



# Town of Barnstable

## Board of Health

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### BOARD OF HEALTH MEETING RESULTS

**Tuesday, November 14, 2006 at 3:00 PM**  
**Town Hall, Hearing Room**  
**367 Main Street, Hyannis, MA**

#### **I. Hearing:**

A. Mark Ells, Superintendent of Town of Barnstable Department of Public Works, screening of dumpsters.

Board approved to rescind the enforcement letter and extend the deadline to December 31, 2007.

B. Brenda Tri, Diamond Edge Farm (horse stable), 2051 Main Street, West Barnstable – Preliminary hearing to allow complainants to present complaints to the Board

This will be continued as a full hearing at the December 5, 2006 Board of Health Meeting.

C. Proposed Revisions to Town of Barnstable Code Chapter 376 STABLES, Proposal to add Section 376-3, Agricultural License, to include a conditional exemption.

The proposed revision was approved with a sunset expiration of 12/31/2007, at which time the revision will be reviewed.

#### **II. Hearings:**

Tobacco violations as reported by Bob Collette of Barnstable County Tobacco Control.

#### **Show-Cause Hearings:**

A. Xtra Fuel, 300 West Main Street, Hyannis

Second Violation – mandatory fine of \$100 and if there is a third offense, a suspension may exist.

B. Brooks Pharmacy, 520 West Main Street, Hyannis

First Violation – a written warning will be issued.

C. Hyannis Food Mart, 18 Center Street, Hyannis

Second Violation – mandatory fine of \$100 and if there is a third offense, a suspension may exist.

D. CVS Pharmacy #2200, 1030 Putnam Street, Cotuit

Second Violation – mandatory fine of \$100 and if there is a third offense, a suspension may exist.

E. Hess Express, 149 North Street, Hyannis

First Violation – a written warning will be issued.

**II. Hearing (Cont.)**

A. Charles Sabatt, Attorney, representing Hyannis Public Library, update regarding removal or abandonment of underground fuel storage tank.

The Library has commissioned to have two tanks installed and a review is scheduled with the Board of Health at the March 2007 meeting.

**III. HEARINGS (New)**

A. Marcel Poyant, Trustee/Owner, Centerville Shopping Center, 1620 Falmouth Road and 20 Camp Opechee Road, Centerville, screening of dumpsters.

An extension was granted until December 31, 2006, to install the fencing.

**IV. Massage License Applicant:**

**GRANTED** A. Lynelle Louise LaFleur – Proposes to practice massage therapy in the Town of Barnstable, no business location at this time.

Approval as a Massage Therapist was granted.

**V. Variance Request :**

**WILL BE REHEARD AT DEC 7, 2007 BOH** A. Sullivan Engineering representing Jeffrey & Irene Cook, 545 South Main Street, Centerville, 1.37 acre parcel, 8 variances requested for proposal to add one additional bedroom.

**GRANTED** B. Sullivan Engineering representing Hyannis Harbor Tours d/b/a/ Hy-Line Cruises 230 Ocean Street, Hyannis – Chapter 353 dumpster location.

The Board approved the dumpster location being 2.3 feet from the street line and 10 feet from the pavement. There will be fencing on four sides and vegetation on third sides. The dumpster will be emptied after 7am.

**GRANTED WITH CONDITIONS** C. John Churchill, JC Engineering, representing James III and P&A Buffington Trust (New York, NY), 63 Ocean Avenue, Centerville, 8.3 acres, four variances requested to repair a failed septic system.

D. Kieran Healy of BSC Group, Inc. representing Trustee David Ross of 0 Water Hole Lane, W. Barnstable, 149,675 sq. ft., Section 360-1, setback to wetlands.

**VI. Six or More Bedrooms:**

A. Sullivan Engineering representing Constance Miller – 507 Sea View Avenue, Osterville, 43,560 sq. ft. lot, proposed house addition.

- B. Stan Szczurko of S.S. Designs on behalf of Cape Regency Healthcare Center, 120 South Main Street Centerville – proposal to add 29 single assisted living units, wastewater treatment facility proposed, currently under review by DEP.

**VII. Old / New Business:**

Ed Pesce representing Dianne McDonough, 18 Bay Lane, Centerville – status.