



# Town of Barnstable

## Board of Health

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### BOARD OF HEALTH MEETING MINUTES Tuesday, February 27, 2018 at 3:00 PM Town Hall, Hearing Room 367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, February 27, 2018. The meeting was called to order at 3:00 pm by Chairman Paul Canniff, D.M.D. Also in attendance were Board Members Junichi Sawayanagi and Donald A. Guadagnoli, M.D. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

#### I. Variance – Septic:

- A. Michael Pimentel, JC Engineering, representing Gerald Healy, owner - 16 Short Beach Road, Centerville, Map/Parcel 206-043, 4,995 square feet parcel, two variances Requested.

MOVED TO MARCH 20, 2018 by Applicant.

- B. Edward Stone representing Wayne Sullivan, owner – 322 Yarmouth Road, Hyannis, Map/Parcel 344-019, 5,011 square feet parcel, multiple variances requested.

David Flaherty presented the plan (Mr. Stone was not available) David said it is a very tight lot with some of the current system located on the neighbor's property. The new system will be entirely on the owner's lot which is why a number of variances are required. The old system will be properly abandoned, either removed or filled in.

Mr. McKean said the staff did not have any issues. Mr. McKean asked that three corrections be made (see motion below).

Dr. Canniff asked that the location of neighboring septic systems and their distances to owner's septic systems be listed on plan, as well.

Upon a motion duly made and seconded, the Board voted to grant the variances requested with the following conditions: 1) correct page two of the plan, under SAS profile, it should say 3' x 2' x 37', (2) the State/Town Code numbers must be listed on the plan next to the variances requested, (3) the neighboring septic systems must be identified on the plan and the distance to them from the owner's septic system, and (4) the percolation test results must be submitted on the long form. (Unanimously, voted in favor.)

- C. Peter McEntee, Engineering Works, representing Lee and Beverly Staniar, owners – 206 Annable Point Road, Centerville, Map/Parcel 211-032, 14,090 square feet parcel, failed septic system, multiple variances requested.

MOVED TO MARCH 20, 2018 by Applicant.

- D. John O’Dea, Sullivan Engineering, representing Jennifer Newberg, Trustee - 1187 Craigville Beach Road, Centerville, Map/Parcel 206-050, 6.26 acres parcel, failed septic system, secondary system -AdvanTex Treatment System proposed, variances requested.

John O’Dea was present.

Mr. McKean asked that Board’s approval letter make reference to the MA DEP approval letter dated March 20, 2015 on page 7 of 16 which lists the test/monitoring required and on page 8 of 16 under item# 4, It states the monitoring (the testing) shall only be required to be done once a year.

Upon a motion duly made and seconded, the Board voted to grant the variances and the installation of the AdvanTex with the following conditions: 1) A five (5) bedroom deed restriction recorded at the Barnstable County Registry of Deeds (2) submit an official copy of the deed restriction, and 3) the monitoring-testing will be once a year as stipulated in the MA DEP approval letter dated March 20, 2015, page 8 of 16. (Unanimously, voted in favor.)

## II. Lifeguard Exemption Requirements:

Patti Machado, Recreation Division, acknowledged the national shortage of trained lifeguards and said they have organized discounted courses for lifeguards at the YMCA. Registration is now open and school buses have made arrangements for transportation during April school vacation. There will be courses in the summer as well. The rate is lowered from \$360 to \$180. There are two types of certification: pool certification and waterfront certifications for beaches, which are more stringent.

Mr. Skip Simpson , Anchor In, restated his suggestion pertaining to the signage used when no lifeguards are on duty. He would like to see the signage changed from (1) “Children under age 16 should not use the swimming pool without a responsible adult in attendance” to “ ...under 16 shall not use ...”, and (2) “Adults should not swim alone” to “Adults shall not swim alone”.

Stephen Hurley, Hyannis Holiday Motel, said he is a trainer for CPR and this allows him to train someone immediately when need be.

Todd Deluca, President of the Greater Hyannis Chamber of Commerce asked that the Board allow addition time so the owners can meet with Todd and come up with some alternatives.

The Board agreed and it will be on the March 20, 2018 agenda.

## III. Pool – Variance for Lifeguard Deregulation Modification

For Off-Season: Jay Patel, General Manager/Owner, Best Western – 1470 Iyannough Road, Barnstable, requesting no lifeguard during off-season. Swimming pool renovation fails to meet State Code.

The State did not support the December 2017 Board decision as the motel had a previous pool variance. The Board discussed requiring two people (instead of one) with CPR and First Aid certifications must be on the premises and reachable when the pool is open.

Upon a motion duly made and seconded, the Board voted to grant a conditional variance from the lifeguard regulation and, thus, allow them to follow the deregulation of lifeguards policy during their off-season of Oct 1<sup>st</sup> through April 30<sup>th</sup> with the following conditions: 1) with the adjustment that two people (instead of one) with CPR and First Aid certifications must be on the premises and reachable when the pool is open, 2) the establishment must update the Board each year with the occupancy numbers for the prior Fall and Winter to verify they do not exceed the count used in the regulation (currently, no more than 75 rooms) during that period, and 3) this is contingent upon receiving approval from the Director of Community Sanitation Program at MA Department of Public Health due to the variance previously granted regarding the construction of this swimming pool. (Unanimously, voted in favor.)

**IV. Hearings – Sewer Connections (Stewart Creek Area):**

A. James Mitchell (lives in Key West, FL) 38 Betty's Pond Rd, Hyannis

No one was present.

B. JoAnn Crippen/Scott Dias 17 Hill Street, Hyannis

Scott Dias is Mrs. Crippen's son. He was present and explained that he took on an additional job specifically to earn money for the connection. They have a quote from an installer and are halfway there. He is asking for a deadline extension.

Upon a motion duly made and seconded, the Board granted a one-year deadline extension to February 28, 2019 to connect to the sewer and the owner(s) will come back to the Board on October 23, 2018 to give the status. (Unanimously, voted in favor.)

C. Rosanie Joseph 83 Nautical Way, Hyannis

Mrs. Joseph is reapplying for loans now that the property title is fully in her name.

Upon a motion duly made and seconded, the Board granted a one-year deadline extension to February 28, 2019 to connect to the sewer and the owner will come back to the Board on October 23, 2018 to give the status of the project. (Unanimously, voted in favor.)

**V. Temporary Food Event:**

Brianna Motil, Local Juice, sponsoring "Rise Artisan and Wellness Festival" at the West Barnstable Community Center, 2377 Meetinghouse Way, West Barnstable on March 10, 2018 with wellness classes, yoga, and pre-packaged salads, snacks, and bottled juices.

Brianna Motil spoke to the Board stating the event will run from 10:00 -3:00 pm and everything is prepackaged and a cooler will be on hand for the salad and juice.

Upon a motion duly made and seconded, the Board granted approval of the annual event. Foods must be kept at proper temperature as the event extends beyond four hours. (Unanimously, voted in favor.)

**VI. Informal Discussion:**

Matthew Eddy, Baxter Nye Surveying and Engineering, representing Cape Cod Five, owners – 1582 and 1520 Iyannough Road, Barnstable.

Matthew Eddy, engineer, and Chris Raber, Cape Cod Five, explained that there is no modification to the building or septic system at 1582 Iyannough Road. At 1520 Iyannough Road, there were three existing septic systems in the GP overlay zone and they have removed all three systems which is a reduction of 1,623 gallons/day. Also, an additional benefit to the Town is that Cape Cod Five will be covering the cost of a municipal pump to be installed there which will be large enough and available to handle other properties hooking up to sewer in the area.

Griffin Beaudoin, DPW, was also on hand to answer any questions the Board had.

The Board was happy with the project. The owners of 1582 Iyannough will connect to the sewer as soon as it becomes available.

**VII. Minutes:**

Minutes – December 19, 2017 and January 16, 2018 meeting.

Upon a motion duly made and seconded, the Board voted to adopt the December and January minutes. (Unanimously, voted in favor.)

**VIII. Policies / Regulations:**

WITHDRAWN. Revision to Variance Request Guide for In-Ground Grease Trap

- A. Policy to address Section 360-20 (C) of the Town of Barnstable Code – When to require an applicant to appear before the Board of Health for a Determination as to whether the system requires repair or replacement.

MOVED to the March 20, 2018 meeting.

**IX. Old / New Business:**

Article, New York Times, January 23, 2018: Vaping can be addictive ...

The Board will be setting up a workshop in the near future to discuss the smoking regulations.

**Additional:**

Sharon Spencer, RN graduate student from UMass Boston, asked the Board for ideas on a service learning project. The need for knowledgeable health care agents to educate people on healthcare proxies and medical power of attorneys was discussed, as well as the need to have them on file with their local hospital.

Voted to Adjourn 4:55pm