

# BOARD OF HEALTH

December 7, 2000

6:30 p.m.

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

**Health Agents:** George Heufelder and Jackie Silver

## AGENDA:

- I. Public Statements
- II. Public Hearing
  - (A) 425 Aerie House & Beach Club (appl for Camps, Cabins, Motel license)
  - (B) 178 Bradford St (formerly Bradford Gardens to Snug Cottages, appl to transfer license.)
  - (C) Provincetown Board of Health Tattoo Regulations
- III. New Business
  - Jennifer Chapman (new massage therapist's license)
  - 351 A Commercial Street (Title 5 installation extension)
  - 75 Franklin Street (Title 5 variances)
  - 264-268 Bradford Street (Title 5 variances)
  - 3 Soper Street (cesspool collapse)
- IV. Health Agent's and Health Inspector's Reports
- V. 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.

**425 Commercial Street, Aerie House and Beach Club** (application for new Camps, Cabins, Motel License)

Kay Halle stepped down. Steven Tait, President of Tait Accommodations, Inc. made the presentation for obtaining the Camps, Cabin, and Motel license for the Aerie House and Beach Club located at 425 Commercial Street. He was asked about the property's former use and he said it had been a group of four condos, all of which he purchased.

**Motion: Michele Couture made a motion to approve the license, Ken Janson seconded it and it was unanimously approved.**

**178 Bradford Street, formerly Bradford Gardens- now Snug Cottages** (application to transfer a Camp, Cabins, Motel license)

The request was to transfer the existing license given to Ontario, Inc., Susan Culligan, former owner of The Bradford Gardens Inn, to James Mack and Paul Gizaro and to rename the property, Snug Cottage.

**Motion: Michele Couture made a motion to approve the transfer of the license. Mark Baker seconded the motion and it was unanimously approved.**

**Provincetown Board of Health Tattoo Regulations**

**Motion: Michele Couture made a motion which requested waiving the reading of the regulations. Mark Baker seconded it and it was unanimously agreed.**

Next Michele Couture asked if there were anyone in the audience who wished to speak in favor of the regulations? (There were none.) Then Michele asked if there were anyone who wished to oppose the regulations? (Again, there were none.)

**Motion: Mark Baker made a motion to approve the regulations. Ken Janson seconded the motion and it was unanimously approved.**

**Jennifer Chapman**, (new massage therapists license)

Jackie Silver assured the Board that all Jennifer's paper work was in order, thus:

**Motion: Michele Couture made a motion to grant the new massage therapists license to Jennifer Chapman. Ken Janson seconded it and it passed unanimously.**

**351A Commercial Street** (Title 5 installation extension)

Allen Cabral, the Title 5 designer, presented on behalf of the owner. George Heufelder, the Health Agent, gave the

Board the background of the case. The original permit for a Title 5 installation has expired and there are pending plans to renovate two cottages on the property which may result in a downsizing of the flow.

Allen said the owner would like to maintain the right to install the system as previously approved but the owner's plans for renovation are still "up in the air." George Heufelder felt that the extension of time would mandate entering into an escrow agreement with a one-year extension.

**Motion: Michele Couture made a motion to grant the request with the following conditions:**

- 1. the extension will be only until January 2002.**
- 2. the owner must enter into an escrow agreement with the Town prior to sign off of a permit.**
- 3. No expansion of the property will be allowed beyond the original footprint.**

**Kay Halle seconded the motion and it was unanimously approved.**

### **75 Franklin Street (Title 5 variances)**

David Michniewicz, an engineer with Coastal Engineering, presented the application for the owner. He told the Board of a proposed addition to the property which would not change the number of bedrooms. George Heufelder, the Health Agent, wondered why, when the property is on such a large lot of land, would a variance be requested? The engineer said it would be too difficult to comply with all the setbacks; the design was made to avoid destroying an old oak tree and also due to a driveway consideration.

Robert Valois, an architectural designer, said his proposed renovation of the property would eliminate a first floor bedroom. After a lot of discussion, the following motion was made:

**Motion: Michele Couture made a motion to grant plan C-15334.00 with the following conditions:**

- 1. a building plan must be submitted for three bedrooms only**
- 2. a deed restriction for three bedrooms must be registered with the Barnstable County Registry of Deeds prior to the issuance of a building permit**
- 3. no certificate of occupancy will be issued until inspection verifies only three bedrooms**
- 4. Coastal Engineering (David Michniewicz) must submit a letter to the Board of Health detailing why variances are needed.**

**All the above conditions must be met prior to the issuance of a building permit.**

**Kay Halle seconded the motion and it passed unanimously.**

**Motion: Kay Halle made a motion to have the Board sign off only on the foundation permit for 75 Franklin Street. Ken Janson seconded it and it passed unanimously.**

### **264-268 Bradford Street (Title 5 variances)**

William Rogers II presented on behalf of Ruth and Beverly Dwyer. It was requested by Mr. Rogers that a separate system for the small one-bedroom cottage be installed. It would be a 1,000 gallon tank which was deemed to be more than adequate.

**Motion: Kay Halle made a motion to grant the request with the following condition: The installation would be subject to the approval of both the Water Department and George Heufelder, the Health Agent. Mark Baker seconded the motion and it was passed by all.**

### **3 Soper Street (cesspool collapse)**

Emanuel Reis, the occupant of the house, attended the first part of the Board of Health meeting but left within the first half hour before the case was heard. William Rogers II presented on behalf of Mr. Reis. Mr. Rogers said he could give no assurances that the cesspool collapse presented no health risk.

**Motion: Kay Halle made a motion stating that the Board of Health will have to proceed legally if the December 20<sup>th</sup> time limit is not met (according to 11/20/00 letter). William Rogers II was asked to return to the January 4<sup>th</sup> meeting with a timeframe for the correction. The options, in lieu of a Title 5, are a tight tank or other options approved by the Health Agent. Mark Baker seconded the motion and it was unanimously approved.**

Deirdre Tasha, a sister of the tattoo artist (Andrea), appeared at the meeting on her sister's behalf. She came into the meeting after the Tattoo Regulations hearing and wanted to be updated on what she had missed. Speaking for her sister, Deirdre said Andrea felt that the 45 square foot requirement for each practitioner was unnecessarily large. A smaller space would serve. Deirdre was told that a further workshop will be held at the Board's January 4<sup>th</sup> meeting and it was suggested that she inform Andrea of this. She said she would.

**Motion: Michele Couture made a motion to take an "any other business" item out of order and to hear it now.**

**Mark Baker seconded it and it was approved unanimously.**

**15 Cottage Street, Windsor Court** (Repair of distribution box and rehook of cesspool #1)

John Paul Grunz, one of the owners of Windsor Court, and William Rogers II, an engineer presented the case. Windsor Court has a sale pending and underwent a cesspool inspection. Mr. Rogers said the inspection found that the property had three cesspools with one of them not being accessed. He felt the fault was in the distribution box. Mr. Grunz has never had any trouble with septage but, also, told the Board that he is pumped on an annual basis.

**Motion: Michele Couture made a motion to approve the repair of the D box and to order an inspection of the property in six months to verify that the allowed repair is functioning properly. Kay Halle seconded the motion and it passed unanimously.**

### **Health Agent's and Health Inspector's Reports**

**George Heufelder** said he is in the process of finalizing sewerage maps. He anticipates that one month from now he will have the Final Map. Sean will be the "Agent of the Month" next. George also had a few comments about the appropriateness of the Burn Dump location for the Treatment Plant.

**Jackie Silver** told the Board that she had received a few inquiries regarding the keeping of horses at the property at 111 Race Point Road. She has told anyone who calls that there are no regulations regarding horses. Also, she informed the Board that she had been down to visit Marie Bryant about her property. George, her son, informed Jackie that Marie had fallen and is now in rehab. Jackie gave George an order to clean up the property by December 16<sup>th</sup>.

### **Board Member's Statements**

**Laura Davis** had no statement.

**Michele Couture** said;

Clem & Ursies restaurant had been pumped five times. She asked George H. if that should be looked into? George said maybe the pump-outs were for grease traps and, if so, that was not failed. He will follow-through.

15 Brewster Street update – Glenn Martin plans were submitted in October. George will follow-up.

21 Pleasant Street – Michele noticed that there was no date on certification letter. Question: "Seven days from what?"

202B Bradford Street – Are all in compliance?

Beach Testing – "Jackie, do we have money for this – are we applying for a grant?" Jackie's response: "The budget can handle this for now."

Smell of tap water: "Anyone notice that tap water has strange chemical odor?" Jackie was instructed to call Craig Weigand and inform him that – if any additives are made to the water supply – the BoH must be notified.

**Kay Halle** had no comments.

**Mark Baker** noticed that the 139 Commercial Street hand-out was missing pages 2 and 4. This was evidently due to the fact that the document was double-sided and was copied only on the face side of the pages. Jackie will rectify.

**Ken Janson** asked George to summarize the 139 Commercial Street case. George said an AE boundary has now been established. Stay tuned for further developments. Ken also asked Jackie if the 6 Webster Place problem had been resolved. She assured him it had been. Finally, Ken asked about the agenda regarding tattoo regulations for the January 4<sup>th</sup> meeting. Michele said it would be a workshop and if anyone on the Board could think of any additions or deletions to the proposed regulations, they would be entertained. Ken also wanted a better definition of universal precautions as they related to the regulations.

**Motion: Mark Baker made a motion to approve the minutes of the November 16, 2000 meeting of the Board of Health. Ken Janson seconded the motion and it was unanimously approved.**

**Motion: A motion to adjourn was made at 8:25 p.m., seconded and approved unanimously.**

The next meeting will take place on January 4<sup>th</sup>, 2001 at 6:30 p.m.

Respectfully submitted,

*Evelyn Rogers Gaudiano*

Approved by \_\_\_\_\_ on \_\_\_\_\_  
Michele Couture, Chairman date