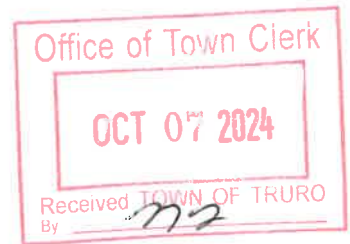




TOWN OF TRURO BOARD OF HEALTH

P.O. Box 2030
Truro MA 02666-0630



Board of Health Meeting Minutes: July 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 Member Helen Grimm and Alternate John Dundas; **Remote:** Board members Brian Koll and Tim Rose; **Also Present in person:** Health Agent Emily Beebe; Assistant Health Agent Courtney Warren

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. The chair also welcomed new alternate Board member John Dundas.

Public Comment: There was no public comment.

Public Hearing regarding tobacco sales violation – 435 Route 6 Head of the Meadow Citgo Station; During a compliance check on June 11, 2024, an 18-year-old purchaser was not asked for identification. The business was notified of the violation and there is a \$1000 fine for the first offense. Owner Keith Morris can't explain how this happened as all employees are trained to ask for ID. He will be adding software that requires entering a date of birth for all tobacco purchases. Board member Brian Koll asked if there could be documentation or a log sheet of when employees were trained. Chair Tracey Rose asked how many employees there are to which Keith Morris replied that there are six. The Agent noted that a suspension of tobacco sales is required in this situation and that the Board decides the duration. **Motion:** Board member Helen Grimm moved to uphold the \$1000 fine and impose a one-day suspension of tobacco sales. **Second:** Board member Tim Rose; **Vote:** 5-0-0; the motion carried. **Motion:** Board member Helen Grimm moved to set the date of the suspension as July 23, 2024; **Second:** Board member Tim Rose; **Vote:** 5-0-0; the motion carried.

Discussion: Request for a waiver of Time/ACO: 599 Shore Road, Brice and Michelle McKane; Chair Tracey Rose recused herself and handed the meeting over to Vice Chair Jason Silva. Brice and Michelle McKane are in the process of purchasing 599 Shore Road. The septic system has failed, and they would like the opportunity to enter into an Administrative Consent Order (ACO). Vice Chair Jason Silva stated that there are currently two extra bedrooms beyond the capacity of the current 3-bedroom system. The Agent noted that the leach pit could be replaced under a simple repair while an ACO is drafted, and that the new homeowners would need to hire an engineer. The applicants have no time constraint and are intending to do renovations, so the condition of no occupancy is not an issue and are requesting a 6-month waiver of time. The closing will be on or about June 24, 2024. Board member Helen Grimm asked if the property is currently vacant. Brice McKane reported that it is empty. Board member Helen Grimm clarified that the ACO and simple repair to the system must both happen. **Motion:** Vice

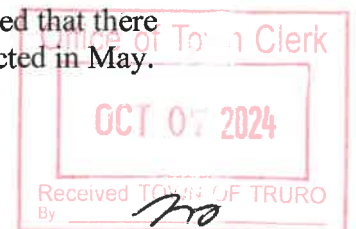
Chair Jason Silva moved to approve the waiver of time for 599 Shore Road until February 1, 2025 with the following conditions: submission of engineered plans, no occupancy of the dwelling, confirmation of 3 bedrooms, and a variance request to enter into an ACO.; **Second:** Board member Helen Grimm; **Vote:** 4-0-1 with Chair Tracey Rose recused.

Appeal of Health Agents Decision: 2 Pine Ridge End, Marcia Medeiros Life Estate- re: upgrade of non-conforming system (*continued from 6/18/2024*) Due to technical issues the Board moved to hear this agenda item out of order. **Motion:** Board member Helen Grimm moved to proceed to the next agenda item and then return to this item; **Second:** Chair Tracey Rose; **Vote:** 5-0-0; the motion carried.

Title 5 local upgrade requests and Local BoH regulations variance requests: 2 Adams Way, Zach Luster & Edwidge Yingling; Abutter Thomas Edwards from 19 Snows Rd expressed concerns about the narrow road and small cul-de-sac being blocked during construction and requested that the property line be staked. Stephanie Sequin from Ryder & Wilcox represented the property owners. The existing two-story house has five bedrooms on a 50,000 sq ft steeply sloped lot. The existing septic tank is a poly tank that has deformed and is proposed to be replaced with a precast concrete tank. Due to the location of the existing plumbing, they are also requesting a variance to depth of cover. Additionally, the new tank will be larger so, a 3' variance for setbacks to the garage is requested. The owners would like to add an ADU to increase the bedroom count to six, so an I/A system is proposed. Stephanie Sequin provided the nitrogen loading calculations. Access is planned via Old Bridge Rd. The Agent requested a grading plan relative to the existing leaching area and a plan for maintaining the required amount of fill over that area. She asked if the leaching area had been inspected and Stephanie Sequin replied no. The Agent also requested a walk through to confirm bedroom count and usage. Board member Tim Rose recused himself and then commented as a member of the Stoney Hill Association. He stated that access from Old Bridge Rd would have to be from the highway and not through Helen's Way. The Agent noted that there would be an additional layer of process to gain access for the installation. Chair Tracey Rose asked some clarifying questions about the nitrogen loading calculations. Although the values are approximate, they illustrate the relative nitrogen loading reduction achieved with an I/A system. **Motion:** Board member Helen Grimm moved to require the property owners to inspect the leaching area. **Second:** Board member Jason Silva; **Vote:** 4-0-1 with Board member Tim Rose abstaining; the motion carried; **Motion:** Board member Brian Koll moved to continue this agenda item until the August 6, 2024 meeting; **Second:** Board member Helen Grimm; **Vote:** 4-0-1 with Board member Tim Rose abstaining; the motion carried.

Appeal of Health Agents Decision: 2 Pine Ridge End, Marcia Medeiros Life Estate- re: upgrade of non-conforming system (*continued from 6/18/2024*)

Jason Ellis has completed the reverse engineered plan. The system conforms to the 1978 code in terms of sizing and setbacks. He did two test holes with a perc test and added a new d-box. He also noted that the leach pit is only about half full. The Agent stated that the design helps ensure that the system meets design requirements and noted that there had been some concerns about standing water in the pit when it was inspected in May.



The use of the system will change with new owners. Board member Helen Grimm asked if it is conforming. The Agent stated that this plan informs the buyer that it is compliant with code that was in place at the time it was installed, not the 1995 code. Jason Silva stated that this was similar “to buying a used car.” **Motion:** Tim Rose made a motion to accept the reverse engineered plan; **Second:** Board member Brian Koll; **Vote:** 4-0-1 with Chair Tracey Rose abstaining; the motion carried.

Water Resources report

Cesspool upgrades are making good progress, but the ACO process is moving more slowly. The feasibility study being conducted by GHD is progressing and information will be available soon. Information about the town’s Notice of Intent to participate in the Wellfleet Harbor’s Watershed Management is available on the Health Department website under the Wastewater Management tab. The planning for a process to develop a TMDL for the Pamet is underway and a meeting was held recently with the USGS. The USGS is interested in working with the town and possibly forming a partnership with the four Outer Cape towns as well as the NPS. A joint meeting with the Select Boards from both Truro and Provincetown as well as the Provincetown Water & Sewer Board is planned for the end of September. Water quality information for Village Pond was discussed and information about the ponds in Truro is available on both the Health and Conservation Department websites.

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

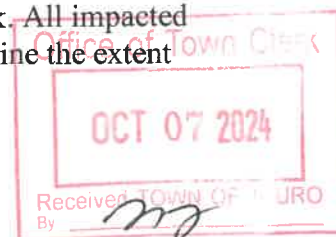
Report of the Chair

The chair again welcomed new alternate member John Dundas. She noted that the last meeting of the Provincetown Water & Sewer Board was July 11, 2024. She will request an item be added to the agenda of the next meeting for the board to discuss and understand the charges and role of that board. She then recognized Karen Ruymann to give an update on the recent activities of the Friends of the Village Pond Watershed. Karen Ruymann reported that the group recently held their annual Fishing Derby & Blueberry Brunch. It was well attended and more than twice as many fish were caught during this year’s derby as compared to last year including two species not previously observed in the pond. She also noted that current cyanobacteria testing results can be found on the APCC website.

Health Agent's Report

The Agent also recently met with Karen Ruymann and noted that having a group focused on that pond is positive development and expressed her appreciation for the work of that group.

The DPW Facility Phase 2 site investigation began on July 11, 2024. During this investigation, debris including an oil tank and 55-gallon drums containing oil and fuel were located and removed. The finding was immediately reported to the state and today the state issued a Notice of Responsibility to the town. Bryan Massa is the Licensed Site Professional working with the town who will oversee the remediation work. All impacted soil has been removed and tested. Soil borings will be conducted to determine the extent



of the impacts. Additionally, the investigation will continue including a boring inside the garage bay. Results of the tests on the removed soil are not yet available. Alternate John Dundas asked if there was an estimate of the age of the materials found and the Agent did not have specific information to share about that. Chair Tracey Rose asked how close this contamination was to the well. The Agent has not seen a site plan, but it is likely in the Zone 1. The Chair then asked about the aboveground fuel tanks. Those tanks are properly permitted and regularly inspected and are not in the Zone 1 of the well.

The Agent also shared the Provincetown Water Consumer Confidence Report and commended Water Superintendent Cody Salisbury for the work that he does.

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

The meeting was adjourned at 6:47 PM.

Respectfully submitted by Courtney Warren CW

