



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.

AGENDA – BOARD OF HEALTH MEETING Original
Tuesday, March 22, 2022 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, March 22, 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, and Paul Canniff, D.M.D., Daniel Luczkow, M.D., and Stephen Waller, M.D., Alternate., were not present. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

I. Hearing – Tobacco Violation

Bob Collett, Cape Cod Regional Tobacco Control Program:

Tobacco Violation

Anil Diwan, owner - C.B. Perkins Lounge and Bar,
649 Main Street, Hyannis, Map/Parcel 308-134.

There was much discussion on the way the State wrote the regulation of smoking bars and consumption on site. The facility had allowed consumers to purchase and leave without consuming any product. Attorney David Lawler presented the situation from the applicant's perspective and the difficulty of someone consuming a full pack on site. The Board wanted to be sure the customers were instructed that the product is to be consumed on site. Dr. Canniff said he would be interested in changing our local regulations to not allow the sale of menthol in the smoking bar. This would be a discussion for a later date.

Upon a motion duly made and seconded, the Board determined to issue a warning with instruction to be given to consumers that they may not walk out without consuming a cigarette on premises. (Three in favor, One opposed – Dr. Canniff.) (Voted in favor.)

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

John O'Dea, Sullivan Engineering, representing Gail Canzano, owner – 483 Eel River Road, Osterville, Map/Parcel 114-018, 1.17 acre parcel, addition to house, upgrading septic system, requesting use of NitROE innovative alternative (I/A) septic system with local variances.

John O'Dea presented the plan. There is only one floor, five bedrooms, and an open basement with a walk-out. The Board members were appreciative of the owner going with the NitROE system for further protection.

Upon a motion duly made and seconded, the Board voted to approve the plan with the variances presented. (Unanimously, voted in favor.)

III. Septic Installer (New):

James Ruberti, Centerville

Mr. Ruberti passed his septic installer's exam and his references all checked out.

Upon a motion duly made and seconded, the Board voted to approve James Ruberti as a septic installer. (Unanimously, voted in favor.)

IV. Food – Variance:

Kris Clark, West Barnstable Village Festival Committee , Meetinghouse Barn – 2134 Meetinghouse Way, West Barnstable, Map/Parcel 130-012, temporary food event for April 30, rain day May 1, 2022 from 3:00-6:00pm, menu includes hot dogs, rolls, beans, coleslaw, chips, soda and water.

Kris Clark said the event to is bring the community together after the long past years with the above-mentioned food items.

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

IV. Minutes

January 25, 2022 and February 22, 2022

Upon a motion duly made and seconded, the Board voted to adopt the minutes for January 25 and February 22, 2022. (New Board member Dr. Canniff abstained.) (Unanimously, voted in favor.)

Meeting Adjourned 4:09pm

Notice of Recording: *This meeting of the Board of Health will be 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.*