

# BOARD OF HEALTH

March 8, 2001

6:30 p.m.

>>MINUTES CORRECTED AS OF MARCH 12, 2001<<

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

**Members Present:** Mark Baker; Michele Couture, Chairman; Duane Gregory; Kay Halle; and Ken Janson

**Health Agents:** George Heufelder

**Absent:** Laura Davis and Jackie Silver (both excused absences)

## AGENDA:

- I. Public Statements
- II. Old Business
- III. New Business
  - 7 Cook Street – new massage therapist and business
  - 10 Johnson St/Wm Rogers – Title V variance request
  - 60 West Franklin St/Gary Joseph – change in use w/no change in Title 5 design
  - 45 Capn Berties Way – failed septic inspection
- IV. Approval of Minutes
- V. Review local Board of Health Regulations
- VI. Health Agent's & Health Inspector's Reports
- VII. Board members' statements
- VIII. Any other business which shall properly come before the Board

The meeting was called to order at 6:30 p.m.

**Public Statements:** William Rogers, II, the victim of a recent fire at his property (41 Off Cemetery Road), asked the Board's permission to allow the Health Agent to sign off on his proposed Title 5. Mr. Rogers would design it himself and present the plan to the Board of Health (BoH).

**Motion:** Michele Couture made a motion to allow the Health Agent to sign off on the Title 5 to be located at 41 Off Cemetery Road. Kay Halle seconded the motion and it passed 4-0-1. The one abstention was from Duane Gregory (DG), an alternate, and new member of the BoH.

### 7 Cook Street, New Massage Therapist and Business

L. Paul Church came before the BoH to request a license for Massage Therapist as well as a license for the place in which he would conduct this business. Mr. Church proposed conducting his business in a shed on his property formerly used as a photography studio but is unable to do so because of a previously signed agreement saying "no commercial business in studio." The following two motions were made:

**Motion:** Kay Halle made a motion to approve the massage therapist license for Paul Church. Ken Janson seconded the motion and it passed 4-0-1(DG).

**Motion:** Kay Halle made a motion to grant the massage therapist's business license for Paul Church at 7 Cook Street with the following condition:

1. The business must be conducted in the house portion of the property; not in the shed.

Mark Baker seconded the motion and it passed 4-0-1(DG).

### 10 Johnson Street/Adelaide L. Kennedy

William Rogers, II, presented the case on behalf of the applicant, Adelaide L. Kennedy. It had been previously discussed and the variances were seen as minor.

**Motion:** Ken Janson made a motion to approve Plan P-01-1706A with the minor variance. Mark Baker seconded the motion and it was approved 4-0. (Duane Gregory stepped down.)

### 60 Franklin Street/Miriam Gross

Gary Joseph, a contractor from Wellfleet, and Eric Rasmussen, an attorney for Ms. Gross, presented the case to the BoH. They requested that the Board sign off on the building permit without the Title 5 plan in place; and further stated that Felco will eventually do the Title 5 plan. The proponents stated that the dilemma was raised since meetings had

been canceled and now it became imperative to begin the interior work. Mr. Heufelder noted that the postponement in two meetings did not preclude the Title 5 plan from being begun.

**Motion: Kay Halle made a motion to sign off on the building permit with the following conditions:**

- 1. No occupancy of the premises may occur until the Title 5 plan is submitted.**
- 2. No certificate of occupancy will be issued until the Title 5 is installed.**

**Ken Janson seconded the motion and it passed 4-0-1(DG).**

#### **45 Captain Berties Way/Lena Williams**

William Rogers, II, presented the case to the BoH. Paul Mendes is the new owner of the property and since the septic at this address has failed the following motion was made.

**Motion: Michele Couture made a motion to send a letter to the new owner, Paul Mendes, who lives at 55 Captain Berties Way informing him that the house cannot be occupied until the Title 5 plan is completed and installed. Mark Baker seconded the motion and it was passed 4-0-1(DG).**

**Motion: Michele Couture made a motion to approve the minutes of the 2/1/01 BoH meeting.** (Mark jokingly referred to the spelling of his last name in those minutes. He prefers Baker not Barker) **Ken Janson seconded the minutes and they were approved 4-0-1(DG).**

#### **Review of Policies and Procedures**

There were a few minor corrections discussed.

**Motion: Mark Baker made a motion to approve the rules, procedures, and policies as edited and amended. Ken Janson seconded it and it was approved 5-0.**

#### **Health Agent's Report:**

George Heufelder said it has, thus far, been a quiet month. He said he had attended hearings on the Waste Water Plan and the Determination of Regional Impact. There is still opposition to the Burn Dump Site for the treatment plant and George would like all members of the Board to encourage positive Sewer Plant opinions to be stated at the annual Town Meeting.

#### **Board Member's Statements:**

**Ken Janson** wondered about the status of Esther's, 186 Commercial St? Ongoing project.

**Michele Couture** said the present administration is in favor of a newly created position of Health Agent/Conservation Officer. Combining both positions was not met with enthusiasm. Michele also wondered about 910-918 Commercial Street - Reviewed? – Yes

21 Pleasant Street – reviewed? 306 Commercial Street – registered? 34 Hancock Street – stamped and signed by the BoH? Small Town Trash has made their payment.

**Reminder: Ask Jackie Silver to print articles from the Warrant for the next meeting of the BoH (March 15<sup>th</sup>).**

**Motion: A motion to adjourn was made at 7:45 p.m., seconded and approved unanimously.**

**The next meeting will take place on March 15, 2001 at 6:30 p.m.**

Respectfully submitted,

*Evelyn Rogers Gaudiano*

Approved by \_\_\_\_\_ on \_\_\_\_\_ date  
Michele Couture, Chairman