



Town of Barnstable

Board of Health

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Daniel Luczkow, M.D.
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Christne M. Beer PhD.
Steven Waller, M.D. Alternate
December 23, 2024.

BOARD OF HEALTH MEETING MINUTES

Tuesday, December 17, 2024, 3:00 PM

James H. Crocker Jr. Hearing Room, Town Hall

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, 2024. The meeting was called to order at 3:01 pm by F.P. (Thomas) Lee, Chair. Also in attendance were Board Members Donald Guadagnoli, M.D., Daniel Luczkow, M.D, Paul Canniff, D.M.D., Christine Beer PhD, and Stephen Waller, M.D.

1. Presentation

Presentation from Andrew Boule, representing Barnstable DPW- Water Pollution Control Division on the effects of grease build-up in sewer lines and at the Town's Wastewater Treatment Plant.

Mr. Andrew Boule provided an educational slide presentation, which included photographs to the Board of Health members regarding grease build-up in sewer lines and at the Town's Wastewater Treatment Plant. Mr. Boule indicated the Barnstable wastewater collection, treatment, and disposal system processes approximately 12.5 million gallons of waste which includes approximately one million gallons of grease. The compliance rate for cleaning and maintaining internal grease traps, associated with variances previously granted by the Board, is very low. The Water Pollution Control Division suggests a need to advocate for properly sized external grease traps at food establishments.

2. Septic Installer: New

Richard Andrukonis, West Bridgewater, MA

Richard Andrukonis was present and testified that he passed the local examination for disposal works installer. The submitted application and references were reviewed by the Board members. After a brief discussion, and upon a motion made by Thomas Lee, duly seconded by Donald Guadagnoli the Board voted unanimously in favor of approving Richard Andrukonis's application as a body artist in the Town of Barnstable.

3. Septic Variances:

A. POSTPONED to the January 28, 2025 3:00 PM Board of Health Meeting; *John O'Dea representing Lana and Edward Lukatsky – 129 Hayes Road, Centerville, Map/Parcel*

210-095, Phase 1 of the CWMP, failed septic system, requesting to maintain septic until public sewer is available, variance requested from 310 CMR 15.305, State Environmental Code, Title 5 and from Section 360-44, Deadlines to Repair Failed Septic Systems, of the Town of Barnstable Code.

This item is postponed to the January 28, 2025 meeting of the Board of Health.

B. Amy Harbeck representing Phyllis Roth- 91 Holly Point Road, Centerville, Map/Parcel 252-125, received order to replace soil absorption system, requesting variance from 310 CMR 15.305, State Environmental Code Title 5 and from Section 360-44 of the Town of Barnstable Code, to forego replacement (extension) until public sewer becomes available.

Ms. Amy Harbeck and Al Martins, private septic system inspector, were present. Al Martins testified that groundwater would be approximately six inches into the bottom of the overflow leaching pit during periods of seasonal high groundwater. Public sewer will be available at this property in the year 2029 or 2030 according to the DPW. Tom Lee suggested the applicant should hire a professional engineer or registered sanitarian to provide proposed septic system upgrade plans. After some discussion, and upon a motion made by Daniel Luczkow, duly seconded by Donald Guadagnoli the Board voted unanimously in favor of continuing this item to the January 28, 2025 meeting of the Board of Health.

C. POSTPONED to the January 28, 2025 3:00 PM Board of Health Meeting; *Jo-Ann P. Wilson representing Marc Mason -12 Pond Street, Centerville, Map/Parcel 230-088 'emergency repair,' requesting variances from Sections 388-3 to allow a hand-drawn sketch in lieu of the requirement to submit an engineering plan, from Section 360-1 to install a holding tank.55 feet away from a wetland, and from Section 385-5, notification date to abutters.*

This item is postponed to the January 28, 2025 meeting of the Board of Health.

D. Jennifer M. Nash, From the Heart Bakery, 284 School Street, Cotuit Map/Parcel 020-059, requesting approval to utilize existing septic system, proposed cottage bakery.

Ms. Jennifer Nash stated she proposed to operate a 'cottage bakery' at her home, 284 School Street Cotuit Massachusetts. She testified that there will be no customer traffic coming-to or from her home as a part of this business. Ms. Nash stated the existing septic system meets Title 5 and is fully functioning. An engineering report from Griffin J. Ryder, P.E. dated November 6, 2024 was submitted and reviewed by the Board. The report indicated the annual use should have no impact on the septic tank given the reserve capacity that is currently not being used based on the estimated production of baked goods. Ms. Nash also testified that some grease reduction practices would be implemented (i.e. wiping of cooking pans) to reduce fats, oil, and grease from entering into the septic system.

After some discussion, and upon a motion made by Daniel Luczkow, duly seconded by Donald Guadagnoli the Board voted unanimously in favor of utilizing the existing septic system while operating a 'cottage bakery' at 284 School Street Cotuit, Massachusetts with the following conditions:

1. The cottage kitchen must be inspected by the Health Division before opening for business. The facility must meet all applicable sections of the State Sanitary Code 105 CMR 590.000 and local health regulations prior to opening for business.
2. This property is located within Saltwater Estuary Protection District, a nitrogen sensitive area. The wastewater discharge is limited to a maximum of 330 gallons per day (3 bedrooms) in accordance with the disposal construction permit # 88-113, issued for this septic system at this property on March 15, 1988.
3. When/if the septic system is upgraded or is replaced in the future, a double compartment septic tank shall be installed at that time.

E. Mary E. Kirk- 228 Lake Elizabeth Drive, Centerville, Map/Parcel 226-096, requesting Variance from 310 CMR 15.305, State Environmental Code Title 5 and Section 360-44 of the Town of Barnstable Code, from requirement to replace the current system until public sewer becomes available.

Mr. Thomas Kirk was present. He testified that the septic system was recently inspected at this property on November 7, 2024, by Douglas Brown. During the inspection, two single cesspools were discovered. Single cesspools automatically fail inspections in the Town of Barnstable. The Health Division mailed the owner an order letter dated November 13, 2024, to replace the failed system components (cesspools) within two years, on or before November 13, 2026. Public sewer is predicted to be available at this site in the year 2028 or 2029 according to the DPW. After some discussion, and upon a motion made by Thomas Lee, duly seconded by Daniel Luczkow the Board voted unanimously in favor of granting the owners a two-year extension to continue to utilize failed septic system components in lieu of the Title 5 Code requirement to replace or repair failed components, at 228 Lake Elizabeth Drive, Centerville. This extension is granted with the following conditions:

- (1) This property shall be connected to the public sewer within sixty (60) days of availability. [Note: This property is located within Phase 1 of the Comprehensive Wastewater Management (CWMP) Plan, with a projected availability date of 2028 or 2029]
- (2) When this property is transferred to a new owner, the new owner of this property shall be notified of this variance and of the conditions contained within this letter.

4. Sewer Connection Variance Request:

James B. Goodwin- 644 Strawberry Hill Road, Hyannis, Map/Parcel 249-088, ordered to connect to public sewer, variance requested from Section 360-13 of the Town of Barnstable Code, property is not inhabited.

Mr. James B. Goodwin testified that the structure located at this property is currently vacant. He further testified that he plans to submit a formal

request soon, to change the zoning of this property. If the zoning change request is approved, you stated that you will then raze the structure and construct a parking lot in its place. After some discussion, and upon a motion made by Paul Canniff, duly seconded by Thomas Lee the Board voted unanimously in favor of granting Mr. Goodwin an extension to connect the property located at 644 Strawberry Hill Road Centerville, Massachusetts to public sewer. This extension expires in six months, on June 18, 2025.

5. **Body Artist: Tattoo/Microblading (No Piercing)**

Kateryna Verteleka is applying for Tattoo/Microblading Permit (no piercing) at Brow Boutique, 37 Barnstable Road, Hyannis, Map/Parcel 327-013. Kateryna Verteleka provided her application for a body artist trainee permit. She proposes to conduct body work at Brow Boutique, 37 Barnstable Road, Hyannis. Ms. Verteleka submitted training certificates, immunization records and other required documents were received and reviewed. After a brief discussion, and upon a motion made by Donald Guadagnoli, duly seconded by Daniel Luczkow the Board voted unanimously in favor of approving Kateryna Verteleka's application as a body artist in the Town of Barnstable.

6. **Swimming Pool Variance:**

POSTPONED- Donna Nelson representing River Ridge Neighborhood Association – 0 River Ridge Drive, Marstons Mills, Map/Parcel 059-007-017, requesting multiple variances from 105 CMR 435.000, Minimum Standards for Public and Semi-Public Swimming Pools.

This item is postponed as requested by the applicant.

7. **Minutes:**

November 26, 2024

The November 26, 2024 minutes were reviewed by the Board members. After a brief discussion, and upon a motion made by Thomas Lee, duly seconded by Daniel Luczkow the Board voted unanimously in favor of approving the November 26, 2024 minutes as written.

Adjourn- 4:00 p.m.

Upon a motion duly made by Donald Guadagnoli, seconded by Daniel Luczkow, the Board voted to adjourn. (Unanimously in favor.)