



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING MINUTES

Tuesday, July 10, 2012 at 3:00 PM
Town Hall, Hearing Room, 2ND Floor
367 Main Street, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Thursday, July 10, 2012. The meeting was called to order at 3:00 pm by Chairman Wayne Miller, M.D. Also attending were Board Members Paul J. Canniff, D.M.D and Junichi Sawayanagi. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

I. Hearing - Failed Septics:

A. Eastern Bank, owner – 145 Cedar Street, West Barnstable.

No one was present.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve a sticker be placed on the house “Unfit for Habitation” until repairs are done.

B. John O'Donnell, owner – 718 Craigville Beach Road, Centerville.

John O'Donnell said no one has lived there since he bought it. Due to financial difficulties, his plans to fix the septic have been placed on hold and he has the water and the electricity shut off. He requested a three year extension.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve a one year extension with the condition that the water remains shut off. (The extensions will be granted one year at a time.) Unanimously, voted in favor.

C. Alena Kadolka, owner – 8 Thoreau Drive, Hyannis.

No one was present.

Mr. McKean stated the Health Division has sent repeated notices and has had a constable deliver a notice which was signed for. However, we have not had any responses. People are living there. There have been a number of cars seen there.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to have a sticker placed on house "Not Fit For Habitation" and will ask the Town Attorney how to proceed forward. (Unanimously, voted in favor.)

II. Temporary Trailer:

- A. Barry Lehman representing Amin Khoury, owner – 835 Sea View Avenue, Osterville, Map/Parcel 113-002-002, request for a small temporary trailer on location to enjoy property while house is completed, no overnights.

Barry Lehman is the contractor who is building a new house for the owner and represented the owner. The request is to keep a trailer at the property, hooked up to public water, electricity, and connected to a 250 gallon septic holding tank. The trailer is located well above ground water and, using the high tide line, the trailer is approximately 100 feet away from the ocean.

Mr. Sawayanagi requested the specifications on the tank and was informed that all the plumbing in the trailer is connected to the tank.

The current owners have a home in Willowbend, Mashpee and will be sleeping in Mashpee. They are using the trailer during the daytime hours to access the beach. The prior owners of 831 Sea View have occupancy rights until March 2014 to the house next door so that is not an option.'

Upon a motion duly made by Dr. Miller, seconded by Dr. Canniff, the Board voted to approve the trailer use with the following conditions: 1) an alarm will be placed on the tank, 2) the trailer specifications will be supplied to Mr. McKean for review, 3) the trailer will be removed on September 15, 2012, and 4) the tank will be pumped weekly and the weekly pumping records will be submitted to the Public Health Division on a monthly basis. (Unanimously, voted in favor).

III. Septic Repair – Deadline Extension:

- A. Sarah Alger and Christine Jenness representing Peter Mattison, Trustee – 936 Sea View Avenue, Osterville, requests an extension of the repair deadline.

Christine Jenness, Esq. was present for the owner, along with Robert Paolini, Septic Inspector. Mr. Paolini said there are two systems. One is a single cesspool which appears to be in good condition; however, as a single cesspool, it is an automatic failure. The other is a Title V system which is rated a failure because there are stain lines up too high. The Title V system was pumped after the inspections were performed and there is no immediate health hazard. There are two seasonal short-term rentals. One is a 3-week rental for 2 adults and 2 children. The other is a 4-week rental with 2 adults and up to 5 children. To the best of Christine's knowledge, no one will live there after 9/20/12.

The septic systems are over 100 feet from the water. Robert Paolini is willing to check on the system and do a one-page report weekly.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve an extension of the septic repair with the following conditions: 1) no further occupancy after 9/20/12 until the septic is replaced, 2) weekly inspections will be done by Robert Paolini, a registered septic inspector, 3) after 9/20/12, the property must be posted "Not Habitable" until the septic is replaced, 4) if the septic overflows or backs up, the Health Division will be notified immediately and there will be no further occupancy after 48 hours from the occurrence, and 5) the attorney for the owner (Christine Jenness, Esq.) will inform the purchaser of this agreement. (Vote: Two in favor, One against – Dr. Canniff.)

- B. Jeni Landers representing St. Peter Family Trust, owner – 3715 Main Street, Barnstable, requesting extension of septic repair deadline.

The Board voted to approve a six month extension on the deadline to repair the septic system with the following conditions: 1) it will remain unoccupied until the septic system is repaired or replaced.

IV. Variance – Septic (New):

- A. Michael Pimental, JC Engineering, representing Ann Molley, Trustee – 128 Horseshoe Lane, Centerville, Map/Parcel 207-079, 0.27 acre parcel, requesting three variances.

Michael Pimental was present and enumerated the variances.

Mr. McKean said the staff did not have any questions and did not have any problems with it.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the septic plan dated 6/22/12 with it's variances without any additional conditions. (Unanimously, voted in favor.)

- B. David Coughanowr, Eco Tech, representing Mary Dutra, owner – 1564 Main Street, West Barnstable, Map/Parcel 197-018, 0.59 acre parcel, variances for setback to wells.

David Coughanowr was present.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the septic plan dated 6/22/12 (B) with the following conditions: 1) a 2-bedroom deed restriction be registered at the Barnstable County Registry of Deeds, and 2) a proper copy of the deed restriction be submitted to the Public Health Division.

- C. John Holmgren, J.K. Holmgren Engineering, representing Cummaquid Golf Course, owner – 35 Marstons Lane, Barnstable, Map/Parcel 350-001, 110.62 acre parcel, requesting variances for new clubhouse septic.

Greg Driscoll and John Holmgren were present. The original building is 100 years old and the original septic was designed for 3,000 gal/day. The new Club House

will also contain the lockers, the restaurant and the function room. The new system will be designed for 9,000 gallons/day. They are proposing the Presby system as it is 40% smaller a system. With a system of this size, the only location they can fit it is under the parking lot.

V. Temporary Food Events:

- A. Roseanna Warfield, Rev. Harris and Alicia Beco for Zion Union Church Ethnic Food Festival at 805 Attucks Lane, Hyannis, on Saturday, July 28, 2012 with four vendors.

Upon a motion duly made by Mr. Sawayanagi, seconded by Dr. Canniff, the Board voted to approve the food event. The food will be served from 11am – 7pm. (Unanimously, voted in favor.)

- B. Roy Richardson representing Chip's House at Centerville Old Home Week Road Race on Thursday, August 9. The location will be Covell's Beach, Craigville Beach Road, Centerville.

Mr. Richardson was not available.

Upon a motion duly made by Dr. Miller, seconded by Dr. Canniff, the Board voted to approve the event for a temporary food permit. (Unanimously, voted in favor.)

VI. Septic Installer:

- John Condon, Sandwich, MA

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board approved John Condon as a septic installer. (Unanimously, voted in favor.)

VII. Old / New Business:

- A. Food Service on boats.

Dr. Miller had checked with the Town Attorney. The food service on boats does fall under our jurisdiction and we may accept another State division's inspection reports. The Board feels it is their obligation to inspect. The Board believes it is not required to have an addition policy as it is already part of their obligation. However, they will have Mr. McKean put together something for them.

- B. Contrasting colors on stairs to pool at Doubletree – dark blue tiles installed on steps.

The Board voted to have Double Tree apply two strips of adhesive tape across the portion of the pool stairs which are the same lighter blue color as the pool's general area. They specified a color of clear contrast (a dark color blue the same as the top portion of the stairs) was specified. The adhesive tape from a marine shop or plumbing supply shop which will adhere under water is requested. It will not be necessary to empty the pool to apply this.

Voted to adjourn – 4:52 pm.