

Board of Health

November 29, 2001

6:30 p.m.

Members Present: Mark Baker, Duane Gregory, Kay Halle (arrived at 6:40 p.m.), and Ken Janson
Member Absent: None
Health Agent: Marina Brock
Health Inspector: Patricia Pajaron

The meeting held in the Town Hall Auditorium was called to order at 6:25 p.m.

Public Comments

There were none.

Old Business

301 Bradford Street - Title 5 Variance (continued from 10/18)

William Rogers, II sent green cards out a second time because a revised plan raised the system up 1 foot. The plan calls for a small wooden retaining wall along Joe Siciliano's property. Mr. Rogers reported that Joe called from Florida and said the plan was O.K. with him.

Motion: Ken Janson made a motion to approve the Title 5 variance plan for 301 Bradford Street. Duane Gregory seconded it and it was unanimously approved 3-0-0.

290-296 Commercial Street - Failed Title 5 (continued from 9/6, 9/20, 10/4, 10/18)

The engineer, William Rogers, II and Attorney Edward Veara presented the case. They thanked the Board for their indulgence regarding the delays in seeking a remedy. Mr. Rogers said he had conducted a thorough investigation, and he found that only one client is hooked up to the failed septic. It is 294 Commercial Street - the building houses the shop, Coconuts, as well as living quarters. Mr. Rogers said the owner would like to do a temporary upgrade to the failed leaching system and enter into a consent order for the sewer; then they will follow through with the necessary paperwork, etc. Mark Baker asked if the most recent water bill showed any evidence of a water leak; there was none. The problem stemmed from a very high water table vis-à-vis the leaching area and that's why the overflow appeared as though it were fresh water. The Health Agent, Marina Brock, has no problem with the proposed solution.

Motion: Mark Baker made a motion to order a temporary upgrade along with a signed agreement for entering into the proposed sewer system. Duane Gregory seconded the motion and it passed 3-0-0.

New Business

Review and approve a list of independent consultants to advise the Planning Board on the wireless telecommunications applications as stipulated in the Zoning By-laws, Article X, Section 10100 B. which states, "The SPGA [special permit granting authority] shall select the Independent Consultant(s) from a list agreed upon by the Board of Health and the Conservation Commission."

Judith Oset presented the list of three independent consultants and the explanation for it to the Board of Health (BoH). The by-law mandates that both the BoH and the Conservation Commission (ConCom) approve a list of consultants to advise the Planning Board on the proposed Sprint installation on Mount Gilboa.

Motion: Ken Janson made a motion to approve the submitted list of consultants. Kay Halle seconded the motion and it was approved 4-0-0.

The Red Inn: 15 Commercial Street - New Camps, Cabins & Motel License

Rick Holland and Rose Kennedy represented the Red Inn. Ken Janson owns a guesthouse and offered to step down if the applicants wished. They had no objection to Ken so he sat on the case. Their septic plan was designed to accommodate 8 bedrooms and they want to convert the two owner's quarters into guest rooms (one is an attached cottage and contains a kitchen). Their desire is not to increase but to convert existing quarters. The existing Inn Keeper's license for six rooms has recently been transferred after Patricia Pajaron's inspection. The new Camps, Cabins & Motel License will be for the two renovated owner's quarters.

Motion: Ken Janson made a motion to approve the Camps, Cabins & Motel License for the two units. Kay Halle seconded the motion and it was approved 4-0-0.

24 Franklin Street - Title 5 Variance (postponed from 10/18)

Reggie Donoghue of Coastal Engineering presented the plan to the Board; it was very straight forward given the unique shape of this lot that dictated the requested variances.

Motion: Ken Janson made a motion to approve the Title 5 plan with the requested variances, and with the condition that a deed restriction be added stating there will be no increase in flow. Kay Halle seconded the motion and it was approved 4-0-0.

9 Center Street - Title 5 Variance

William Rogers, II presented the case on behalf of the owner, Dr. Fred Pappalardo. George Heufelder had been consulted and, after inspection, deemed it a two-bedroom house even though the system will be designed for three bedrooms (2 existing and 1 possible in the future).

Motion: Mark Baker made a motion to approve the Title 5 plan with 2 variances. Ken Janson seconded it and it was approved unanimously 4-0-0.

5 Center Street - Appeal of Health Agent Determination

Ken Janson stepped down from the case because he is a guest house owner.

Carol Noyes, one of the owners, and her contractor, Michael Czyoski, presented the case. They are in the process of reconfiguring spaces in the building and turning a porch into a room. Felco is working on the Title 5 but the plan has just been begun. The Board tried to oblige the applicant by offering to allow her to get a building permit for the work Michael Czyoski was about to do, but wanted to stipulate that the Title 5 must be installed before a certificate of occupancy for the new room is given. After a great deal of discussion with Rose Basile, the other owner, the following motion was agreed upon.

Motion: Kay Halle made a motion approving the sign-off on the building permit with the condition that no Certificate of Occupancy is granted until the approved Title 5 septic is installed in the ground and a Certificate of Compliance is obtained. The Title 5 plan should be completed by January 15th, 2002 for the Health Agent's approval. Duane Gregory seconded the motion and it was unanimously approved; 3-0-0

Any other business that shall properly come before the Board

0 Conway Street – Collapsed Cesspool

William Rogers, II presented the case on behalf of Al Sioholm, whose cesspool has collapsed.

Mr. Sioholm met today with Gary Locke, Mr. Rogers' associate, then a Title 5 installer pulled a permit and installed a 1500-gallon tank on the property as a tight tank (appropriate for the three bedroom home). Mr. Silva, the installer, is under contract to pump the tight tank on a regular basis until the entire Title 5 upgrade is completed. The next BoH meeting when this Title 5 plan can be reviewed will be on December 27th. All agreed to the following. **The BoH asked the owner to mail a copy of the pumping contract to the Health Agent and the Board also wishes to see a plan for the complete Title 5 system at the December 27th meeting.**

Approval of Minutes

Motion: A motion was made and seconded to approve the meeting minutes of the November 1, 2001 meeting. It was approved; 3-0-1 abstention (MB).

Health Agent's and Health Inspector's Reports

Marina Brock said nothing new was going on except the cases that had already been discussed during the meeting.

Patricia Pajaron reported that Vinnie Duarte of Adams Pharmacy completed his abbreviated ServSafe training course on food handling and has received his completion certificate.

Patricia also told the Board that she would be doing an inspection of the A&P with another person who will be representing corporate A&P on Monday, December 3rd. The inspection was prompted by numerous complaints the Health Inspector has received.

Ms. Pajaron was also told by a member of the Board that the House of Pizza has constant "out of order" signs on their toilets. She will follow up on this.

Board Members' Statements

There were no statements.

The meeting adjourned at 7:44 p.m.

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

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by

_____ on December 1, 2001
Mark W. Baker, Chair date