



**Town of Provincetown**  
**Meeting of the**  
**BOARD OF HEALTH**  
**Thursday, April 19, 2018**

**Judge Welsh Hearing Room, Provincetown Town Hall,**  
**260 Commercial Street, Provincetown, MA**

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**Board Members Present:** Mark Phillips, Chair; Steve Katsurinis, Vice Chair;  
Dr. Elise Cozzi; Dr. Janet Whelan; Kalliope Chute; and Elizabeth Williams, Alternate

**Board Members Absent:** Fred Latasa-Nicks, Alternate

**Other attendees:** Morgan Clark, Health Director; Laura Marin, Health Agent

**Call to Order:** Mark Phillips called the meeting to order at 4:00 p.m.

**I. Public Comments**

There were no public comments.

**II. New Business**

- a. 11 Brewster Street – Request for Variances to 310 CMR 15 – David Lajoie, Presenting**

**Discussion:**

Ms. Clark began by giving a background on the property including that the Board had approved an ACO years ago due to two failed cesspools and the property owners never paid or followed through. Currently, the owner wants to renovate and has put forward plans for a new septic system and is requesting variances. Neighbors have sent letters of concern. She read into the record County Reviewing Health Agent, Brian Baumgaertel's notes, and noted that he approved the system.

Mr. Lajoie stated steps that could be taken to address concerns of the neighbors. Further discussion covered a history of the ownership, how altering the size of the building could affect the variances, similar variances at other properties, and actions that could be taken because the owners have not complied with following up on the ACO.

Mr. Phillips read into the record letters by abutters Chuck Overby of 9 Pricilla Alden Rd. and Adrian M. of Brewster St. who wrote in opposition to and concerns about the proposed plan and variances.

**Motion:** *Move to approve the septic as presented for 11 Brewster Street with an additional variance of documented septic pumping every 3 calendar years with bill of lading given to the Board of Health.*

**Motion:** Ms. Chute    **Seconded:** Dr. Whelan

Further discussion included adding to the conditions the excavating and construction options Mr. Lajoie discussed to alleviate concerns. Mr. Katsurinis stated he could not support the septic plan as currently proposed.

**Motion:** *amend the current motion to include inspection every 3 years by a licensed septic inspector.*

**Motion:** Ms. Chute                      **Seconded:** Dr. Whelan                      **Vote 3-0-2(sk,ec) motion carries.**

**Discussion:** The non-compliance of the ACO was discussed including the amount and time frame for finding the property owners.

**Motion:** *Board of Health assesses a \$300 per day fine for 365 days.*

**Motion:** Mr. Katsurinis                      **Seconded:** Ms. Chute

The Board discussed the consequences and whether they should do the same with all of the outstanding non-compliant ACOs properties.

**Motion:** *Amend the current motion to 30 days.*

**Motion:** Mr. Katsurinis                      **Seconded:** Ms. Chute

The Board discussed the best way to fine the property owners and expressed a desire to be consistent. Ms. Clark explained her handling of non-compliant and agreed that being consistent was important.

**Motion:** *Table the motion*

**Motion:** Mr. Katsurinis                      **Seconded:** Dr. Whelan                      **Vote 5-0-0**

Ms. Clark will prepare information on ACOs for the next meeting. Mr. Katsurinis suggested checking with town council.

**b. Administrative Consent Orders:**

**i. 78 Bradford Street: Request**

**Discussion:** Eliot Parkhurst made a presentation for his client who is an owner of 78 Bradford Street and gave a history of the property since the current owners purchased it, as well as the abutting properties owned by the same owners. The owners now want to convert the property in question from a private residence to a commercial inn and increase the number of bedrooms by

one. The owners have been asked to sign an ACO which they believe creates an unnecessary expense because there is already a system in place built for much larger capacity for an adjacent property. Ms. Clark stated that she was not comfortable with off book use of the Title V oversized for a different use on a different property and she felt an ACO was appropriate. The Board discussed Ms. Clark's recommendation.

**Motion: *Move that 78 Bradford be subject to an ACO***

**Motion: Mr. Katsurinis**

**Seconded: Ms. Chute**

**Vote 5-0-0**

**c. Deed Restrictions:**

**i. 57A Pleasant Street: Re-sign**

**Motion: *Move to accept deed restriction for 57A Pleasant St as presented by the Health Agent***

**Motion: Mr. Phillips**

**Seconded: Mr. Katsurinis**

**Vote 5-0-0**

**III. Any other business that shall properly come before the Board**

Dr. Cozzi brought up enforcement for bylaws and which fall under the purview of the Board of Health. Mr. Katsurinis believes education comes before enforcement and encourages licensing to help with compliance and then address enforcement of those who are not compliant. Ms. Clark described their methods of enforcement and education.

Dr. Cozzi brought up covered trash cans to replace blue bins for recycle and Ms. Clark explained that the requested language from the Recycling and Renewable Energy Committee had not been received as of yet. Further discussion covered trash regulation updates and notarization.

Mr. Phillips noted that they should hold elections for officers.

**Nominations for chair: Mr. Phillips**

**Seconded: Mr. Katsurinis**

**Vote: 5-0-0**

**Nominations for Vice Chair: Mr Katsurinis**

**Second: Ms. Chute**

**Vote 5-0-0**

**Nominations for Clerk: Dr. Whelan**

**Second: Dr. Cozzi**

**Vote 5-0**

**IV. Approval of Minutes**

No minutes were submitted for approval.

**V. Health Department Report**

Regionalization of Health and Conservation: Wellfleet: Wednesday May 2: safe use of pesticides

Cooking and shopping for one public education took place at Council on Aging

Inspections are being organized

ServSafe

Farmer's Market

Choke saver and FOG course

Hepatitis A Clinic to take place possibly in June

Hazardous waste program pickup dates and posters are ready  
Mr. Katsurinis discussed hoarding and the town wide tag sales  
Ms. Chute -- Clutterers Anonymous, a 12 step program will be available in Provincetown and there is a free webinar on Hoarding on MassRecycles on May 9  
Dr. Cozzi brought up shingles shots and other vaccinations  
Training on focus groups – we are working on conducting some on Jamaican and Latino populations and health care needs.  
Request for suggestions for Town Wide Goals: Partnering on sewers, coastal resiliency, and flooding,  
Emergency preparedness – new position  
Mr. Katsurinis: Thoughts on evacuation?  
Training with Brian Dudley at the next meeting

**VI. Board Members' Statements**

There being no further business, Mr. Phillips moved to adjourn the meeting at 6:06 PM.

Respectfully submitted,

Linda Fiorella

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2018