



Town of Barnstable

Board of Health

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BOARD OF HEALTH MEETING MINUTES Tuesday, December 17, 2019 3:00PM James H. Crocker, Jr. Hearing Room 367 Main Street, 2nd Floor, Hyannis, MA

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, December 17, 2019. The meeting was called to order at 3:00 pm by Chairman John Norman. Also in attendance were Board Members Donald A. Guadagnoli, M.D., Paul Canniff, D.M.D., and Alternate Tom Lee. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

Roll call – all present.

I. **Comprehensive Wastewater-Management Plan (CWMP):**

Dan Santos, Department of Public Works (DPW) Superintendent, Comprehensive-Wastewater-Management Plan (CWMP)

Griffin Beaudoin, DPW, did presentation of CWMP.

II. **Variance – Septic (Cont.):**

John McNabola and owner, Thomas Fisher – 164 Annabelle Point Road, Centerville, Map/Parcel 211-014, seasonal home, requesting exemption from local policy requiring septic upgrade when less than four feet above groundwater and when razing home.

WITHDRAWN – Resolved prior to meeting, will install septic.

III. **Variance – Septic:**

A. Michael McGrath, Holmes and McGrath, representing Michael Valerio, owner – 24 Tern Lane, Centerville, Map/Parcel 193-048, repair of failed septic system, requesting multiple variances.

Tim Santos, Holmes and McGrath presented plan for existing three bedroom home and submitted floor plans.

On this sensitive lot, John Norman expressed most important variance is the vertical separation to groundwater. He would like to see if engineer can obtain the five feet separation if takes out one of chambers and uses perforated pipe and stone. Mr. Santos will try to rework plan. Two neighbors, Joan McAuliffe and Florence Casey, didn't want septic to have an effect on their property.

Upon a motion duly made by John Norman, seconded by Dr. Canniff, the Board voted to continue the item to the January 21, 2020 meeting. (Unanimously, voted in favor.)

B. Dan Ojala, Down Cape Engineering, representing Stanley Davitoria, owner – 55 and 61 Beechwood Road, Centerville, Map/Parcel 252-182-008, 25, 441 square feet parcel, reserve area reduction in setback variance.

Dan Gonsalves, Down Cape Engineering, presented plan. The property has a steep incline and can only fit two bedrooms on lot.

Upon a motion duly made by John Norman, seconded by Dr. Canniff, the Board voted to grant the variances with the following condition: 1) a two bedroom deed restriction will be filed at the Barnstable County Registry of Deeds and 2) will connect to town sewer as soon as available. (Unanimously, voted in favor.)

IV. Variance Condition(s) – Septic

Beth Kittila, Horsley Witten Group, representing Michelle Tobey, owner – 23 Stage Coach Road, Centerville, Map/Parcel 172-110, requesting reconsideration of condition(s) in granting septic variance at September 24, 2019 board meeting.

Tom Lee recused himself.

Beth Kittila spoke to the Board of their condition of a three bedroom deed restriction to be recorded. She asked that they reverse this condition as it is not in a nitrogen sensitive area.

The Board felt this condition is appropriate and is consistent with other decisions at the Board.

Upon a motion duly made by Dr. Canniff, seconded by John Norman, the Board voted to deny the request and to keep the three bedroom deed restriction. (Unanimously, voted in favor of keeping deed restriction)

Tom Lee returned to meeting.

V. Bedroom Discrepancy:

Henrique Sousa, new owner - 7 Erin Lane, Hyannis, Map/Parcel 291-017, 2 versus 4 bedrooms.

Henrique Sousa was present.

Septic plan shows the design was for 400 gallons, not quite a four bedroom and in a restricted zone. Research will be done in the Building Department's records, as well.

Upon a motion duly made by John Norman, seconded by Dr. Canniff, the Board voted to continue to the January 21, 2020 meeting. (Unanimously, voted in favor.)

VI. Variance – Swimming Pool:

Greg Horton, Holiday Inn, requests a variance to allow qualified swimmers in lieu of lifeguards for pool coverage at two locations:

- A. Holiday Inn, 1127 Lyannough Road, Hyannis
- B. DoubleTree Inn, 287 Lyannough Road, Hyannis

Upon a motion duly made and seconded, the Board voted to grant the variance to allow qualified swimmers at both the Holiday Inn and the DoubleTree Inn. (Two voted in favor, Dr. Canniff opposed.)

VII. Septic Installer:

John Callahan, South Yarmouth, applying for a septic installer's license.

John Callahan was present and all papers were in order.

Upon a motion duly made and seconded, the Board voted to grant a septic installer's license to John Callahan. (Unanimously, voted in favor.)

VIII. Sewer Connection: Deadline Extension

- A. Elaine Basias, owner – 32 Paine Avenue, Hyannis, Map/Parcel 288-142, requesting deadline extension to connect to town sewer.

Elaine Basias and her daughter Dawn Basias, who lives in the second house, were both present. The Board asked Ms. Basias to have quotes available if returning in one year.

Upon a motion duly made and seconded, the Board voted to grant a one year deadline extension to connect to the town sewer. (Unanimously, voted in favor.)

- B. Oswald Jordan of Brockton, and owner – 54 Point Lane, Hyannis, Map/Parcel 288-168-001, requesting deadline extension to connect to town sewer.

Oswald Jordan was present.

Upon a motion duly made and seconded, the Board voted to grant a one year deadline extension to connect to the town sewer. (Unanimously, voted in favor.)

IX. Body Artist:

Tyler Bolton, body artist at Black Pearl Tattoo Studio and Gallery, 505 (a.k.a. 509) Main Street, Hyannis, has completed trainee period required under his variance for Anatomy and Physiology and is petitioning for body art license without body piercing.

Tyler Bolton and Alex Travassos, owner of Black Pearl Tattoo, were both present. There were no issues Tyler's training period.

Upon a motion duly made and seconded, the Board voted to grant Tyler Bolton a body artist license with the exception that no body piercing will be allowed. (Unanimously, voted in favor.)

X. Show-Cause Hearing – Body Art:

Ekaterina Morozova, owner – Lash Boutique, 26 Barnstable Road, Hyannis, complaint investigation, microblading performed on a client by an unlicensed employee while the owner was off-site, on or about October 15, 2019.

Ekaterina Morozova was present and stated that she was out of the country and was the speaker for a conference on microblading. The office manager she had left in charge was the person who allowed the artist to come in and work without a Town of Barnstable permit. A cease and desist order for microblading had been issued. Ekaterina stated both the manager and the artist are no longer working there. She said they have not done any microblading at this location since then.

Upon a motion duly made and seconded, the Board voted to order the business to cease any microblading for 30 days. They may resume microblading on January 16, 2020. (Unanimously, voted in favor.)

XI. Minutes:

November 26, 2019 minutes.

Upon a motion duly made and seconded, the Board voted to adopt the meeting minutes for November 26, 2019. (Unanimously, voted in favor.)