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# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601



Wayne Miller, M.D.  
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### BOARD OF HEALTH MEETING RESULTS Tuesday, December 8, 2009 at 4:00 PM Town Hall, Selectmen's Conference Room 367 Main Street, Hyannis, MA

#### I. Hearing – Housing:

- GRANTED** A. Scott Crosby and James Peacock, owners - 257 Pond Street, Unit C, Osterville, Map/Parcel 119/032, variance from ceiling height.

The Board voted to approve the ceiling height for the bedroom due to age of building.

- POSTPONED UNTIL JANUARY 12, 2010** B. Gary Caruso, owner of 24 Pen Lane, Centerville, Map/Parcel 193-205, hearing requested by owner in regards to violation letter dated October 13, 2009 – POSTPONED Until January 12, 2010.

The Board will postpone until January 12, 2010, as requested. The Board expressed concern of continued use of too many bedrooms for the design of the septic and would like to resolve as soon as possible.

- GRANTED** C. John Rodrigues, Trustee, owner - 36 Oak Neck Road, Hyannis, Map/Parcel 308/203, requesting 3 variances from ceiling height.

The Board voted to approve three variances for ceiling heights due to age of building.

- GRANTED** D. Dawn M. Burt, owner - 4741 Falmouth Road, Cotuit, Map/Parcel 009/020, requesting variance from ceiling height.

The Board voted to approve the ceiling height variance due to the age of the building.

#### II. Hearing – Septic Failed (Cont.):

- CONTINUED UNTIL JANUARY 12, 2009** Michael Santos, owner – 26 Bishops Terrace, Hyannis, Map/Parcel 251-215, septic failure.

The Board requested the septic continue to be pumped as needed and would like the following information: 1) what zone the lot is in, 2) what is the anticipated use of the building, 3) is sewer anticipated in the area soon. If the unit is to be used for rental, the septic may likely endure heavy use. The Board voted to Continue to the January 12, 2010, Board of Health meeting.

**III. Variance – Septic (New):**

**GRANTED** Dan Ojala, Down Cape Engineering, representing Mark  
**WITH** Fazio, owner, 36 Deacon Court, Barnstable,  
**CONDITIONS** Map/Parcel 300-054, 1.73 acre lot, (4) variances,  
reduction in setbacks to wetlands, new construction.

The Board voted to approve the four variances of setbacks to wetlands with the following conditions: 1) a revised plan be submitted with the correct of the base of the leaching system to 42.5, and 2) a 3-Bedroom Deed Restriction be properly recorded at the Barnstable County Registry of Deeds, and 3) a proper copy of the Deed Restriction be submitted to the Public Health Division.

**IV. Variance – Food (New):**

**DENIED** Louis Capolino, Caffè “E” Dolci – 430 Main Street, Hyannis,  
**WITH** grease trap variance previously granted, addition to menu.  
**CONDITIONS**

The Board voted on the approval of the extended menu. (Unanimously, voted to DENY with the following requirements to avoid suspension: 1) Caffè “E” Dolci must return to the original approved menu, 2) clean up health inspection violations, 3) repair leak in ceiling and replace ceiling tiles, 3) bring waste pipe up to code and block off front section of refrigerator with piping, or close off refrigerator entirely, and 4) return to the Board at the January 12, 2010 meeting. If all items are satisfactory, the Board will consider the increased menu provided an additional GRD is installed.

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

**APPROVED** Jeffrey K. Morse, Marshfield, MA

The Board voted to approve Jeffrey Morse as a septic installer.

**VI. Proposed 18 bedroom Development:**

Stage Coach Residence – 70 Stage Coach Road and 151 Oak Street, Centerville –Santee Perry, Barnstable Housing Authority, determination of whether a shared IA system shall be required.

The Board determined an Innovative/Alternative System was not required and determined the engineer must identify any private wells within 150 feet of the septic components. In addition to the Board of Health's November 27 email correspondence to ZBA, the Board of Health will add: 1) the attic space under the roof line is not habitable, and 2) provide screening at the vent pipes to the septic system, and the seven page checklist must be completed by the engineer at the time of the septic permit.

**VII. Old Business/New Business:**

- A. Budget – submitted request for additional funds to manage an escrow account for septic repairs.
  
- B. Flu Vaccine Clinics – final Seasonal Flu Vaccine Clinic will be Wed December 9, 2009 at the Senior Center. The H1N1 Vaccine continues to be distributed as quantities are received in.