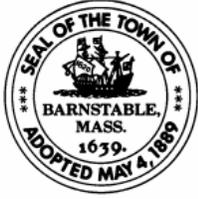


# Town of Barnstable

## Board of Health

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John T. Norman, Chair  
Donald A. Guadagnoli, M.D.  
F.P. (Thomas) Lee, P.E.  
Daniel Luczkow M.D., Alternate

### **BOARD OF HEALTH MEETING MINUTES**

**Tuesday, January 26, 2021 3:00 PM**

**ZOOM MEETING 9292 0306 963**

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, January 26, 2021. The meeting was conducted through Zoom to avoid social distances closer than 6 feet as stipulated due to Covid 19 epidemic. The meeting was called to order at 3:00 pm by John Norman, Chair. Also in attendance were Board Members Donald Guadagnoli, M.D., Thomas Lee, Daniel Luczkow, M.D., Alternate. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present. Zoom Meeting - Meeting ID: 9292-0306-963.

#### **I. Variance – Septic:**

David Mason, representing Peter Miller, owner - 29 Forest Street, Hyannis, Map/Parcel 266-014, 0.10 acre parcel, failed septic system, requesting three setback variances due to lot size.

David Mason said the property's septic system is in failure and it is a small lot.

Mr. McKean stated staff had no objections and determined the plan offers the maximum feasible compliance.

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to grant the variances requested. Roll Call: Dr. Guadagnoli-Yes, Mr. Lee-Yes, Mr. Norman-Yes (Unanimously, voted in favor.)

#### **II. Septic Installer (New):**

Jonathan Searles, East Falmouth.

Jonathan Searles passed his septic exam and his references checked out fine.

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to approve a septic installers license for Mr. Searles. Roll Call: Dr. Guadagnoli-Yes, Mr. Lee-Yes, Mr. Norman-Yes. (Unanimously, voted in favor.)

#### **III. Septic Repair Deadline Extension:**

Steven Everett, owner – 209 Bay Street, Osterville, Map/Parcel 117-158, requesting an extension on septic repair deadline.

Steven Everett stated he has a buyer and hopes to close in March 2021. No one has lived in the house for the past three years and the water has been shut off. He is looking to extend the deadline to replace the system.

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to approve the septic repair deadline to April 30, 2021. If they find they need a further extension, they may return to the Board at that time for a determination. Roll Call: Dr. Guadagnoli-Yes, Mr. Lee-Yes, Mr. Norman-Yes. (Unanimously, voted in favor.)

**IV. Minutes:**

December 21, 2020 Minutes.

This item was moved to the next meeting, February 23, 2021.

**ADDITIONAL COMMENTS:**

Gordon Starr, Town Councillor, inquired whether there is list of all single cesspools in the town and how that might have an effect with the recent lawsuit concerning the amount of nitrogen over the daily allowance entering the estuaries

There is not a list. The Title V inspection triggers the location of single cesspools and this is done when there is a sale of ownership of the home outside the family. Other triggers are when there is a failure, or when a building permit is pulled and the cesspool must be upgraded prior to the building permit.

John explained that typically in the 80's, lots of properties had their first cesspools, once in failure, turned into a sealed unit, no longer leaching into the ground, and added a leaching component to it. This functions as a Title V as the effluent from the house remains the same through the system until it reaching the leaching component. There is no nitrogen level difference between that and a Title V tank.

The lawsuit is regarding whether the levels of nitrogen entering the estuaries is over the daily amount, so if we were to pass a law banning all cesspools, it is not going to change the level of nitrogen in estuaries.

From the Board to the Public:

**Stay Safe, and please continue to wear your masks even if you have received your vaccine shot.**

Motion to Adjourn:

Upon a motion by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to adjourn. Roll Call: Dr. Guadagnoli-Yes, Mr. Lee-Yes, Mr. Norman-Yes. (Unanimously, voted in favor.)

Adjourned 3:22pm

***Notice of Recording:*** *This meeting of the Board of Health is being recorded and transmitted by the Information Technology Department of the Town of Barnstable on Channel 18. Under MGL Chapter 30A Section 20, anyone else desiring to make such a recording or transmission must notify the Chair.*

### Remote Participation Instructions

In accordance with the Governor's Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gathering of More Than 10 People issued on March 24, 2020, the January 26th public meeting of the Board of Health shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed the Channel 18 website at <https://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
2. Real-time public comment can be addressed to the Board of Health utilizing the Zoom link or telephone number and access code for remote access below.

Join Zoom Meeting

<https://zoom.us/j/92920306963>

Meeting ID: [9292-0306-963](https://zoom.us/j/92920306963)

1-888-475-4499 US Toll-free

Meeting ID: [92920306963](https://zoom.us/j/92920306963)

3. Applicants, their representatives and individuals required or entitled to appear before the Board of Health may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to [sharon.crocker@town.barnstable.ma.us](mailto:sharon.crocker@town.barnstable.ma.us) , so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing: [sharon.crocker@town.barnstable.ma.us](mailto:sharon.crocker@town.barnstable.ma.us)