

PROVINCETOWN BOARD OF HEALTH

Public Meeting

February 2, 2006

5:00 p.m.

Members Present: Matt Damon, Duane Gregory, and Ken Jansen and Mark Majeski

Members Absent: Jerry Anathan (excused absence)

Health Agent: Jane Evans

Health Inspector: Brian Carlson

Meeting called to order at 5:00 p.m.

AGENDA

Public Comments-none

New Business

17 Somerset Road

Title 5 Variance

Alan Cabral of Felco and Stephen DeRose, property owner were present.

A septic system design plan was approved by the BOH on December 18, 2003. At a later date Felco became involved in this project and are now submitting a new system and plan which they say is far better for the environment. This new design requires variances to 310 CMY Title 5. The State requires a 50' setback from wetlands which was met in original plan. The new plans provide a 100' setback which meets local regulations but requires variances from Title 5 (sideline variances). Jane Evans stated that aside from being further away from wetlands this system would only be better than prior design if it was nitrogen enhanced.

Motion: Recommend to approve new plan with the following stipulations: 1. Revised plans to include request for variance from BOH Regulations, Part VII, Article 6, Section 2. 2. Revised plan to include nitrogen enhanced system. 3. Deed restriction limiting number of bedrooms to 4 which must be recorded at the Barnstable County Registry of Deeds and proof of recording provided to the Health Agent prior to issuance of Septic System Installation Permit.

Motion by Ken Jansen opposing.

Seconded by Matt Damon

Voted 3-1-0 with Mark Majeski

16 Off Conwell Street

Title 5 variance

Alan Cabral of Felco representing owner. This was originally a two bedroom single family residence. It was discovered that through illegal construction of previous owners that residence was converted into a four bedroom town family dwelling. New owners have been required to convert back. One of the bedrooms is located in the basement and required pumping prior to septic tank. Title 5 allows for 25% of total flow of a structure to be pumped prior to septic tank. A variance is required from the local Board of Health for any greater pumping prior to the septic tank-in this case

50% flow.

Motion: Recommend approval with the installation of the required multi-compartment septic tank and all other requirements under 310 CMR Title 5 Section 15.229 (2)(a) (b) (c). Also a deed restriction must be recorded limiting the number of bedrooms to the existing 2 and recorded with Barnstable County Registry of Deeds and proof of recording provided to the Health Agent along with revised plans for signatures prior to issuing a Septic System Installation Permit for the required new septic tank.

Moved by Duane Gregory

Seconded by Matt Damon

Voted 4-0-0

67 Commercial Street

Camps, Cabins & Motel – Change of Ownership

Previous owner was Ruth Heibert. New owner is Judy Mencher-67 Commercial Street LLC.

Motion: Approve change of ownership of 67 Commercial Street to 67 Commercial Street LLC.

Moved by Matt Damon

Seconded by Duane Gregory

Voted 3-0-1 with Ken Jansen abstaining.

Motion: To take agenda items out of order.

Moved by Duane Gregory

Seconded by Matt Damon

Voted 4-0-0

Health Agent's and Health Inspector's Reports

Jane Evans asked that BOH consider bringing the following issues before Town Meeting: 1. Appropriate money for new beach closure signs, possibly changing to a flag system. 2. Restoration of Health Agent to a full time position. She also handed out copy of letter to George Bryant.

Brian Carlson stated that there will be a Food Handler's Certification Class given in Provincetown the 3rd and 4th weeks of March. Mailing has been sent out. The BOH annual report has been submitted to the Town Clerk.

Discussion

Continuation of Operation Plan (COOP)

Motion: Approve the adoption of Delegation of Authority Form (Appendix C) of the COOP plan as required by the State.

Moved by Duane Gregory

Seconded by Matt Damon

Voted 4-0-0

Emergency Shelter for Animals

Board wants to make sure that they have input into the plan.

Approval of minutes from December 1, 2005

Tabled as quorum was not available

Approval of minutes from January 19, 2006

Motion to approve the minutes from January 19, 2006

Moved by Ken Jansen

Seconded by Matt Damon

Voted 4-0-0

Other Business

Ken Jansen gave Brian Carlson a "Smart Sponge" sample which is used for storm drains.

Board Member Statements

None

Meeting adjourned at 6:40 p.m.

Respectfully submitted,

Phyllis Lutsky

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Recording Secretary

Approved by _____ on _____

Duane Gregory, Vice Chair

