



**Town of Provincetown**  
**Meeting of the**  
**BOARD OF HEALTH**  
**Thursday, March 21, 2019**

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

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**Board Members Present:** Steve Katsurinis, Acting Chair; Dr. Janet Whelan; Dr. Susan Troyan, and Irv Morgan (arrived at 4:04 p.m.), Alternates

**Board Members Absent:** Mark Phillips, Chair; Dr. Elise Cozzi; Kalliope Chute.

**Other attendees:** Morgan Clark, Health Director; Lezli Rowell, Health Agent

**Call to Order:** Mr. Katsurinis called the meeting to order at 4:00 p.m.

**I. Public Comments:**

There were no public comments.

**II. Public Hearing: April 1, 2019 Annual and Special Town Meetings warrant article recommendations**

Mr. Katsurinis opened the public portion of the hearing and there were no public comments.

***Article 2. FY 2020 Operating Budget***

**Motion: *Move to recommend approval of Article 2***

**Motion: Dr. Troyan                      Seconded: Dr. Whelan                      Vote: 3-0-0**

***Article 5. FY 2020 Enterprise Funds***

**Motion: *Move to recommend approval of Article 5***

**Motion: Dr. Troyan                      Seconded: Dr. Whelan                      Vote: 3-0-0**

Mr. Morgan arrived at 4:04 pm

***Article 13. FY 2020 Capital Improvements Program***

**Motion: *Move to recommend approval of Article 13***

**Motion: Dr. Troyan                      Seconded: Dr. Whelan                      Vote: 4-0-0**

***Article 9. Community Preservation Budget for FY 2020***

**Motion:** *Move to recommend approval of Article 9*

**Motion:** Dr. Whelan                      **Seconded:** Mr. Morgan                      **Vote:** 4-0-0

*Article 14 Ground Lease for Eversource Battery Project*

**Motion:** *Move to recommend Article 14*

**Motion:** Dr. Whelan                      **Seconded:** Dr. Troyan                      **Vote:** 4-0-0

### **Petitioned Articles**

*Article 15. Petitioned Article - Non-Binding Resolution - Anti-Idling Resolution.*

The Board discussed that enforcement is the key to making this effective.

**Motion:** *Move to recommend Article 15*

**Motion:** Mr. Morgan                      **Seconded:** Dr. Whelan                      **Vote:** 4-0-0

*Article 18 - Petitioned Article - General Bylaw Amendment: Chapter 13 Prohibited Activities - Public Health Smoking Ban on Town-Owned Properties.*

**Motion:** *Move to recommend Article 18*

**Motion:** Mr. Katsurinis                      **Seconded:** Dr. Whelan                      **Vote:** 4-0-0

*Article 19. Petitioned Article - General Bylaw Amendment: Chapter 13 Prohibited Activities - Public Health Smoking Ban on Properties managed by Housing Authority and Year Round Housing Trust.*

The Board discussed that this Article doesn't solve the problem entirely but it also doesn't preempt the Board from crafting another regulation at a later time.

**Motion:** *Move to recommend Article 19.*

**Motion:** Mr. Katsurinis                      **Seconded:** Dr. Troyan                      **Vote:** 4-0-0

*Article 22. General Bylaw Amendment: Chapter 6 - Revolving Fund Bylaw (Small Scale Climate Change Resiliency Revolving Fund)*

Ms. Clark described the Article as a way to provide small grants to homeowners for things like rain-water collection barrels.

**Motion:** *Move to recommend Article 22.*

**Motion:** Dr. Troyan                      **Seconded:** Dr. Whelan                      **Vote:** 4-0-0

### **Zoning Bylaws**

The Board discussed whether to recommend any Zoning Bylaws and decided against doing so.

### **Consent agenda**

The Board discussed whether to recommend the Consent Agenda and decided to recommend one Article — Article 38.

***Article 38. Cape Cod Greenhead Fly Control District Assessment.***

**Motion:** *Move to recommend Article 38.*

**Motion:** Mr. Katsurinis                      **Seconded:** Dr. Whelan                      **Vote:** 4-0-0

Mr. Katsurinis closed the public hearing at 4:25 p.m.

**III. Old Business**

**a. Discussion: Water and Sewer Board mutual interests**

**Discussion:** The Board discussed potential topics for a joint meeting with the Water and Sewer Board, including moving forward once the state of limited capacity is lifted, and evaluating data related to steps taken to lower the grease problem in wastewater, and potential technology to further minimize grease. The Board further discussed meeting with the Water and Sewer Board twice, once in June and once in the Autumn, regarding the aging infrastructure, the Wastewater Fund, and compiling data for the cost and priorities of future sewer expansion phases.

**b. Discussion: Removing well permit requirement**

**Discussion:** Ms. Clark presented a brief background on the Health Department and Board of Health involvement with regulating well permits and proposed this process could be better handled by the Water Department, and requested a public hearing be scheduled to discuss removing the requirement. The Board discussed that the process would still be regulated but not by the Board of Health, and concerns that drilling wells for irrigation is not something they want to encourage. Ms. Clark will gather further information from other Departments for the Board.

**IV. New Business**

**a. Title 5 Variance Request: Proposed Varianced Septic System Upgrade Plan - 74 Atkins Mayo Road, J.C. Ellis Design Co., Inc. presenting**

**Discussion:** Ms. Clark noted that a review states that the request seems reasonable noting the need to confirm setbacks and the room count. Discussion covered the number of bedrooms, the location of the tank, pump chamber, and leach field in relation to setbacks, wetlands, and bylaws. The Board discussed the requested variances. Mr. Ellis described the proposal for the new system, noting that the proposal has obtained Conservation approval. Discussion further covered concerns about the system and the limited other options and procedures for testing for leaking tanks and the potential use of monolithic tanks on the pump chamber to reduce leaks.

The Board requested Ms. Morgan and Ms. Rowell to craft a motion taking into account their concerns. The Board then moved to Agenda Item IV. b., and would then return to Agenda Item IV.a. for the completion of the motion.

**b. Protect Our Cape Cod Aquifer (POCCA), Laura Kelley presenting**

**Discussion:** Ms. Kelley described a history of the organization and of their current proposal for Towns on Cape Cod to voluntarily eliminate use of glyphosate herbicides on Town owned lands and presented information on alternatives to glyphosate herbicides. She also requested the Board and

others write to get on record against Eversource using glyphosate herbicides by April 19, 2019. Dr. Brian O'Malley presented further information on reducing exposure to products that contain these chemicals. The Board discussed their judicial use of authority in regards to enacting regulations on Town personnel and monitoring its use by Town agencies and departments. The Board requested potential action to be developed for discussion at the next meeting.

The Board returned to Agenda Item IV.a

a. **Title 5 Variance Request: Proposed Varianced Septic System Upgrade Plan - 74 Atkins Mayo Road, J.C. Ellis Design Co., Inc. presenting**

**Motion:** *Move to approve the local upgrade approvals as requested, with the addition of a local upgrade approval for the septic tank to be located within the 100 foot setback to wetlands with the following conditions: revised plan to note variances from Town of Provincetown 100' setbacks requested in addition to those for State code (leach field 49', pump chamber 74', D-box 48' and tank 76'); the septic tank shall be water tested at installation of the upgrade, the septic tank be sealed, and the pump chamber tank be monolithic.*

**Motion:** Dr. Whelan                      **Seconded:** Dr. Troyan                      **Vote:** 4-0-0

c. **STI data**

Agenda Item IV.c. was held.

d. **Cancer Registry Report**

**Discussion:** The Board and staff discussed the rates of various cancers in the area.

**V. Any Other Business That Shall Properly Come Before the Board**

**Discussion:** Ms. Clark noted that an ACO was not filed at the registry of deeds due to family issues of the owners and the steps to take to complete the process.

**VI. Approval of Minutes**

Dr. Troyan noted her name was misspelled in some mentions in the minutes. The misspellings will be corrected.

**Motion:** *Move to approve the minutes for February 25, 2019, as amended.*

**Motion:** Mr. Katsurinis      **Seconded:** Dr. Troyan                      **Vote:** 4-0-0

**VI. Health Department Report**

Wastewater 3.0: The next talk will be on March 26 at 6pm at the Provincetown Public Library.

MVP Workshop: Ms. Rowell reported on her attendance and the attendance of two members of the Board.

Cape & Islands Health Agents Coalition: Ms. Rowell noted the presentation dealt with quality of life initiatives and that the presentation is available for other groups.

Massachusetts Health Officers Association: Ms. Rowell reported on her attendance of a workshop presenting new Food Code updates and discussions with health agents on how to implement the new regulations.

C&I HA New Food Code Review: The Health Agents Coalition met in order to pursue petitioning the state DPH office to print the new regulations in a different format.

Upcoming MHOA Training: Ms. Clark and Ms. Rowell attended a presentation yesterday and plan to attend another session coming up.

Pool and Spa Operators Training: Ms. Rowell will be attending certificate training April 27-28. Mr. Katsurinis discussed the level of math required for the training.

Outer Cape Regionalization Coalition: Ms. Morgan continues to attend with other staff.

Provincetown Public Health Working Group: The group is meeting quarterly.

Regulatory Plan Review: The Department has participated in pre-application meetings and plan reviews.

Yoga for Addiction Recovery: is now offered twice weekly: Tuesdays from 6:45 - 7:45 pm and Thursdays from 5:30 0 6:30 pm at VMCC.

Ms. Clark further discussed the upcoming presentation on wastewater and is hoping for good attendance at the talk on March 26 at the library.

**VII. Board Members' Statements**

None.

**Adjournment:**

There being no further business, Mr. Katsurinis moved to adjourn the meeting at 5:51 pm.

Respectfully submitted,

Linda Fiorella

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2019