



Truro Board of Health

Tuesday June 4, 2024 at 4:30 PM

Truro Board of Health Notice of Regular (Hybrid) Meeting

Meeting will open at 4:30 PM in the Select Board Chambers at Truro Town Hall on the 2nd floor.
The Truro Town Hall is located at 24 Town Hall Road

This will be a hybrid meeting (in-person and remote access). Citizens in Truro can view the meeting on Channel 8 and on the homepage of the Town of Truro website on the "Truro TV Channel 8" button found under "Helpful Links". Once the meeting has started, click on the green "Watch" button in the upper right of the page. **To join the meeting by phone or to provide comment during the meeting, please call-in toll free at 1-305-224-1968 and enter the following Meeting ID when prompted: Meeting ID: 884 7580 5887** To join this Zoom meeting from your computer, tablet or smartphone enter <https://us02web.zoom.us/j/88475805887> Please note that there may be a slight delay between the meeting and the live-stream (and television broadcast).

If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in; citizens may also provide public comment for this meeting by emailing the Health Agent at ebecbe@truro-ma.gov with your comments.

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

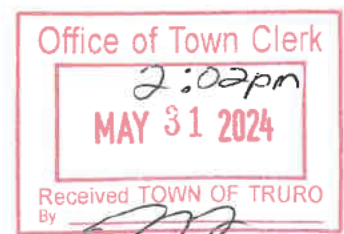
1. Recreational Camp License& Temp Food Service permit- 111 North Pamet Road, Camp Lightbulb (renewal)
2. Draft updates to Truro Board of Health regulations, section 6, articles 3 &10

III. MINUTES

IV. REPORTS

Report of the Chair

Health Agent's Report





CAMP# 2024-101

HEALTH DEPARTMENT
TOWN OF TRURO

MAY 28 2024

RECEIVED BY

TOWN OF TRURO
BOARD OF HEALTHAPPLICATION FOR LICENSE TO CONDUCT A
RECREATIONAL CAMP FOR CHILDRENRenewal ☒ New ☐

In accordance with MGL c.111, Section 31, and 105 CMR 430.000, State Sanitary Code, Chapter IV, the undersigned makes application to the Board of Health or approving authority to operate a recreational camp for children in the Town of Truro.

PART I - TO BE FILLED IN BY APPLICANT

Name of Camp: CAMP LISITZBURSite Address: 111 N MARKET ROAD, TRURO, MA 02666Site Telephone: [REDACTED]Name of Camp Owner: CAMP LISITZBUROffice Address: 301 N PALM CANYON DRIVE #103-161, PALM SPRINGS, CA 92262Telephone Number: [REDACTED]Name of Camp Operator (if different): BUCK HARKHAMAddress: AS ABOVETelephone Number: AS ABOVEName of Health Care Consultant: SUZAN COOPERAddress: CUTLER CREEK HEALTH, 45 HAZEL KEMP WAY, HOVINGTOWN, MA 02637Telephone Number: 508-789-9355

Type of Camp:

☐ Day ☒ Residential ☐ SportsHours of Operation: 24 hrsDates of Operation: Opening: 06/30/24 Closing: 07/13/24

May 2014

HEALTH DEPARTMENT
TOWN OF TRURO

Previous aquatics supervisory experience: _____

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Firearms InstructorName: NR

National Rifle Association Instructor's card (or equivalent): _____

Date certified: _____

Expiration date: _____

Horseback Riding InstructorName: NR

License Number: _____

Expiration date: _____

Stable: _____

Location: _____

Licensed in accordance with MGL Ch.111 § 155, 158: Yes ☐ No ☐

Attach the names, ages, applicable current certifications (if any), such as First Aid, and the anticipated role at the camp of all supervisory staff (see below). Use as many pages as necessary to complete this.

Supervisory staff means those persons with the responsibility, authority and training to provide direct supervision to camper groups. This may include counselors, junior counselors, general activity leaders or other staff who provide supervision to campers

Certification

I certify that the information I have provided is true and accurate. I fully understand that granting of the License to Operate a Recreational Camp for Children is contingent upon my adherence to all applicable State laws and local regulations governing recreational camps for children. Failure to comply may result in the suspension or revocation of my License to operate and any other legal action deemed appropriate by the Town of Truro.

Signature of Applicant05/23/24
Date

See the next page for a list of documents that must be completed and submitted before your application for a license can be fully processed. You are strongly encouraged to complete these documents as soon as possible and submit them in advance. This will expedite the licensing process.

May 2014

HEALTH DEPARTMENT
TOWN OF TRURO

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Activities:

☐ Swimming Pool Location of Pool: _____
☒ Bathing Beach Location of Bathing Beach: MYSTIC BEACH

Meals Provided:

☒ Yes If yes you will need to complete a Temporary Food Service Application.
☐ No

Camp Director:Name: BUCK MAXIMUMAge: 54

Coursework in camping administration:

Previous camp administration experience:

CAMP DIRECTOR SINCE 2011**Health Care Consultant**Name: SUMER LODOLICH

Type of Medical License (must be a physician, nurse practitioner, or physician assistant
 with pediatric training): NURSE PRACTITIONER MA License Number 113351

Health SupervisorName: BUCK MAXIMUMAge: 54

Type of Medical License, Registration or Training (See 105 CMR 430.159(C):

RN AND CPA**Aquatics Director**Name: TBC Age: _____

Age: _____

Lifeguard Certificate issued by: _____

Expiration date: _____

American Red Cross CPR Certificate: _____

Expiration date: _____

American First Aid Certificate: _____

Expiration date: _____

May 2014

HEALTH CARE CONSULTANT AGREEMENT

Camp Lighthouse
NAME OF CAMP

Provincetown, MA 02657
ADDRESS OF CAMP

The Massachusetts Department of Public Health regulations for recreational camps for children, 105 CMR 430.000, require that all recreational camps for children have a health care consultant. The regulation and responsibilities of this person are described below.

430.159(A) Health Care Consultant A designated Massachusetts licensed physician, nurse practitioner or physician assistant with pediatric training as the camp's health care consultant. The consultant shall:

1. Assist in the development of the camp's health care policy as described in 105 CMR 430.159(B);
2. Review and approve the policy initially and at least annually thereafter;
3. Approve any changes in the policy;
4. Review and approve the first aid training of the staff;
5. Be available for consultation at all times; and
6. Develop and sign written orders to be followed by the on-site health supervisor in the administration of his/her related duties.

If the health supervisor is not a licensed health care professional authorized to administer prescription medications, the administration of medications shall be under the professional oversight of the health care consultant. 105 CMR 430.160(C)

430.159(B) Health Care Policy A written medical policy, approved by the local board of health and by the camp health care consultant. Such policy shall include, but not be limited to, daily health supervision, infection control, handling of health emergencies and accidents, available ambulance services, provision for medical, nursing and first aid services, the name of the designated on-site camp health supervisor, the name, address and phone number of the camp health care consultant required by 105 CMR 430.159(A) and the name of the health supervisor required by 105 CMR 430.159(E), if applicable.

430.160(C) Administration of Medication The health care consultant shall acknowledge in writing a list of all medications administered at the camp.

I meet the requirements of the health care consultant as described in 105 CMR 430.159(A). I have reviewed these referenced regulations and understand the responsibilities of the position and agree to assist this camp regarding the same.

Susan Flynn Roderick
Print Name

Nurse Practitioner
Title

MAY 28 2024

RECEIVED BY:

Susan Flynn Roderick
Signature

CRNP
RN 113351

MA License/Registration Number

Over Cape Health Services, Inc
49 Harry Kemp Way Provincetown
Address MA 02657

508 487 9395
Telephone Number

5/23/2024
Date:

February 24, 2000

Also signed by

Dominic Archer, MD
CEO for Over Cape Health Services

MAY 31, 2024
Truro Both Regulations - SECTION 6
Proposed changes shown in blue

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4. All variances shall expire if the system is not installed within 12-months of approval, or such shorter time as may be determined by the Board of Health.

Article 3 - Triggers for Upgrading Septic Systems and ACOs

1. **Required Upgrades:** In order to improve the quality of water for the Town of Truro by elimination of septic systems which do not comply with Title 5 and the more protective regulations adopted by the Truro Board of Health Title 5, all non-conforming and failed systems, as defined in this regulation, shall be upgraded to comply with the requirements of Title 5 and the Truro Board of Health regulations which are in effect on the date of the triggering event:

- a) At or within two years prior to any sale or transfer of title to the facility served by the system requiring inspection as described in 310 CMR 15.301.
- b) Notwithstanding any exceptions set forth in 310 CMR 15.301(2), inspection prior to transfer and upgrade of non-conforming or failed systems shall occur at or within two years prior to: transfers by inheritance other than to a surviving spouse, transfers between parents and their children, between full siblings, and transfers for real property to be held in a revocable or irrevocable trust, where at least one of the designated beneficiaries is of the first degree of relationship to the grantor; and transfer shall include creation of an LLC.
- c) Prior to any change of use or increase in design flow of the facility served by a system.
- d) Prior to the subdivision or partitioning of a parcel on which a non-conforming or failed septic system is located.
- e) Any system demonstrating the characteristics of a failed system as defined in this Section 6.
- f) Any septic system that was not constructed according to the approved plan.
- g) Any system with a soil absorption system with inadequate design capacity to serve the facility as it exists at the time of inspection.
- h) Any system where the **liquid depth** in a leach pit is less than six inches from the inlet pipe invert or the remaining available volume within a leach pit above the liquid depth is less than ½ of one day's design flow.
- i) **All non-conforming** septic systems in the Beach Point and Pamet River Protection District or located within two hundred (200') feet of any Wetland or within the floodplain as mapped by FEMA shall be considered failing to protect public health, safety, welfare, and the environment and shall be upgraded to meet the requirements of this Section VI and Title 5.
- j) Cesspools in Truro are herein defined as failed systems and shall be upgraded to meet the requirements of Title 5 prior to December 31, 2023. All new systems replacing cesspools shall be installed and certified by that date.
- j)k) Any facility served by a 1978-code system that is replaced, relocated or demolished, except when the building was destroyed by fire, shall be upgraded. A nonconforming system serving a facility destroyed by fire does not need to be upgraded to serve a new facility if the new facility is built in the same footprint as the original and provided that there is no change in use or increase in design flow of the facility and the system is not a failed system.

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2. **Multiple Systems on One Lot**

- a. In the event of the failure of one septic system on a lot with more than one system and a total design flow on the parcel of less than 2,000 gallons per day, the failing system shall be upgraded, and the remaining septic systems shall be inspected by a licensed inspector. If any of the remaining septic systems are non-conforming or fail inspection as defined in

Article 10 - Existing Systems Serving New Construction

For ~~all~~ systems designed and approved prior to 2001 ~~that do not meet the nitrogen loading limitations of the Truro Board of Health regulations Section 6, articles 11 & 13~~, the size of the existing, installed system shall no longer be considered and ~~any~~ previous approvals for “future use” are hereby expired.

No increase in design flow to any system shall be allowed unless the lot meets the requirements of 15.214, Nitrogen Loading Limitations, and Article 11 and Article 13 below. Should an increase in design flow be allowed, the system shall be upgraded in full compliance with Title 5 and the regulations of the Truro Board of Health for new construction.

Article 11 - Buildable Upland Calculations for Nitrogen Loading Limitations

When applying the nitrogen loading limitations set forth in Title 5 and this Section VI of the Truro Board of Health Regulations (see Article ~~14~~13), only Buildable Uplands shall be included in the lot area calculations.

Article 12 - Deed Restrictions

- 1) Any deed restrictions required under this Section VI or under Title 5 shall be submitted to the Health Agent for review before they are finalized and executed.
- 2) Each deed restriction shall describe the property and all restrictions placed thereon (i.e. bedroom count limitations shall include the number and location of approved bedrooms; monitoring agreements shall describe the specific monitoring and maintenance requirements, etc.).
- 3) All deed restrictions may contain a provision permitting the Truro Health Agent to inspect the premises to ensure compliance with the provisions of the deed restriction at reasonable intervals and upon reasonable prior notice.
- 4) A deed restriction required by the Board of Health, or their Agent shall be recorded at the Barnstable County Registry of Deeds. Proof of recording shall be submitted to the Health Department prior to the issuance of the Certificate of Compliance for the system.
- 5) A deed restriction required by the Board of Health, or their Agent shall be recorded prior to the approval/sign-off on any building permit, as required for compliance with these local regulations and Title 5 by the Board of Health or its Agent.
- 6) A deed restriction is required by the Board of Health or their Agent prior to sign-off on all Accessory Dwelling Units specifying the terms of approval including the requirement for year-round rental in perpetuity.

Article 13 - Nitrogen Loading Limitations

- 1) The Truro Board of Health requires that all properties within the Town of Truro meet the nitrogen loading requirements set forth in 310 CMR 15.214 and shall have at least ten thousand (10,000) square feet of Buildable Upland (as defined in Article 1 hereunder) for every 110 gallons per day of Title 5 design flow. All systems designed to serve said facilities must meet



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



TOWN OF TRURO BOARD OF HEALTH

P.O. Box 2030
Truro MA 02666-0630

Board of Health Meeting Minutes: May 7, 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: Vice Chair Jason Silva, Board Members Brian Koll, Helen Grimm, Tim Rose, and Alternate Candida Monteith Absent: Chair Tracey Rose; Also Present in person: Health Agent Emily Beebe

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.

Discussion regarding Transfer station hours: DPW Director Jarrod Cabral was represented by the Health Agent to update the Board and the public about the hours of operation. Instead of increasing to 7 days per week for the summer, the facility will retain the winter hours through the summer. The transfer station will be closed on Wednesday and Thursday until staffing level increases.

Board member Tim Rose asked if DPW staff could be reassigned and expressed concern for contractors, stating the reduced schedule was unacceptable. The Agent stated she would relay the questions to the DPW director.

Local upgrade request, and Local Variance Request: Proposed Cesspool upgrade at 54 Ryder Beach Road, Harriet Hobbs. Engineer John O'Reilly represented the request for variances on the 9.5 acre property. Currently, the five-bedroom home on the property is served by cesspools and it will be upgraded to an enhanced treatment system. A Nitroe® system is proposed and nitrogen calculations were provided to demonstrate the nitrogen reduction. The home is surrounded by wetland resources so the design balances separation to those wetland areas and will support a gravity fed system. Since the lot is large, the system has been designed for a potential 6th bedroom. A Title 5 local upgrade approval is requested for extra cover over the leach area and a local variance for setback to wetlands is also requested. The system will be H-20 rated and vented per code to mitigate the depth of cover. Vice chair Jason Silva asked about upgrades with the National Seashore area. The Agent replied the Park was notified and would have reached out with any concerns. She noted that this is a great design and that the nitrogen loading calculations show the benefit of this type of system. **Motion:** Board member Tim Rose moved to approve the variances as requested; **Second:** Board member Brian Koll; **Vote:** 5-0-0; the motion carried.

New Owner/Manager: Millan's Restaurant, Dawn Dennison/Juan Millan
Vice chair Jason Silva confirmed with the Agent that all paperwork was in order. He asked the new owners when they were planning to open. Juan Millan replied that May 15th had been the target, but the building is still under construction, so they are now

planning to be open by Memorial Day weekend. Jason Silva also asked about which days they would be open. Juan Millan replied that the days open will fluctuate in the early season but that they hope to be open seven days a week through the summer. All of the Board members welcomed the new owners and wished them the best. **Motion: Board member Brian Koll moved to approve the new owner/manager; Second: Board member Tim Rose; Vote: 5-0-0; the motion carried.**

Title 5 Variance request for Administrative Consent Order: 12 Secor Lane, Peter O. Swanson. Peter Swanson described the variance request. The cottage has not been used since about 2015 and the well pump has been disabled so the cottage is not habitable. Several parties have expressed interest in purchasing the property but since the cottage may need to be moved, it makes more sense to delay the septic design until a final structure location is determined. Vice chair Jason Silva stated that the ACO is a way to avoid spending money twice while still achieving the goal of upgrading the cesspool on the property. The Agent described the terms spelled out in the ACO which include a contract with a septic design company by the end of this year and a final design plan by the end of 2025 with the condition of no occupancy of the dwelling. Brian Koll clarified the language and pointed out a typo. Candida Monteith asked if it would make more sense to use the transfer of the property as a trigger rather than dates. The Agent responded that having some of the design work done prior to transfer will make the property more marketable. **Motion: Board member Tim Rose moved to approve the variance and to enter an ACO with the property owner; Second: Board member Helen Grimm; Vote: 5-0-0; the motion carried.**

Minutes: April 2, 2024 **Motion: Board member Helen Grimm moved to approve the April 2, 2024 meeting minutes; Second: Board member Brian Koll; Vote: 5-0-0; the motion carried.**

Report of the Chair- Vice Chair Jason Silva did not have anything to report at this time.

Health Agent's Report- A staff level meeting is scheduled for this week with Provincetown to plan a joint meeting with both Select Boards and the Water & Sewer Board.

Board member Brian Koll asked for an update on avian influenza.

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 5:03 PM.

Respectfully submitted by Courtney Warren