

PROVINCETOWN BOARD OF HEALTH

Public Meeting
May 18, 2006
5:00 p.m.

Members Present: Duane Gregory, Ken Janson, Tom Gaudreau
and Jerry Anathan

Members Absent: Mark Majeski (excused absence)

Health Agent: Jane Evans

Health Inspector: Brian Carlson

Meeting called to order at 5:00 p.m.

AGENDA

Public Comments: none

New Business

4 Brown Street

Appeal Health Agent's Decision regarding number of bedrooms.

Jerry Anathan recused herself .

John DeSouza and James Dobis appealing Health Agent's determination of the number of bedrooms. Health Agent determined room in the basement being used as bedroom is illegal as there is no emergency egress window, therefore the property is 2 bedrooms. Owner states the home has historically been used as a three bedroom. Approved BOH septic plans (1993) indicate 3 bedrooms existing. Plans were presented by the homeowner to upgrade basement window to meet egress code requirements. Duane stated that it appears a mistake in the existing bedroom count had been made in the 1993 septic plan, as the modern building codes existed then. She explained to the applicant that the Board is under no obligation to continue allowing a mistake once it is brought to the Health Department's attention. Assessor's records show it as a 2 bedroom. Duane stated her concerns that the basement area is being used as a bedroom, with no practical way to stop the continued use of it as a bedroom. Perhaps it would be best to have the egress window for safety reasons and allow a 3 bedroom count.

Motion: To allow the property to be considered a 3 bedroom provided that the window in the lower level room conforms to MA State building code as an emergency egress window. A deed restriction is to be recorded at the Barnstable County Registry of Deeds limiting the number of bedrooms on the property to three and with no increase in square footage to the dwelling, prior to the issuing of a building permit.

Moved: Duane Gregory

Seconded: Ken Janson

Vote: 4:0:0

16 Harry Kemp Way (Outer Cape Escapes)

Camps, Cabins & Motels

Ken Janson recused himself. Brian reported all was in order with the application and the property was inspected.

Motion: To approve the application and issue the CCM license to Outer Cape Escapes for 5 units at 16 Harry Kemp Way.

Moved: Jerry Anathan

Seconded: Tom Gaudreau

Vote: 3:0:0

349 Commercial Street (Designer's Dock)

Camps, Cabins & Motels

Ken Janson recused himself. Brian reported all was in order with the application and the property was inspected.

Motion: To approve the application and issue the CCM license to Designer Dock for 4 units at 349 Commercial Street.

Moved: Duane Gregory

Seconded: Jerry Anathan

Vote: 3:0:0

Temporary Tattoo Artists

All three applicanats will be working at Hocus Pocus, 230 Commercial Street

Duane Gregory asked Brian Carlson to keep a copy of applicant's driver's license in files.
All have submitted the proper paperwork and the property has been inspected.

Motion: To consider and vote on the following three applications together.

Moved: Tom Gaudreau Seconded: Duane Gregory Vote: 3:0:0

Alan Kuczewski

Temporary Tattoo Artist

Scott Fennelly

Temporary Tattoo Artist

Eugene Costa

Temporary Tattoo Artist

Motion: To approve application for new temporary tattoo artist permit for the above 3 applicants.

Moved: Tom Gaudreau Seconded: Duane Gregory Vote: 4:0:0

Mauricio Pradera

New Massage Therapist License

Motion: To approve application for new massage therapist license.

Moved: Ken Janson Seconded: Jerry Anathan Vote: 4:0:0

Adoption of Updated Tobacco Regulations

Brian Carlson presented revised regulations.

Motion: To approve updates to the Tobacco Regulations with the elimination of the word annually in the sentence in paragraph 1.

Moved: Ken Janson Seconded: Ken Janson Vote: 4:0:0

Discussion

Board of Health Goals & Objectives as requested by Board of Selectmen was discussed and drafted. Duane Gregory will type it up and present it for approval at the next meeting. Brian Carlson handed out a Draft of his submission of goals & objectives as Health Inspector, as did Jane Evans, Health Agent.

Approval of Minutes for May 4, 2006

Motion: Approve minutes for May 4, 2006 meeting

Moved: Ken Janson Seconded: Jerry Anathan Vote: 4:0:0

Health Agent report: Jane Evans reported that there will be 3 ACO's concerning Court Street on next meeting agenda due to failed septic systems as a result of extreme amount of rain.

Health Inspector report: Brian Carlson showed Rabies Prevention signs to the Board. Talked about doing public education regarding Lyme disease.

Meeting adjourned at 6:20 p.m.

Respectfully submitted,

Phyllis Lutsky

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Recording Secretary

Approved by _____ on _____
Duane Gregory, Chair