



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING RESULTS

Tuesday, September 18, 2012 at 3:30 PM
Town Hall, Hearing Room, 2ND Floor
367 Main Street, Hyannis, MA

I. Septic Repair – Deadline Extension:

Jacqui Michelove representing the Estate of Matthew Fink, owner – 18 Great Marsh Road, Centerville, Map/Parcel 230-006, 0.20 acre parcel, failed septic system, requesting a twelve month extension.

APPROVED REPAIR DEADLINE EXTENSION.

The Board voted to extend the septic repair deadline by 12 months. If necessary, the applicant will return to the Board at that time for an additional extension.

II. Clarification of Bedroom Count, Interpretation of Disposal Works Construction Permit # 87-805:

Sam Naoom, representing Georgia Marmanidis – 9 Beth Lane, Hyannis, Map/Parcel 273-199, 16,651 square feet parcel, number of bedrooms.

CONTINUED TO OCTOBER 9, 2012.

The restricted zone changed for three consecutive years and more research would need to be done to determine whether this property was actually restricted at the time of the permit.

Dr. Miller suggested that as it would have been a capital expense to the home and the owner may have a bill from the contractor which would document what work was done at the time, hopefully, specifying a bedroom. Sam appreciated the opportunity to research it more. Also, Dr. Miller asked Mr. McKean to research and see if this would have fallen into a restricted zone at the time the permit was issued.

Dr. Canniff asked Sam to also bring a drawing of how the floor plan will look in the final scenario and to show where the other kitchen/wet sink is being removed from.

The Board voted to approve a Continuance to October 9, 2012.

III. Variance – Septic (Cont.):

Moved to Steve Wilson, Baxter Nye Engineering, representing
Oct 9, 2012 Barbara Rosiello, owner – 60 Winfield Lane, Osterville,
Meeting Map/Parcel 116-101, 1.05 acre parcel, multiple variances,
house renovations, failed septic.

IV. Variance – Septic (New):

A. Michael Pimental, JC Engineering, representing Bayberry Square
Condominiums, owner – 1645 Falmouth Road (Buildings C, D & E),
Centerville, Map/Parcel 209-086, 1.68 acre parcel, three variances
requested.

APPROVED WITH CONDITION.

The Board voted to approve with the condition that a revised plan shows the
additional variance from the 1650 regulation.

B. Matthew Eddy, Baxter Nye Engineering, representing Joyce Angelo,
owner – 280 Long Beach Rd, Centerville, Map/Parcel 185-026, 7,038
square feet parcel, requesting multiple variances.

CONTINUED TO OCTOBER 9, 2012.

Mr. Eddy presented calculations demonstrating that if the property was a full lot, with
the allowable Title V system, the output would be at 13+ ppm. Using the Singular
I/A, this system designed as a 2 bedroom has an output of 9.96 ppm.

Matt stated that 10 years earlier, they had a well monitor at the property across
the street (# 283), also owned by Ms. Angelo, and the results are on file. He
also mentioned the Centerville River dredging project had a mean high water
mark below 2 feet. Mr. Eddy used a high water mark of 2 feet was extra
protection. Dr. Miller said his other concern is with the Centerville River and
possibly adding to its bacteria count.

Dr. Miller would like to see what the calculations would be on a Recirculating
Sand Filter (RSF) system.

The Board voted to Continue to the October 9, 2012 meeting.

C. Glen Harrington representing 1892 Investments, LLC, owner – 455
Bridge Street, Osterville, Map/Parcel 072-035, 1.79 acre lot, two
variances requested to repair failed septic system.

CONTINUED TO OCTOBER 9, 2012.

Due to so many environmental variances, the Board expressed concern of
approving more than the 4 bedrooms without an I/A system.

The Board voted to Continue to the October 9, 2012 meeting and submit a
revised plan to include the additional variance being requested, along with
including lines on the plan to show the 100 feet to water, and check with the

owner on their choice of whether to change plan to a 4 bedroom or change to 5 bedroom with an I/A system.

Moved to Nov 13 2012 D. Steven J. Pizzuti, Esquire, and John Holmgren, J.K. Holmgren Engineering representing Cummaquid Golf Course, owner – 35 Marstons Lane, Barnstable, Map/Parcel 350-001, 110.62 acre parcel, requesting Board support for a DEP appeal for a reduction in the design flow.

V. Food Variance (New):

A. Alice DaSilva, Sabor do Brasil – 459-B Main Street, Hyannis, grease trap variance requested for various food items, grease recovery devise (GRD) proposed.

No one was present.

The Board voted to approve the grease trap variance with the condition that the menu is limited to the menu submitted 9/18/12. (Two voted in favor, One Denied – Dr. Canniff).

VI. Temporary Food Events:

A. Stephen Hemberger representing “OctoberFest” event at the Historical Society of Santuit & Cotuit, 1148 Main Street, Cotuit, on Saturday, October 13, 2012 at 12 – 4 pm, hot dogs, brats, and hamburgers to be served.

APPROVED WITH CONDITION.

The Board voted to approve the temporary event with the condition that Ken Foster, servsafe certified, supplies his certificate for the allergies course..

B. Tim Friary of Cape Cod Organic Farm, Inc., for the event “Farm to Table Dinner” at Cape Cod Organic Farm, 3675 Main Street, Barnstable, tentative date ‘late October or early November’, 2012.

APPROVED WITH CONDITION.

The Board voted to approve with the condition that they supply a floor plan and a certificate of the allergies course for Toby Hill.

VII. Informal Discussion:

Stephen Wilson, Baxter Nye Engineering, representing Wolfram Vedder, owner – 129 Island Avenue, Squaw Island, Hyannis.

Dr. Canniff suggested speaking with DEP to verify whether there is a variance for the septic tank distance to the lot line. However, it is not believed to be a variance because they will be submitting a variance for an easement so the property next door has an easement to use the land needed to fit their septic system. The Board expressed they would not have a problem with it and would only require a three-

bedroom deed restriction for the two building remaining on the property (along with the easement).

VIII. Title V- Septic Inspection Review (Cont):

Joseph Smith, Bennett Environmental Associates, representing Acworth Inn – 4352 Route 6A, Barnstable, Map/Parcel 351-039, conditionally passed septic system inspection. Original inspection failed on 09/09/2011, followed by one passed inspection and one conditional passed inspection, at least six months apart.

APPROVED WITH CONDITIONS.

The Board voted to approve the passing grade of the septic system with the condition that the owner will repair the two minor issues, a cracked outlet T and the D-Box cover, within six months.

IX. Old / New Business:

A. Correspondence from MA DEP to Mr. Bill Rabe, Center Village Condominiums, regarding proposed construction on sewer.

B. Draft - Clarification of the term “Catering” for Regulation.

CONTINUE REVISION.

After further revision, will have legal review wording.