

Town of Provincetown

Meeting of the

BOARD OF HEALTH

Thursday, February 7, 2013

Judge Welsh Hearing Room, Provincetown Town Hall,

260 Commercial Street, Provincetown, MA

Board Members Present: Laurie Delmolino, Vice Chair, Elizabeth Williams, Paige Mansfield and Dr. Janet Whelan

Board Members Absent: Ken Janson and Mark Phillips

Other attendees: Brian Carlson, Health Agent

Call to Order: Laurie Delmolino, Vice Chair called the meeting to order at 4:01 p.m.

Public Comments:

There were no public comments.

Approval of Minutes:

There were no minutes available at this time for board review and approval.

New Business:

Historic bedroom determination for the property located at 84 Commercial Street.

Discussion: Mr. Carlson advised the board that this case has been continued to a future meeting in March.

Historic bedroom determination for the property located at 493 Commercial Street, Unit # 13

Discussion: Health Agent's Report: Reviewing Health Agent Brian Carlson

This property was inspected on 1/31/13. The area of the proposed historic bedroom meets all the requirements of a sleeping loft and qualifies as a bedroom per Title 5 and local Board of Health regulations except for the square footage of the floor space at the required 7 foot ceiling height. This dwelling was constructed prior to the 1978 Building Code and qualifies to have its bedrooms determined by the Board of Health due to the historic use of space. The assessor card has this structure built in 1850. The applicant has supplied a letter from the previous owners and photographs along with their personal testimony regarding the historical use of this loft space for sleeping purposes. This property is connected to the municipal sewer system.

Health Agent's Recommendation: I recommend that this loft area be deemed a bedroom for the purposes of Title 5 and local Board of Health regulations due to the historical nature and use of the dwelling.

The property owner, Sharon Lynn, appeared to speak to the request. She stated that she and Patsy Green have owned the unit for the last 10 years and have always treated the sleeping loft area in question as a second bedroom. Prior to purchasing the unit they had resided in it as a two bedroom rental.

Anne McGuire, the previous owner from whom the unit was purchased was present and verified the pertinent facts regarding the historical use of the sleeping loft during her ownership.

A brief discussion by the board followed the presentation with Mr. Carlson clarifying the "historic bedroom" designation. The board members were in concurrence that the facts as presented supported the request.

Documents Submitted: Health Agent's Report, Letter from Anne McGuire, Floor Plan Hargood House, 493 Commercial Street, Provincetown, Mass., Robert E. Raymond, Architect, 10/08/82, photograph of Sleeping Loft

Motion: *That the sleeping loft area be deemed a bedroom for purposes of Title 5*

Motion: Elizabeth Williams **Seconded:** Paige Mansfield **Vote:** 4 – 0 - 0

Health Department Report:

Unlicensed Tattooing

Mr. Carlson reported on an incident that was brought to his attention that took place at the Fine Arts Work Center on February 1, 2013. During an event at the center, one of

the fellows had tattooed at least two people in attendance. A concerned individual who was at the event brought this matter to the attention of the Health Department. Although, the director of FAWC was not aware that tattooing was going to occur at the event, it was however, apparently advertised on-line by the artist. The individual who did the tattooing was informed that this was a regulated activity and was told to cease and desist. Photographs of the tattoos performed and of the crude, homemade tattoo needles used were shown to the Board. Mr. Carlson reminded the board that it was within its power to fine the individual according General Laws Chapter 11. Two tattoos were performed which could be considered two separate offenses.

Discussion:

The individual Board members present all expressed shock and concern that this had taken place outside of any concern for health and safety of the participants and the artist, as well. Dr. Whelan pointed out that there is considerable danger of not only serious infection, but in the transmission of blood borne diseases such as HIV and Hepatitis C. Mr. Carlson was asked if the artist was licensed and to check it out. The Board agreed that the individual who performed the tattoos should be sent a letter requesting her presence at the next meeting to discuss the activity.

Update on Topic of Recent Emergency Meeting

The individuals who were living at the recently condemned Cottage Street property have been temporarily relocated to a local hotel with the help of the Homeless Prevention Council. Local volunteers have helped to clean out the premises and are soliciting help from local contractors to bring the building up to a habitable state. The home did not have heat or running water. The Board will have to vote to allow the building to be reoccupied, since it is currently condemned.

Emergency Storm Preparedness

Emergency measures are being discussed about the approaching winter storm. The emergency shelter at the Veteran's Memorial Community Center will not be available because there is no heat there. There are plans to open a shelter, if needed, after the storm passes at the VMCC gym. There is also a regional shelter available at Nauset High School.

Board Members' Statements

Elizabeth Williams: Several local residents have complained that Joe's Coffee is filled with dogs. I understand with the cold weather we have had, people don't want to

leave their pets outside. There are a few restaurants that we allow to have pets, but these are where there are out door patio service areas.

Mr. Carlson: The premises are posted “NO DOGS”.

Elizabeth Williams: Could you please give a reminder to the owner?

Dr. Janet Whelan: Dr. Whelan expressed that she is happy to now be a part of the Board. She asked about the question of “Historic Bedrooms and why it has come up now. Mr. Carlson explained that it is generally better for the property valuation to have more bedrooms. It also means a higher assessment and higher taxes which benefits the town.

Any Other Business That Shall Properly Come Before the Board

There was none

Adjournment:

There being no further business, Laurie Delmolino, Vice Chair moved to adjourn the meeting at 4:40 pm.

Respectfully submitted,

Susan Leonard

Approved by _____ on _____, 2013