

BOARD OF HEALTH

March 29, 2001

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; Duane Gregory; Kay Halle; and Ken Janson

Health Agents: Sean O'Brien and Jackie Silver

Member Absent: Laura Davis (excused absence)

AGENDA

I. Public Statements

II. New Business

45 Captain Bertie's Way
Failed Septic System Report
34 Pleasant Street
Appeal Health Agent's decision
18 Pleasant Street
New Title V
141 Bradford Street
New Title V

III. Approval of minutes

IV. Health Agent's and Health Inspector's Reports

V. Board members' statements

VI. Any other business that shall properly come before the Board.

Public Statements:

There were none.

45 Captain Berties Way – failed septic

Paul Mendes, the new owner, told the Board of his request to amend their recent decision of not allowing occupancy of the property until the Title 5 issue had been addressed. Paul's mother is in the local nursing home as a private pay and is anxious to move into the premises at 45 Captain Berties Way. After completing his story the Board made the following motion:

Motion: Kay Halle made a motion to amend the March 8, 2001 Board of Health's (BoH) decision allowing occupancy of 45 Captain Berties Way while a new Title 5 system is being designed; it must be installed by the end of 2001. Mark Baker seconded the motion and it was approved 5-0.

34 Pleasant Street - Appeal Health Agent's decision

Bob O'Malley represented the owner in the appeal. (Sean O'Brien, the County Health Agent, in explaining the appeal to the BoH members said that the rule states that any time the renovation of a property costs more than 25% of the value then a septic review is mandated. This property on the corner of Carnes Avenue and Pleasant Street suffered a devastating fire; thus the reason for the costly renovation. Sean continued that the system passed inspection on May 1, 2000.) The property also has a cottage on it which is habitable but not occupied at present. Following past practice of the Board in cases of devastating fires, the Board decided the following:

Motion: Michele Couture made a motion to allow the Health Agent to sign off on a building permit with the understanding the property will be reduced to seven bedrooms. Kay Halle seconded the motion and it passed 5-0.

18 Pleasant Street - New Title V

Allan Cabral, a spokesperson for Felco, presented the plan and reason for it. The owner is 96 year old, Frances Raymond. The applicant wishes to renovate the buildings on the property; a site visit ascertained that there were five bedrooms on the property. A 21% reduction in the leaching facility was requested by Felco. The tight lot is the reason for the reduction.

Motion: Kay Halle made a motion to approve Plan 00328 as presented with the following conditions:

- 1. Installation must be completed by June 2001.**
- 2. A deed restriction for 5 bedrooms.**
- 3. The back water line must be relocated.**

Ken Janson seconded the motion and it carried 5-0.

141 Bradford Street - New Title V (new location of Lemba's)

Donald and Barbara Edwards, the owners of the property, were represented by William Rogers, II. The Title 5 system being proposed is far more than needed for the retail space being entertained. It will allow for further expansion of the property only as designed.

Motion: Michele Couture made a motion to approve Plan # P-01-1718 with the condition that the water line be at least 10 feet from the SAS. Mark Baker seconded the motion and it was passed 5-0.

14 Sandy Hill Lane, Charles Rogers (failed septic)

William Rogers, II speaking on his brother's behalf said the Title 5 system at 14 Sandy Hill Lane has failed. Charlie told the Board that he currently had 5 tenants at the property and he will use the existing tank as a tight tank while his brother draws up a plan for a replacement. He also asked if the Board would consider having a special meeting to look at his new plan and approve it before the next meeting on April 19th. The Board decided there was no free time available for an extra meeting given the fact that Town Meeting was upcoming during the 1st week of April. After a bit more discussion it was agreed:

Motion: Mark Baker proposed the motion to allow the installation of a 1500 gallon tank (which would serve as a tight tank) before the next BoH meeting on April 19th. A plan would be presented at that time (4/19/01). Ken Janson seconded the motion and it passed by a 5-0 vote.

Motion: Mark Baker made a motion to approve the minutes of the March 15, 2001 meeting. Michele Couture seconded the motion and it passed 4-1 abstention (KJ).

Health Agent's and Health Inspector's Reports:

Jackie Silver told the Board that there had been a report of a *Campylobacter*, species illness and any such report must be filed with the Health Inspector. She looked into it and found the illness occurred in a group of seven carpenters who had all eaten at the Governor Bradford. She found there was one chef on duty and a series of 5 bartenders. No conclusions were drawn from her inspection. Testing of the staff is soon to be done.

Sean O'Brien, relating to Jackie's report said that 90% of food borne illnesses are not reported. He also told the group that this marked his last week in Provincetown for awhile. Marina will be the Health Agent of the month for April.

Board members' statements:

Ken Janson, recently returned from vacation, had no comments.

Michele Couture asked for an update on 233 Bradford Street. Then a discussion was held on Sandy Turner's memo regarding the general public using public barrels for their personal trash purposes. The following motion was made to address the issue so that Michele could present it to the Board of Selectmen before the next BoH meeting on April 19th.

Motion: Michele Couture made a motion to approve the regulation prohibiting personal trash from being deposited in Town barrels. The suggestions for proposed fines are \$50 for 1st offense, \$100 for 2nd offense, and \$500 for the 3rd time. Ken Janson seconded it and it passed 5-0.

Mark Baker said he was anticipating a lively debate at the upcoming Public Hearing.

Duane Gregory, regarding the rubbish barrel proposal, suggested that signs on barrels would also be a necessity. Duane also asked Sean for a formula for the newly proposed regulations..

Motion: A motion to adjourn was made at 7:45p.m., seconded and approved unanimously.

The next meeting will take place on April 19th at 6:30 p.m.

Respectfully submitted,

Evelyn Rogers Gaudiano

Approved by _____ on _____
Michele Couture, Chairman date