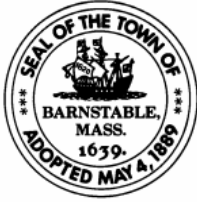


# Town of Barnstable

## Board of Health

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### BOARD OF HEALTH MEETING AGENDA Tuesday, July 17, 2007 at 3:00 PM Town Hall, Selectmen's Conference Room 367 Main Street, Hyannis, MA

#### I. Public Hearing:

Proposed Regulation – Repair of Failed Septic System.

New regulation of Time Frame for repair of Failed Septic Systems was approved.

#### II. Hearings – Housing (New):

A. Nancy Jean and Michael Faria, 800 Bearse's Way, Unit 2WA,  
Hyannis - housing violation(s) (cats, dirt, and odors).

The Board voted to have another attempt made to resolve the situation with one more direct discussion before filing criminal charges.

B. Ronald Bourgeois, owner of rental at 94C Sea Street, Hyannis - no oven provided.

The Board voted that the convection/microwave satisfies the oven requirement.

C. Donna and Jeff Weber, owners, 118 Scudder Avenue, Hyannis – owner requesting extension of deadline – no railings provided on deck.

The Board explained there may be two choices. One is to remove the door. Another may be to box the door in provided the Building Department permits this. The Board voted to grant an extension of 60 Days. They will check with the Building Dept. on boxing it in.

D. Fornanda McCarthy and Marloi Macedo, 11 Alicia Road, Hyannis – owner requesting hearing – removal of two bedrooms in basement.

The Board agreed to give a 60 day extension and required the doorway of the former two bedrooms in the basement have the doorway increased to four feet.

E. Michael Schulz representing Robert Spenlinhauer, 828 Sea View Avenue, Osterville – requested hearing regarding housing-parking.

The Board voted to: (1) refer this to Town Council requesting an official letter from the Town Council stating whether the parking ordinance applies to private residence (non-

rental) for parking, and (2) the Board will issue a fine for non-compliance of the ordinance at this time.

**III. Continued Items from Previous Meeting:**

**Decision Upheld** A. John Hopkins, representing Kathleen Pouse, 22 Marion Way, Osterville, status of housing compliance (continued from Apr 2007 BOH meeting).

The Board held to their prior decision that the property is limited to a three bedroom due to the 330 rule and the fourth bedroom must be removed. The Board will advise the Town Attorney to consider this violation in addition to the current court hearing on this property with the Building Division.

B. Charles Sabatt, Attorney, representing Hyannis Public Library, update on status of underground fuel storage tank (continued from Mar 2007 BOH meeting).

Mr. Sabatt was unable to attend the meeting as he had a court date. Mr. McKean will contact him for the update.

**Postponed To Aug 21, 2007 Meeting** C. David Dumont, Island Merchant, 302 Main Street, Hyannis – food establishment with grease trap variance, update to Board on three months tests wastewater entering and exiting grease recovery device (continued from Feb 2007 BOH meeting).

**Continued To Aug 21, 2007 Meeting** D. Catherine Morey, Coastal Engineering Company, representing Silvia & Silvia, 116 Scudder Avenue, Barnstable, 1.3 acre lot - Proposed house addition, five variances continued from Jun meeting).

**IV. Septic Variances (New):**

**Granted With Condition** A. Sarah Ojala, Down Cape Engineering, representing Joan Terkelson, 34 Swallow Hill Road, Barnstable, 30,434 square feet lot, repair of failed septic system, two variances.

The Board voted to approve the plan with the condition that the original permit is for three bedrooms. If it is a two bedroom, they must come back to the Board.

**Postponed To Aug 21, 2007 Meeting** B. Peter McEntee, P.E., representing Thomas Capizzi, Jr., Trustee, Centerville, LLC, 1084 Craigville Beach Rd, Centerville, 5,080 square feet parcel, repair of septic system, eight variances requested.

**Continued To Aug 21, 2007 Meeting** C. Joe Henderson, P.E., representing Jerome and Marlene Goldstein – 199 Meadow Lane, W. Barnstable, 1.38 acre lot, addition to house, increase from four to six bedrooms, two variances.

The Board voted to continue to the August 21, 2007, to access further documentation. The Board would like to see the 1993 septic permit.

- GRANTED** D. Stephen Wilson, P.E., Baxter Nye Engineering, representing Daniel and Lisa Gorin, 420 Bay Lane, Centerville, 3.5 acre lot - house renovation, two variances requested.

The property was five-bedroom. It will be remodeled to a four-bedroom. The Board voted to approve the four-bedroom plan. The reserve area will be identified.

**V. Six Bedrooms or More:**

- GRANTED** A. Sullivan Engineering representing Corey and Deirdre Griffin, owners - 371 Wianno Avenue, Osterville, three buildings, eight bedrooms.

The Board approved the eight bedroom plan.

(Added)

- GRANTED WITH CONDITION** B. Stephen Wilson, Baxter Nye Engineering, 44 Quail Road, Osterville, 2.3 acre lot, six bedrooms, no variances.

Stephen Wilson presented the plan which Conservation has already approved. The Board voted to approve the plan pending staff review.

**VI. Food Establishment Variance Requests (New):**

- GRANTED** A. Mark Marion, Osterville Sundae News, 3 Wianno Avenue, Osterville – new owner requests toilet facility variance.

They will install touchless faucets before December 31, 2007. The Board voted to approve.

- GRANTED** B. Micah Power, The Black Spot Café Bar, 10 Ocean Street, Hyannis, grease trap variance.

The Board voted to approve.

- CONTINUED TO Aug 21, 2007 Meeting** C. Charles Allen and Robin Pulsifer, Sepia, 619 Main St, Unit#2, Centerville, three variances: toilet facility, grease trap, and 3-bay sink.

The Board stated the proposed chocolate drink would have fats needing a grease trap among other items. They discussed options and the owners will continue until Aug.

**VII. Body Art Applicant:**

- GRANTED WITH CONDITION** A. Steven Von Staats, Hopewell Lane, Cotuit, MA.

Once the official school transcript arrives showing Anatomy passing grade, he is approved.

- GRANTED** B. Michelle Dugan, Nonantum Lane, Chatham, MA.

Paperwork is all set. Granted Body Artist Permit.

**VIII. Lifeguard Modification Applicant:**

**GRANTED** Narendra Patel, Budget Host Inn, 614 Route 132, Hyannis, MA - new owner.

The Board approved the lifeguard modification variance as all paperwork is in order.

**IX. Massage Therapist Applicant:**

**GRANTED** A. Leslie Lee Cazamira, Sunset Lane, Barnstable, MA

**GRANTED** B. Sarah Bird, Lovell's Lane, Marstons Mills, MA

**GRANTED** C. Deborah Jones Fawcett, Ocean Street, Hyannis, MA

**X. Correspondence:**

A.M. Wilson Associates- regarding update on 765 Santuit Road, Cotuit, tight tank.

Regarding the tight-tank which the Board of Health required: Brian Dudley, DEP, prefers a non-tight tank system, however, that proposed system is four to five times more expensive and the Conservation Division will have a very hard time approving it. Ms. Wilson does not agree with his suggestion. She will apply to the DEP to overrule Mr. Dudley's decision. If she loses the appeal, then the Board will review Brian Dudley's plans and they would ask Mr. Dudley to attend that Board meeting.

**XI. Old Business/New Business:**

A. Touchless Faucets – request from Cynthia Cole to appeal regulation.

Informal discussion continued. The Board voted to have a six month moratorium on the touchless faucets in restrooms and kitchen prep area (new deadline is Jun 30, 2008). All new owners and new construction need to put them in by December 31, 2007. Letters will be sent notifying the restaurants.

B. Update - percolation tests.

Meeting Adjourned.