

**Board of Health**  
**December 6, 2001**  
**6:30 p.m.**

**Members Present:** Mark Baker, Duane Gregory, Kay Halle, and Ken Janson

**Health Agent:** Marina Brock

**Health Inspector:** Patricia Pajaron

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

**Public Comments**

There were none.

**New Business**

**163 Bradford Street - Title 5 Variance**

Alan Cabral of Felco presented. Duane Gregory disclosed that she sold the property several years ago; there were no objections from anyone to her sitting on the case. The plan was explained and contained 6 variances deemed minimal by the Health Agent.

**Motion: Ken Janson made a motion to approve plan #01111 as presented. Kay Halle seconded the motion and it passed unanimously.**

**24 Race Road - Title 5 Variance**

Duane Gregory disclosed that her office sold this property several years ago; there were no objections to her sitting on the case. Alan Cabral of Felco presented the proposed Title 5 plan #01163 seeking one variance – locating the system within a 100' setback of an inland wetland. An abutting neighbor, Miriam Grouse, said she thought the wetlands mentioned in the plan are partly in her yard and she would like a copy of the plan so she can have her engineer go over it.

Marina Brock said the proposed septic is a 3-bedroom septic and the dwelling has only 1 bedroom now; she is in favor of putting this case on hold.

**Motion: Mark Baker made a motion to continue the case until the December 27<sup>th</sup> or January 3<sup>rd</sup> meeting in order to allow additional input from George Heufelder. Ken Janson seconded it and it was approved unanimously.**

### **139 Commercial Street - Title 5 Variance**

Attorneys Jamie Veara and Jay Murphy, Bob O'Malley, and Alan Cabral (Felco) presented the case to the Board of Health. Duane Gregory had many disclosures pertaining to the property and no one had any objections to having her sit on the case.

The presentation began with a history of the plans and changed plans. A motion was cited from the minutes of November 2, 2000. It reads: **"Motion: Kay Halle made a motion to approve Plan 99428 with the condition that there be no increase in use and providing a new plan will be submitted showing the office reconfiguration which would fulfill the condition of 'no increase.' Ken Janson seconded the motion and the vote was 4-in favor and 1-opposed (Michele Couture)."**

Health Agent Marina Brock wants to evaluate the plan and explore other ways of dealing with the drainage swale. Ms. Brock said the plan, as presented, invokes a self-created variance.

Attorney Robin Reed spoke on behalf of Mindy Baransky, an abutter. Ms. Reid's main question was, "Has the applicant approached the Town about going under the drainage swale?" The answer was, "No."  
**Motion: Mark Baker made a motion to take the case under advisement pending further information from George Heufelder. The case will be continued until December 27<sup>th</sup>. Ken Janson seconded the motion and it was passed unanimously.**

### **Any other business that shall properly come before the Board**

There was none.

### **Approval of Minutes: Meeting Minutes of 11/29/01**

Kay Halle requested that the motion she made regarding 5 Center Street have an additional sentence to further clarify it. At the end of the 3<sup>rd</sup> sentence the added amendment should read: "The owners wanted to proceed with construction and delay the installation of the Title 5 for one year."

**Motion: Mark Baker made a motion to approve the minutes as amended by Kay. Duane Gregory seconded the motion and it was unanimously approved.**

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

**Marina Block** investigated a condo on Small's Court behind Michelle Couture's place of employment. It appeared that an electric conduit was being worked on and had nothing to do with septic work.

**Pat Pajaron** gave a follow-up on the A & P. The Corporate representative cancelled last Monday's inspection but Patricia went anyway and noticed both an overall improvement in the front of the store and that the refrigeration was within normal parameters. Ms. Pajaron will be returning on Friday and then doing inspections once a week on a regular basis but on varying days.

She also said that restaurant inspection is picking up. On her visit to Fanizzi's she found it clean, organized, etc. but not in compliance with ServSafe regulations. Ms. Pajaron spoke to Paul Fanizzi as she is being requested to sign off on his license, but the restaurant is not in compliance due to the lack of a ServSafe training certificate. January is the next ServSafe class. The Board agreed to extend their license only until January 31<sup>st</sup> in order to give them ample time to attend the January ServSafe class.

Patricia spoke of a complaint she had received from Dr. Paula Sperry who wants Provincetown to become 100% smoke-free.

### **Board Members' Statements**

**Ken Janson** wanted to know how Dottie and Carla's project at 25 Winthrop Street is going. Marina Brock will follow-up. He was also concerned about the Hepatitis A outbreak in Massachusetts.

**Mark Baker** has received many telephone calls from Clara Mueller regarding 4 Commodore Avenue. Mark requested that someone from the Health Department contact her and investigate her complaint. Mr. Baker also announced that the Southeast region of Massachusetts is undergoing an outbreak of syphilis. DPH is in contact with the town and

Outer Cape Health Services regarding the outbreak. Mark noted that this was at a time when sexually transmitted disease prevention funds are being cut back.

**Kay Halle** asked about the stop work order at 45 Captain Bertie's Way. The Building Department executed the stop work order due to a high retaining wall that was put in as part of the septic system.

**The next meeting will take place on December 27<sup>th</sup> at 6:30 p.m.**

Respectfully submitted,  
*Evelyn Gaudiano*  
Evelyn Rogers Gaudiano

Approved by

\_\_\_\_\_ on \_\_\_\_\_ December 21, 2001 \_\_\_\_\_  
Mark W. Baker, Chair date