

BOARD OF HEALTH

November 16, 2000

6:30 p.m.

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

Member Absent: Kay Halle (excused)

Health Agents: George Heufelder (present) and Jackie Silver (excused)

AGENDA:

- I. Public Statements
- II. Old Business
 - 26 Shankpainter Road (cont from 11/2/00)
 - 21 Court Street (cont from 11/2/00)
- III. New Business
 - Michelle E. Jaffee (massage therapist license)
 - 250 Bradford Street (appeal of Health Agent's decision)
 - 6 King's Way (request for Title 5 variance)
 - 5-15 Bradford Street (request for delay of Title 5 installation)
- IV. Tattoo Workshop
- V. Health Agent's and Health Inspector's Reports
- VI. Board members' statements
- VII. Any other business which shall properly come before the Board.

The meeting was called to order at 6:30 p.m.

Public Statements: There were none.

26 Shankpainter Road – Police Station (continued from 11/2/00)

William Rogers, II presented the plan on behalf of the Police Station. It was deemed urgent that the installation take place as soon as possible.

Motion: Michele Couture made a motion to approve the variance on plan P-00-0772A and use the FAST Unit for the reduction in distance to groundwater (5' required – 3' provided), provided that a service contract be presented to the Health Agent. The system must be installed by December 16, 2000. Mark Baker seconded the motion and it passed unanimously.

21 Court Street, David Nicolau representing the new owner.

David Nicolau was not in attendance at the meeting, the following motion was made:

Motion: Michele Couture made a motion to table the case until the end of the meeting. Mark Baker seconded it and it passed unanimously.

At the suggestion of George Heufelder the next motion was made:

Motion: Michele Couture made a motion to place the case back into its original agenda slot with Mark Baker seconding it and, once again, the motion passing unanimously.

The following motion was made in order to resolve the entire issue.

Motion: Michele Couture made a motion to have George Heufelder send a letter to the new owner informing him that there will be no occupancy until a new septic system has been installed. Mark Baker seconded it and it, too, passed unanimously.

Michelle E. Jaffee, Massage Therapist's License (@ West End Salon)

Ms. Jaffee submitted all her paperwork and it was found to be in order, thus:

Motion: Michele Couture made a motion to approve granting the license for massage therapy to Michelle Jaffee. Ken Janson seconded the license and it was approved unanimously.

250 Bradford Street – Elspeth Vevers

William Rogers, II presented the case for Mr. and Mrs. Vevers. The need for a new septic system was triggered by the fact that the Vevers want to increase their living space by more than 50 feet. They need the Board of Health to sign off on their project in order to allow them to obtain a building permit. The following compromise was decided upon:

Motion: Michele Couture made a motion to allow the Health Agent to sign off on the building permit provided that a plan for a Title 5 septic system be submitted prior to the issuance of a Certificate of Occupancy or within 6 months, whichever comes first. Mark Baker seconded the motion and it was unanimously approved.

6 King's Way, Diane Hudson

William Rogers, II presented on behalf of Diane Hudson. The new plan proposed by Ms. Hudson has the bedroom being moved upstairs to allow for more room on the first floor.

Motion: Ken Janson moved to approve the plan – P-00-1708 - as presented with the following condition: 1) prior to the issuance of a formal approval, a deed restriction must be filed with the Registry of Deeds stating that it will remain a two-bedroom home. Mark Baker seconded it and it was approved unanimously.

5-15 Bradford Street, Moors Realty Trust

This case was presented jointly by Lester Murphy and William Rogers, II. Attorney Murphy informed the Board that a petition was either going to be or had been presented to the Zoning Board of Appeals requesting a change in use. Condos are being explored as a new use for the property rather than the current restaurant. The units proposed will have a total of 21 bedrooms which would substantially decrease the size of the septic needed, therefore; while the plans for the property are in transition, a delay is sought.

Motion: Michele Couture made a motion to allow the delay of installation provided that no licenses will be issued and no occupancy will be allowed for the 2001 season without installation of an approved system. Ken Janson seconded the motion which was then unanimously approved.

Health Agent's Report and Combined Board Members' Statements:

George Heufelder said the final map and final determination of the sewer district has been completed; as a result, everything has slowed down a bit to give him a bit of a "breather" and a chance to play "catch-up."

Ken Janson wondered if anything had been received from Coastal Zone Management (CZM) regarding 139 Commercial Street. CZM still needs more time to determine the velocity zone. The only change the Board would be concerned about would be whether or not the velocity zone impacted the Title 5.

Michele Couture wondered if the 202A Bradford Street problem had been corrected. George put it on his "to-do" list. Mark Baker wondered about the septic flow based on bedrooms, i.e., what happens if a bedroom is replaced by a kitchen and/or a bath? George indicated bedrooms are the determining factor.

Tattoo Workshop:

Two tattoo artists, Bob Lindell and Andrea Tasha, were in attendance and they provided much insight to the members of the Board.

Andrea Tasha was asked what she saw wrong and right about the licensing regulations in New York where she is now employed as a tattoo artist. Some of her information is as follows:

1. New York mandated the artist get a license after they took a course which New York City gave.
2. To pass the course you had to take a 20-question open book test and pay a \$100 fee.
3. She worked from 1997 until now and never once had been asked for her license.
4. There were no inspectors to inspect the shops.
5. The license undermined self-regulations.
6. Success depended (prior to licensing) on word of mouth.
7. Once tattooing was legalized all you needed was a good location and a neon sign saying "licensed."
8. The nurse that gave the course that Andrea took in New York had visited a tattoo parlor just the day before for the first time ever.
9. The Board of Health in New York didn't see fit to even learn much about tattooing.

Bob Lindell who started giving tattoos in Illinois said the only regulations were that anyone being tattooed had to be 21 years of age UNLESS they were in the service. When he went to Rhode Island for a license the test consisted of giving someone a tattoo while being observed. He further explained that the licensing body primarily wanted to see if you washed hands, had a sterile environment, etc. After giving the tattoo, you filled in a form and mailed it in with \$50. There was only one inspector who works for the BoH and also has to oversee sanitary conditions in nursing homes, etc. so very little time was devoted to tattoo parlor inspection. Bob also said, tattooing was much like a cottage industry so regulating it would be difficult.

Michele Couture told the tattooists that December 7th, the date of the BoH's next meeting was also going to be a public hearing on tattooing regulations. Michele stated the public hearing will ban tattooing until the regulations are in place. Marie Eileen O'Neil is the state person in charge of tattooing regulations. Bob asked if licenses would be limited in number. Andrea thought the Town regs should be better thought out than the state regs. She further said the Town maybe should not wait for the state regs.

There was a bit of discussion of the care which needs to be taken as it relates to "universal precautions" i.e., latex gloves, autoclaves, sterile environment, etc. The artist should take all of these precautions for their own safety as well as the safety of the client.

Next, the regulations for body piercing as they related to tattooing were gone over at great length. Some questions raised were:

1. How would the Town handle licensing for conventions where tattooists might want a short-term license?
2. Should liability coverage be considered mandatory for tattooists?
3. Can tattooing be done out of a private home providing restrictions are adhered to i.e., no food present, etc.?
4. Should a dry-heat sterilizer be O.K. or must a steam autoclave be used for sterilization?
5. Should an apprentice period be mandated?
6. Should printed instructions be supplied to client in regards to after-care of tattoo?
7. Both tattooists suggested "no minors under 18 years of age and photo ID must be presented."
8. CPR course should be mandated?
9. How many requirements for certification?
10. Some sort of fine structure for infractions?

After a bit more discussion, Andrea Tasha asked the group if they'd like to see the "tools of her trade." She then proceeded to explain each tool, its function, and its care. The Board found it quite informative.

Both tattooists were thanked for their participation and they left.

Motion: Ken Janson made a motion to approve the minutes of the November 2, 2000 meeting of the Board of Health. Mark Baker seconded the motion and it was unanimously approved.

Motion: A motion to adjourn was made at 10:00 p.m., seconded and approved unanimously.

The next meetings will take place on December 7th at 6:30 p.m.

Respectfully submitted,

Evelyn Rogers Gaudiano

Approved by _____ on _____ date
Michele Couture, Chairman