



Town of Barnstable

Board of Health

200 Main Street, Hyannis MA 02601



OFFICE: 508-862-4644
FAX: 508-790-6304

Wayne Miller, M.D.
Junichi Sawayanagi
Paul Canniff, D.M.D.

BOARD OF HEALTH MEETING MINUTES Tuesday, October 12, 2010 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on October 12, 2010. The meeting was called to order at 3:00 pm by Chairman Wayne Miller, M.D. Also attending were Board Members Junichi Sawayanagi and Paul J. Canniff, D.M.D. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

I. Variance – Septic (Cont.):

Michael Pimentel, JC Engineering, representing Household Finance Corporation II, owner - 41 & 43 Hiramir Road, duplex, Hyannis, Map/Parcel 292-012, 0.22 acre lot, several variances request, report of cost estimates in comparison to cost of sewer connection.

Rich Capen, Capewide, and Michael Pimentel, JC Engineering were present and stated the town engineer informed Richard that the cost of sewer hookup would be \$62,000 versus \$14,000 for a septic repair of the tank itself. The reason the connection would be so expensive is due to the fact that the owner would have to bear the cost of extending the sewer line and putting in other requirements in this situation which will then allow two to three other houses to connect. Rich Capen said the engineering department also said the town may connect onto Hiramir in the future by accessing Bearses Way. If this occurs, then the sewer extension this owner would be required to put in now (which will allow three houses to hook up) will be unnecessary and all the owners of Hiramir will share the burden of the connection instead of just this one owner.

Mr. McKean stated that he spoke with Brian Dudley, MA DEP, regarding the use of a double tank. Brian confirmed that, even though it is a duplex with a total of four bedrooms, it would only require a single tank because they are not increasing flow and it was pre-existing as a single tank.

The plan presented now is only a single tank. Staff had no objections to plan.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the revised plan dated October 1, 2010, with the following conditions: 1) pending a final staff review of the revised plan, 2) a four-

bedroom deed restriction be recorded at the Registry of Deeds, and 3) a proper copy of the deed restriction is submitted to the Public Health Division. (Unanimously, voted in favor.)

II. Variance – Septic (New):

Sarah Ojala, Down Cape Engineering, representing Janice Schade, owner – 265 Fifth Avenue, Hyannis, Map/Parcel 245-037, 0.83 acre parcel, requesting several variances.

Dan Ojala, Down Cape Engineering, was in attendance and presented the plan.

Mr. McKean said the staff had no issues with the plan.

Madeline McDonald, Trustee of property abutting it and is an officer of the Seaside Park and Improvements spoke. She asked for reassurance that this property's system will not further pollute the marsh.

Dr. Miller explained the only other thing they could do differently would be to use an innovative alternative system at a very high cost. The proposed plan is well within the Title V requirements and with the study they have done with the high tides, the proposed solution has been carefully drawn. The best answer for a sewer treatment in this location would be to install sewer.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the plan with the following conditions: 1) four bedroom deed restriction, and 2) a proper copy of the deed restriction is submitted to the Public Health Division. (Unanimously, voted in favor.)

III. Modification of Comprehensive Permit for Living Independently Forever, Inc – Chapter 40B:

Review plan to the Zoning Board for owner, Living Independently Forever, Inc. - 550 Lincoln Road Extension, Map/Parcel 272-025, existing affordable housing development "Life at Hyannis", currently 16 units. The modification seeks to permit a fifth two-story multi-family building. The building would contain four, one-bedroom apartment style units. Each unit is approximately 705 square feet. The new building will include six on-site parking spaces.

No one was present. It was noted by the Board that this project is on sewer and it is a great program.

Mr. McKean said on a site inspection he noted the dumpster(s) were not fenced in.

Letter to be sent to Planning Board with notation that the dumpsters be properly screened and that the Board whole-heartedly approves the project.

IV. Variance – Food (New):

Temporary Food Event: Susan Nickerson for Cape Cod Commercial Hook Fisherman's Association – Fisherman's Market Cooperative to be held at 3675 Main Street, Barnstable, each Friday from October 15 – November 19, 2010, requesting permission to distribute uncooked seafood.

Susan Nickerson and Amy Morris were present. One of the goals of the project is to bring fisherman and consumers together.

Mr. McKean noted that the food must be kept at 41 degrees. Amy said they do have a specially constructed cooler which is graded to keep ice frozen for a week at a time. All necessary procedures were met.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve the temporary food event. This year, the event will occur each Friday from October 15 – November 19, 2010 (5 individual days). (Unanimously, voted in favor.)

Webpage: www.ccchfa.org

V. Body Art Establishment (New):

Lorna J. Berger, operator, of body art business "Great Island Tattoo" (formerly of West Yarmouth), proposes to relocate at 12 Enterprise Rd, Unit# 5, Hyannis.

Lorna Berger said the establishment hopes to open December 1, 2010. They do need to apply for a plumbing permit to hook up the sinks. They have all the proper equipment required by code.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve a body art establishment license for Great Island Tattoo subject to approval by the Public Health Division after a final inspection is satisfactorily completed. (Unanimously, voted in favor.)

VI. Body Art Practitioner (New):

A. Lorna J. Berger – Proposes to practice at a body art business at a new facility, Great Island Tattoo, proposed at 12 Enterprise Rd, Unit # 5, Hyannis.

Lorna Berger was present. All the requirements were met for a body art practitioner. Lorna had a course in Anatomy and Physiology, along with the Skin Course taught in Quincy, MA. Her recommendations were excellent and no problems had occurred in Yarmouth at her current shop.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve a body art practitioner license for Lorna J. Berger. (Unanimously, voted in favor.)

- B. Kenneth W. Tetrault - Proposes to practice at a body art business at a new facility, Great Island Tattoo, proposed at 12 Enterprise Rd, Unit# 5, Hyannis.

Kenneth Tetrault was present. He had met the Wareham requirements by completing a state sponsored course in 2003 in New Bedford for Anatomy. The course was offered as a re-training program. He was unsure who to contact to verify whether it was a New England accredited college program. He also took a course in body piercing at that time. The programs may no longer be in existence with the cut-backs. He had documentation showing he retained 90% of the information taught for Anatomy. Kenneth also took the skin course offered at Quincy, MA on October 6, 2010. The Board of Health in Yarmouth verified he has worked for Great Island Tattoo for two years.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve a body art practitioner license for Kenneth Tetrault pending the satisfactory completion of contacting the references. (Unanimously, voted in favor.)

VII. Variance – Body Art Practitioner (New):

- A. Lacie E. Sasville - Proposes to practice at a body art business at a new facility, Great Island Tattoo, proposed at 12 Enterprise Rd, Unit# 5, Hyannis.

Lacie Sasville was present. She worked in Middleboro for two years beginning in 2008 and in Yarmouth in 2010. Lacie took the Quincy skin course and presented the original certificate. The course was taken October 6, 2010.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve a body art practitioner license for Lacie Sasville pending the validation of her work experience in Middleboro and pending the satisfactory completion of contacting the references. (Unanimously, voted in favor.)

- B. Ahnastasia Jones - Proposes to operate and practice at a body art business at a new facility, Great Island Tattoo, proposed at 12 Enterprise Rd, Unit# 5, Hyannis.

Ahnastasia Jones was present. She has worked for Lorna at Great Island Tattoo in Yarmouth for over two years. The Board of Health in Yarmouth confirmed this and said there have not been any problems. Ahnastasia took the Quincy skin course and had submitted her certificate to the Board.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve a body art practitioner license for Ahnastasia Jones pending the satisfactory completion of contacting the references. (Unanimously, voted in favor.)

VIII. Use of foam at the demolition of Sandy Neck's old bathhouse.

Withdrawn. No known environmental issues with the use of foam.

ADDITION:

IX. Variance – Food (New):

Temporary Food Event: March of the Horribles – Parade and Town Green food event from 12:00pm – 4:00 pm on Sunday, October 24, 2010.

Ed Rosario, Eclectic Café, and Ian Parent, La Petite France, were present.

There are three food establishments currently licensed by the town who submitted paperwork to serve food at the town green: Eclectic Café, La Petite France and Atlantic Amusements – Carousel.

A refrigerated truck will be shared by La Petite France and Eclectic Café, along with a generator. All proper food handling requirements will be met. The food will be set up and ready for inspection at 11:00am.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the temporary food event. (Unanimously, voted in favor.)

X. Comments / Other:

- 1) Tight Tank Project: Dr. Canniff will be in to review the project.
- 2) Dr. Canniff asked Mr. McKean to contact the Falmouth Board of Health to request a copy of any studies performed on health issues concerning wind turbines. If any other towns in vicinity have similar reports, copies will be obtained.

- 3) Restaurant Ratings - in process.
- 4) A draft report will be coming out soon identifying the TMDL levels for Lewis Bay. Once available, Mr. McKean to bring results to GIS to plot on a map. At that point, it will come to the Board for a vote of action.
- 5) The Three Bays recent study will be published. A large amount of the chloroforms detected were not human, but at least two to three places were. Submerged contaminants (medications flushed down the drain) are of concern. The Board will discuss this in the future after further review.

Voted to Adjourn.
4:30pm