



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

**Thursday, September 19, 2019**

**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. Janet Whelan; Dr. Elise Cozzi; and Dr. Susan Troyan and Irv Morgan, Alternates

**Board Members Absent:** Kalliope Chute

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

**Call to Order:** Mr. Phillips called the meeting to order at 4:12 p.m.

**I. Public Comments:**

There were no public comments.

**II. New Business**

**a. 6 Duncan Lane, Request to Remove Deed Restriction – Ed Patton and Tom Thompson, presenting**

**Discussion:** The item was tabled until next month.

**b. 2 Conway Street, Appeal Health Agent's Decision – Guy Busa and Ginny Binder, presenting**

**Discussion:** Ms. Clark presented a brief background of this property stating it had come before the board previously and that the current building permit request is for another addition with an office space and a half bath. She noted some suggested conditions on an approval if the Board decides to overturn the Health Agent's determination. Mr. Busa and Ms. Binder noted that they felt the additional conditions would be fair and that the owners want to move here year round and the addition of the office space would make that possible. Further discussion covered the half bath and the position of the office and the possibility of requiring an ACO and concerns about future owners using the additional spaces for bedrooms.

**Motion:** *Move to Overturn the Health Agents' determination and allow 2 Conway Street to construct the garage and office space with changes from the Board:*

- 1. Design the new space above the garage with an open railing to below eliminating complete privacy that makes clear the office space is not a bedroom.*
- 2. Place a deed restriction on the property limiting the number of bedrooms to two as shown on the existing disposal works construction permit.*
- 3. Provide a recent septic inspection report.*
- 4. Provide a site plan showing the addition in relation to the existing septic system.*
- 5. Take out the half bath.*

**6. Requiring an Administrative Consent Order (ACO).**

**Motion: Dr. Cozzi    Seconded: Dr. Troyan    Vote: 4-1 (SK) -0**

**c. Discussion: Agenda and Invitees for Solid Waste Work Session October 17, 2019**

**Discussion:** Ms. Clark requested help on what the discussion should cover. Discussion covered the recycling, pamphlets for rentals, and covered recycling, the need for nuanced enforcement and education as well as the benefits of meeting yearly with other departments. The Board noted that the work session could take place later in the autumn/winter.

**d. ACOs:**

**i. 5 Conwell – Release**

**Motion: *Move that 5 Conwell have their ACO funds returned.***

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

**ii. 18 Cottage - Release**

**Motion: *Move that 18 Cottage have their ACO funds refunded***

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

**III. Old Business**

No old business.

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

No other business.

**V. Approval of Minutes**

**Motion: *Move to approve the minutes of August 15, 2019***

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

**VI. Health Department Report**

**Beach Water Quality Testing:** There were no beach closures in the final week of Barnstable County water quality testing. The Health Department will review the testing locations with consideration of outfall/stormwater drain location information, public access locations and MIS GIS mapping, as review of the program prior to 2020 season.

**Massachusetts Environmental Health Association Conference:** The Health Agent attended the “Yankee Conference” in Plymouth last week, attending sessions on the FDA Approach to Risk-based Food Inspections, A ‘Cannabis & CBD Update’ presented by Cheryl Sbarra of MAHB and a mock pool inspection presented by DPH Community Sanitation staff, among other topics.

**Recycling & Renewable Energy Committee:** The Health Agent is attending committee meetings on behalf of the Health Department and Board of Health.

**Complaint Investigations:** The Health Department has received and followed up on various reports, such as food handling and restaurant issues, chronic dampness in rentals/accommodations, pests, bird-feeding, outdoor grooming, unlicensed rentals and/or habitation code, uncovered or accumulated trash, etc. As much as possible, the Agent aims to resolve with public education, referrals where appropriate and guidance to correction/compliance.

**Guest Body Art Technician Applications:** Health received and processed about 80 applications between the two host establishments. Going forward, the Health Agent recommends adopting a deadline for consideration of permits, such as ‘completed application with up-to-date credentials must be submitted at least two weeks prior to the earliest date for guest scheduling’.

**Special Events and Farmer’s Market “Temporary” Food Permits:** Health has received and processed 47 special/temporary food permits so far this year, of which 22 were for Farmer’s Market vendors. Similarly, the Agent recommends setting some kind of submissions deadline for permit requests.

**Food Service Establishment Inspections:** Second round of full service restaurant and limited facility inspections. Approximately 55% of full service and 60% of limited facilities inspections have been completed, with next focus on developing appropriate frequencies for non-profit operators based on risk categories, some of which are licensed and other to be guided into licensing (with fee waived status, of course).

**Pools and Hot Tubs:** A total of 19 pools were licensed with two inspections and 14 hot tubs (or ‘special purpose’ pools) were licensed with opening inspections this year. Certified Pool Operators (CPOs) were asked to provide capacity calculations and Virginia Graeme Baker (VGB) Pool and Spa Safety Act compliance declarations this season, based on advice from peers and County resources. Upon guidance from DPH Community Sanitation Program, the Agent recommends requiring VGB certification submitted with license renewal applications, will recommend use of the water testing chemistry kit best calibrated to The Sanitary Code for Swimming Pools (105 CMR 435) – Taylor K-2006 with FAS-DPD (test strips for hot tubs OK).

**Pre-Applications for New or Transferred Food Service Establishments (FSEs):** The Community Development Department has adopted scheduling for staff to make available for pre-application bookings, with FSEs offered Wednesday mornings with the Agent, property developments/renovations with the Director Monday afternoons or Thursday mornings.

**Free Training for Elected & Appointed Municipal Leaders & Town Staff:** Michelle Jarusiewicz, Community Housing Specialist, announces the Lower Cape Housing Institute running Oct. 2 - Nov. 6. Registrants may enroll in any or all topic session.

**Environmental Health:** The Rat Task Force met on 9/12/19 and will meet regularly to discuss options and recommendations for the Town. The committee is comprised of representatives from the Board of Health, Animal Welfare Committee, Visitor Services Bureau, Open Space Committee as well as the Health Department staff, DPW Operations Director, the Environmental Planner, the Animal Control Officer, and Dr. Stormy Mayo.

**Public Health:** The launch of the Crop Swap: Provincetown’s Produce Swap Shop went very well. The fridge is stocked with fresh produce and folks have been accessing it. The program is going very

well so far, anyone can donate in addition to the corporate donators, and people are interested and excited to check out the refrigerator and produce.

**VII. Board Members' Statements**

Mr. Phillips shared his history on, and appreciation of, the Board of Health. He stated is leaving the Board to focus on his grandchild whose birth is approaching and lots of travel. He noted his service on the Board has been a pleasure and that he has appreciated everyone's hard work. He mentioned the former Board members he has worked with, as well as recording secretaries and Town staff.

**Adjournment:**

There being no further business, Mr. Phillips moved to adjourn the meeting at 5:12 pm.

Respectfully submitted,

Linda Fiorella

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