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# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601



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

### BOARD OF HEALTH MEETING RESULTS Tuesday, September 8, 2009 at 4:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

#### I. Hearing – Housing (New):

**FINE** A. John Boyle, Boyle Realty Trust – 8A Seabrook Road, –  
**\$100/Day** Hyannis violations.

The Board voted to levy a \$100/day fine until the critical violations are repaired.

**UPHELD** B. Robert Souza – 63 Chestnut Street, Hyannis –  
**PRIOR FINDING** bedrooms egress.

The Board voted to uphold the findings in the letter issued by the Public Health Division for violations.

**GRANTED** C. Daniel Levesque – 25A River Road, Marstons Mills –  
ceiling height.

The Board voted to allow the ceiling height given the age of the house.

**GRANTED** D. John Kowalkski, Attorney, representing Linda  
**WITH CONDITIONS** Peterson, owner – 38 Rosewood Lane, Cotuit –  
violations and extension.

The Board voted to acknowledge the house as a four bedroom, the room over the kitchen will widen the opening to the door to five feet, and the owner will record a four-bedroom deed restriction at the Barnstable County Registry of Deeds and will supply the proper copy to the Public Health Division.

#### II. Hearing – Septic:

**GRANTED** John Morin, representing Betsy Miller, owner – 1610 Main Street,  
West Barnstable, request for an extension on deadline of repair.

The Board voted to extend the deadline for an additional 60 Days.

#### III. Septic Variance (New):

**GRANTED** A. Dan Ojala, Down Cape Engineering, representing Helen  
**WITH** Marvill, owner – 1636 Main Street, West Barnstable, Map/  
**CONDITIONS** Parcel 197-025, 0.34 acre parcel, four variances requested.

The Board voted to approve a total of six variances with the following condition:  
1) a revised plan will be submitted to show the additional variances to neighboring wells.

**GRANTED** B. Michael Perrault, P.M.P. Associates, representing Joyce  
**WITH** Haseotes, owner - 293 Long Beach Road, Centerville,  
**CONDITIONS** proposed addition, approval requested for I/A Fast System monitoring plan.

The Board voted to approve the I/A Fast System with the following conditions:  
1) redesign based on an elevation of 2.0, 2) change the plan to state a standby power source will be provided, and 3) six bedroom deed restriction be recorded at the Registry of Deeds and a proper copy be provided to the Public Health Division.

**IV. I/A Monitoring Plan Review:**

**DENIED** David Walsh, 195-E, Route 149, Marstons Mills, requesting discontinuance of monitoring the RSF system and he will continue quarterly Maintenance Inspections-Herring Run Place Condo.

The Board determined the owners must continue with the maintenance program as is at this time.

**V. Variance – Food (New):**

**GRANTED** Mary DeBartolo representing Cape Land and Sea Harvest  
**WITH** (Clash) – Temporary Food Permit applications for annual  
**CONDITIONS** event “Farm to Table”, on September 27 at Cape Cod Organics Farm, 3675 Main Street, Barnstable.

The Board voted to approve the annual temporary food permit for CLASH with the following conditions: 1) a schematic diagram showing the set-up with the preparation area, eating area, and handwash sinks labeled be submitted and approved by Thomas McKean, and 2) the proper signage be used when serving raw shellfish.

Additional: The request to serve cheese was denied as there was not enough information supplied.

**VI. Hearing – Septic:**

**GRANTED** Francis and Barbara Ferguson, owners – 512 Whistleberry Drive, Marstons Mills – bedroom count.

The Board voted to extend the deadline to 60 days, at which time, Mr. Ferguson will enlarge one of the bedroom doorways to 5 feet.

**VII. Hearing – Housing:**

**GRANTED** Francis Wurzburg - 140 Willimantic Drive, Marstons Mills-ceiling height.

The Board voted to approve the ceiling height of the house.

**VIII. Updates:**

Jason Ethier, 15 Highland Street, Hyannis - ceiling height,  
continued from July 14, 2009 board meeting.

Jason has decided to keep the area with the low ceiling height as a non-habitable living section. The inspection of this will be necessary.