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Town of Barnstable

Board of Health

200 Main Street, Hyannis MA 02601



Wayne Miller, M.D.
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BOARD OF HEALTH MEETING RESULTS

Tuesday, June 10, 2008 at 3:00 PM

Town Hall, Hearing Room

367 Main Street, Hyannis, MA

I. Hearing – Housing (Cont.):

REPAIRS DONE Deborah Packard, owner – 226 Long Beach Road, Centerville,
No Further Issues housing violation(s).

All work has been completed and additional bedrooms removed according to health inspector. No further action required.

II. Hearing – Housing (New):

Moved to Donizete Ronfirm, owner – 83 Uncle Willies, Hyannis, removal
Criminal of three bedrooms.
Complaint

Case will be deferred to Town Attorney for a criminal complaint. Partial Condemnation with an Order to Vacate.

III. Septic Variances (Cont):

GRANTED A. Mike Aucoin representing Bergenheim Trust, owner – 112
WITH Nyes Neck Road East, Centerville, Map/Parcel 232-011-002,
CONDITIONS 1.0 acre parcel, repair of septic requesting four variances.

Granted five variances with the following condition: 1) they must submit a monitoring plan, (2) they must put a notice on the deed that the septic system is an I/A system which requires testing and emptying on a regular basis, (3) a 4 Bedroom Deed Restriction must recorded.

GRANTED B. Arlene Wilson representing Cotuit Oyster Company, owner,
WITH 26 Little River Road, Cotuit, Map/Parcel 053-009, 0.16 acres,
CONDITIONS requesting a modification of septic system variance issued 4/29/04.

Granted modification of septic system variance letter dated 2/26/08 with the following conditions; Board voted to approve the variances with the following conditions: 1) The applicant must obtain variance approval(s) from the MA DEP prior to obtaining a disposal works construction permit, (2) record a deed restriction restricting the property to non-residential use signed by the owner. and

a copy given to the Health Agent-if there is a change of use to commercial, they must come before the Board of Health, (3) The incinolet toilet shall be installed according to the State Plumbing Code, (4) The vent pipe shall be installed with the opening to the south, (5) The grey water disposal system shall be installed in strict accordance with the submitted plans with a revision date of May 27, 2008, (6) The designing engineer shall supervise the construction of the onsite sewage disposal system and shall certify in writing to the Board of Health that the system was installed in substantial compliance with the original plans dated August 12, 2003, with a revision date of May 27, 2008 and signed by Robert A. Drake, P.E.

IV. Septic Variances (New):

- A. Joe Henderson, Horsley Witten Group, representing Mark Ellis, owner – 239 Iyannough Road, Hyannis, Map/Parcel 328-206, 0.66 acre lot, 5 variances requested.

Board voted to send a letter to the Mark Ells and copy to Bob Burgmann, Town Engineer, to ask for reconsideration of the sewer extension and to continue this to the Board of Health Meeting on July 8, 2008.

V. Application for Extension – Underground Tank:

- Richard Boyle, Regional Sales Manager for Cumberland Farms # 2142 (a.k.a. # 2326)- 395 West Main Street, Hyannis, Map 269, Parcel 116, requesting extension on replacement date of four (4) fiberglass 8,000 gallon underground storage tanks with a scheduled replacement date.

The Board voted to extend the variance until Oct 31, 2008 at which time the tanks will be replaced.

VI. Variance – Food (New):

- A. Theodore Schilling, Esq., representing Tommy Doyles Irish Pub & Restaurant, Map/Parcel 327-090, grease trap variance.

Board voted to grant a conditional variance from the Board of Health “Revised Supplement to Minimum Sanitation Standards for Food Service Establishments” Regulation 10, which requires a minimum 1,000 gallon capacity grease interceptor at all food establishments.

This variance will allow the applicant to operate grease recovery devices with the following conditions: (1) No more than 328 seats total are authorized. (2) Two grease recovery devices (GRD’s) shall be maintained in series at this establishment, one on the main level and one in the basement. (3) The applicant shall monitor monthly and keep a log of the quantity of grease discharged into the plumbing (influent) and the quantity of grease discharged out to the sewer line after being processed through the GRD device (effluent). (4) The menu is limited to the list of foods submitted by the prior owner, Hooters, on February 10, 2003. (5) This variance is not transferable and will be voided if this food establishment has a change of menu or is leased to a party other than the current tenant.

- B. Cynthia Cole representing Mid-Cape Farmer’s Market, 232 Main St (Bank of Cape Cod parking lot), Hyannis.

Board voted to approve the new location for the Mid-Cape Farmer's Market to 232 Main Street, Hyannis.

VII. Temporary Food Permit:

- A. Les Hemmila, Barnstable Seafarms, request to sell oysters and little-necks at the Farmer's Market.

The Board voted to approve the foods on the condition that the applicant obtain his state licenses.

- B. Vito Marotta, Porky's Bar-B-Que, for Fireworks Evening, July 5, 2008, change of location to vacant lot, north side of South Street (across from Aselton Park).

The Board voted to approve the change in location.

VIII. Disposal Works Installers:

- A. Dennis Earle, Sandwich, MA

Approved Dennis Earle.

- B. Thomas Clancy, Middleboro, MA

Approved Thomas Clancy.

IX. INFORMAL DISCUSSION:

Gary James, James Engineering representing Dorothy White, owner – 332 Bone Hill Road, Barnstable, Map/Parcel 337-012, 0.88 acre lot,

The Board expressed difficulty in answering the request without a completed plan.

X. ADDITIONAL ITEM(S)

Announcement: June 16 at 7pm is the second meeting Estuaries Regulation.

In terms of the wording for the estuary ordinance: in lot or septic systems, it will be the septic systems within the lot and not the "lot", itself.

There will be 2 to 3 different phrasing for the flow to be discussed. And they are interested in changing the term "dwellings" to say "buildings" so that the ordinance will now cover commercial.

Voted to adjourn.