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Town of Barnstable

Board of Health

200 Main Street, Hyannis MA 02601



Wayne Miller, M.D.
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RESULTS OF BOARD OF HEALTH MEETING Tuesday, October 14, 2008 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

I. **Hearing – Estuary Ordinance** - Postponed to Nov. 18 Board of Health Meeting.
**POSTPONED UNTIL
NOVEMBER 18, 2008**

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

GRANTED WITH CONDITIONS A. Dan Ojala, Down Cape Engineering, representing Dr. Stanley Goldstone, owner - 223 Fifth Avenue, Hyannis, Map/Parcel 245-041, 8,000 square feet lot, three variances for repair.

The Board voted to approve the variances with the following conditions: 1) a four bedroom deed restriction shall be recorded at the Barnstable County Registry of Deeds and a proper copy submitted to the Public Health Division and (2) use of an adequate vegetative screen or stone face from the front view.

CONTINUE UNTIL NOV 18, 2008 B. John O'Dea, Sullivan Engineering, representing Michael and Gisa Belanger, owner –100 Cross Street, Cotuit, Map/Parcel 033-032, 0.9 acre lot, four variances for repair.

Given the quantity and severity of the variances, along with the lack of historical information, the Board would like to have the measurements of the bedrooms as they appear very close to 70 square feet or less. If it is to be used more than 4 or 5 months a year, then the Board would like an I/A system used.

The Board voted to approve a Continuance to November 18, 2008 Board of Health Meeting.

III. **Innovation/Alternative System:**

GRANTED WITH EITHER OF TWO SCENARIOS Robin Wilcox, Sweetser Engineering, representing Philip and Mary Ellen Nelson, Trustees – 90 Harbor Point Road, Barnstable, Map/Parcel 352-001, 15 acre lot, house renovation.

The pocket door to the office was removed and the door opening enlarged to five feet. Conservation Division had requested the use of an I/A System and a Singular System was chosen. The Board of Health expressed that as long as no variances are needed, the applicant can switch systems to a standard system if the applicant receives approval through Conservation.

The Board voted to approve the I/A system presented in the plan with the revised date of October 14, 2008, with the following conditions: the monitoring would only be required twice a year for two years with a review at the end of the two years. Also, the Board determined a standard system without any variances would meet the Board of Health regulations as well.

IV. Six Bedroom:

APPROVED Glen Harrington representing Taylor Joyce, owner – 100 Oregon Road, Cotuit, Map/Parcel 016-012, 2.6 acre lot.

The plan had a total of six bedrooms in the main house and one additional bedroom in a separate dwelling with two separate systems for each building. The plan did not require any variances. The Board voted to approve the submitted plan for seven bedrooms.

V. Variance – Temporary Food Permit:

APPROVED FOR TWO ANNUAL FOOD EVENTS John Rega for Taste of Cape Cod Festival, to be held at Resort & Conference Center, Scudder Ave, Hyannis, on November 23, 2008.

The Board voted on approval for two temporary food permits per year to be run in a similar fashion to the Taste of Cape Cod Festival 2008. The specific dates are not required in advance of the year.

VI. Old Business / New Business:

A. Dumpster Update -James Madru, Manager, Breakwater Condominiums, dumpster setback to property line.

A letter from an abutter, Richard Marino was read. The dumpster will be on a monthly schedule in the off-season. No action was required.

B. Rainwater standing on top of septic – 70 Thoreau Drive, Centerville.

The Board listened to owner and stated they do not have jurisdiction to require anyone to do the repair for free. The issue is a civil issue (which has already been set up to be heard in court).

GRANTED - GIVEN TWO OPTIONS C. Number of Bedrooms to be verified –Ralph Mahoney, owner- 58 Mockingbird Lane, Marstons Mills.

The Board decided that given the confusion, the Board must allow the five bedrooms. As a new septic is needed at this time, the Board states that an I/A system will be needed for five bedrooms. The Board voted to approve two options: 1) the owner can put in a standard system for a four bedroom without an I/A system, or (2) the owner can keep the 5 bedrooms and install an I/A system.

Additional Item: Dr. Canniff suggested the idea of allowing the Health Division Inspectors to receive septic permit requests, allow more time to review them, and return them in the future, i.e. 48 hours later. The hope would be to take pressure off the inspectors in reviewing the plans on the spot.

**CONTINUED
UNTIL
JAN. 13, 2009**

D. Jaqueline McCarthy / Harry Grong for The British Beer Company, 412 Main Street, Hyannis, (continued from Aug. 2008), with results of grease trap log.

Continued to the January 2009 to allow another grease trap pumping to be done in its normal quarterly cycle and the Board requests the quantity in trap be broken down to the percentage of solid grease and percentage of sludge.

GRANTED E. Felis Barreiro, owner, Alberto's Restaurant, Main Street, Hyannis (continued from May 2008) with results of grease trap log to determine frequency of grease trap pumping with additional seats.

The Board voted to approve the 3,000 gallon grease trap for 250 seats. The Board is still interested in seeing the pumped information each time it is pumped; however, they do not need to come before the Board again.

GRANTED F. Original Gourmet Brunch, Main Street, Hyannis (from May 2008), results of grease trap log to determine frequency of grease trap pumping, seating.

The Board voted to approve the 1,000 grease trap for 94 seats. The Board is still interested in seeing the pumped information each time it is pumped; however, they do not need to come before the Board again.

G. Pain D'Avignon - Status of toilet facilities, seats and permits.

Mario stated that the original bathrooms are now accessible to the restaurant. The wall was removed. This brings the total amount of bathrooms to three (including one for handicap) and meets the requirements. No further issue.

H. Status – Regulations Revisions

Each month the Board will review a new section of the group of regulations to be reviewed.