

Board of Health minutes  
**April 3, 2008**  
Caucus Hall  
5:00 p.m.

**Members Present:** Tom Gaudreau Duane Gregory, and Ken Janson

**Members Absent:** Jerry Anathan and John Livingstone (both excused)

**Staff:** Jane Evans, Health Agent  
Brian Carlson, Health Inspector (excused)

**Others:** David Gardner, Sharon Lynn, & Wm Rogers, II

The meeting was called to order at 5:04 p.m.

**AGENDA**

**Public Comments**

There were none.

**A motion was made, seconded, and approved to take the one pending case out of order.**

**27 – 31 Bangs Street Ext.**

**Variance Request Continued**

William Rogers, II, gave a history of why he felt his variance should be allowed and gave the supporting documentation to the BoH. He based his request on the 17 Somerset Road property which was approved on December 18, 2003; he felt that a precedent had been set at that time. Health Agent recommends approval because of the previous approvals for 17 Somerset and 5 Heather's Way.

Duane Gregory pointed out the differences in the two properties and – after a good deal of discussion, the following motion was made:

**Motion: Move to seek the town counsel's opinion; continue pending advice from town counsel.**

**Motion: Duane Gregory      Seconded: Ken Janson      Vote: 3-0-0.**

**Special & Town Meeting Warrant – Vote on Articles**

Sharon Lynn asked to speak directly to STM-Article 6 – Noise By-law. She reported that this is something that everyone has been working on for the last 9 or 10 mos. Everyone is trying to define quantifiable noise that is fair and equitable. It was presented at the town meeting in 2007 and an attempt was made to get the business community to support it, but it was rejected at that time. Sharon suggested that – with new equipment – the town take readings at different times and come up with logical parameters. The Board of Selectmen has agreed to this strategy. Once all this information is gathered then it would be the appropriate time to write a by-law that might have hours and fines written into it. The Town Manager informed the board she will move to indefinitely postpone the Noise by-law article at the Special Town Meeting. Tom Gaudreau recused himself from the discussion since he works for the Crown & Anchor. At this point Duane called for an end to any

further discussion without a quorum.

**STM – Article 2 – Wastewater Optimization and Expansion – Borrowing Authorization**

**Motion: The BoH recommends approval of STM – Article 2.**

**Motion: Ken Janson      Seconded: Tom Gaudreau      Vote: 3-0-0.**

**STM – Article 3 – Water Department Block Grant**

**Motion: The BoH recommends approval of STM – Article 3.**

**Motion: Ken Janson      Seconded: Tom Gaudreau      Vote: 3-0-0.**

**ATM – Article 2A – Residential curbside collection of solid waste and recyclable materials.**

**Motion: The BoH recommends approval of ATM – Article 2A.**

**Motion: Duane Gregory      Seconded: Ken Janson      Vote: 3-0-0.**

**ATM – Article 5 – FY 2009 Enterprise Funds**

**Motion: The BoH recommends approval of ATM – Article 5.**

**Motion: Duane Gregory      Seconded: Ken Janson      Vote: 3-0-0.**

**ATM – Article 7 – FY 2009 Capital Improvements Program**

**Motion: The BoH recommends approval of ATM – Article 7.**

**Motion: Ken Janson      Seconded: Tom Gaudreau      Vote: 3-0-0.**

**ATM – Article 9 – Cape Cod Greenhead Fly Control District Assessment.**

**Motion: The BoH recommends approval of ATM – Article 9.**

**Motion: Duane Gregory      Seconded: Tom Gaudreau      Vote: 3-0-0.**

**ATM – Article 15 – FY 2009 Human Services Grant Program**

**Motion: The BoH recommends approval of ATM – Article 15.**

**Motion: Ken Janson      Seconded: Tom Gaudreau      Vote: 3-0-0.**

**ATM – Article 24 – General By-law Amendment: Chapter 12: Provincetown Wetlands Protection By-law.**

**Motion: The BoH recommends approval of ATM – Article 24.**

**Motion: Duane Gregory      Seconded: Ken Janson      Vote: 3-0-0.**

**Discussion**

Duane said that she'd like to see a draft of the letter to be sent to town counsel before it is sent out.

**Approval of Minutes for October 11, 2007 & March 20, 2008**

Neither set of minutes could be voted on due to absences.

**I. Health Agent's Report**

- II. Jane said that she was happy to be back and was feeling better. Regarding the Fine Arts Work Center (FAWC): They have a monitored title 5 system and the other night the alarm went off. Jane got a call the next morning and went to see the Director of the FAWC. The Director said the alarm was probably malfunctioning. Jane had Jimmy Roderick come over and check on the system and it was fine. The FAWC has two systems on the property; one for 24 Pearl Street and one on Fishburn Court. They will be monitored closely by Jimmy R. in the future.

The meeting adjourned at 5:45 p.m.

Respectfully submitted,

E. Rogers Gaudiano

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2007.  
Duane Gregory, Chair