

Public Meeting

May 15, 2008

Caucus Hall

5:00 p.m.

Members Present: Jerry Anathan, Duane Gregory,
and John Livingstone

Members Absent: Tom Gaudreau (unexcused) & Ken Janson (excused)

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

The meeting was called to order at 5:00 p.m.

AGENDA

Public Comments

There were no public comments.

Old Business

15 Hobson Avenue

Revised Plan per BoH request

Emily Beebe presented her revised plan to the BoH.

Motion: Move to approve the plan as revised on May 6, 2008 with the following condition – a deed restriction limiting the property to the existing 2 bedrooms must be recorded at the Barnstable Registry of Deeds with proof of this recording presented to the Health Agent prior to the issuance of a Septic System Installation Permit.

Motion: Duane Gregory **Seconded:** John Livingstone **Vote:** 3-0-0.

New Business

379 Commercial Street – Wired Puppy

Robin Reid, an attorney representing the owners, made the presentation. She was accompanied by Donna Vaillancourt, one of the owners. Atty. Reid requested a letter of support from the Board of Health (as part of the application process) for a variance from Mass Plumbing & Gas Fitter's regulation which requires a handicap bathroom. The building itself is not and can never be handicap accessible. They also needed a temporary waiver to install the 20 fast food seats prior to their variance being granted.

Motion: Move to sign the letter of support to be sent to the Board of State Examiners of Plumbers and Gas Fitters dated May 15, 2008.

Motion: Jerry Anathan Seconded: Duane Gregory Vote: 3-0-0.

Motion: Move to sign the temporary waiver which will allow the installation of the 20 fast food service seats – the waiver will expire when all appeals to the State are denied or by December 31, 2008, whichever comes first.

Motion: John Livingstone Seconded: Duane Gregory Vote: 3-0-0.

8 Heather's Way

Title 5 Variance Request

Wm. Rogers, II, representing the owner, Ken Weiss, requested a variance of 10' from the leach area to the foundation wall for new construction on an undeveloped lot. After a brief discussion the following motion was made:

Motion: Move to deny the variance request for 8 Heather's Way.

Motion: Jerry Anathan Seconded: John Livingstone Vote: 3-0-0.

Discussion

Review BoH Regulation PART VII Article 17 – Municipal Sewer System

Jane suggested rewording the paragraph that states that all failed septic systems must connect to the sewer where it is available, to include any upgrade of a septic system. Jane was told to go ahead and prepare something for the Board to review.

Duane proposed removing the local regulation of the 100 ft separation from a wetland to septic system components since the state requires only 50 ft and this seems to be the one variance that the Board has consistently approved for new construction in the past. Jane suggested that in its place the Board require that any septic system within 100 ft of a wetland be required to install an enhanced nitrogen removal system.

Goals and Objectives

The goals and objectives are due by May 30th. Suggestions for updating the goals and objectives were made by Board members and Jane will be redoing them and sending them to Duane for her approval. John wanted to make sure to add that the BoH will continue to explore the creation of a regulation based on the health aspects of noise to protect Provincetown citizens from excessive noise.

Approval of Minutes for May 1, 2008

Motion: Move to approve the minutes of the May 1st meeting.

Motion: John Livingstone Seconded: Jerry Anathan Vote: 3-0-0.

Health Agent's Report

Jane reported that she has received several complaints and they tie her up for one or two days with follow-ups, etc. She's had 4 or 5 complaints during the last week.

Also there was a licensing issue and she's been helping Darlene resolve it. It seems that the Whydah Museum has not been licensed for 10 years. The resolution for this case is still pending.

Board Members' Statements

John Livingstone told the Board that he will not be attending the meeting.

The next meeting of the BoH is scheduled for June 5th at 5:00 p.m.

The meeting adjourned at 5:55 p.m.

Respectfully submitted,

Evelyn Gaudiano

E. Rogers Gaudiano

Approved by _____ on _____, 2008.
Duane Gregory, Chair