vote: 4-0-0; the motion carried.**

**Discussion:** Salty Market Farm-Stand, 2 Highland Road

Liam Rowland was present to describe his revised proposal. His current proposal is to trade the summer retail operation for seats in the winter. He would maintain the existing food service operation during the season which includes the retail sale of prepared foods as take-out without seats. From October 1 to April 1, he would offer a “Raman shop” with take-out and eight tavern seats available to the public on Thursday through Saturday. This option would not involve the elimination of a bedroom. Chair Tracey Rose thanked him for his due diligence. The Agent noted that there were lots of conversations to iron out the concerns and that she is comfortable with the current proposal from both an enforcement and Title 5 perspective. All of the Board members thanked him for his efforts. The Agent will prepare a letter for use in pursuing his pouring license from the ABCC.

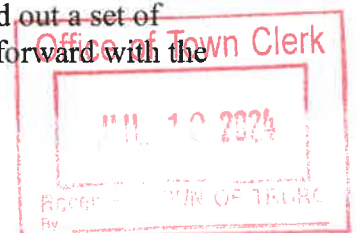
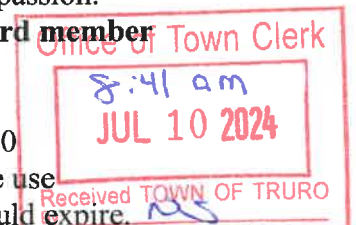
**Discussion:** Annual Town Meeting- Senior Perks article

Chair Tracey Rose stated that if this Article passes at Annual Town Meeting, the Board of Health will look forward to receiving a letter from the Select Board requesting that the Board of Health change the fee schedule for the Transfer Station to reflect the passage of this Article and which will be placed on a future Board of Health Agenda. The other Board members agreed. Board member Helen Grimm concurred and noted that it was an excellent perspective and they saw no public health reason to oppose this article. Member of the public, Karen Ruymann, thanked the Board and applauded their compassion.

**Motion: Chair Tracey Rose moved to support the Article; Second: Board member Brian Koll, Vote: 4-0-0; the motion carried.**

**Draft Board of Health Regulation amendment:** Section 6, Articles 3 & 10

The Agent explained that under the proposed change to Article 10 all future use approvals for properties that do not meet nitrogen loading requirements would expire. The proposed change to Article 3 would add back to a section what was inadvertently removed in the last regulation change. Board member Brian Koll pointed out a set of parentheses that were not needed in the text. The board agreed to move forward with the



amendment process. The Agent stated that the next step would be to have Town Counsel review a draft and hold a public hearing occur the end of the fiscal year.

Board member Helen Grimm left the meeting at 5:50pm.

### **Water Resources report**

The Assistant Agent updated the board on the continued progress with the cesspool upgrades. Board member Jason Silva asked what would happen to the 4% that have not begun the process and the Agent replied that they would be taken to court. Board member Brian Koll noted that having 96% of homeowners either having completed their upgrades or being in process was wonderful. Chair Tracey Rose also thanked all who have upgraded. The Agent then updated the board on the recent meeting with GHD and DEP. DEP had no concern with the ACO process and were pleased with information about discussion with Provincetown. It is not clear if Truro will have a TMDL (total maximum daily load) for nitrates assigned, but until we have more information, GHD will use the 25% reduction target for planning purposes. An NOI with DEP is being filed for area in Truro within the Wellfleet Harbor watershed. Water Supply planning discussions with Provincetown are continuing at the staff level. More information will be developed regarding a larger meeting – possibly in June with both Select Boards and the Water & Sewer Board.

### **Report of the Chair-**

The Chair thanked the department for their work on water resources protection. The Chair noted that 2023 Provincetown Water Report is not out yet, but it is targeted to be available in May. She noted that the 2022 report contains a lot of valuable information. She also stated that EPA has just finalized a new limit for PFAS. Provincetown Water System already routinely tests for PFAS as required by the state. None have been detected.

The Chair asked about radon, and the Assistant Agent replied that radon is the leading cause of lung cancer in non-smokers and that if necessary, radon abatement systems are not particularly expensive. The Chair went on to encourage people on Town water to pay attention to their water usage in order to catch leaks early, and to be sure to know where your water meter is.

### **Health Agent's Report-**

The Agent reported that the Select Board has approved the MOU for the Public Health Excellency grant. She also updated the board on the Climate Action Committee's work on a grant to explore development of resiliency hubs.

Board member Brian Koll suggested that a PFAS section be added to the monthly water resources report.

**Board member Jason Silva moved to adjourn the meeting; Second: Board member Brian Koll; Vote: 3-0-0, the motion carried.**

The meeting was adjourned at 6:22 PM.

*Respectfully submitted by Courtney Warren*

