

BOARD OF HEALTH

August 3, 2000

6:30 p.m.

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Members Present: Mark Baker; Michele Couture, Chairman; Laura Davis; Kay Halle; and Ken Janson.

Member Absent: Stan Klein (excused absence)

Health Agents: George Heufelder and Jackie Silver

AGENDA:

- I. PUBLIC STATEMENTS
- II. OLD BUSINESS
139 Commercial St/Jay Anderson (Request for Title 5 variance)
- III. NEW BUSINESS
Lorna McKenna-Kaplan (New Massage Therapist License for year 2000)
26 Shankpainter Road; Town of Provincetown/Police Dept. (septic system failure)
30 Conant Street; Holly Carter/Coastal Engineering (Title 5 Variance Request)
26 Nelson Avenue; Richard Meads/FELCO, Inc. (Title 5 Variance Request)
808R Commercial Street-Andra Raitch/W.N.Rogers, II, P.E. (Title 5 variance request)
3 Franklin Street; Michael Trovato/W.N.Rogers, II, P.E. (Title 5 variance request)
- IV. SHOW CAUSE HEARING
6 Sandy Hill Lane/Jerry & Maria Kuliopulos, dba Gull's Nest Inn
- V. Approval of Minutes
- VI. Health Agent's and Health Inspector's Reports
- VII. Board members' statements
- VIII. Any other business which shall properly come before the Board.

The meeting was called to order at 6:30 p.m. and members of the Board were introduced to the attendees.

The Chairman made an announcement for the benefit of any abutters who might be present that the Show Cause Hearing scheduled for 6 Sandy Hill Lane had been canceled.

Public Statements:

There were no statements made.

Motion: Michele Couture made a motion requesting the 26 Shankpainter Road/Police Department item be taken out of order. All members of the Board agreed.

26 Shankpainter Road; Town of Provincetown/Police Department (septic system failure)

A background of the problem was given by Michele Couture. The Police Department overflowed last year in April and the chief stated it was due to a broken urinal that continuously ran. A letter received from Harold McGinn confirmed this. The pumping history, most recently in July, indicates the system is in slow failure and steps for a new system should be undertaken now before total failure.

Motion: Kay Halle made a motion advocating a new septic system with the following conditions:

1. Install alarms on system this week.
2. Have a plan done for a new septic system within six months.
3. New installation should be completed by 2/15/2002.
4. A letter is to be written notifying the Board of Selectmen (BoS) and the Town Manager (KAB) of this decision. (continued on next page)
5. Installation of low-flush toilets are recommended.

The motion was seconded by Mark Baker and unanimously approved.

139 Commercial Street/Jay Anderson; FELCO, Inc.; (continued from 7/20/00)

Allen Cabral (FELCO, Inc.), Bob O'Malley (realtor), and Attorneys Lester Murphy and Jamie Veara appeared to, once again, present their case. Jamie Veara said the project is caught in a bind since the Conservation Commission (ConCom) won't sign off on the project until the Board of Health (BoH) approves it and the owners remain in limbo. Mr. Veara continued by stating that everyone feels the delineation is unfair to both sides as previously explained in his letter to the Chairman of the BoH dated July 28, 2000.

George Heufelder felt clarification is needed from the Department of Environmental Protection (DEP). Jamie Veara, in explaining the retail space, said the 1st floor of the main building will have a 500 sq. ft. office space with one bedroom behind, the 2nd floor will contain an apartment with the top floor having a bedroom.

Motion: Kay Halle made a motion to continue the case until the 8/24/00 meeting with the following information sought:

- 1. The resource area will be delineated.**
- 2. A letter will be sent to the DEP (by George Heufelder) re: the increased flow.**

Mark Baker seconded the motion and it was passed by all.

Lorna McKenna-Kaplan (New massage therapist license for year 2000)

Jackie Silver informed the Board that the applicant's file was complete. Michele Couture asked Jackie to find out how many massage licenses can be granted for an establishment. The number will be reported at the next meeting.

Motion: Michele Couture made a motion to grant the license since all criteria had been met. Ken Janson seconded it and it was passed unanimously.

30 Conant Street: Holly Carter/Coastal Engineering (Title 5 variance request)

Reggie Donahue from Coastal Engineering presented the proposal outlining the installation of a Title 5. George H. stated the variances were reasonable.

Motion: Kay Halle made a motion to grant the request to install plan 15214 with the following conditions:

- 1. No further expansion to habitable area.**
- 2. Installation of water-saving devices.**

Ken Janson seconded the motion and it passed unanimously.

26 Nelson Avenue; Richard Meads/FELCO, Inc. (Title 5 variance request)

Allen Cabral presented the plan which George Heufelder felt was a straight forward request.

Motion: Kay Halle made a motion to approve the installation of plan 00085 with the following conditions:

- 1. Retrofit exit outlet on tank with gas baffle if possible.**
- 2. Finish inlet cover of tank to 6" of grade**
- 3. Verify four feet below bottom of SAS at time of construction.**
- 4. Must be installed by 8/3/2001.**

Ken Janson seconded it and it passed unanimously.

808R Commercial Street; Andra Raitch/William N. Rogers, II, P.E. (Title 5 variance request)

William Rogers, II explained the request. The house is evidently an inherited house and the heir has no final plans for it. The plan is #0001694. George felt the plan was a straight forward design given the topography of the lot. He also suggested requesting a 25% reduction of flow due to topographical constraints.

Motion: Kay Halle made a motion to approve the request with the following conditions:

- 1. Water saving devices be installed.**
- 2. No increase in habitable area**
- 3. A four bedroom deed restriction.**

Ken Janson seconded it and it passed unanimously.

3 Franklin Street; Michael Trovato/William N. Rogers, II, P.E. (Title 5 variance request)

William Rogers, II presented the proposal. A letter from an abutter, Stephen Fletcher, was read into the record; since the installation was going to happen on the boundary between his property and 3 Franklin St. he wanted the utmost care to be used in the proposed installation. It was so noted. Mr. Rogers said the lot constraints demand alternative technologies.

Motion: Kay Halle made a motion to approve the installation of P-1698 with the following conditions:

- 1. A signed maintenance agreement must be had prior to installation.**
- 2. Verification of four feet of suitable material prior to installation.**

Ken Janson seconded it and it passed unanimously.

Motion: Michele Couture made a motion to accept the minutes of the July 20, 2000 BoH meeting. Ken Janson seconded it and it passed unanimously.

Health Agent's and Health Inspector's Reports

George Heufelder announced that he would be on vacation during the third week in August. Based on a question by Kay Halle, George then updated the Board on the way the sewer project is proceeding. He told everyone that the real divisions are now on the map. There are still loose ends regarding the Clapp's Pond area but these should be resolved shortly. The primary roadblock, as George sees it, is that the people now opting to join the sewer district is increasing. As people think about it, they appreciate the bargain of the cost being spread out over a 20 year period with a no interest loan.

Jackie Silver has sent off her dead bird and it was declared free of the West Nile virus. She also reported on the 9 Holway court case. The property has to be cleaned up by October 24th. Next she said that the Town's legal counsel is taking on Bryant's property across from the Provincetown Art Association.

Board Members' Statements

Michele Couture showed George another letter she had received regarding 202 Bradford St. George H. said he would handle it. She also suggested to George that the BoH should probably send a letter endorsing the burn dump area again for the sewage treatment plant.

Motion: A motion was made for Michele Couture to write a letter to George's supervisor's praising George Heufelder's efforts on behalf of the Town. It was enthusiastically seconded and unanimously approved.

Motion: Michele Couture made a motion to adjourn the meeting at 8:10 P.M. Ken Janson seconded it and it passed unanimously.

The next meeting will take place on August 24th.

Respectfully
submitted,

Evelyn Rogers Gaudiano

Approved by _____ on _____ date
Michele Couture, Chairman