



# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601

Office: 508-862-4644

FAX: 508-790-6304

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

**BOARD OF HEALTH MEETING Minutes** Original  
**Tuesday, April 26, 2022 3:00 PM**  
**James H. Crocker Jr. Hearing Room, Town Hall**  
**367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA**

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, April 26, 2022. 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., and Paul Canniff, D.M.D. Stephen Waller, M.D., Alternate, was not able to attend. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were present.

**I. Regulations/Policies:**

- A. Proposal to provide the Director of Health the authority to approve outside dining at food establishments which do not strictly meet the provisions of Section 322-5 subsection 1-13 of Town Code, temporarily during calendar year 2022.

**Public Comment:**

Felis Barreiro, Alberto's Restaurant, expressed his support to continue with the outdoor seating opportunity.

Aaron Webb, Daily Paper, also wrote to the Board expressing his support for outdoor seating meeting the desires of the patrons and improving economic impact.

A motion was duly made by Dr. Canniff to extend the outdoor seating for the one year with the recommendation from Department of Public Works (DPW) that the grease traps are pumped on a monthly basis for all food establishments. The motion was not seconded and did not carry.

Upon a motion duly made by Dr. Guadagnoli, seconded by Dr. Luczkow to extend the temporary authority of the Director of Public Health to approve outside dining at food establishments which do not strictly meet the provisions of Section 322-5, subsections 2-13 of the Town of Barnstable Code, during the calendar year 2022. (Unanimously, voted in favor.)

- B. Proposed Amendment/Addition to Chapter 307-1 E(1) of the General Ordinances.  
Part III. Application for Body Art Practitioner Permit, Practitioner Training and Experience.

Mr. McKean said the current Town Ordinance requires a 3 credit accredited New England College Course in Anatomy and Physiology with a passing grade. This can take 3-4 months and most times, longer as pre-requisites are often required and the course has a small amount of material on body art issues. The Board has accepted courses such as the Greenfield course as a means to

receive a variance to the Town ordinance (similar to the former Quincy Health Skin Course) They meet the same criteria specified in the amendment (Exhibit A). Mr. McKean had the Town Attorney review the amendment. They have approved the amendment's language. It would eliminate the need for the body artists to apply for a variance and create a smoother process. This does not involve an apprenticeship. The amendment does not apply to Body Piercing.

The Board acknowledged that they have approved variances with such course work submitted.

Dr. Guadagnoli asked if this was consistent with other towns. Mr. McKean said no, the State is having discussions now to establish a uniformed regulation as one does not exist. They are at the beginning of the process and it may not be available for some time.

Once the State has a proposed regulation, the Board can return to the topic.

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

**II. Innovative/Alternative (I/A) – Septic:**

Darren Meyer, Meyer & Son, representing Daniel Kevles, owner – 215 Bay Lane, Centerville, Map/Parcel 186-013, 27,785 square feet parcel, repair of failed septic, requesting use of Infiltrator septic system with multiple variances.

Upon a motion duly made and seconded, the Board voted to grant the variances on revised plan dated April 22, 2022 with the following condition: a three bedroom deed restriction be recorded at the Barnstable County Registry of Deeds. (Unanimously, voted in favor.)

**III. Food – Variance:**

Nick Reney, Hyannisport Club – 2 Irving Way, Hyannisport, Map/Parcel 266-031, variance to use outdoor wood fired pizza oven.

Upon a motion duly made and seconded, the Board voted to grant a temporary permit to cook pizzas outdoors within an outdoor wood fired pizza oven at 2 Irving Avenue. The cooking unit is proposed to be located at the terrace outdoors adjacent to the licensed food facility. The pizzas will be prepared indoors within the licensed kitchen. This temporary permit will expire in five years on May 1, 2027. (Unanimously, voted in favor.)

**IV. Temporary Food Events:**

A. Judith Desrochers for Love Our Labyrinth Event at Meetinghouse Farm – 2135 Meetinghouse Way, West Barnstable, Map/Parcel 130-012 on May 7, 2022 from 4pm – 6pm. Food will include: mixed cheese, crackers, grape garnish, traditional store-bought deviled eggs, black olive garnish, mixed vegetables –carrots, celery, broccoli, summer squash, mixed pastries, chocolate brownies, chocolate nut brownies, and small eclairs, and a fruit bowl.

Upon a motion duly made and seconded, the Board voted to grant the temporary food event with the above-listed menu. (Unanimously, voted in favor.)

- B. Ira Mendoza for Cotuit Center for the Arts – 4404 Falmouth Road, Cotuit, Map/Parcel 024-022, holding an event four times during the season: July 24, July 31, August 7, and August 14, 2022. Food will include: individual frittata, using pasteurized liquid eggs, fresh cut fruit and baskets of assorted mini muffins.

Upon a motion duly made and seconded, the Board voted to grant four temporary events with the following menu: cut fruits, egg frittata, and muffins. (Unanimously, voted in favor.)

**V. Body Artists – New Variances**

- A. Hiury Lemos, proposing to work at Great Island Tattoo – 12 Enterprise Road, Hyannis, Map/Parcel 293-045 as a body artist with Safe Each Life Certification in lieu of anatomy and physiology, and experience.

Mr. Lemos was not present.

Upon a motion duly made and seconded, the Board voted to approve Hiury Lemos as a Body Artist at Great Island Tattoo and work under the owner, restricted to body artist, no piercing. (Unanimously, voted in favor.)

- B. Mihaela Bejenaru, proposing to work at Lash/Brow Boutique – 37 Barnstable Road, Hyannis, Map/Parcel 327-013, licensed in Plymouth, MA, has Safe Each Life Certification in lieu of anatomy and physiology, and experience.

Upon a motion duly made and seconded, the Board voted to approve Ms. Mihaela Bejenaru as a Body Artist, no piercing. (Unanimously, voted in favor.)

- C. Keila Travassos, proposing to work at Black Pearl Tattoo & Studio – 505 (aka 509) Main Street, Hyannis, Map/Parcel 308-093, has online course from Cape Cod Community College – Human Anatomy and Physiology (self paced).

Keila has taken the one-day Greenfield course and has also taken the Cape Cod Community Course. She has done apprentice work through her father, Alika Travassos. She expressed there was much good information given in the college course and was happy to take it. Upon being asked if she would consider 18 months apprenticeship an appropriate length of time, she felt it was an appropriate time period.

Dr. Luczkow wanted to hear from Alika Travassos of whether he believes the 18 months was an appropriate period for apprentice. Alika said he believes the 18-24 month period for apprenticeship is appropriate as there is much to learn and it allows time for the master artist to evaluate the applicant's abilities.

Upon a motion duly made and seconded, the Board voted to approve Keila Travassos as a body artist, no piercing. (Unanimously, voted in favor.)

- D. Samantha Morrison, proposing to work at Black Pearl Tattoo & Studio – 505 (aka 509) Main Street, Hyannis, Map/Parcel 308-093, has online course from Cape Cod Community College – Human Anatomy and Physiology (self paced).

Samantha Morrison applied for Body Piercing and would do her apprentice work under Alika Travassos, owner of Black Pearl, who has also taken the Cape Cod Community College course- Human Anatomy and Physiology (self paced).

The college website states the course is a 200 hour level course, thus a four credit course.

Upon a motion duly made and seconded, the Board voted to approve Samantha Morrison to work as a body piercer under the direct supervision of Aika Travassos, owner of Black Pearl for an 18 month apprenticeship and return to the Board with Mr. Travassos's report. (Unanimously, voted in favor.)

**VI. Status Report on NitROE installations at Shubael's Pond.**

Zenas Crocker had a slide presentation on the update of installations. Currently 34 systems are installed, not all operating as some are seasonal, etc. Due to the lower temperatures in winter, starting up the systems in winter experience has challenges as the bacteria needs the warmth until the system gets going. He hopes to have 50 systems on line by this summer. Location at 285 Lakeside Drive is producing a high flow rate and is showing a remarkable treatment rate increase. He will have more data available as flow rates increase.

**VII. Septic Installer (New):**

Edward Tallent – special request.

Edward Tallent was present and explained his circumstances. Staff recommended waiving the three month wait to retake the exam. Mr. Tallent has five septic installer licenses all of which said his work is good and dependable. He has twenty five years+ experience. The Board took all into consideration on a case by case matter.

Upon a motion duly made and seconded, the Board voted to grant Edward Tallent a septic installer permit. (Unanimously, voted in favor.)

**VIII. Minutes**

March 22, 2022

Upon a motion duly made and seconded, the Board voted to adopt the March 22, 2022 meeting minutes. (Unanimously, voted in favor.)

**IX. Additional:**

- A. John Norman mentioned that Tom Lee has been working with DPW on the Interim Estuary and items for other innovative/alternative systems and where to best apply them while meeting the goals of the legal case. He would like to do a presentation at the beginning of both the June and July 2022 Board meetings to bring the members up-to-date.
- B. For the Board's June meeting, there will also be a 15 minute presentation by Laurel Schaidler, PhD, from Silent Spring Institute on PFAS Chemicals. She has received a special grant and is looking for past and current residents to participate in a study.

**Voted to Adjourn 4:45 p.m.**

April 21, 2022

**Proposed Amendment/Addition to Chapter 307-1 E(1) of the General Ordinances,  
Part III, Application for Body Art Practitioner Permit, Practitioner Training an  
Experience**

**Current Ordinance:**

Chapter 307-10 E (1)(c) of the Town of Barnstable Code currently reads as follows: *(c) The applicant for a body art permit practitioner shall provide documentation, acceptable to the Board, that s/he completed a course on anatomy and physiology with a grade of C or better at a college accredited by the New England Association of Schools and Colleges, or comparable accrediting entity. This course must include instruction of the integumentary system (skin).*

**The following subsection “d” is proposed to be added to Chapter 307-10 E (1)::**

(d) In the alternative, the applicant for a body art permit practitioner who signs an agreement with the Board of Health to restrict his/her body art work to tattoos only, may substitute the requirements of Subsection “c” above with/by providing documentation acceptable to the Board that s/he completed a one-day course which shall consist of **a minimum of six hours of anatomy and physiology coursework, which includes the integumentary (skin) system coursework**, and a final examination. The applicant for a body art permit practitioner shall complete the above described one-day class with a final examination score of 75 percent or better.

**Rationale:**

An anatomy and physiology class at an accredited college takes three to four months to complete. Many applicants have complained to the Health Division staff that accredited colleges require a prerequisite class be completed before one can attend an accredited anatomy and physiology class, increasing the cumulative time to complete the required class to eight months. The current Ordinance does not allow for any alternatives to this requirement. It does not provide for any alternatives nor any substitutions to this accredited college course requirement, creating a hardship for many applicants. The Health Division recommends the above alternative identified as subsection “d,” in order to provide those who agree to limit their body art practice to tattoos only, with a viable alternative.