



# TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664-24451  
Telephone (508) 398-2231, ext. 1241  
Fax (508) 760-3472

Board of  
Health  
-  
Health  
Division

## BOARD OF HEALTH MEETING AGENDA

Monday, May 2, 2022 @ 5:30 PM  
Yarmouth Town Hall  
1146 Route 28, South Yarmouth, MA

Per MGL: All town and school boards, committees, commissions and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

### NOTE: THIS IS A HYBRID PARTICIPATION MEETING ZOOM OR ATTEND AT TOWN HALL

Specific information such as instructions and guidelines for remote by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town website at [www.yarmouth.ma.us](http://www.yarmouth.ma.us) For the public portion of this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch a live stream on Yarmouth's YouTube Channel located at the following link:  
<https://www.youtube.com/channel/UCgQ1QFZevmoqW5Mz2PnWKpA/>  
Join the meeting hosted in Zoom by using the following link: <https://us02web.zoom.us/j/87115263955>  
Or, go to the website zoom.us, click on "Join a Meeting" and enter the **meeting ID (871 1526 3955)**
2. Audio, video and screen sharing functions will be disabled during the public session. Request to participate by using the "raise hand" function.
3. You may also listen to the meeting by calling in on a phone to either 1-253-215-8782 or 1-312-626-6799 and enter the meeting ID. Audio, video and screen sharing functions will be disabled. Smart phone callers may be able to participate by using the "raise hand" function. Land line callers will be able to listen, but not participate verbally. All callers, or viewers may participate and provide public comment by using a designated email indicated below.
4. You may submit comments to the Town using the following email: [epolite@yarmouth.ma.us](mailto:epolite@yarmouth.ma.us). This email will be monitored by a moderator who will alert the Board Chair of relevant comments.
5. Meeting materials are attached to this agenda, available online at [yarmouth.ma.us/Agenda](http://yarmouth.ma.us/Agenda) Center, and will be displayed at the online meeting. It is recommended that phone participants access materials in advance of the meeting.
6. Please follow the following general instructions:
  - a. Keep your phone muted at all times when not talking;
  - b. Do not use speakerphone;
  - c. Do not use Bluetooth devices;
  - d. Mute all background noise;
  - e. Mute the livestream feed and use only the telephone audio;
  - f. Please do not speak until the chair or the meeting moderator asks for public comments or questions.



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Monday, May 2, 2022 @ 5:30 PM

**Note: This is a hybrid meeting**

**Public may attend at Town Hall or by Zoom**

1. Public Comment

The open meeting law discourages public bodies from discussing topics not listed on the agenda. The public should therefore not expect the Board to respond to questions or statements made during the Public Comment portion of the meeting.

2. Hearing – 414 Route 6A, Yarmouth Port, MA - Vote

- a. Request for horse stable permit – Continued from April 4, 2022

3. Hearing – 31 Grist Mill Lane, West Yarmouth, MA - Vote

New Septic System – House will be Razed and Replaced

Town of Yarmouth Septic Regulation Variance – Section 3.7

- a. The proposed leaching to be 76'+/- from a wetland where 100' is required (24' reduction)

State Title Variances – Title V 15.203(1) and (2), 15.248 (1)

- a. Proposed leaching capacity = 219 GPD where 330 GPD is required (33.6% reduction)  
b. There is no Reserve Area provided

4. Hearing – 22 Willow Lane, South Yarmouth, MA – Vote

Septic System Repair

Town of Yarmouth Septic Regulation Variance – Section 3.7

- a. Allow reduction in setback, leaching to BVW (100' to 55.1')  
b. Allow reduction in groundwater adjustment (2.05' to 1.05')

State Title Variances – Title V 15.405(1a), (1b) and (1h), 15.555 (5)

- a. Allow reduction setback, leaching to Lot Line (10' to 7.8')  
b. Allow reduction in setback septic tank to Lot Line (10' to 6.5')  
c. Allow reduction in setback, septic tank to foundation (10' to 7.3')  
d. Allow reduction in groundwater separation (5' to 4')  
e. Allow reduction in lateral removal of unsuitable material (5' to 1')

5. Discussion – El Mariachi Restaurant, 416 Route 28, West Yarmouth, MA

Food Establishment Violations

# BOARD OF HEALTH MEETING AGENDA (CONT)

Monday, May 2, 2022 @ 5:30 PM

6. Discussion – Tobacco Regulation  
Tobacco Cap
  
7. Update – Coronavirus
  - a. Statistics – Graphs & Chart
  - b. Positivity Rate
  - c. Vaccination Rate
  
8. Approval of Minutes – April 4, 2022
  
9. New / Old Business
  
10. Adjournment

**ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

cc: Town Clerk Board of Health Board of Selectmen Inspectional Services File