



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING MINUTES Tuesday, April 12, 2016 at 3:00 PM Town Hall, Selectmen's Conference Room 367 Main Street, 2nd Floor, Hyannis, MA

I. Hearing – Show Cause (Cont.)

Attorney Robert Bianchi representing Courtney Compeau, owner – 145 Oak Neck Road, Hyannis, no heat, no hot water; owner occupied, update on status.

Attorney Robert Bianchi and Courtney Compeau were present. Attorney Bianchi stated Courtney has a boiler which Ronald Hopkins will install one week from this Friday (on 4/22/16).

Courtney stated that she no longer is using the electric heaters and she has been staying at friends' homes for the moment.

Upon a motion duly made by Dr. Canniff, seconded by Dr. Miller, the Board voted to continue this item to the May 10, 2016 meeting and Courtney will be allowed to remain in the house. Mr. McKean may lift the restrictions at the home once the boiler is installed. (Unanimously, voted in favor.)

II. Variance – Septic Repairs:

A. Daniel Ojala, Down Cape Engineering, representing William Gingerich, Trustee – 60 Nyes Point Way, Centerville, Map/Parcel 233-017, 0.22 acre parcel, H-20 tight tank, repair failed system, restricting use of premises to no more than 6 months.

Dan Ojala summarized the septic plan and the lot has tight constraints. Conservation has concluded their meeting on the property. The plan presented is a tight tank. Dr. Miller acknowledged that he would only approve the holding tank for this property; he would not have approved a septic system.

Upon a motion duly made by Dr. Canniff, seconded by Dr. Miller, the Board voted to approve the plan with the following conditions: 1) a 2-bedroom deed restriction must be recorded at the Barnstable County Registry of

Deeds and an official copy must be submitted to the Health Division, 2) the property will only be for seasonal use (no more than six months during the year), 3) it is incumbent on the owner to convey the conditions of use to a new owner, and 4) the well water must be tested. (Unanimously, voted in favor.)

Mr. Ojala offered that the owners are willing to restrict the use of the property to seasonal (six months) and once sewer becomes available, they will hook up.

B. Michael Pimentel, JC Engineering, representing Daniel McDonald, owner – 43 Chickadee Lane, Barnstable, Map/Parcel 234-014, 15,670 square feet parcel, requesting two local variances, failed septic system, no increase in flow.

Mike was present. Revised plan dated 4/11/16 has designed 3 bedroom septic system with a 2-bedroom Deed Restriction. It is a good improvement over the existing system which is partially under the driveway and is currently 53 feet from wetlands.

Upon a motion duly made by Dr. Miller, seconded by Dr. Canniff, the Board voted to grant the variances on plan dated 4/11/16 with the following conditions: 1) a two-bedroom Deed Restriction will be recorded at the Barnstable Registry of Deeds, and 2) an official copy of the deed restriction will be submitted to the Health Division. (Unanimously, voted in favor.)

C. Stephen Wilson, Baxter Nye Engineering, representing Osterville Veteran's Association, owner – 753 Main Street, Osterville, M/P 141-015, 12,381 square feet parcel, multiple variance request, repair of failed septic system.

Stephen Wilson representing Osterville Veteran's Association, along with Neil Andres, President, Carl Riedell, and a number of members were present. Mr. Wilson summarized the design of the septic plan dated 4/8/16 which was based on water usage. The irrigation is included in the water use numbers and would overstate the septic needs.

Upon a motion duly made and seconded, the Board voted to grant the variances listed on the proposed plan along with an additional one (variance allowing the use of the existing tank instead of a double chamber tank). This is granted with the following conditions: 1) the plan will be revised changing the design from flow diffusers to 500-gallon chambers, 2) plan will list all variances granted, and 3) plan will list the number of chambers to be used (the engineer will determine whether 5 or 6). (Unanimously, voted in favor.)

III. Septic Installer's License:
Kenneth Kline, Orleans, MA

Mr. Kline was present. Mr. McKean stated the applicant passed the exam and his references checked out fine.

Upon a motion duly made by Dr. Canniff, seconded by Dr. Miller, the Board voted to grant a septic installer license to Kenneth Kline. (Unanimously, voted in favor.)

IV. Variance – Food:

A. Mr. Kieran Stone, Trader Joe's – 655 Iyannough Road, Hyannis, Map/Parcel 311-008, requesting a grease trap variance for new location for sampling foods.

No one was present. The Health Division had received a letter from Roger Parsons, Town Engineer, stating he was fine with variance.

Upon a motion duly made and seconded, the Board voted to grant the grease trap variance. (Unanimously, voted in favor.)

B. Keith Steiding, KKatie's Burger Bar – 334 Main Street, Hyannis, Map/Parcel 327-090, requesting a grease trap variance.

Keith Steiding and Pat, Facilities Manager, said Roger Parsons had suggested to them to apply for a grease trap variance because the property is too restrictive to fit an in-ground grease tank and the basement is below the sewer line. Roger suggested to use the Big Dipper as Tommy Doyle's had done. The Board had not received anything from Roger Parsons prior to the meeting.

Keith said Tommy Doyle's had two Big Dippers in basement. KKatie's is cutting the space in half and is reducing the seats from 300 to 100 seats. They know the grease trap variances usually require paper goods to be used. Mr. Steiding explained that they have 95% plastic trays/baskets which have paper liners in them and the liners are thrown away. They will have a high temperature dishwasher to wash and sanitize the plastic baskets. KKatie's Burger Bar does not broil, bake, or fry food. They use a griddle to grill the burgers and they scrap grease into the grease ducts and then put into a grease tank. They do not have much grease. Keith proposes three steps to process the small amount of grease.

Behind the three-bay sink, they would (1) install a 50 gallon grease trap (Atlantic Metal Work GI7) in order to capture any grease from any pan if they happen to use one. Water would go into it and cools down the grease; thereby separating out the water and the grease continues down to the basement and through interceptor.

Keith is planning to (2) have one Big Dipper or a different grease recovery device (GRD) in the basement, and (3) the tanks would be cleaned every 2-3 months. Currently at their Plymouth location, they are only removing 25 gallons of grease in an 8 week period.

Mr. McKean said the Big Dipper's are no longer allowed and the staff said the two Big Dippers at the location are not working.

Upon a motion duly made and seconded, the Board voted to grant the grease trap variance with the following conditions: 1) provided Roger Parsons approves of granting variance, 2) a new grease recovery device (GRD) is installed in the basement, and 3) provided the Plumbing Inspector approves of the 50 gallon grease trap (Atlantic Metal Work) to be used behind the three-bay sink. (Unanimously, voted in favor.)

C. Attorney David Lawler representing Aztec City LLC – 302 Main Street, Hyannis, grease trap variance.

Attorney David Lawler was present. He explained this will be much like the Island Merchant that was there previously. The Big Dipper is still in place and Roger Parsons, Town Engineer, has provided a letter in support.

Upon a motion duly made and seconded, Board voted to grant the grease trap variance with the following conditions: 1) a grease recovery device will be used and maintained (Big Dipper on site), 2) grease removal logs will be maintained and the logs will be submitted to Roger Parsons, Town Engineer, per his request. (Unanimously, voted in favor.)

V. Hearing – Food (Continued):

David Lawler, Attorney, representing Joann Lucas and Panagis Kappatos, owners of Egg & I Restaurant, 521 Main Street, Hyannis, review of food procedures prior to renewal of food permit 2016.

Attorney David Lawler stated The Egg & I are moving forward with their checklist of repairs. They have purchased a new hood and exhaust. Their consultant will come down from NH once kitchen is back together (once the floors and the sinks are in.) They will try to coordinate a time when Donna Miorandi, Health Inspector, and their consultant can meet together at the restaurant. They are making good progress.

VI. Hearing – Septic Repair

Peter Gross and Melissa Gross McCray, Trustees – 2 Lake Drive, Centerville, Map/Parcel 230-075, failed septic system.

Per applicant's request, this will be continued until the May 10, 2016 meeting.

VII. Hearing - Show Cause – I/A Maintenance:

Lauren Needham, owner – 549 Huckins Neck Road, Barnstable, Map/Parcel 234-039, no I/A maintenance contract.

Per applicant's request, this will be continued until the May 10, 2016 meeting.

VIII. Hearing – Sewer Connections:

Stewart Creek Properties overdue for sewer connection.

A. John O'Neill, Sr., Hyannis, owner – 2 Keating Road, Hyannis

Mr. O'Neil is applying for a loan.

Upon a motion duly made and seconded, the Board granted a six month extension until October 2016 at which time the applicant will return to the Board and will apply to the County Loan Program. (Unanimously, voted in favor.)

IX. Hearing – Show Cause – Sewer Connections:

Christine Cotell, Hyannis owner – 31 Woodbury Avenue, Hyannis

No one was present. The Board will send a letter demanding appearance at the May 10, 2016 Board meeting or additional action may result in a criminal court case.

X. Craigville Motel:

Requesting a new motel license.

Per applicant's representative, Attorney James Conner's request, this will be postponed until May 10, 2016.

XI. Variance – Lodging House Occupancy:

Cynthia Diggs and Jim Lane representing Craigville Conference & Retreat Center – (A) 45 (aka 39) Prospect Avenue, (B) 208 Lake Elizabeth Drive, (C) 19 Prospect Avenue, and (D) 125 Ocean Avenue, Centerville, seeking multiple variances from the 105 CMR 410.400, State Sanitary Code, Minimum Standards of Fitness for Human Habitation, to exceed the number of persons per bedroom, more persons than are allowed based upon the minimum floor space (square footage) required for the number of persons per bedroom.

Lodging Houses:

A) Sunset Lodge, 45 (aka 39) Prospect Avenue, Centerville	M/P 226-183
B) Craigville Inn, 208 Lake Elizabeth Drive, Centerville	M/P 226-097
C) Manor, 19 Prospect Avenue, Centerville	M/P 226-019
D) Grove House, 125 Ocean Avenue, Centerville	M/P 226-084

GRANTED WITH CONDITION.

The applicant discussed the MA regulation for shelters for residential camps along with the MA DPH regulation 410.400B. The Board voted to grant the four buildings with the following occupants:

Applicant requested 12 in Groves	Approved for 11 (Rm 7 is 2 pple)
Applicant requested 46 in Lodge	Approved for 47 (Rm 1 is 8 pple) (Rm 2 is 5 pple) (Rm 10 is 4 pple)
Applicant requested 24 in Manor	Approved for 23 (Rm 7 is 1 pple) (Rm 8 is 1 pple) (Rm 9 is 2 pple)
Applicant requested 55 in Inn	Approved for 55 (Rm 2 is 1 pple) (Rm 24 is 1 pple) (Rm 26 is 2 pple) (Rm 32 is 2 pple)

XII. Regulation / Policies:

A. Stain lines observed by DEP Inspectors during septic inspections.

Upon a motion duly made and seconded, the Board determined that stain lines will be used at this time as an indication of a failure. The Board acknowledges that there are times when a failure is not the case and, thus, an additional comment will be put in the letters to failed systems due to stain lines specifying that they can request a hearing with the Board. (Unanimously, voted in favor.)

B. Discuss Toilet Facilities at Food Establishments.

The Board is interested in creating a policy to go into effect January 2017 regarding paper towels. It would address any public restrooms in food establishments whose doors do not open outward into the dining area, and whose restrooms doors must be manually opened with one's hand to exit the restroom. In this type of facility, the establishment must have a paper towel dispenser. A letter will be sent to food establishment services end of summer/early fall notifying them of when this item will appear on the Board's agenda.

XIII. Old / New Business:

A. Minutes.

Upon a motion duly made and seconded, the Board voted to adopted the March 8, 2016 Minutes. (Unanimously, voted in favor.)

B. Zoning Board of Appeals – Housing Complex, 550 Lincoln Rd Ext., Hyannis

An email will be sent to Zoning for their meeting 4/13/16 with a strong endorsement of the project by the Board.