



**Town of Provincetown
Meeting of the
BOARD OF HEALTH
Thursday, July 18, 2019**

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

Board Members Present: Mark Phillips, Chair; Dr. Janet Whelan; Dr. Elise Cozzi; and Dr. Susan Troyan, Alternate

Board Members Absent: Steve Katsurinis, Vice Chair; Kalliope Chute; and Irv Morgan, Alternate

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

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

I. Public Comments:

There were no public comments.

II. New Business

a. 26 Brewster Street, Local Upgrade Approval request - Stephanie J. Sequin of Ryder & Wilcox, presenting.

Dr. Whelan left the meeting at 4:02 p.m.

Discussion: Ms. Sequin introduced the owner of the property and described the issues of concern with the current cesspool, the existing conditions on the property and plans for a new septic system including the reasons for the requested reduced setbacks.

Dr. Whelan returned at 4:03 p.m..

Ms. Clark noted that she prefers the property to hook up to the sewer.

Motion: *Move to grant the requested Local Upgrade Approval to 26 Brewster Street.*

Motion: Dr. Cozzi Seconded: Dr. Whelan Voted: 4-0

b. 40 Pearl Street, Local Upgrade Approval request - Michael J. Carter of GCG Associates, Inc., presenting.

Discussion: Mr. Carter passed out additional copies of a plan. Kristin Hatch for the Housing Authority attended with Mr. Carter. Mr. Carter described a history of the project and the reasons for the requested reduced setbacks. Ms. Clark noted that it has been suggested that the tanks be inspected before use. Mr. Richardson, an abutter at 42 Pearl Street is in favor of the proposal and noted that a survey would be done to confirm property lines.

Motion: *Move to grant the requested Local Upgrade Approval to 40 Pearl Street with existing tanks inspected prior to the work.*

Motion: Dr. Cozzi Seconded: Dr. Whelan Voted: 4-0

c. Discussion: Finished Basements, Bathrooms, and Bedroom Definitions.

Discussion: Ms. Clark gave a brief background on triggers for Health review of building permit applications and a growing trend of finished basements, multiple full bathrooms and the potential for more occupants than the number of bedrooms would allow, especially in terms of vacation rentals. Ms. Clark further described Rental Certificate processing, definitions of bedroom in various regulations, and research Ms. Rowell has done on how other municipalities handle the concerns, as well as challenges specific to Provincetown such as over-extended water treatment facilities. Building Commissioner Anne Howard spoke on concerns about egress from basement rooms with full bathrooms are often found to be illegal bedrooms and apartments. Mr. Phillips suggested that if there are more bathrooms than bedrooms, which should trigger a review. The Board is interested in seeing clarification of triggers to bring the applicant before the Board, and discussed what distinguishes a media or exercise room from a bedroom, such as sufficient isolation, and whether if a room meets the definition of a bedroom it should be counted as a bedroom. The Board would like to have a further conversation on updating the regulations.

d. Discussion: Desired Updates to Rental Regulations.

Discussion: Mr. Phillips stated he had requested this agenda item to determine if the Board was interested in reviewing rental regulations and updating to include whether they are in compliance with the state regulations regarding rentals. Further discussion covered how to distribute regulations and information about grease and trash, keeping costs fair for year round rentals, and a request was made for staff to prepare information on the items for further discussion.

e. ACOs:

i. 18 Cottage (5 Bradford) - Release

Discussion: This item was tabled.

III. Old Business

a. Designate voting representatives for 2021 International Energy Conservation Code

Discussion: Ms. Rowell requested which Board members would be interested in enrolling as voting representatives for the 2021 International Energy Conservation Code and recommended consulting with our Building Commissioner, Anne Howard, for advice about which sections have been adopted in MA Building Code. The Board discussed that Ms. Chute and Mr. Katsurinis had previously expressed interest and Dr. Cozzi and Dr. Troyan expressed interest. Since two of the potentially interested members were not in attendance it was decided to confirm interest via email and vote at the next meeting.

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

No other business.

V. Approval of Minutes

Motion: *Move to approve the minutes for June 6, 2019, Joint Meeting of Board of Health with the Water & Sewer Board, and for June 20, 2019.*

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

VI. Health Department Report

Food Establishment Inspections: The Health Department reports that it has performed or coordinated food establishment inspection of approximately 82% of the full service and 78% of the limited facility restaurant licenses, and about 60% of the full breakfast residential kitchen licensees.

Pool Inspections: Ms. Rowell attended a Department of Public Health Community Sanitation Program structural and technical pool inspection recently. Following this consultation, the Health Department will require copy of Virginia Graeme Baker Pool and Spa Safety Act (VGB) certificate(s) submitted with 2020 license renewal application, to assess for product expirations and replacements. This information has started going out with spot check inspections performed through the Summer Sanitarian program and Health Department.

Cannabidiol in Food update: Health department sent out a newsletter. Ms. Rowell attended a Health Agent's Coalition (HAC) workshop of the Food Safety subgroup to discuss the concern with CBD in foods. The consensus was to make public education/outreach steps to licensees and establishments which may be offering the products, and to draft proposed regulations. The HAC reviewed an example document provided by a Western MA Health Department, and requested the County Director revise into an "advisory" template for use by local Health Agents. The Director will investigate sample regulations for consideration by local Boards. Felt the first notice should be a request to voluntarily remove the products to be shared as a public education. DPH suggested regulating from the local BoH.

Massachusetts Environmental Health Association: Ms. Rowell will attend the MEHA Conference in September, with focus of food safety and pool inspection training sessions.

Cape Cod Hoarding Task Force: Ms. Rowell will attend August 1st presentation with local Coordinator for the Tenancy Preservation Program (TPP). The TPP works to help prevent homelessness in cases where individuals are facing eviction as a result of behavior related to a disability, including hoarding.

Provincetown Case Management Grant Awarded: Homeless Prevention Council received the grant award from the Provincetown Health Department to provide mental health and substance abuse case management services to people in Provincetown (press release attached). The discussion covered that the new agency will have a presence at the library and will extend hours and a new fulltime Provincetown case manager will be running this program which will function separately and in addition to the Outer Cape Health Navigator Program.

Mitigating Use of Plastics and Styrofoam through Voluntary Use of Consumer Reusable Containers: Sample of guidance memo issued to Food Establishments by the Town of Plymouth (attached). Ms. Clark stated that she feels signage is important.

Test N Treat Program: The program has showed signs of success.

Discussion of lawsuits for individual members of a board and Ms. Clark stated she would discuss with Town Council.

VII. Board Members' Statements

Mr. Phillips stated he would be stepping down from the Board in the fall due to personal issues such as a coming grandchild and aging parents.

Adjournment:

There being no further business, Mr. Phillips moved to adjourn the meeting at 5:22 p.m.

Respectfully submitted,

Linda Fiorella

Approved by _____ on _____, 2019