

June 24, 2004

6:00 p.m.

Members Present: Mark Baker, Dan Brown, Cynthia Gast, Duane Gregory, and Ken Janson.
Health Agent: Jane Evans Raasch
Health Inspector: Patricia Pajaron

The meeting was called to order at 6:00 p.m.

Public Comments

There were none.

Old Business

4 Garfield Road - Variance Request

Alan Cabral from Felco Engineering presented the case to the BoH. The plan proposes moving the leach area and tank further within the lot lines and doing this will allow for the continued use and enjoyment of the easement walkway which will be replaced. The reduction in the leach area allows the installer to restore the walkway – more or less – to the way it was.

An abutter, Eric Mitkus, was very pleased with the proposed plan and restoration of the walkway. He further explained the roughly drawn floor plan that was presented is for the 1st floor only. There are 2 more bedrooms on the 2nd floor.

Motion: Duane Gregory made a motion to approve job no. 03031 dated May 28, 2004 for 4 Garfield Road with the condition that the Health Agent verify that the property has 3 bedrooms. Also a deed restriction has to be recorded for 3 bedrooms once that number has been established. Ken Janson seconded the motion and it was approved 5-0-0.

New Business

Scott Barry - New Tattoo Artist Permit

The Health Inspector says most of the paper work is in order but he still needs a copy of his CPR certification and a negative TB test. The applicant said he is licensed with three other towns in the state. It was suggested that he get his last CPR certification and fax it to Pat; then the only test he needs to have is a negative TB test. He plans on having the test done wherever his permanent home is.

Motion: Cynthia Gast made a motion to approve the permit provided he give the Health Inspector his CPR certification and his negative TB test. Ken Janson seconded the motion and it passed 5-0-0.

Joanna Riggaro - New Massage Therapist License

She will be practicing at 132 Commercial St. She is nationally certified in cosmetology and all her appropriate paper work has been filed.

Motion: Duane Gregory made a motion to approve the license; Cynthia Gast seconded the motion and it was approved 5-0-0.

226A Bradford Street - Plan Review

Motion: Mark Baker made a motion to take this case out of order since their architect hadn't shown up. Ken Janson seconded the motion and it was passed 5-0-0.

20 Aunt Sukeys Way - Variance Request

Alan Cabral presented the plan to the BoH. During conversation with the Board it was thought that another location on the property would be a more economical place to site the system due to the proximity to a wetland and the BoH's most likely desire to see an enhanced de-nitrification system used. Because of this, Alan decided to withdraw the plan

without prejudice and reschedule after he discusses the issues with his clients.

226A Bradford Street - Plan Review

Neal Kimball, the architect, arrived and presented the proposal to the Board. Eventually the owner, Pat Patrick, would like to demolish the existing structure at this location and build a new one. Ideally he would like to construct a new larger home on this site. Jane Evans Raasch did a walkthrough and made the following determination. The main residence on the property has five existing bedrooms and a garage on the property has a one-bedroom residence over it. The cost of construction will exceed \$50K and increase the space greater than 50 square feet, thus both septic systems must be upgraded to Title 5's. The owner wishes to end up with a three bedroom dwelling so he must be able to fit an eight-bedroom septic system on the property without any variances.

The construction plan will have a phase 1 and phase 2 stage. Mark Baker told the Patricks that he appreciated having them come before the BoH so the Board can more easily understand the project as it unfolds.

Motion: Duane Gregory made a motion to allow the Health Agent to sign off on the building permit for 226A Bradford Street (8 bedrooms) provided a non-varianced septic system is installed before a COO is issued. Dan Brown seconded the motion and it carried 5-0-0.

15 Creek Round Hill Road - Variance Request

Gary Locke, a surveyor who works for William Rogers, II, told the Board that the owners, David and Anita Butler, have received ZBA approval for a brand new house on this property. They want to build a 2-bedroom house with a septic system of 2K gallons. The owners also own the abutting lot, #13 Creek Round Hill Road, and they are proposing moving the lot lines so that a Title 5 can be installed without requiring variances.

Motion: Mark Baker made a motion to approve the Title 5 for 15 Creek Round Hill Road (P-04-1807) with the following conditions:

- 1. A deed restriction limiting the number of bedrooms on the property to two (2) must be recorded.**
- 2. Prior to the issuance of the septic system permit, a signed maintenance agreement for the fast system that meets all Title 5 requirements must be provided to the Health Agent.**
- 3. The 40 ml poly liner must extend around the entire soil absorption system.**
- 4. The proposed lot line must be finalized before the issuance of septic installation permit.**

Ken Janson seconded it and it was approved 5-0-0.

A mini discussion was held regarding the 50' setback required. Duane felt that maybe the BoH regs should be changed to read – ruling is firm unless it's adjacent to a wetland.

Approval of Minutes for June 10, 2004

One change was noted – that CG will not be present on July 8.

Motion: Cynthia Gast made a motion to approve the minutes with the one correction. Ken Janson seconded the motion and it passed 4-0-1 ab (DB)

Any other business that shall properly come before the Board

Mark Baker said a publication called the MAHB/MA Association of Health Boards was very interesting to read. He continued that if the town does have a special town meeting in the Fall, that he feels the BoH should ask for a **change in the charter** as previously discussed. Jane will look into procedures for accomplishing this.

William Rogers II's subdivision proposal was given to the BoH as a heads up. It refers to the property adjacent to his home.

There is purported to be **\$14K in surplus county funds awarded to the Town** and the BoH wondered where it is going? Maybe ConCom assistance?

The **Transfer station ad** appeared regarding closing hours.

Health Agent's and Health Inspector's Reports

Strangeways (record shop) at 289 Commercial Street has had a sewerage spill. It was reported to the HA and sewerage was found to be filling up the basement. Jane thinks they were a blue-dot mandatory hookup to the sewer. She will check and then follow-through with solution.

Pat Pajaron gave a **rabies update** on the Cape. There have been 22 confirmed cases on Cape of rabies in raccoons. The latest one was in Osterville. Pat will be putting through public information to warn owners of domestic animals to have them receive updated shots and to not take in strays. The town also suggests we want to get rid of the **no-leash law**. Pat feels rabies will come here since the state's bait program has ended.

Ms. Pajaron did a routine inspection at **Burger Mary's** and - besides the food code violations – she found mattresses on the 2nd floor in a windowless room. The owner when questioned said the wall-to-wall mattresses on the floor were for his workers when they go on breaks. It was deemed to be a habitable area which is not allowed; Pat will be checking on the removal of the mattresses.

Board Members' Statements

Mark Baker will not be here on September 23rd.

Dan said the BoS will be meeting on Monday regarding his permanent appointment.

The meeting adjourned at 7:12 p.m.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ on _____, 2004.

Mark Baker