



Town of Barnstable

Board of Health

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Wayne Miller, M.D.
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BOARD OF HEALTH MEETING RESULTS Tuesday, December 5, 2006 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

I. Procedural Decision:

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.

Two member BOH were not in agreement. One voted to approve. One voted to oppose. (David Houghton, Town Attorney, will research whether there is a remedy.)

II. Touchless Faucets

Ed Jenkins, Town of Barnstable Plumbing Inspector

Adapters for faucets are good for homeowners but not good for commercial. They interfere with hot water temperature. There are some designed for commercial use on the market which are more expensive.

III. Hearing (continued):

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

The BOH, Thomas McKean, Dale Saad and Donald Liptec will do a site visit. Focus will be on all manure including wet area in back trail and compost area.

B. Show Cause Hearing: David Stocchetti, pertaining to 573 Old Jail Lane, Barnstable – three violations.

Two civil fines will be issued: \$100 for repairing without a septic license and \$100 for repairing without a permit.

C. David Nunheimer, Attorney, representing Krista Driscoll, 573 Old Jail Lane, Barnstable, hearing requested by Ms. Driscoll in response to order letter received.

The BOH voted to support the original notice sent to Ms. Driscoll with direction to complete the necessary percolation tests and correct the septic system. The letter is to be modified to require the repair to be done within a six-month period because it is unclear whether the current system is now functioning properly.

IV. Update:

Kiernan Healy representing 14 Johnson Lane, Centerville.

Original permit was intended for repairs. Owner was confused because permit was issued to prior owner. The new structure has same number of bedrooms and has reduced the living space from 5,100 s.f. to 4,500 s.f. Septic is located in the same place. The rear of foundation is staying the same and the front of house is moved forward a bit. The Board feels the I/A system being put in is a good one and will allow it as there is no increase in flow.

V. Hearing (new):

Rose and Frank Rondinelli, 83 Old Craigville Road, Hyannis, requesting hearing for extension on notice for brush.

The BOH agreed to extend the deadline until February 15, 2007, on the warning letter to remove the brush from the property – to accommodate for fire burning season.

VI. Variance Request :

DENIED A. Mary Jo Seguin, 6 Cedar Street, Cotuit, 0.5 acre lot, house with in-law apartment, variance for existing D-box location.

BOH agreed with the Health staff that it is problematic to have the D-Box and leaching system under garage pad. The BOH would like to see a new leaching field installed with the standard two year allowance.

**CONTINUED
UNTIL
FEBRUARY 14** B. Down Cape Engineering representing Trisko Family Trust, 270 Sandy Neck, Barnstable, 10,890 square feet parcel, variance to maintain existing cesspool.

BOH will arrange a site visit for both internal and external. All parties will converse with Brian Dudley, DEP, to clarify various issues and whether a filter is needed. There is no electricity at location. There may be filters designed by gravity-feed.

**GRANTED
With
CONDITIONS** C. Down Cape Engineering representing Cheryl Nolan, 97 Willow Run, Centerville, 1.3 acre lot, repair of failed septic system, four variances.

Approved with the 11/17/06 Plan WITH THE EXCEPTION of the location of the SAS. They can not create their own hardship by locating the SAS with an 8 ft setback instead of a 10 ft setback. It must be moved so the setback is 10 feet. Also, they will move the SAS an additional 2 ft from The wall, for a total of 4 ft from wall, to enable plantings. Plantings are required on two sides: the West side and South side (to address the neighbor's side and the water view side. The CONDITIONS include no increase in footprint and no change in number of habitable bedrooms, three bedrooms maximum (otherwise, must come before the Board again).

DENIED D. Down Cape Engineering representing Fred Tonsberg, 2 Short Beach Road, Centerville, 12,630 square feet lot, repair of failed septic system, existing 2- bedroom to be razed and rebuilt as 2-bedroom, numerous variances.

The prior plan was approved in 2001 for 29 feet from wet area, however, it has expired and the rulings have changed a great deal since then. Proposed plan calls for septic to be 35 feet from wet area and is Denied. The Board recommends a tight tank.

CONTINUED E. Shane Pacheco, 1799 Service Road, West Barnstable, 3 acre lot,
Until new construction, proposed two dwellings and barn, variance for
JANUARY 17, 2007 well.

GRANTED F. Daniel Johnson representing Max Shertzer, 862/864 Craigville Beach
WITH Rd, Centerville, 6,400 square feet lot, repair of failed septic system,
CONDITIONS variances to setbacks.

Approved with the condition that there be no increase in footprint or elevation, no increase in the number of bedrooms, and no increase in flow. A 4-Bedroom Deed Restriction is required. Approved installation of 1,500 gal. tank to upgrade one of duplex (other currently has 1,500 gal tank). The two tanks will share a 1000 gal. pump chamber. Alarms for the system will be set on outside of building.

DID NOT G. Darren Meyer, Septic System Designs, representing Sarah and
PASS Jim Hermitage, 54 Nye's Neck Road, Centerville, 18,100 square feet lot,
house addition, repair of failed septic system, four variances.

Two member BOH did not agree. The proposal was to increase the square footage from 626 to 864 s.f, with a one-bedroom deed restriction, no increase in flow, no increase in footprint, etc. DID NOT PASS. Options are to check with town attorney, appeal to the state, or apply to the BOH for a tight tank.

VII. Body Art Applicant:

GRANTED Joseph Laposky – Application for Body Artist to operate at Cape Cod
Tattoo at 701 Main Street, Hyannis.

VIII. Massage License Applicant:

GRANTED Kelly Washburn, Centerville, MA.

IX. Discussion:

Peter Sullivan, Sullivan Engineering, representing Dmitry and Irena Zinov, 30 & 16
Iyannough Road (Route 28), Hyannis, 55,965 square feet parcel.

X. Correspondence:

- A. Adelheid Weber, Sunset Lane, Osterville, letter to James Crocker regarding the rental ordinance.
- B. Ralph Hansen, Major, Salvation Army – Soup Kitchen, touchless faucets.
- C. Mr. and Mrs. Bruce McCue, Bayberry Lane, Cummaquid – sale of property and plans to raise animals.