



Town of Barnstable

Board of Health

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Alternate: Cecile Sullivan, RN,MSN

BOARD OF HEALTH MEETING MINUTES Tuesday, June 27, 2017 at 3:00 PM Town Hall, Hearing Room 367 Main Street, 2nd Floor, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, June 27, 2017. 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, Donald A. Guadagnoli, M.D. and Alternate Member Cecile M. Sullivan, RN, MSN. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

I. Hearing: Show Cause – Food: (Moved to Item VII).

II. Weekly Event/Farmers Market:

Jennifer Williams, Osterville Farmer's Market – Applications received for twenty –six food vendors; this year two applicants requested permission to cook foods onsite.

The Board members and Mr. McKean explained the policy – no cooking or heating up at the farmers' markets. Mobile trucks are allowed and the State does allow food samples to be given out. Also, the popcorn vendor, Wicked Good, has received approval for farmers markets in Barnstable. Currently, there are 23 vendors lined up. There are two additional vendors Jennifer is interested in having attend: 1) Donde Thiago and 2) No Joke Smoke BBQ. No Joke Smoke BBQ has sold product not requiring cooking at farmers market before and will be able to do that again as long as no cooking.

Upon a motion duly made and seconded, the Board voted to continue this item to the July 25, 2017 Board meeting. (Unanimously, voted in favor.)

III. Variance – Septic:

A. Daniel Ojala, Down Cape Engineering, representing Annamaria Kiryeleja, owner – 109 Point Hill Road, West Barnstable, Map/Parcel 136 – 020, 35,200 square feet vacant lot of subdivision approved in 1971, proposing three bedroom with private well and private septic system.

Daniel Ojala explained a revised plan was submitted to the Board which identified a second well on neighbor's lot with 170' from septic so no variance is necessary for that well.

Upon a motion duly made and seconded, the Board approved variance with condition: 1) must record a three bedroom deed restriction at the Barnstable County Registry of Deeds and 2) must submit an official copy of deed restriction to the Public Health Division. (Unanimously, voted in favor.)

B. Keith Gilmore, Gilmore Enterprises, representing Jeffrey & Carisa Phillips, owners – 1360 Osterville West Barnstable Road, Marstons Mills, Map/Parcel 126-007, 1.20 acre lot, proposed additional, setback to leach field variance request.

Upon a motion duly made and seconded, the Board voted to grant, without conditions, the variance and reminded applicant that if they do need to move the pipe running through addition, a permit will be required to be taken out. (Unanimously, voted in favor.)

C. Joe Henderson, Horsley Witten, representing Seventh Day Adventist Church – 2736 Falmouth Road, Osterville, Map/Parcel 122-018, 3.05 acre parcel, adding an accessory building, no increase in flow, one variance requested.

Upon a motion duly made and seconded, the Board voted to grant the variance and allow the use of the existing tank with the following condition: A revised plan will be submitted showing risers to be installed up to grade on the outlet (4 feet in diameter). (Currently, the plan already has smaller risers on the inlet.) The outlet risers will be offset from the inlet risers. This will reduce and disperse the weight of the soil on the top of the septic tank. The tank is H10 grade. (Unanimously, voted in favor.)

IV. Innovative Alternative (I/A) Septic System (Cont. from April):

WITHDRAWN Steve Wilson, Baxter Nye Engineering, representing Michael Walsh, Trustee 224 Pine Lane Extension, Osterville, Map/Parcel 117-075-002, 0.28 acre lot, Micro Fast 0.5 proposed.

V. Innovative Alternative (I/A) Monitoring Reduction:

Winston Steadman, All Cape Environmental, representing Richard Hardy and Susan Trsetter, Trustees – 90 Ladd Road, Centerville, Map/Parcel 206-058, requesting a reduction in monitoring.

Upon a motion duly made and seconded, the Board voted to grant the reduction of testing on the Innovative Alternative (I/A) septic system to once a year and will reduce the items tested for. Testing will be for TN (which is the combination of Nitrate, Nitrite and TKN). (Unanimously, voted in favor.)

VI. Variance – Swimming Pool:

John Dymecki, Leeds Architects, representing Gary and Jay Patel, owners of Best Western Hotel – 1470 Iyannough Road, Barnstable, Map/Parcel 274-001, pool renovations, requesting variance to maintain existing swimming pool steps which project into the swimming pool, and to maintain Hoyer Lift within the four feet clearance (walkway).

Upon a motion duly made and seconded, the Board voted to grant the variances for the pool with the following conditions: 1) the slope in the shallow end is too deep and must be corrected, 2) Lifeguards shall be provided at this swimming pool anytime it is in use or open, 3) the Hoyer Life shall be located in an area that will not compromise or obstruct life saving measures when/if a swimmer needs assistance while in the pool, 4) the Hoyer Life shall be located adjacent to the pool stairwell as depicted on the proposed plan, 5) red or orange colored paint shall be applied to the decking surrounding the Hoyer Life area, 6) must provide contrasting color stripes at least four (4) inches in height across each step riser for greater swimmer visibility on the two sets of stairs, 7) must provide different contrasting color stripes at least four (4) inches in height on each step tread for greater entrance and exit visibility on the two sets of stairs, and 8) the applicant must seek a variance from the MA Department of Public Health. (Unanimously, voted in favor.)

VII. Hearing: Show Cause – Food:

Tiki Port, 790 Iyannough Road, Hyannis, recurring critical violations.

Consultant Pamela Ross-Kung and owner Nancy Wong discussed all the changes and improvements made including the purchase of a few new pieces of equipment. One manager will take a leave of absence and the other will remain. The owners will add the position of a Senior Manager. The Board would like them to return to the Board at the next meeting, July 25th, 2017.

VIII. Food – One Day Temporary:

Jason Siscoe, Kalmus Beach Snack Bar requested permission to provide a clambake at Kalmus Beach on Father's Day, June 18, 2017.

The Chairman had approved the request prior to the Board meeting due to the date of the event and an official vote was obtained at the meeting. Upon a motion duly made and seconded, the Board voted to grant the permit to have a clambake on Father's Day. (Unanimously, voted in favor.)

They were inspected by the Health Department and the Fire Department on the day of event. Also, it was noted that they do qualify as a caterer for this location.

IX. Regulations / Policies:

Update Fees – Site Assessment (21E Report) file search per State.

Mr. McKean will revise the fee schedule for the next meeting.

X. Minutes:

Minutes – May 23, 2017

Upon a motion duly made and seconded, the Board voted to continue this to the July 25, 2017 meeting. (Unanimously, voted in favor.)

ADDITIONAL:

Chairman Canniff brought up for discussion articles of restaurants in Boston and the changes being made to facilitate the handicap and remaining mindful of the Americans with Disabilities Act.

Motion to Adjourn – 5:08 pm