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# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601



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

### BOARD OF HEALTH MEETING MINUTES Tuesday, January 13, 2009 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

#### **I. Hearing – Housing:**

Allen White, President, Health Care Management Associates and Merrill Blum, Executive Director, Veteran's Outreach Center, requested a hearing regarding a complaint from an occupant at 379 South Street, Hyannis (**continued from November**)

The Board voted to approve the variances of the two undersize rooms with the condition that it continue to be used for temporary occupancy

#### **II. Septic Variance (Cont.):**

**POSTPONED UNTIL FEB 2009** Michael Ford representing Michael and Gisa Belanger, owner – 100 Cross Street, Cotuit, Map/Parcel 033-032, 0.9 acre lot, four variances for repair (continued from Oct and Dec 2008)

#### **III. Adoption of Article – State Sanitary Code, Chapter II**

Proposed Regulation - State Sanitary Code, Chapter II (105 CMR 410.000 through 105 CMR 410.960 Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II)

The Board voted to approve the regulation.

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

A. Daniel J. Ojala, Down Cape Engineering, representing Frank Tenaglia, owner - 5 Patricia Street, Hyannis, Map/Parcel 246-052, 9,849± sq. ft. three (3) variances from (a) SAS to foundation and catch basin and (b) setback, SAS to foundation.

One room on the plan is in question of being closed off. Rather than open the doorway to a six foot opening, the owner would like to keep as is so they can close the room and use the air conditioner in there for relief. They agreed to a three bedroom deed restriction.

The Board voted to approve with the condition of a recorded three bedroom deed restriction.

- B. Randall Swetish (contractor) representing Joseph & Joyce Paradis, owners - 90 Cindy Lane, Barnstable, variance minimum setback distances (addition of a second bathroom).

The Board voted to approve the plan with the condition of using 40 mil lining against the wall under existing house and line under the flooring of addition (bathroom) with 40 mil polyethylene lining.

**V. IA Monitoring Plan Review :**

- A. Stephen S. Dane, **195-D**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

\*Yes, reduce to yearly.

- B. Normand Barclou, **195-C**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

No, stay at quarterly.

- C. Leonard H. Julius, **195-H**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

\*Yes, reduce to yearly.

- D. Thomas Fehnel, **195-A**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

\*Continued to Feb 2009 meeting.

- E. Kimberly J. Straubing, **195-G**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and she will continue quarterly Operation and Maintenance inspections.

\*Yes, reduce to yearly.

- F. Barbara A. Ryshavy, **195-F**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and she will continue quarterly Operation and Maintenance inspections.

\*Yes, reduce to yearly.

- G. Randy Cox, **195-B**, Route 149, Marstons Mills, requesting

discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

\*Reduce to semi-annual.

H. David Walsh, **195-E**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and he will continue quarterly Operation and Maintenance inspections.

\* Continued to Feb meeting for results on more tests.

I. Carolyn Keating, **195-I**, Route 149, Marstons Mills, requesting discontinuance of testing of RSF system and she will continue quarterly Operation and Maintenance inspections.

\*Yes, reduce to yearly.

**The Board reviewed the above items (A-I):**

If the owner has 8 tests and the median value falls within the acceptable range, then the owner can reduce monitoring to a yearly testing. Otherwise, the owner must continue to do the quarterly testing until they do have 8 tests.

The Board voted on the above items: A-I with the results that: D, F, G, H and I are changed to an annual testing; also, B will change to a semi-annual monitoring, C will remain the same at this point and will have an option to request a review again once there are 8 results with a median value. A and E will be continued to the February 2009 meeting to bring additional test results.

CONTINUED TO A DATE IN THE FUTURE J. Ellen Merritt 27 High Street, West Barnstable, requesting reduction in number of testing dates required in one year for her system.

The Board voted to approve a Continuance until she notifies the Health Division that she has eight good tests on the monitoring.

K. Tom Gere, 88 Hilliards Hayway, West Barnstable, requesting discontinuance of monitoring of FAST system.

\*Yes, reduce to yearly.

The Board voted to approve the reduction of testing to annual testing on the monitoring plan.

**VI. Food Establishments:**

A. West Main Gas, 577 West Main Street, Hyannis, requesting expansion of items being sold at this establishment.

The Board voted to approve the expanded food menu submitted today, 1/13/09.

- B. Hyannis Main Street Business Improvement District – Cynthia Cole requesting extension beyond the December 31, 2008 deadline for installation of touchless faucets in food establishments.

The Board voted to extend for a two year period making it a 5 year plan to improve. The expiration will be 2/28/2011.

- C. Paul Dean, Osterville Fish Market, requesting discussion regarding the most recent grade for Osterville Fish Market.

*Paul Dean asked to review the inspection as he has had three and more A's and the last inspection in October the only issue he had was a missing servsafe certificate which was an oversight as someone was replacing a worker in a pinch. Since then, the person has received the servsafe certificate.*

**VII. License: Disposal Works (Septic Installer):**

- A. David H. Fletcher, Plymouth, MA

Board voted to approve.

- B. Joseph M. Martins, Dennis, MA

Board voted to approve.

- C. Adam Riker, Yarmouth, MA

Board voted to approve.

**VIII. Old Business/New Business:**

- Harry Grong for The British Beer Company, 412 Main Street, Hyannis (continued from Oct. 2008 and Aug. 2008), with results of grease trap log.

The British Beer Company gave the results of the grease trap test.

The Board voted to approve the restaurant be pumped quarterly for the grease trap for the British Beer company and the power wash for the outside tables is approved.

**Vote for Officers:**

The Board voted Dr. Miller as Chairman again.

The Board voted Mr. Sawayanagi as Vice Chairman.