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Town of Barnstable

Board of Health

200 Main Street, Hyannis MA 02601



Wayne Miller, M.D.
Junichi Sawayanagi
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BOARD OF HEALTH MEETING RESULTS Tuesday, March 9, 2010 at 3:00 PM Town Hall, Hearing Room 367 Main Street, Hyannis, MA

Dr. Miller asked for a moment of silence for James Crocker, Sr., who died last week. He was a member of this Board for a number of years and was the father of Sharon Crocker from the Health Division staff and of Town Councilor James Crocker, and served the town in many other ways.

I. Variance – Septic (New Item):

Kieran Healy, BSC Group, representing Diane Ross, Trustee –0 Water Hole Lane, West Barnstable, Map/Parcel 130-008, 3.47 acre parcel, requesting extension on septic variances.

The Board stated the issues were each addressed in earlier meetings prior to the originally granted variances. This would not be an extension of the granted variances. It is coming back to the Board as a new application and will be voted as new.

The Board voted to approve the reviewed plans dated March 4, 2010, with the following conditions: 1) A three-bedroom Deed Restriction shall be recorded at the Registry of Deeds, 2) A proper copy of the Deed will be submitted to the Public Health Division, 3) strict accordance to the engineer's reviewed plans dated March 4, 2010, and 4) the footprint cannot be changed.

II. Variance – Food (New):

A. Patricia Mersky, new owner, Osterville Village Café – 3 Wianno Avenue, Osterville, toilet facility variance – one restroom provided.

The Board voted to approve a toilet facility variance to allow one toilet facility in lieu of two, with seating for ten.

B. Jan Gow representing Friends of Sturgis Library applying for a temporary food permit for 'Antiques Show and Sale' Event at Barnstable-West Barnstable Elementary School, Main Street, West Barnstable on August 20 + 21, 2010.

No one was present from the Library at this point in the meeting. Mr. McKean said this is their first food event with the Antiques Show. It will be held indoors and will be using the cafeteria facility with a person who is servsafe certified.

The Board voted to Continue to the April 2010 meeting in order to obtain answers for their questions.

Second vote at the end of the meeting:

Jan Gow was present (had called explaining she had a flat tire).

The Board voted to approve this as an annual temporary food event with the following condition: the servsafes are provided to the Health Division.

- C. Claudia Robinson representing Community Action Committee (C.A.C.C.I.) applying for a temporary food permit for 'Sundae Fundae' Event in the parking lot of 115 Enterprise Road, Hyannis on June 13, 2010.

No one was present from C.A.C.C.I.

The Board voted to continue until April 13, 2010 in order to obtain answers to their questions.

- D. Jean Samedy, new owner, Café Samedy – 569 Main Street, Hyannis, grease trap variance.

The Board voted to approve a grease trap variance with the following conditions: 1) menu shall not have any substantial changes from the menu presented, 2) only disposable dishware and utensils shall be used, 3) a maximum of 14 seats will be permitted, 4) a grease recovery devise (GRD) will be used, and 5) a regular cleaning log will be maintained listing quantity of grease removed.

- E. David Columbo, Black Cat Tavern – 165 Ocean Street, Hyannis, new owner, grease trap variance for additional seating from 133 to 186, same menu as prior owner.

The Board voted to approve the grease trap variance to increase seating to 186 in lieu of the maximum seating of 133 for the size of the grease trap with the following conditions: 1) a grease recovery device (GRD) as a Big Dipper or its equivalent will be used, 2) the grease will be emptied daily as needed from the GRD, 3) a second bathroom for the employees will be installed on the premises for a total of four bathrooms at the site, and 4) this variance does not pass on to a new owner automatically.

III. License: Disposal Works (Septic Installer):
Michael Santos, Falmouth Road, Cotuit, MA

The Board voted to approve Michael Santos as a septic installer with the following condition: after Mr. Santos has installed ten septic systems in the town, the Board will review the situation and performance.

IV. Discussion:

Requested by motel owner, George "Skip" Simpson, Anchor-in, One South Street, Hyannis – discussion of qualified swimmers and lifeguard requirements at pools.

Skip Simpson was present. He and the Board discussed his desire to reduce the requirement for lifeguard and/or qualified swimmers for his small pool.

A detailed review will continue as any change would be setting a precedent for other pools.

V. Subdivision:

Dan Ojala, Down Cape Engineering, representing Susan Maki, Trustee, Maki Family Trust –'0' Oak Street (off Oak Street), Barnstable, Preliminary Plan Subdivision# 819 in Historical District, Map 215, Parcel 014-001, 3 lots on 6.94 acres, within the Resource Protection Overlay District.

The Planning Board last night postponed their review of the plan because it will be changing. The Board of Health is interested in seeing a topography of the plan (this is not required until the final plan). They will wait until the plans are revised.

VI. Old/New Business:

A. Proposed Bedroom Count Policy – Request to be updated.

B. Proposed Revision of Tight Tanks for Beauty Shops/Barber Shops connected to Onsite Sewage Disposal Systems.

The Board voted to void the previous policy.

The Board will consider possibly a new regulation to enforce the Title V requirements for these businesses, but noted that many of the chemicals which are feared problems have not been proved problems. To be continued at a future meeting.

C. Proposed Warewashing Sink Policy.

The Board voted to approve a warewashing sink policy covers businesses where no dishwasher is onsite. In these businesses, only disposable utensils are to be used and a three compartment sink is required.

D. Temporary Outdoor Food Vending Requirements Policy – Weekly Events.

Need a different category for inconsecutive events and must identify the parameters of the fees. No cumulative fee shall exceed the fee for annual or seasonal food establishment. Application, guidance and other forms need to be approved.

E. New Business

Dr. Canniff mentioned there was an article in the newspaper regarding the airport hanger and having all the airport on the town sewer system and looking at the hazardous materials situation. The town's DPW would have to extend the sewer line in that direction. This will be put on the next agenda.

Motion to adjourn.