



**Town of Provincetown
Meeting of the
BOARD OF HEALTH**

Thursday, April 18, 2019

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

Board Members Present: Steve Katsurinis, Acting Chair; Dr. Janet Whelan; Dr. Elise Cozzi; Kalliope Chute; Irv Morgan and Susan Troyan, Alternates

Board Members Absent: Mark Phillips, Chair

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

Call to Order: Steve Katsurinis called the meeting to order at 4:04 p.m.

I. Public Comments:

There were no public comments.

II. Public Hearing: Proposed changes to Article 1 – Fee Schedule, disposal system-related fees

Discussion: Ms. Clark presented background and information on altering Septic system permitting fees to be dependent on the cost of construction.

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

Motion: *Move to approve disposal system-related fees as drafted.*

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

Discussion: The discussion covered that cost of construction is not always aligned with staff effort.

Vote: 5-0-0

III. Old Business

a. Smoking in multifamily dwellings follow-up

Discussion: The discussion covered the recent smoking Articles vote at Town Meeting, the differences between the Articles and the type of regulations the department would draft to address complaints they receive from tenants of community and affordable housing, pathways for tenants to manage smoking areas on their properties, the distance from buildings smoking would be allowed, and which housing units the Board has the jurisdiction to regulate. The need to confer with other

staff and for alternatives be researched was discussed and the desire to balance the needs of smokers and those who are exposed to second hand smoke. Ms. Chute requested information about nicotine's toxicity be included in the information for a Public Hearing at the meeting in June.

IV. New Business

Without objection Mr. Katsurinis moved to move IV. a. to the end of the meeting - see IX.

b. 61-A Commercial Street, Request to Revoke Rental Certificate - Town Treasurer Alex Williams presenting

Dr. Cozzi recused herself at 4:23 pm.

Discussion: Ms. Clark gave a brief background on request by the Town Treasurer, namely, a large amount of unpaid property taxes.

Motion: *Move to revoke the rental certificate for 61-A Commercial Street on the basis of non-payment of property taxes.*

Motion: Dr. Whelan

Seconded: Mr. Morgan

Voted 5-0-0

Dr. Cozzi returned at 4:26 pm.

c. 193 A Unit 6 Commercial Street, 310 CMR 15 Variance Request for New External Grease Trap – Jason Ellis presenting

Discussion: Mr. Ellis presented information on the proposed external grease trap to accommodate kitchen waste including necessary variances. The Board discussed the effects of the grease trap on the potential for menu offerings and the size of the tank as it relates to the number of seats, and the applicants place in the process. Concerns about flooding and options to mitigate the risk of flooding affecting the tank were discussed, as well as access to the grease trap for pumping. Further discussion covered the desire for the club to be open as close to year round as possible.

Ms. Clark noted the engineer's notes including a desire for a center baffle which Mr. Ellis noted that he was willing to conform to the request of the Board. Discussion also covered the purpose and effectiveness of the baffle as well as ways to evaluate the effectiveness of the baffle, as well as other concerns of the engineer related to buoyancy calculations and the material of the tank. Mr. Ellis noted he would be redoing the plans after going before the Conservation Committee. The Board discussed leaving the decision of materials to staff.

Motion: *Move to approve the JC Ellis plans for an external grease trap, with revised plans and installation approval by the Department of Health and the sewer engineers, with installation a requirement for upgrade to Full Food Establishment license, or for the 2020 season Health licensing.*

Motion: Mr. Katsurinis

Seconded: Dr. Cozzi

Vote: 5-0-0

In response to a request by Ms. Chute, Ms. Clark stated that she will research the regulations regarding adding the requirement of a baffle for grease traps.

Despite this not being a public hearing, Mr. Piccini, an abutter, expressed his concerns about the grease trap and the workers.

d. Appeal Part IV, Article 7 Regulation of Body Art 5.5: SORI screening requirement - Andrea Tasha, Mooncusser Tattoo Studio

Item d was tabled

e. 210 Bradford Street, Appeal of Health Agents Determination (bedrooms) - Steve Azar presenting

Mr. Azar, new owner of Roux, described the room layout of his inn and his request to have seven bedrooms for his business.

Discussion: Ms. Rowell reported that the septic inspection triggered the department to inspect for bedroom count, noting that the records count the property as eight bedrooms. The Health Department suggested a path to achieve his interest would require taking a wall down. Ms. Rowell noted the appeal offers another path.

Motion: *Move to approve the Health Agents' determination of eight existing bedrooms at 210 Bradford Street.*

Motion: Ms. Chute **Seconded:** Dr. Troyan **Vote:** 5-0-0

f. Primer on Food Code changes

Discussion: Ms. Rowell presented information about Food Code changes and how those changes may affect alterations in regulations moving forward. Ms. Rowell is meeting and working with other health agents on how to implement the changes. Discussion covered confusion related to some of the definitions, how the changes affect inns, and the department's role in overseeing vendors at the farmer's market.

g. Deed Restrictions:

i. 44 Franklin Street

Mr. Katsurinis stated that the property owner has asked to be heard, and to postpone this item until the next meeting.

VI. Any Other Business That Shall Properly Come Before the Board

No other business.

V. Approval of Minutes

Motion: *Move to approve the minutes for March 21, 2019*

Motion: Dr. Troyan **Seconded:** Dr. Whelan **Vote:** 5-0-0

VII. Health Department Report

Wastewater 3.4 - Final talk will be on Tuesday May 14th at 5:30 p.m. at the Provincetown Library.
New Food Code - New food code information has been and continues to be distributed including via email sign-ups.

Email News Sign Ups - A link to sign up for newsletters for updates on this and various topics is now available.

Compliance Sweep - Ongoing efforts on grease trap compliance and follow up plans.

Cape Cod Hoarding Task Force - Ms. Rowell attended and reported on the presentation of strategies.

Emergency Preparedness – Ms. Rowell noted training and a new hire.

MHOA and MassDEP Workshop - Ms. Clark and Ms. Rowell will be attending a session at the end of the month.

ICC Enrollment for BOH - Mr. Katsurinis and Ms. Rowell are now enrolled in the organization and information is available in Ms. Rowell’s office.

Environmental Health - Staff report on Wastewater 3.0 with Dr. Laurel Schaidler on Contaminants of Emerging Concern.

Solid Waste - Majority of Town is in compliance with covering trash and recycling containers.

Public Health - County Health Rankings are available at countyhealthrankings.org

Ms. Clark also noted the new Emergency Management Coordinator (Eric Sussman) and the Board discussed an increased role of the Red Cross locally in regards to local shelters. The BoH will still remain involved in the emergency management. Discussion covered inviting Mr. Sussman to meet with the Board.

VIII. Board Members’ Statements

There were none.

IX. Annual Election of Officers (Moved from IV. a.)

Motion: *Move to appoint Mark Phillips as Chair.*

Motion: Ms. Chute Seconded: Dr. Whelan Vote: 5-0-0

Motion: *Move to appoint Steve Katsurinis as Vice Chair*

Motion: Dr. Cozzi Seconded: Dr. Whelan Vote: 4-0-1

Mr. Katsurinis abstained.

4-0-1

Motion: *Move to appoint Janet Whelan as Clerk*

Motion: Mr. Katsurinis Seconded : Dr. Cozzi Vote: 4-0-1

Dr. Whelan abstained.

Adjournment:

There being no further business, Mr. Katsurinis moved to adjourn the meeting at 5:49 p.m.

Respectfully submitted,

Linda Fiorella

Approved by _____ on _____, 2019