



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING RESULTS

Tuesday, May 11, 2010 at 3:00 PM
Town Hall, Hearing Room
367 Main Street, Hyannis, MA

I. Hearing (Cont):

Requested by motel owner, George "Skip" Simpson, Anchor-in, One South Street, Hyannis – discussion of qualified swimmers and lifeguard requirements at pools.

The following ideas were discussed as possibilities of policies if a reduction in personnel required at pools were to be accepted: no swimming alone, key-access to pool when no lifeguard working, none of this was suggested to the following type pools: wave pools, apparatuses in the pool, slides, or when a pool has a scheduled large event, etc. Support was shown if the Health Inspectors would find it valuable to meet State Inspectors to aid them in this discretionary choice of coverage per pool. The Board discussed a possible two-level agreement (Health Inspector, then Board) based on normal activity at each particular pool.

Dr. Canniff asked that the Fire Dept. come to the next meeting and give information on the town's history of drownings at pools, if any.

The Board voted to Continue to the June 8, 2010 Board meeting and request the Fire Dept come to speak. Also, a draft will be written (by Dr. Miller) and the views of the Health Inspectors on this matter will be obtained.

II. Hearing – Tobacco:

Tobacco violations as reported by Bob Collette of Barnstable County Tobacco Control.

- A. Luke's Liquors, 395 Barnstable Road, Hyannis – First Offense, tobacco products sold to a minor.

First Offense and will be issued a Warning Letter.

- B. North Street Automotive, 240 North Street, Hyannis – First Offense, tobacco products sold to a minor.

First Offense and will be issued a Warning Letter.

III. Show-Cause Hearing: Food Establishment:

WITHDRAWN Hyannis Food Mart, 18 Center Street, Hyannis, food violations.

IV. Variance – Septic (New Item):

Mike Aucoin representing Ernest and Marjorie Whitman, owner – 329 South Main Street, Centerville, Map/Parcel 207-082, 1.4 acre lot, multiple variances requested.

The Board voted to approve the plan submitted with the following conditions: 1) delineation on plans of the method of construction to be used on the retaining wall, 2) the opening of the door between the family room and living room to a four foot opening, 3) need a description of the adequacy of keystone block wall and its base explaining why the engineer feels it'll be adequate for the frost line, and 4) a four-bedroom Deed Restriction.

Later, Mr. Aucoin explained the system of the interlocking blocks allows a give and take in the event of frost, thus preventing the integrity of the wall to be harmed by frost.

V. Innovative / Alternative System:

WITHDRAWN Linda Pinto representing Justin and Martina Larhette, owner – 10 Flowing Pond Circle, Osterville, Map/Parcel 146-066, 0.36 acre lot, septic failure, expand system to a 2-bedroom capacity using I/A system.

They will resubmit with a new plan for a 2 bedroom with new variances.

VI. Variance – Food (New):

A. Roger Ghanem, Barnacle – 988 Craigville Beach Road, Centerville, Map/Parcel 226-005, toilet facility variance.

The 2001 variance approved for prior owner will apply to this new owner

The Board voted to approve the variances (same as prior owner-2001).

B. Temporary Food Event: Alexandra Hynes for Cape Cod Entertaining Expo to be held at the Hyannis Youth Community Center, 141 Bassett Lane, Hyannis, on May 29, 2010

The Board voted to approve the temporary food event with the condition that they meet Thomas McKean's concerns prior to the event.

- C. Richard Bibeault representing Mid-Cape Farmers Market, Hyannis, applying for a change of venue from Main Street, Hyannis to the Hyannis Youth and Community Center, Bassett Lane, Hyannis.

Richard Bibeault was present. They are simply looking for a change of venue.

For a 13 week temporary food permit. The only item needing refrigeration is the smoked fish. They have the truck with the electric refrigeration in it. Also, Richard has been told there are outdoor electrical outlets at the poles (up in the air), and if problems with this, they can always plug into the building as well.

VII. Body Art Variance (Cont.):

Continue discussion of requirements for Body Artists.

Ideas included: No prerequisites, with the State course issued as a Pass/Fail grade requiring 70 % correct to receive a Passing Grade. Then, to get a permit, need yearly blood pathology, need 18 months in the town under an approved practitioner, or 2 yrs from another town.

Dr. Miller suggests we do it on a case-by-case basis.

She offers the course free of charge to the BOH members.

If the Board agrees to change the prerequisites to include this course, Dr. Miller is interested in taking the course prior to implementing.

VIII. Subdivision:

Dan Ojala, Down Cape Engineering, representing Susan Maki, Trustee, Maki Family Trust –‘0’ Oak Street (off Oak Street), Barnstable, Preliminary Plan Subdivision# 819 in Historical District, Map 215, Parcel 014-001, 3 lots on 6.94 acres, within the Resource Protection Overlay District.

The Board voted to approve the plan submitted.

IX. Old/New Business:

- A. ACO: Administrative Consent Order –Draft given to Board from David Houghton, Legal . Any questions, the Board should get right back to David Houghton.

As it has to do with Septic, it is wise to give the mandatory two public notices, thus, may not be able to install until the July meeting.

- B. 130 Center Lane, Centerville –

Dr. Canniff recommends contacting the DEP for the list of all holding tanks in our town as each one must receive a permit from the DEP for them.

MOTION TO ADJOURN -0 4:43pm