

# Public Meeting

January 22, 2009  
Grace Gouveia – Room 10  
5:00 p.m.

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

**Members Absent:** Tom Gaudreau and Ken Janson

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

The meeting was called to order at 5:03 p.m.

## Public Comments

There were none.

## Old Business

### 415-417 Commercial Street

Appeal Health Agents Decision

A letter dated January 22<sup>nd</sup> was received from Lester J. Murphy, the attorney for the owner, Harriet Hobbs, asking for a continuance of the case. He wants to meet with Russell Braun prior to his appeal; Russell has been on vacation.

**Motion: Move to continue the case until the next meeting on February 12<sup>th</sup>.**

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

## New Business

### 6 Duncan Lane

Appeal Health Agents Decision for required 6' door opening

Kathy Schiappa & Helen Ryde, the two owners, presented their case to the BoH. They are planning major renovations to the property and their architect told them that all they needed for a room opening was 4 ft and thus it would not be considered a possible bedroom. 6 ft as the minimum opening has been the policy of the board for quite some time. The Town's website published regulations does not state this. Duane and Jane both recalled that this was part of the bedroom definition but perhaps it was never properly published. If necessary, the board will advertise a new public hearing to include those specifics in the bedroom definition.

**Motion: Move to uphold the Health Agent's decision on the need for a six-foot opening.**

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

## **New Member Application**

Mark Phillips, a local inn-keeper, has expressed an interest in joining the BoH and was interviewed for a short time. Mr. Phillips said that his background is in finance but he's really interested in what the BoH is doing. He's always been concerned that his guests are well taken care of and he's heard a lot of stories from them regarding other places they have stayed and their concerns. He feels all this is related.

The BoH shared a few stories about difficult cases they have had in the past and they stressed that they are a regulatory board. Jane said that before her coming on as Health Agent there had been a series of health agents supplied by the County which meant the office had no real continuity. She also added that it was important that anyone wishing to join the BoH not have a personal agenda.

John expounded on the BoH sense of fairness in any cases they hear and the sense of consistency as evidenced by the last case they had just heard.

**Motion: Move to appoint Mark Phillips as an alternate to the BoH.**

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

## **Approval of Minutes for January 8, 2009**

**Motion: Move to approve the minutes of the January 8<sup>th</sup> meeting.**

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

## **Discussion**

### **Proposed Rental Certification Regulation**

This is an ongoing adjustment of Part XIV – Habitations for Rent.

There were concerns about heating, a second means of egress, and legal issues entailed in the new document.

John Livingstone felt that the town counsel should be asked if there were any legal ramifications for any of the by-law.

### **Health Agent's Report**

Jane said that Candace Nagel has asked to be put on the next meeting's agenda regarding rescinding the "no dogs on the beach" mandate for, at least, the winter months.

Jane also said that she went to a conference in Taunton and it was very informative.

### **Health Inspector's Report**

Brian sent an update to the Chair via e-mail. Amongst other things he detailed an ongoing problem with an owner regarding a rental.

The meeting adjourned at 6:20 p.m.

Respectfully submitted,  
E. Rogers Gaudiano

Approved by the Board of Health on \_\_\_\_\_, 2008

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Duane Gregory, Chair