



Truro Board of Health

Tuesday June 20, 2023
Remote Meeting- 4:30 PM

Remote Meeting Access Instructions

This will be a remote meeting. Citizens in Truro can view the meeting on Channel 18 and on the web on the "Truro TV Channel 18" button found under "Helpful Links" on the homepage of the Town of Truro website. To view, click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting, please call in toll free at 1-866-899-4679 and enter the following access code when prompted: 972-302-709; or access the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/972302709>**

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*

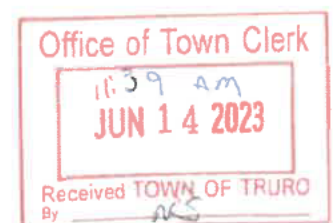
II. AGENDA ITEMS

1. **License to conduct a Recreational Camp for Children-** Renewal for Camp Lightbulb, North Pamet Road
2. **Local variance request/Local Upgrade Approval:** 40 Fisher Road, (Map 53, Parcel 34) (**Local variance request-** setbacks to wetlands) (**Local upgrade approval requests** – sideline setbacks ; separation to crawlspace; Well separation to locus well and abutters well.)
3. **Request for discussion:** Regarding cesspool upgrade for 97 Castle Road, (Map 46, Parcel 7)
4. **Water Resources Update- June 2023**

IV. MINUTES

V. REPORTS

1. Report of the Chair
2. Health Agent's Report : Outer Cape Community Solutions presents Outer Cape Wellness programming/ social determinants of Health to the **Truro Select Board 6/27 at 5 PM**





HEALTH DEPARTMENT
TOWN OF TRURO

JUN 09 2023

RECEIVED BY: _____

#2023-094

**TOWN OF TRURO
BOARD OF HEALTH**

**APPLICATION FOR LICENSE TO CONDUCT A
RECREATIONAL CAMP FOR CHILDREN**

Renewal ☒ 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 Lynnhills
Site Address: 111 N. Walnut Road, Truro, MA 02666
Site Telephone: 508.349.3885

Name of Camp Owner: Camp Lynnhills
Office Address: 201 N. Palm Canyon Drive, Suite 220, Palm Springs, CA 92262
Telephone Number: 323.484.7993

Name of Camp Operator (if different): As above.
Address: _____
Telephone Number: _____

Name of Health Care Consultant: Juan Lozano
Address: Autism Care Health, 45 Haverly Kemp Way, Provincetown, MA 02557
Telephone Number: _____

Type of Camp:
☐ Day ☒ Residential ☐ Sports

Hours of Operation: 24 hrs
Dates of Operation: Opening: 07/02/23 Closing: 07/29/23

JUN 09 2023

RECEIVED BY:

Previous aquatics supervisory experience: _____

Firearms Instructor

Name: N.A.

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

Date certified: _____ Expiration date: _____

Horseback Riding Instructor

Name: N.A.

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 Applicant

06/09/23
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.

JUN 09 2023

RECEIVED BY:

Activities:

☐ Swimming Pool Location of Pool: _____
☐ Bathing Beach Location of Bathing Beach: PAULSON BEACH

MOONLIGHT TOWN BEACH

Meals Provided:

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

Camp Director:

Name: LUCK MAXWELL

Age: 53

Coursework in camping administration:

Previous camp administration experience:

CAMP PILGERA STYLE 2011.

Health Care Consultant

Name: Susan Lodwick

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

Health Supervisor

Name: Larry (Leo) Kunkham

Age: 28

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

First Aid / CPR

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: _____

V2023-09

Fee: \$75.00

PAID
CK 9921



TRURO HEALTH &
CONSERVATION DEPARTMENT
24 Town Hall Road, Truro 02666

APPLICATION FOR BOARD OF HEALTH VARIANCES

Date: MAY 22, 2023

Property Owner's Name: DAVID L. PARKER & JANET L. CAPASSO

Mailing Address: P.O. BOX 143, TRURO, MA 02666

Address of Property: 40 FISHER ROAD, TRURO

Map and Parcel Number: Map # 53 Parcel # 34

Design Engineer/Sanitarian WILLIAM N. ROGERS II

Firm/Company Name: WILLIAM N. ROGERS II, P.E., PLS Phone #: 1-508-427-1565

Address: 41 OFF CEMETERY ROAD, P.O. BOX 631
PROVINCETOWN, MA 02657

Please check type of variance requested:

☒ Title 5 Variance Request: Section SEE ATTACHED DESIGN PLAN FOR LIST OF
VARIANCES FROM 310 CMR 15.000 TITLE 5 CODE & BOARD OF HEALTH
LOCAL REGULATIONS

☐ Board of Health Variance Request: Section/Article SECTION G, ARTICLE 9

William N. Rogers II

Signature (Representative)

MAY 22, 2023

Date

David L. Parker

Signature (Property Owner)

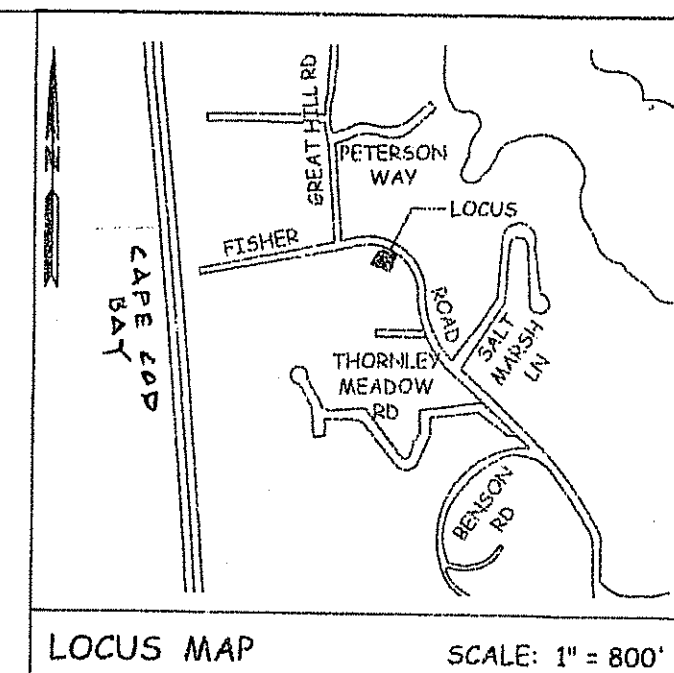
MAY 22, 2023



Variance Requests:

- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than ten (10') feet from the SW property line.
10 ft. Required - 9 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than twenty (20') feet from Crawl Space at Locus.
20 ft. Required - 7 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed Septic Tank & Pump Chamber to be located less than (50') feet from the Existing Well at Locus.
50 ft. Required : Septic Tank - 37 ft. Provided.
Pump Chamber - 45 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed Septic Tank & Pump Chamber to be located less than (50') feet from the Existing Well at 38 Fisher Road.
50 ft. Required : Septic Tank - 33 ft. Provided.
Pump Chamber - 38 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than one hundred (100') feet from the Existing Well at Locus.
100 ft. Required - 50 ft. Provided.
- From 310 CMR 15.211(1) to allow proposed S.A.S. to be located less than one hundred (100') feet from the Existing Well at 38 Fisher Road.
100 ft. Required - 50 ft. Provided.
- Per Section 6, Article 9 of Local Board of Health Regulations to allow the proposed Septic Tank, and S.A.S. to be located less than one hundred (100') feet & one hundred and fifty (150'), respectively, from the existing Resource Area Wetland (Coastal Bank):
Septic Tank - 100 ft. Required - 85 ft. Provided.
Pump Chamber - 100 ft. Required - 92 ft. Provided.
S.A.S. - 103 ft. Provided.

ASSESSOR'S MAP 53, PARCEL 34 = LOCUS



EXISTING WELL

VARIANCE REQUEST No. 5

VARIANCE REQUEST No. 2

EARNEST C. HADLEY &
ANN L. MULLINS
LOT 28
PLAN BOOK 553 PAGE 38
(NO. 1 FISHER PATH)

NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001C0227J FOR THE TOWN OF TRURO COMMUNITY NO. 255222 DATED JULY 16, 2014.

LEGEND:
S.S.L. = SEPTIC SETBACK LINE
C.O. = CLEAN OUT
D.M.H. = DRAINAGE MANHOLE
M.H. = MANHOLE
S.M.H. = SEWER MANHOLE
W.G. = WATER GATE
T.P. = UTILITY POLE
U/G = UNDERGROUND
L.P. = LIQUID PROPANE
o/h = OVERHEAD
10.04x = EXISTING SPOT ELEVATION
10.04 = PROPOSED CONTOUR
10 = EXISTING CONTOUR
W.F. = WETLAND FLAG
15.5 = PROPOSED SPOT ELEVATION
S.A.S. = SOIL ABSORPTION SYSTEM

NOTE: BOUNDARY OF THE WETLAND RESOURCE AREAS WERE DETERMINED IN THE FIELD WITH THE ASSISTANCE OF PAUL J. SHEA, P.W.S., INDEPENDENT ENVIRONMENTAL CONSULTANTS ON APRIL 20, 2021.

SEPTIC COMPONENTS:

- PROPOSED 1900 GAL. (4-10") (MONO) ADVANTEX PROCESS TANK WITH 20" FILTER UNIT IN MONO 3 CONFIGURATION.
- PROPOSED 1000 GAL. (4-10") (MONO) PUMP CHAMBER.
- PROPOSED DB3 (4-10") "D" BOX
- PROPOSED SOIL ABSORPTION SYSTEM (S.A.S.) (1) CULTEC RECHARGER 330 XLHD IN 10.5' L X 8' W X 2' D LEACHING TRENCH

RECEIVED
BOARD OF HEALTH
MAY 19 2023
TOWN OF TRURO
MASSACHUSETTS

DEPICTING A
SANITARY SUBSURFACE SEWAGE
DISPOSAL SYSTEM UPGRADE

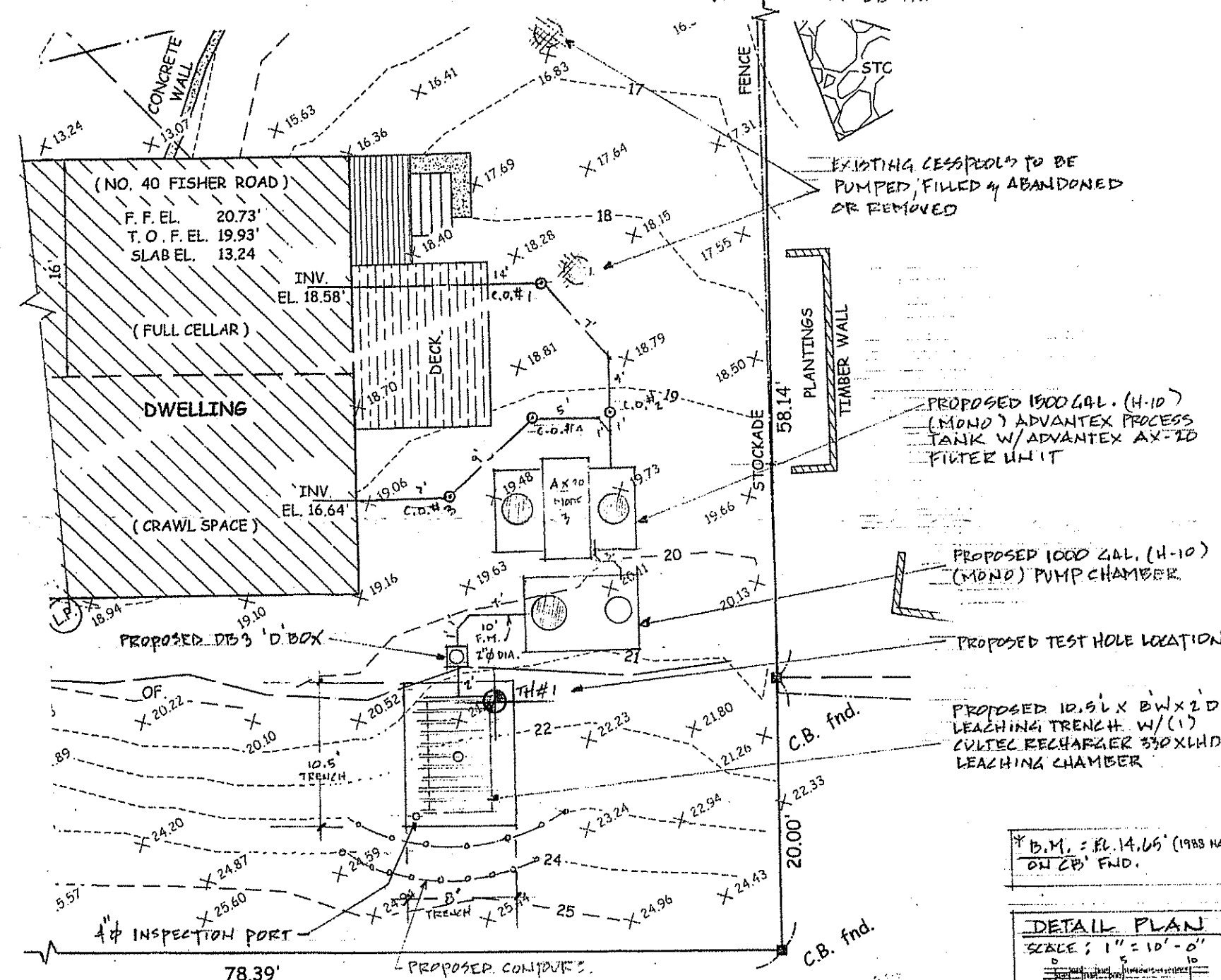
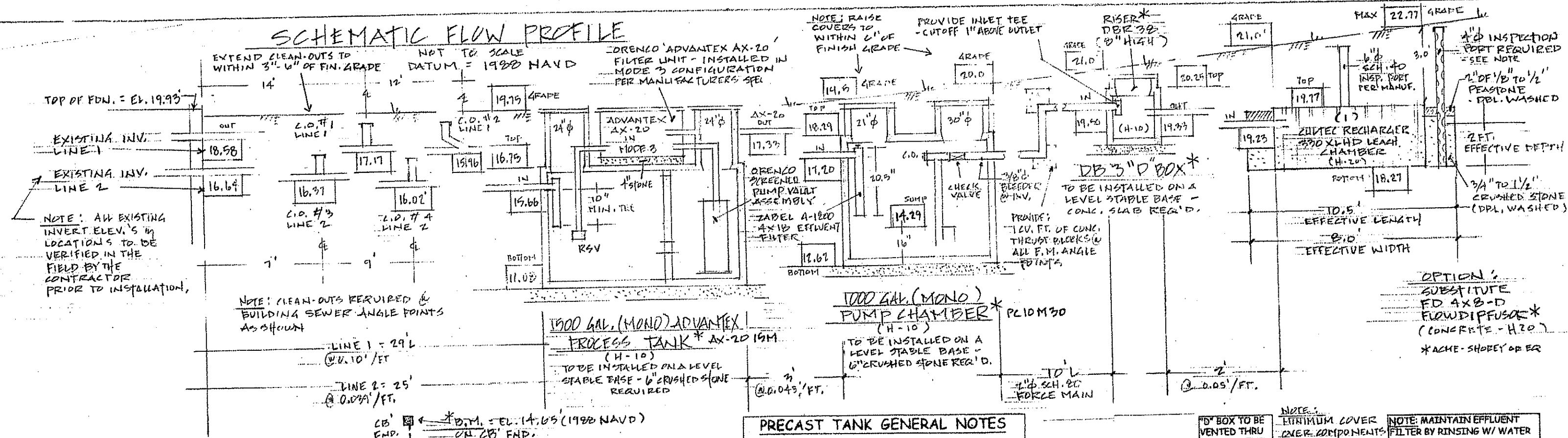
AS PREPARED FOR
JANET L. CAPASSO by
DAVID L. PARKER
(No. 40 FISHER ROAD.)

SCALE: 1" = 10'-0" APRIL, 2023

WILLIAM N. ROGERS
PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.

5.1

J-13-2188



PRECAST TANK GENERAL NOTES

1. SEPTIC TANK TO BE SEALED COMPLETELY
w/ SYNTHETIC POLYMER SEALER.
 2. SEAL ALL SEAMS w/ PRECO PATCH
HYDRAULIC CEMENT OR APPROVED EQUAL
(SHOREY E-2 WRAP).
- * ALL PRECAST COMPONENTS
TO BE ACME-SHOREY SEER.

Inspection Port Required:

Minimum (1) 4"Ø Sch. 40 PVC perforated pipe shall be placed vertically down into the stone to the natural occurring soil or sand fill below the stone. Pipe/s shall be capped with a screw-type cap, and accessible to within 3" of Finish Grade.

NOTE: MAINTAIN EFFLUENT
FILTER BY RINSING W/ WATER
MIN. ONCE/ YEAR - OPTION:
PROVIDE ZABEL 'SMARTFILT
ALARM FOR MAINTAINANCE
NOTIFICATION.

NOTE: PROVIDE
EFFLUENT FILTER
@ PUMP CHAMBER
INLET - ZABEL
A-1800 WITH
SMART FILTER
3.25M

GENERAL NOTES:

- 1.) ALL SYSTEM COMPONENTS SHALL BE INSTALLED IN ACCORDANCE W/ TITLE 5 OF THE SANITARY CODE & ANY APPLICABLE REGULATIONS.
- 2.) PRIOR TO BACKFILLING THE INSTALLATION, THE ENGINEER & HEALTH AGENT SHALL BE NOTIFIED FOR INSPECTION.
- 3.) ANY ALTERATIONS TO THIS DESIGN MUST BE APPROVED BY THE ENGINEER & BOARD OF HEALTH, IN WRITING.
- 4.) ALL LINES SHALL BE 4" DIA. SCH. 40 PVC PIPE PITCHED 0.010' / FT. MINIMUM, EXCEPT AS NOTED.
- 5.) ANY/ALL UNDERGROUND UTILITIES ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO SYSTEM INSTALLATION. (CONTACT DIG SAFE)
- 6.) ALL UNSUITABLE MATERIAL WITHIN 5 FT. IN ALL DIRECTIONS FROM THE SOIL ABSORPTION SYSTEM SHALL BE REMOVED & REPLACED W/ CLEAN, COARSE WASHED SAND.
- 7.) ALL FILL MATERIAL UTILIZED FOR THE SOIL ABSORPTION SYSTEM SHALL BE CLEAN, COARSE, WASHED SAND FREE FROM DELETERIOUS MATERIAL & SHALL HAVE A PERC. RATE OF LESS THAN 2 MIN./IN. BEFORE & AFTER PLACEMENT.
- 8.) ALL FILL SERVICING THE SOIL ABSORPTION SYSTEM SHALL BE PROPERLY PLACED & COMPACTED TO MINIMIZE SETTLEMENT.
- 9.) FINISH GRADES SHALL COMPLY W/ MINIMUM COVER & SLOPE SETBACK REQUIREMENTS OF TITLE 5.
- 10.) DURING INSTALLATION, THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE PROTECTION TO ADJUTING PROPERTIES & TO MAINTAIN A SAFE EXCAVATION AREA.
- 11.) DATUM = 1988 NAVD
- 12.) PROVIDE SHOP DWGS. OF ALL PRECAST COMPONENTS FOR ENGINEERS APPROVAL - PER ENGINEERS REQUEST.
- 13.) IN CASE OF FAILURE - LEACHING TRENCH SHOULD BE REMOVED, REHABILITATED & REPLACED.

TEST DATE
APRIL 20, 1973

EL. 21.72'

TH #1

DEPTH	HORIZON	TEXTURE	COLOR	MOTTLING	COMMENTS
0 - 9"	FW	VARIABLE	VARIABLE	NONE	SINGLE GRAIN - LOOSE
9" - 19"	A	LOAMY SAND	10 YR 4/4		LOOSE
19" - 31"	Bw	↓	10 YR 4/6		SINGLE GRAIN LOOSE MEDIUM
31" - 120"	C	SAND	10 YR 5/6	↓	

TEST BY:
L. SCHOFIELD, CERTIFIED
SOIL EVALUATOR, SE 1173

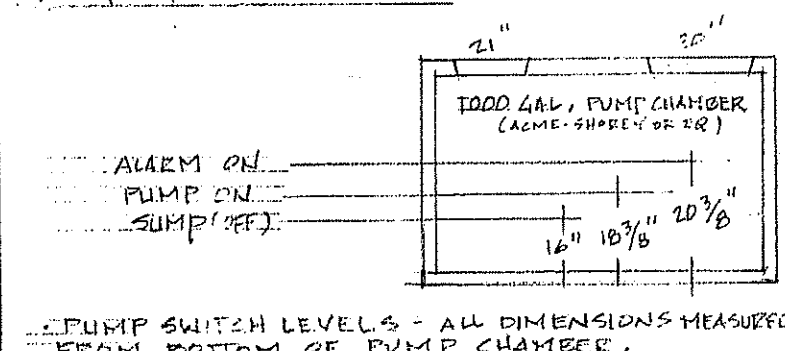
C. WARREN - AGENT
FOR BOARD OF HEALTH

PERC. RATE:
IN HORIZON C (120")
- SAND BOTTOM
= 2.2 MIN. / IN.

NO GROUNDWATER
REQUIRED.

IT IS THE OPINION
OF THE ENGINEER
THAT THE SOIL
PROFILE DOES NOT
VARY THROUGHOUT
THE LOT.

PUMP CHAMBER DESIGN:



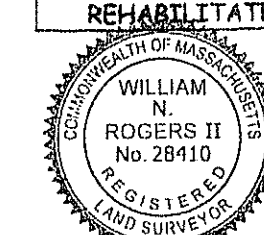
...PUMP SWITCH LEVELS - ALL DIMENSIONS MEASURED
FROM BOTTOM OF PUMP CHAMBER.

NOTES:

1. PUMP SHALL BE SUBMERSIBLE SEWAGE PUMP W/ 1/2" OUTLET CAPABLE OF PASSING 3/4" SOLIDS
- USE PENTAIR (MYERS) HYDROMATIC SHEF 30
- 3 HP, 115V - PUMPING 374 GPM @ 9 FT. TDH.
2. CONTROL SHALL BE SET FOR SINGLE PUMP SYSTEM
- PROVIDE SEPARATE CIRCUIT: HIGH WATER ALARM ALONG WITH CONTROLS.
3. FREEZE MAIN SHALL BE 2" SCH. 80 FWC
- PLACE 1 CF. OF CONC. TIEUST BLOCKS @ ALL FREE MAIN ANGLE POINTS.
4. PUMPS SHALL BE PLACED DIRECTLY UNDER ACCESS MANHOLE. INSTALLED PER MANUFACTURER'S SPEC.

DESIGN DATA:

- 1.) REQUIRED FLOW: 1 BEDROOMS x 110 GPD/BEDROOM = 110 GPD
(EXISTING)
- * DEED RESTRICTION REQUIRED.
- 2.) SEPTIC TANK CAPACITY 110 GPD x 2 = 220 GPD
- USE (1) 1500 GAL. (MONO) ADVANTEX PROCESS TANK*
(4-10) w/ ADVANTEX AX-20 MODULE ON TOP OF TANK,
* NOTE: AX-20 FILTER UNIT IN MOPE-3 CONFIGURATION
TO BE INSTALLED PER MANUFACTURER'S SPECIFICATION.
(MIN. REQUIRED WITHOUT CARGAGE REQUIRED)
3. PUMP CHAMBER CAPACITY: 110 x 4 = 220 GPD
- USE (1) 1000 GAL. (MONO) (4-10) PUMP CHAMBER**
- * NOTE: ACME - SHORTER OF EQ.
4. LEACHING FACILITY:
- 10.5 FT LONG x 2 FT. DEEP x 2 SIDES x .74 GPD/SQ. FT. = 21 GPD SIDES
 - 8 FT. WIDE x 2 FT. DEEP x 2 ENDS x .74 GPD/SQ. FT. = 24 GPD ENDS
 - 10.5 FT. LONG x 8 FT. WIDE x .74 GPD/SQ. FT. = 62 GPD BOTTOM
- 117 GPD > 110 GPD REQ'D.
- TOTAL = 117 GPD
- USE (1) CUMEC RECHARGE 330 XLHD LEACH CHAMBER IN 10.5L x 8W x 2D LEACHING TRENCH.



PLAN OF LAND
IN

SANITARY SUBSURFACE SEWAGE
DISPOSAL SYSTEM UPGRADE
AS PREPARED FOR

JANET L. CAPRA

DAVID L. PARKER
(NO. 40 FISHER ROAD)
SCALE: AS SHOWN
APR 11 2022

WILLIAM N. ROGERS
PROFESSIONAL

CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS

5.1

Courtney Warren

From: Emily Beebe
Sent: Friday, June 16, 2023 7:50 AM
To: Clark DeCiantis
Cc: Courtney Warren
Subject: RE: 97 Castle Road - Barnstable County Water Quality Report - 4.24.23

Yes, it will be remote.

Here is the meeting invite:

Truro Board of Health TUESDAY 6-20 at 4:30

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/972302709>

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

From: [REDACTED]
Sent: Wednesday, June 14, 2023 4:29 PM
To: Emily Beebe <EBeeBe@truro-ma.gov>
Subject: Re: 97 Castle Road - Barnstable County Water Quality Report - 4.24.23

Thank you for the follow up information. We are working on providing some more documents for Tuesday meeting. It is not likely we will be in town though, can we still do the meeting virtually?

[REDACTED]

"The bitterness of poor quality remains long after the sweetness of low price is forgotten." - Benjamin Franklin.

On Jun 13, 2023, at 2:57 PM, Emily Beebe <EBeeBe@truro-ma.gov> wrote:

Hi Clark,

I want to get on the same page with you about the Board meeting on Tuesday 6/20.

This is described on the agenda as a discussion regarding cesspool upgrade for 97 Castle Road.

We have a copy of the water quality test, but we do not have any information about the cesspool, such as an inspection, which was discussed in December

We normally do not ask for a full inspection on a cesspool, but some description of the pit, by a licensed septic pumper would be good for you to have.

What is the condition of the cesspool?

Also, we had talked about your submittal of a sketch that shows where things are on the property, well cesspool, driveway, shelter/sheds etc.

As far as your request for variance goes, you still need to complete the notice to abutters about the variance hearing date and time so that you can formally make your variance request. Our next meeting is July 18 at 4:30.

In the meantime we suggest that your meeting with the Board Tuesday will be to discuss what options you have – and any proposal that you have.

To notify abutters, you will need to request a certified abutters list from our assessors office.

<https://www.truro-ma.gov/assessors-office/pages/abutters-list-request-forms>

The abutters will need to be notified at least 10 business days prior to the variance request hearing- this is done with a letter- sample attached, which must be sent by you by certified mail w/ the return green cards submitted to the Health Department.

Thanks Clark, talk to you soon.

Best,

Emily

From: Clark DeCiantis <[REDACTED]>

Sent: Wednesday, May 10, 2023 10:49 PM

To: Emily Beebe <EBeeBe@truro-ma.gov>

Subject: 97 Castle Road - Barnstable County Water Quality Report - 4.24.23

Emily,

Please see attached water quality report we conducted with Barnstable County. We would like to schedule a follow up review with the Board of Health to discuss the report findings and get further feedback regarding our variance request for exemption from the Title V Septic Upgrade requirement.

Thank you for continued attention to this matter. Talk to you soon.

[REDACTED]

“The bitterness of poor quality remains long after the sweetness of low price is forgotten.” – Benjamin Franklin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate that to the sender and delete the copy you received. When writing or responding, please remember that the Secretary of State's Office has determined that email is a public record. Please take notice: All e-mail communications sent or received by persons using the Town of Truro network may be subject to disclosure under the Massachusetts Public Records Law (M.G.L. Chapter 66, Section 10) and the Federal Freedom of Information Act

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



PAID
1894
✓ 2022-25
TOWN OF TRURO

Board of Health

P.O. Box 2030, Truro, MA 02666

Tel: (508) 349-7004 x-32 Fax: (508) 349-5508

RECEIVED BY
DEC 27 2022
TOWN OF TRURO
HEALTH DEPARTMENT

APPLICATION FOR BOARD OF HEALTH VARIANCES

Date Submitted: 12/14/2022 Board of Health Hearing Date: 12/20/2022

Property Owner's Name: DeCiantis and Cassata Families

Mailing Address: 1166 Oxbow Drive Charleston, South Carolina 29412

Address of Property: 97 Castle Road

Map and Parcel Number: Map # 46 Parcel # 7

Design Engineer/Sanitarian _____

Firm/Company Name: _____ Phone #: _____

Address: _____

Real Estate Broker Contact: _____

Anticipated Date of Property Transfer: _____ Length of Time Requested to

Complete Upgrade: _____

***NOTE: The abutter's notification letter must be sent to each abutter by certified mail, return receipt requested, at the expense of the applicant. The green cards must be submitted at the hearing.**

Please check type of variance requested:

☒ **Title 5 Variance Request Section Article 3 Part 4-H**

☐ **Board of Health Variance Request Section/Article _____**

☐ **Board of Health Variance Request from Section VI, Article 3(1)a. Required Upgrade Upon Property Transfer. Please include Buyer's Information below:**

Buyer's Name: _____

Mailing Address: _____

Phone #: _____ Fax: _____ Email: _____

Signature (Property Owner)

F. Cassata

Signature (Buyer)

Date 12/14/2022

Date _____

Please return this application to:

Truro Health Agent, 24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
With a \$75.00 application fee made payable to the Town of Truro

Emily Beebe

From: Emily Beebe
Sent: Tuesday, December 20, 2022 11:31 AM
To: Clark DeCiantis
Subject: FW: Public Comment - Truro Board of Health, Meeting of December 20, 2022 - 97 Castle Hill Road

Good morning Clark,
The email below is from one of your abutters.

As previously stated, the meeting this evening is preliminary, and quite possibly the first of 2 or more hearings with the Board of Health to discuss your situation. I see this as an opportunity for the Board to understand your concerns, and also to signal whether they would likely consider a variance request of this nature. If they indicate that this is something they would approve, we would set a date to hear the request, and you would be required to notify your abutters by certified mail at least 10 days prior to the meeting. The Board may also want you to submit additional materials, such as an inspection report, from a licensed inspector describing the capacity of the cesspool, and its condition and/or a site plan showing the well and cesspool and locations of wells on abutting properties.

I look forward to a productive discussion with the Board of Health members.

Thank you,
Emily

The meeting information is below:

Truro Board of Health

Please join our meeting from your computer, tablet or smartphone.

<https://meet.goto.com/972302709>

You can also dial in using your phone.

Access Code: 972-302-709

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

From: Frederick B. Goldsmith <fbg@golawllc.com>
Sent: Tuesday, December 20, 2022 9:28 AM
To: Emily Beebe <EBeeBe@truro-ma.gov>
Subject: Public Comment - Truro Board of Health, Meeting of December 20, 2022 - 97 Castle Hill Road

Dear Ms. Beebe:

I write to comment on and respectfully oppose the request by owners of 97 Castle Road for relief from and a twenty year “grandfather” period as to the Town of Truro’s Title 5 septic system upgrade regulatory requirements. While I appreciate the homeowners’ request for relief based on a claimed (and nonbinding) assurance of modest usage of their commode and claimed natural filtering conditions, the Town’s applicable regulations do not appear to me to have been fully taken into account.

Article 2 (entitled “Variances”) of Section VI – Local Septic Regulations to Supplement Title 5, State Environmental Code (amended February 2, 2010; June 5, 2012; October 2, 2018, December 4, 2018, May 18, 2021) provides that “[a]ll applications for variance must be accompanied by plans prepared by a qualified Professional Engineer or Registered Sanitarian and include all information required under 310 C.M.R. 15.220.” Article 1 states that “[a]ny cesspool as defined in Title 5 shall be deemed failed and shall be replaced with a Title 5 compliant system no later than December 31, 2023.” Article 3 states “[c]esspools 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.” Article 1 states, with regard to waivers, “To the extent such a waiver would be consistent with the provisions of Title 5, the Board of Health may waive a finding that any of the foregoing systems have failed if the Board determines, at its sole discretion, that the system will continue to protect the public health, safety and environment.” (emphasis supplied). Finally, paragraph 2 of Article 1 states, “[o]f specific concern is the need to protect the groundwater, which is the sole source of drinking water for Truro, Wellfleet and Provincetown.”

Thus, it seems all the provisions of Title 5, Article 2, and Section 15.220 must be complied with *and* the Board of Health must then also determine that the system in question “will continue to protect the public, health, safety and environment,” before the BOH may grant a waiver or variance, were it so inclined.

Further, paragraph 7 of the proposed Administrative Consent Order requires only that “[a] certified Title 5 inspection report shall be submitted” before 12/31/23 and every five years thereafter. It is unclear from this wording whether such reports must disclose that the existing cesspool is in fact ensuring the level of wastewater quality that state and local law and regulation require. Further, the language in paragraph 7 of the proposed Administrative Consent Order speaks only to repairs needed to “ensure that the cesspool functions,” yet “functioning” is not quantified or qualified in any way.

I am not an expert in the Commonwealth’s or the Town’s septic-related laws and regulations, nevertheless it does not appear from the face of the variance request and the proposed Administrative Consent Order that Title 5, Articles 1 and 2, and Section 15.220, noted above, have each been complied with, and that the application and proposed consent order terms are supported by the sort of scientific/engineering backup contemplated by applicable law and regulation.

It is my understanding that the aquifer is not static, but rather that water within it flows from place to place. Thus, there appears the potential for wastewater, nitrates, and other harmful contaminants to flow from the subject property into the aquifer, the Pamet Lens, which may adversely impact the aquifer upon which the applicants, immediate neighbors/abutters, and others further afield and downgradient such as residents of and visitors to my property in Truro – located about two tenths of a mile from the subject property, all depend for safe drinking water.

My understanding is there are financial assistance resources available to qualified applicants whose properties must timely comply with the Town’s upgraded septic system requirements but lack the means to do so. Perhaps the affected homeowners can take advantage of such. And, if cost is a concern, the applicants state they have a very small home. As such, they should have the opportunity to size a small Title 5 septic system, which would further reduce the cost of compliance with current law and regulation. It is unclear from the homeowners’ application, however, that their request for a waiver or variance is needs based. It appears only to be based on a claim of limited/seasonal use and ambient conditions – neither of which appear to be expressly provided for as waiver/variance bases in the Town’s applicable regulations.

I am also concerned with the precedent set when the Town grants exemptions to or waivers of the public health motivated, water safety driven, septic upgrade requirement. If the town is inclined to grant such, it seems waivers or

variances should be sparingly granted, and not on the basis of cost, and only upon appropriate scientific/engineering evidence and opinion, and in full compliance with all applicable laws and regulations.

Finally, I note that the homeowners' application date and the hearing date seem unusually close in time, seemingly not allowing appropriate time for comment from abutters and the public, generally. You may wish to review this issue and/or have town counsel do so.

Kindly confirm receipt of this public comment for the record on this matter.

Sincerely,

Frederick B. Goldsmith



CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Town of Truro Board of Health
c/o Town of Truro Health & Conservation Department
24 Town Hall Road
Truro, MA 02666

HEALTH DEPARTMENT
TOWN OF TRURO

December 9, 2022

DEC 27 2022

RECEIVED BY

Re: Title V Septic Tank Variance Request for Extension
Private Residence – DeCiantis and Cassata Families
97 Castle Road
Truro, MA

To Whom It May Concern:

This letter is to request a variance for an extension to the Title V Septic System upgrade requirement instituted by the Town of Truro Board of Health, per Article 3, Part 4-H. We, the Property Owners (Jonathan DeCiantis, Matthew DeCiantis, Helen Cassata, and F. Clark DeCiantis, Jr.) have a unique situation on our historic property. We have two small wooden structures from the 1950s on our 2.61 acre property. One structure is the original 10'x16' wood cabin with an added-on screened porch area and adjacent brick terrace. The second structure is the original 6'x12' wood shed with a flush toilet and an outdoor shower. The only plumbing is the single flush toilet. The shower and well spigot are outdoors. Our site conditions, usage amount, and commitment to preserve our historical property support our request for an extension from the Title V septic system requirement.

First, our site conditions – the property elevation peaks at over 60' above sea level. The cabin and shed are located close to the ridge of the property as it slopes away to Castle Road and Castle Terrace. The soil conditions are pure, native, sand and stone glacial deposits with terrific porosity and filtering capabilities for subsurface water. The site has never been developed in any manner other than the simple, rustic cabin and compacted earth driveway there today. The structures were built in the 1950s and the cesspool was added sometime in the 1980s. Our well point is located over 100' away from our current sanitary system. The closest property with a well point is located uphill of our cesspool, also over 100' away. The two neighboring properties downhill of our cesspool are over 300' away, and each homesite is also over 50 feet below our site in elevation. That is a tremendous amount of surrounding sand and rock to filter the water runoff from our cesspool.

Second, our usage – our family comes to Truro during June, July, and August. We also make a weekend trip to winterize and spring clean the cabin in May and September each year. Our families are small. There are the four of us siblings, three spouses, and seven children of ages 6-22. The visits are typically 5-10 days and include four to five people at most staying in the cabin at one time. We have calculated the amount of people, days, and subsequent toilet usage for a typical summer. We estimate the toilet is flushed 672 times over the summer period and opening/closing visits. That adds up to 840 gallons with a 1.25 gal/flush toilet. Considering the size of our property and elevation above adjacent properties, we have approximately 3.4 million cubic feet of sand and rock to filter the exceptionally small amount of water coming from our cesspool. We inspected the cesspool in October and the structure is intact and the basin was dry and nearly empty.

Third, our commitment to historic preservation – our family has had residence in Truro for over 100 years. The property at 97 Castle Road was willed to us by our mother, Helen Conger DeCiantis. Her

great aunt, B. Lillian Link, owned the Windy Willows property at the bottom of the hill along Castle Road looking out over the Little Pamet. Aunt "Ba-ba", as she was affectionately called, was a sculptress and year round resident of Truro dating back to the early 1900s. Baba willed the Windy Willows property to our mother's parents, Mr. and Mrs. David Link Conger. Our grandparents later sold the 97 Castle Road property to our mother Helen and her sister Cicely Shoemaker. We truly love our piece of heaven on earth in Truro. Our family has been coming to the cabin for over seventy years and have kept the character of the property as true to the original form and environment as possible. There is no television and no plumbing in the cabin. We still use the original outdoor cold water spigot for washing and drinking. We have only an outdoor shower. The screened in porch was added about twenty years ago, but we have no interest in expanding the cabin or renovating the structure that would include any additional bedrooms or bathrooms. In recent years, we affectionately call the cabin our "wooden tent."

Given our unique situation we strongly urge you to consider our variance request for an extension from the Title V Septic Tank requirement at 97 Castle Road. We request a twenty year "grandfather" period based on our property assets. As such, we would agree to no change in the development of the property during that period. If any development or improvements to the property are proposed in the future, we would expect to adhere to any sanitary system requirements at that time.

Please let us know if you have any questions, thank you for considering our variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. Clark DeCiantis, Jr.", with a stylized, cursive script.

F. Clark DeCiantis, Jr.

Town of Truro Board of Health
c/o Town of Truro Health & Conservation Department
24 Town Hall Road
Truro, MA 02666

December 9, 2022

Re: Title V Septic Tank Exemption Request
Private Residence – DeCiantis and Cassata Families
97 Castle Road
Truro, MA

To Whom It May Concern:

This letter is to request an exemption from the Title V Septic Tank upgrade requirement instituted by the Town of Truro Board of Health. We, the Property Owners (Jonathan DeCiantis, Matthew DeCiantis, Helen Cassata, and F. Clark DeCiantis, Jr.) have a unique situation on our historic property. We have two small wooden structures from the 1950s on our 2.61 acre property. One structure is the original 10'x16' wood cabin with an added-on screened porch area and adjacent brick terrace. The second structure is the original 6'x12' wood shed with a flush toilet and an outdoor shower. The only plumbing is the single flush toilet. The shower and well spigot are outdoors. Our site conditions, usage amount, and commitment to preserve our historical property support our request for an exemption from the Title V septic requirement.

First, our site conditions – the property elevation peaks at over 60' above sea level. The cabin and shed are located close to the ridge of the property as it slopes away to Castle Road and Castle Terrace. The soil conditions are pure, native, sand and stone glacial deposits with terrific porosity and filtering capabilities for subsurface water. The site has never been developed in any manner other than the simple, rustic cabin and compacted earth driveway there today. The structures were built in the 1950s and the cesspool was added sometime in the 1980s. Our well point is located over 100' away from our current sanitary system. The closest property with a well point is located uphill of our cesspool, also over 100' away. The two neighboring properties downhill of our cesspool are over 300' away, and each homesite is also over 50 feet below our site in elevation. That is a tremendous amount of surrounding sand and rock to filter the water runoff from our cesspool.

Second, our usage – our family comes to Truro during June, July, and August. We also make a weekend trip to winterize and spring clean the cabin in May and September each year. Our families are small. There are the four of us siblings, three spouses, and seven children of ages 6-22. The visits are typically 5-10 days and include four to five people at most staying in the cabin at one time. We have calculated the amount of people, days, and subsequent toilet usage for a typical summer. We estimate the toilet is flushed 672 times over the summer period and opening/closing visits. That adds up to 840 gallons with a 1.25 gal/flush toilet. Considering the size of our property and elevation above adjacent properties, we have approximately 3.4 million cubic feet of sand and rock to filter the exceptionally small amount of water coming from our cesspool. We inspected the cesspool in October and the structure is intact and the basin was dry and nearly empty.

Third, our commitment to historic preservation – our family has had residence in Truro for over 100 years. The property at 97 Castle Road was willed to us by our mother, Helen Conger DeCiantis. Her

great aunt, B. Lillian Link, owned the Windy Willows property at the bottom of the hill along Castle Road looking out over the Little Pamet. Aunt "Ba-ba", as she was affectionately called, was a sculptress and year round resident of Truro dating back to the early 1900s. Baba willed the Windy Willows property to our mother's parents, Mr. and Mrs. David Link Conger. Our grandparents later sold the 97 Castle Road property to our mother Helen and her sister Cicely Shoemaker. We truly love our piece of heaven on earth in Truro. Our family has been coming to the cabin for over seventy years and have kept the character of the property as true to the original form and environment as possible. There is no television and no plumbing in the cabin. We still use the original outdoor cold water spigot for washing and drinking. We have only an outdoor shower. The screened in porch was added about twenty years ago, but we have no interest in expanding the cabin or renovating the structure that would include any additional bedrooms or bathrooms. In recent years, we affectionately call the cabin our "wooden tent."

Given our unique situation we strongly urge you to consider our request for an exemption from the Title V Septic Tank requirement at 97 Castle Road. We request a twenty year "grandfather" period on our property based on the property assets. As such, we would agree to no change in the development of the property during that period. If any development or improvements to the property are proposed in the future, we would expect to adhere to any sanitary system requirements at that time.

Please let us know if you have any questions, thank you for considering our request.

Sincerely,

F. Clark DeCiantis, Jr.



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory (M-MA009)

Recipient: Jonathan DeCiantis
Jonathan DeCiantis
24 Severna Ave
Springfield, NJ 07081

Order No.: G23237695
Report Dated: 04/24/2023
Submitter: Jonathan DeCiantis
Description: Routine - 97 Castle Road

Laboratory ID#: 23237695-01

Sample #:
Collection Address: 97 Castle Road, Truro
Sample Location:

Matrix: Water - Drinking Water
Sampled: 04/12/2023 7:45 By: JD
Received: 04/12/2023 8:58 By: jmcnull
Turn Around: Standard

Routine

ITEM	RESULT	UNITS	RL	MCL	METHOD #	ANALYST	TESTED	TIME
Nitrate as Nitrogen	3.3	mg/L	0.10	10	EPA 300.0	CL	04/12/2023	
Copper	0.25	mg/L	0.10	1	EPA 200.8	CL	04/14/2023	12:37
Iron	0.18	mg/L	0.10	0.3	EPA 200.8	CL	04/14/2023	12:37
Manganese	ND	mg/L	0.025	0.05	EPA 200.8	CL	04/14/2023	12:37
Sodium	30	mg/L	2.5	20	EPA 200.8	CL	04/14/2023	12:37
Total Coliform	Absent	P/A	0	0	SM 9223B	RG	04/12/2023	15:06
Conductance	220	umohs/cm	2.0		EPA 120.1	LX	04/12/2023	10:56
pH	6.0	PH AT 25C	NA		SM 4500-H-B	LX	04/12/2023	10:56

Based on the results of the parameters tested, the water is suitable for drinking. However, the sodium concentration exceeds the MassDEP guideline limit (ORSG) and those on a low sodium diet may wish to consult a physician.

Attached please find the laboratory certified parameter list.

Approved By: 
(Lab Manager)

15.255: continued

- (4) If required by the Approving Authority, a minimum of one representative sample shall be taken from the in-place fill for a system serving a single family residence and tested for compliance with the grain size distribution specification. One soil test per pit per removal day shall be required for systems with design flows of 2,000 gpd or more.
- (5) Where fill is required to replace unsuitable or impermeable soils, the excavation of the unsuitable material shall extend a minimum of five feet laterally in all directions beyond the outer perimeter of the soil absorption system to the depth of naturally occurring pervious material as required by 310 CMR 15.240 (soil absorption systems) and replaced with fill material meeting the specifications of 310 CMR 15.255(3).
- (6) Prior to placement of the fill, which shall be stockpiled at the edge of the excavation and filled in gradually, the bottom surface of the excavation shall be scarified and relatively dry. Fill shall not be placed during rain or snow storms. If the groundwater elevation is above the elevation of the bottom of the excavation, the excavation shall be dewatered prior to placement of the fill.

15.260: Tight Tanks

- (1) Approval of a tight tank may be granted only to eliminate a failed on-site system when no other feasible alternative to upgrade the system in accordance with 310 CMR 15.201 through 15.293 exists, except as provided in 310 CMR 15.260(8). Tight tanks shall not be approved for new construction or for increased flow to existing systems except as approved by the Approving Authority for:
 - (a) boat waste pump-out facilities where no other feasible alternative exists; or
 - (b) to serve buildings necessary for the operation of a public water supply where it is not feasible to connect to a sewer or to construct a system in compliance with 310 CMR 15.000;
 - (c) to serve publicly owned and operated seasonal structures where it is not feasible to connect to a sewer or to construct a system in compliance with 310 CMR 15.000.
- (2) The design of a tight tank shall conform to the following criteria:
 - (a) The tight tank shall be sized at a minimum of 500% of the system sewage design flow established by 310 CMR 15.203, but in no case less than 2,000 gallons;
 - (b) plans for the tank shall be prepared, stamped and signed by a Massachusetts Registered Professional Engineer or Registered Sanitarian and submitted to the Approving Authority by the applicant for approval;
 - (c) audio and visual alarms shall be set to activate at 3/5 tank capacity in a suitably convenient location. Transmission of the alarm signal to a locus manned 24 hours per day may be required;
 - (d) the application for approval shall indicate the method and frequency of removal of the contents;
 - (e) the specific location and method of disposal of the contents shall be indicated and be in accordance with 310 CMR 15.501 through 15.505;
 - (f) the tight tank shall have at least one 24-inch diameter cast iron frame and cover at finished grade constructed so as to eliminate entrance of surface waters. Permanent suction piping may also be required;
 - (g) the tight tank shall be located so as to provide year round access for pumping;
 - (h) a permit to install the tank shall be obtained from the Approving Authority;
 - (i) an operation and maintenance plan, acceptable to the Approving Authority, shall be implemented which requires monitoring of the system to ensure proper operation and maintenance;
 - (j) the tight tank shall be waterproof and watertight and shall not be located below the water table without extensive testing to prove the integrity of the tank and design against uplift;
 - (k) aeration or other method of odor control may be required; and
 - (l) the tight tank shall be designed in compliance with the requirements for the construction of septic tanks in 310 CMR 15.226(1) through (4).
- (3) The Approving Authority may require the submission of monthly or less frequent reports concerning operation and maintenance of the tank.

15.260: continued

- (4) No tight tank shall be utilized until written certification by a Massachusetts Registered Professional Engineer or Registered Sanitarian that the tight tank has been constructed and installed in accordance with the approved plan has been submitted to the Approving Authority.
- (5) When a sewer system becomes available, any person owning a tight tank shall connect to the sewer within 30 days and the tight tank system shall be abandoned in accordance with 310 CMR 15.354.
- (6) Prior to the issuance of the Disposal System Construction permit for a tight tank, the facility owner shall record or register in the chain of title for the property served by the tight tank at the Registry of Deeds or the Land Registration Office, as applicable, a copy of the Approving Authority's written approval.
- (7) No tight tank shall be constructed in a velocity zone on a coastal beach, barrier beach, or dune, or in a regulatory floodway, unless it replaces a tank in existence on the site as of March 31, 1995, that has been damaged or destroyed, and placement of the tank outside of the velocity zone or regulatory floodway, either horizontally or vertically, is not feasible.
- (8) The Approving Authority may allow the use of a tight tank at an existing, seasonal-use residential facility as remedial upgrade of the failed system serving such facility. For the purposes of 310 CMR 15.260(8), a seasonal-use residential facility means a residential facility that is used six months or less during the calendar year. This approval may be renewed upon transfer of the property. The tight tank must comply with the provisions of 310 CMR 15.260. Prior to the issuance of the Certificate of Compliance by the Approving Authority the facility owner shall record or register in the chain of title for the property served by the tight tank at the Registry of Deeds or the Land Registration Office, as applicable, a deed restriction limiting the facility to seasonal residential use and to the approved design flow.

15.262: Greywater Systems

- (1) Greywater from residential, commercial and public facilities may be discharged or reused in accordance with the provisions of 310 CMR 15.262. For purposes of 310 CMR 15.262, public facilities shall include facilities owned or operated by a local political subdivision of the Commonwealth or an agency of the Commonwealth or federal government.
- (2) Soil Absorption System for Greywater. When the total discharge to an on-site subsurface sewage disposal consists entirely of greywater as defined in 310 CMR 15.002 (Greywater), the following shall apply:
 - (a) the minimum soil absorption area for residential systems, as determined by the results of the site evaluation set forth in 310 CMR 15.100 through 15.107 and in accordance with the appropriate long-term acceptance rate criteria specified in 310 CMR 15.242, for design of a soil absorption system for new construction of a facility, or for upgrades to existing systems may be reduced by no more than 50%, provided, however, that for new construction, the owners of residential facilities shall demonstrate that a system in full compliance with 310 CMR 15.000 can be installed on the facility to serve the proposed design flow. Reductions for commercial and public facility systems shall be determined on a case-by-case basis as approved by the Department in accordance with 310 CMR 15.203(6).
 - (b) the depth of soil placed as backfill over the system shall be at least nine inches, placed in lifts and sufficiently compacted to prevent depression due to settling which may intercept surface runoff above the system. Backfill must be clean and free of stones greater than two inches in size. Tailings, clay, or similar material is prohibited.
 - (c) in a remedial upgrade of an existing system with no increase in flow, the required separation between the bottom of the soil absorption system and the high groundwater elevation may be reduced to a minimum of two feet in soils with a recorded percolation rate of more than two minutes per inch or a minimum of three feet in soils with a recorded percolation rate of two minutes or less per inch.

Minutes of the Truro Board of Health, Tuesday February 21, 2023

This was a remote meeting.

Board members in attendance:

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Brian Koll, Helen Grimm, Tim Rose, Alternate Candida Monteith; Also Present: Assistant Health Agent Courtney Warren.
Absent: 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.

Local Variance Request/Local Upgrade Approval: 492 Shore Road, Map 8, Parcel 22:
No representative was on the call, so the board agreed to revisit this item at the end of the meeting.

Waiver of Time: 627 Shore Road, Map 3, Parcel 2:

Christopher Snow, trustee for the property, was representing the request. He explained that the property is planning to close in the next couple of weeks. The Trustees have currently invested \$40,000 dollars into permitting and design fees for the upgrade of the septic system and the buyers are planning to start the upgrade process as soon as the closing is complete. The waiver of time being requested is for 3 months. Assistant Health Agent Courtney Warren confirmed that the Board of Health had approved necessary variances on August 2, 2022. Board member Jason Silva asked whether the property was currently occupied by anyone. Christopher Snow stated that no one is currently occupying the dwelling. Board member Jason Silva reminded the applicant that the usual process for approval of waivers of time is that no one occupy the dwelling until the new system is installed.

Motion: Board Member Helen Grimm moved to approve the waiver of time for 90 days from the closing date (March 7, 2023), with the condition that no one occupy the home until the upgrade is complete.

Second: Jason Silva; Vote: 3-0-2; Chair Tracy Rose and Board member Tim Rose abstained from the vote; the motion carried.

Water Resources Update:

Assistant Agent Courtney Warren reviewed the progress being made in the cesspool upgrade process. Stormwater regulations are being drafted and will hopefully be ready for Annual Town Meeting. Assistant Agent Courtney Warren read the rest of the Health Agent's water resources report.

Report of the Chair:

Chair Tracy Rose explained that Jack Reimer had brought to her attention a report circulated by some members of the Open Space Committee. She looked into it, and it was a draft, and an

unofficial report. Chair Tracy Rose also mentioned the need to discuss nitrogen and lawn fertilizer and potential regulations at a future meeting.

Local Variance Request/Local Upgrade Approval: 492 Shore Road, Map 8, Parcel 22: Since a representative never appeared so the Board of Health decided to continue the request until their next meeting. **Motion: Board Member Helen Grimm moved to continue the request until the March 7, 2023 meeting. Second: Brian Koll; Vote: 5-0-0; the motion passed.**

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

The meeting was adjourned at 5:05 P.M.

Respectfully submitted by Nina Richey

Minutes of the Truro Board of Health, Tuesday March 21, 2023

This was a remote meeting.

Board members in attendance:

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Brian Koll; Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

Absent: Board Members: Helen Grimm, Tim Rose & Alternate Candida Monteith.

The meeting was called to order at 5:01 PM by the Chair, who described the remote meeting procedures and the process for public participation.

PUBLIC COMMENT:

Alan Dinsfriend asked if the Board would be discussing the proposed changes to the dog control bylaw. The Chair responded that it was not on the agenda. Mr. Dinsfriend continued to present his opinions and ask questions of the Board about the topic.

The Health Agent asked the Chair for a point of order reiterating that the matter was not on the agenda and could not be discussed.

Heather Murray was on the call and asked about what the Cape was doing about the Avian influenza. Cass Johnson commented that she agreed with Mr. Dinsfriend and wants all comments in the public record. Steven Stahl commented about a memo about the dog leash issue.

Change of Manager/General Manager: 640 Shore Road- Lexvest (2/11)

The request before the Board was to allow Lexvest to provide a general manager, Sue Casper. The general manager would oversee the on-site manager, who may change from year-to-year but the general manager would remain the same. **Motion: Board member Jason Silva moved to approve the request; Second: Board member Brian Koll; Vote: 3-0-0; the vote was unanimous, and the motion passed.**

Change of Manager: 596 Shore Rd, Anchorage by the Bay (5/17) The association proposed a new on-site manager- Amy Kelly. They have retained Peters Property management for their off-site managers. **Motion: Board member Jason Silva moved to approve the request; Second: Board member Brian Koll; Vote: 3-0-0; the vote was unanimous, and the motion passed.**

Discussion of Proposed amendments to Truro general by-laws:

Stormwater Management: proposed addition of new Bylaw to would regulate stormwater flows- The Health Agent told the Board that the proposed bylaw would be pushed to the Fall

Special town meeting to allow better public process. Jason Silva asked how would this be applied to existing development? (example- what happens if you have a puddle at the bottom of your driveway) Brian Koll agreed and suggested that separating the 3 categories of development may make the implementation clearer. Pre-existing, New Development, Re-development. Jack Reimer suggested that the board review the 6-28-2022 joint meeting tape to hear Scott Horsley's presentation and suggests that there is the need for a stewardship role in developing the regulation. Assistant Agent Courtney Warren added that this presentation

Karen Ruyman expressed her gratitude about bringing a bylaw together. She also asked if the process could include an assessment of existing homes from an expert on how the homeowners

could best meet standards proactively. She encourages public education about this topic. The Chair thanked Karen Ruyman in return.

Chris Lucy asked how we will deal with existing development, and how to deal with MA DOT who is the most non-compliant about stormwater. Private roads that dump water onto Public ways. What about property in the seashore with dirt roads that washout.

Discussion on development of fertilizer bylaw for Truro

The Health Agent discussed various process options for controlling the use of fertilizers. Fertilizers and Pesticides are very difficult for localities to address, due to the federal regulations. In 2012 CCC conducted a Cape-wide inventory of the fertilizer and pesticide use, determining that homeowner use of the chemicals was 70 and 80% of the users for these types of chemicals, respectively. The agent described several process options, but recommended that right now the Board consider control of the use of fertilizers with a policy, backed up with public education and guidance documents to reduce the use of these substances.

Jason Silva asked about enforcement, and the Agent suggested conversation turned to a discussion about education, and stewardship, which would be a better strategy. Brian suggested that there be a hierarchy of controls established-such as education, enforcement, alternatives. The Board agreed that this was a good frame and should be discussed further.

Chris Lucy said has a pesticide license issued by the State, and he described how enforcement of the pesticide regulations is done. The tree companies have a deep root injection for pesticides. Karen Ruyman asked if fertilizer and pesticide companies have a permit to operate in Truro. She suggested that the Town should subscribe to work with other Towns to develop fertilizer and pesticide regulations when we have another chance. Jack Reimer asked how citizens can report chemical drift.

The Board Chair thanked the group for the discussion and said it would continue at a future meeting.

Water Resources Report for March 2023

The Agent reported that the cesspool upgrade program was progressing, and that many test holes were scheduled, and plans were coming in.

The Agent reported that they had started to meet with property owners about ACO's and would bring those to the Board when they are ready. The Town meeting warrant requests funding for the hydrologic evaluation of a neighborhood pond village, install monitoring wells and look upstream for impact sources.

Stone's Throw condominium has PFAS in their wells, and have requested permission to connect to the Provincetown water system; permission was granted by the Truro BoH and Select Board and the Provincetown Water and Sewer Board, however it was tabled by the Provincetown Select Board and the concern from the Select Board is that Stones Throw should explore their PFAS possibly mitigate the PFAS. The PFAS concentrations at Stones Throw have decreased over the winter. The chemical compounds are in our groundwater from septic systems, since PFAS is in household products that are resistant to water, grease, and stains. PFAS are also in certain firefighting foams and could be present from past use at incidents such as a car-fire, or house fire. However, the Truro fire Chief said that they do not use anything with PFAS compounds in them. The Agent suggested that she would reach out to Scott Horsley to explore what a PFAS investigation would look like. The wells that serve Stones Throw are located within the zone 2 of the South Hollow well field, which is the over-arching concern.

There was a brief discussion on the location of monitoring wells in the area, and that they might be used to determine ground water flow direction more specifically.

Steve Stahl asked how the PFAS contamination could be found inconsistently when we have a sole source aquifer on Cape Cod.

Jack Reimer asked about the Pamet lens, and whether contamination on the Chequessett lens could impact the Pamet lens. Further, he asked what outreach has been provided to residents in the neighborhood of Stones Throw, and does the Barnstable County lab test for PFAS?

The Agent replied that such a hypothetical contamination between the lenses is unlikely as the water is pulled laterally toward the Ocean and Bay. The Agent also stated that there was no notification requirement for abutters regarding PFAS, and that the presence of PFAS in a well does not mean the property is a source of PFAS. Barnstable County Lab does not offer PFAS analysis. Chris Lucy pointed out that septic systems are the source for much of our contamination in our drinking water wells.

On Monday March 20, DPW staff updated the Provincetown Selectboard growth management bylaw – how to move forward with development/wastewater credits. Staff's recommendation is to flatline projects other than affordable housing, and to continue to collaborate with the Town of Truro.

Minutes from January 3 were discussed. **Motion: Board member Brian Koll moved to approve the minutes; Second: Board member Jason Silva; Vote: 3-0-0; the motion passed.**

Report of the Chair: Tracey referenced an article in the CC Times by Laura Kelly.

Health Agents report: There will be a Public meeting on April 12, for the Cape Cod Commissions regional low-lying roads project. At this meeting there will be discussion, looking at possible solutions for segments on Shore Road, and Stotts crossing.

The Barnstable County Public Health nursing department is making their nurses available every week at the COA in Truro and daily across the Outer Cape through the end of June. Each program is free to attend by all Outer Cape residents. At these sessions residents will find pop-up nutrition education and diagnostic screenings for blood pressure & blood glucose checks.

Monday's in Orleans at 10, Eastham at 9 on Tuesdays at the COA. Wellfleet on Thursdays at 10:30 and Provincetown on Wednesdays. In Truro the nurses will be available on Thursday from 1-3 every week through the end of June.

There was also a discussion about the schedule for public hearings about the regulations specifying the transfer station permit change.

Jason asked for a future discussion on the Cape and Islands Water Protection fund. Feb 23 article about the funds budget. There was discussion about having the Town manager come to the meeting to update the Board of Health, and possibly asking Senator Cyr to attend. Brian Koll supported the idea that Senator Cyr be invited, to discuss this with the community.

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

The meeting was adjourned at 7:12 P.M.

Minutes compiled by Emily Beebe

Minutes of the Truro Board of Health, Tuesday April 18, 2023 This was a remote meeting.

Board members in attendance:

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm, Tim Rose; Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.
Absent: Board Member Brian Koll & Alternate Candida Monteith.

The meeting was called to order at 4:31 PM by the Chair, who described the remote meeting procedures and the process for public participation.

PUBLIC COMMENT: There was no public comment.

Request for Local upgrade approval: 70 Shore Road

David Coughanowr was representing Dorothy Mowrey, owner of 70 Shore Road. The current system has failed and needs to be upgraded. David Coughanowr has designed a four-bedroom(BR) system. Due to the lot constraints, variances to the property line and to the foundation will be required. The Agent stated that a walk-through has not been done on this property and that it is a complicated interior with questions about the actual bedroom count. A 1993 title 5 design shows three bedrooms in a single family home, but there now appears to be multiple units with no associated building permits and an increase to 4 BR. David Coughanowr is proposing a MicroFAST system and will need variances regardless of system size. Tracey Rose noticed that the property is listed for sale and asked if the property would be rented in the future and has it been rented in the past. Mr. Coughanowr answered that it appears to have been rented in the past but that he has no knowledge of future plans. After a continued discussion about the bedroom count and kitchens, the Agent suggested that a walk through would be helpful. **Motion: Board member Helen Grimm motioned to continue the variance request until the May 2, 2023 meeting.; Second: Board member Tim Rose; Vote: 3-0-1 with Chair Tracey Rose abstaining; Motion carries.**

Change of Manager: 570 Shore Road, Sand Bars Inn

Bobbie Schmidt representing Vacasa and Todd Souza, their proposed new on-site manager, were both on the call. Unit #8 will be the manager's unit. Vacasa now recognizes that although their usual business model does not include an on-site manager this is a regulation required by the Town. Todd Souza will be there full-time working to correct the on-line reviews and reduce impacts to the abutters. Chair Tracey Rose emphasized that there can be no repeat of last summer. Jason Silva thanked Vacasa for taking the last meeting to heart and he appreciates them filling the manager role. Chair Tracey Rose reminded them to make sure all units have the appropriate contact information and suggest that the Agent meet on-site with the new manager before the season. **Motion: Board member Tim Rose motioned to approve the change of manager for the Sand Bars Inn. Second: Board member Helen Grimm. Vote: 4-0; Motion carries.**

Proposed amendments to Board of Health regulations Section V - transfer station rules and regulations, articles 2 ,7 -These proposed changes will eliminate the six-month permit as well as the swap shop only permit. The public hearing on these regulation changes will be held on

May 2, 2023. **Motion: Board member Tim Rose motioned to accept the proposed amendments as written. Second: Board member Jason Silva; Vote: 4-0; Motion carries**

Section VI - local septic regulations to supplement title 5

The goal of these amendments is to clean up the regulations, making them more user friendly and understandable. The process for the Administrative Consent Order (ACO) will also be added as a tool for helping properties come into compliance. The board asked questions and discussed wording and formatting changes they would like to see. A decision was made to continue the discussion with Article 4 at the next meeting.

Water Resources Report for April 2023

- ACO meetings have begun. The Agent has been talking to Provincetown about how they administer the agreements. The ACO will allow for some non-traditional solutions and simple repairs.
- There are no updates on stormwater since the last report.
- There will be an article at town meeting about funding for Phase II of the wastewater management planning.
- Discussions with DEP are happening about PFAS and a source investigation with Stones Throw Condominiums. Stone's Throw is NOT considered a source of this contamination.
- Meetings are happening with Provincetown around potential water storage tank locations. Horsley Witten Group is doing the design. A storage tank is required for use by both Towns.

Minutes:

Minutes January 17, 2023: **Motion: Board member Tim Rose moved to approve the minutes as written. Second: Board member Jason Silva. Vote: 4-0; Motion carries.**

Minutes February 7, 2023 : **Motion: Board member Jason Silva moved to approve the minutes as written. Second: Board member Helen Grimm. Vote: 4-0; Motion carries.**

REPORTS

Report of the Chair

The chair highlighted an article from the Cape Codder on 4/13/2023 about groundwater. She also mentioned an invitation from the Pond Village friends' group to their Earth Day event at the pond. Karen Ruymann commented that the event is a social with the ulterior motive of public education.

Health Agent's Report

The Agent also mentioned the Earth Day event invite. She reported that Outer Cape Community Solutions will be presenting to the Provincetown Select Board on Monday evening and she will be in attendance.

A motion to adjourn was made by board member Tim Rose and seconded by Jason Silva. Vote: 4-0. The meeting was adjourned at 6:36 P.M.

Respectfully submitted by Courtney Warren

Minutes of the Truro Board of Health, Tuesday May 16, 2023

This was a remote meeting.

Board members in attendance:

Chair Tracey Rose, Vice Chair Jason Silva; Board Members: Helen Grimm and alternate Candida Monteith; Also Present: Health Agent Emily Beebe, Assistant Health Agent Courtney Warren.

Absent: Members Tim Rose and Brian Koll

The meeting was called to order at 4:33 PM by the Chair, who described the remote meeting procedures and the process for public participation.

PUBLIC COMMENT: There was no public comment for topics not on the agenda.

Variance request/ Local upgrade approval: 70 Shore Road- David Couganhowr presented a revised plan dated May 7, 2023, showing 3 bedrooms in the single-family dwelling. There were numerous variances to the property sideline setbacks, and to the foundation of the building, which were unavoidable due to the size of the lot. The degree of environmental protection provided was not affected by the variances needed. The property is served by Town Water service. **Motion: Board member Helen Grimm moved to approve the variances requested. Second: Board member Jason Silva; Vote: 4-0-0; the vote was unanimous, and the motion passed.**

Note: the agenda item on a waiver request for the septic system installation was incomplete and could not be heard.

Local variance request: 4 Old Pamet Rd, Map 50- Parcel 234. David Bennett was present to represent CSN engineering on behalf of the Thurlow/Stinson family. He noted a deed restriction limiting the removal of trees, which has restricted the options for location of the soil absorption system. The only variance was to the setback to wetland resource areas, which could not be avoided at this site. The degree of environmental protection provided was not affected by the variances needed. **Motion: Chair Jason Silva move to approve the request for local variances; Second: Board member Helen Grimm; Vote: 4-0-0; the vote was unanimous, and the motion to deny the variance was approved.**

Variance request for Tier III Bathing Beach Sampling: The Board was asked to grant the sampling variances for the tier II beaches Ballston, Coast Guard, Corn Hill, Fisher, Great Hollow, Head of the Meadow, Longnook and Ryder Beach. The Agent provided a brief description of the state requirements for sampling bathing beaches, and the basis for the variance requests. The water quality has been consistently sampled and found to be very clean, and not needing to be sampled as frequently as other beaches in Town. **Motion: Board member Helen Grimm moved to approve the variances as requested. Second: Board member Jason Silva; Vote: 4-0-0; the vote was unanimous, and the motion passed.**

Change of Manager: Change of Manager: 510 Shore Road, Sea Haven, RKM is the proposed new manager, and due to the size of the condominium, (3units) they will be the off-site manager.

Motion: Board member Helen Grimm moved to approve the new manager; Second: Board member Jason Silva; Vote: 5-0-0; the vote was unanimous, and the motion passed.

Change of Manager: 82 Shore Rd. Salt Air Condos – Arnold Greenfield (on-site) & RKM (off-site) This matter was discussed, and there were some issues at one unit that still needed to be addressed (unit 7). The office will hold the permit until the matter is in compliance. **Motion: Board member Jason Silva moved to approve the new manager; Second: Board member Helen Grimm; Vote: 4-0-0; the vote was unanimous, and the motion passed.**

New Farmers Market Permit: Cape Cakes, Geri Leonard was present to describe her operation. After brief discussion there was a motion to approve the new permit. **Motion: Board member Helen Grimm moved to approve the permit; Second: Board member Jason Silva; Vote: 4-0-0; the vote was unanimous, and the motion passed.**

Water Resources Update the Health Agent reviewed the May report. There were questions about the Barnstable County lab and when they will start to accept samples to test for PFA's and PFOA's. Jack Reimer asked the Board to let the Town know what the costs associated with the Comprehensive wastewater management plan would be. Mr. Reimer also questioned the Board and why they would not want to test the beaches more, not less. There was brief discussion about the variability of bathing beach water quality and the difficulty attributing causality to high bacteria counts. The Chair requested that the bathing water quality testing process and history be available on the Town's website.

PUBLIC HEARING

Proposed amendments to Board of Health regulations:

Section VI-local septic regulations to supplement title 5. The Health Agent reviewed the amended regulations, and let the Board know that the draft was at Town Counsels office, for comments. It was suggested that the Board continue the public hearing to the next meeting after Counsel has provided comments.

Section VIII – Article 4 – rental registration well water test (change frequency from 4 months to 1 year). This was discussed briefly, and the benefit of the change was obvious. **Board member Helen Grimm made a Motion: to approve as presented; Second: Board member Jason Silva Vote: 4-0-0, the motion passed.**

Minutes: Chair Tracey Rose moved to continue the minutes to the June 6 Board of Health. Second: Board member Jason Silva; Vote: 4-0-0, the motion passed.

Board member Jason Silva moved to adjourn the meeting; Second: Board member Helen Grimm. Vote: 4-0-0, the motion passed

The meeting was adjourned at 6:21 P.M.

Minutes prepared by Emily Beebe