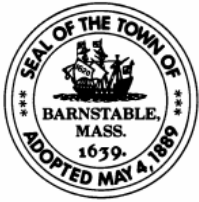


# Town of Barnstable

## Board of Health

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Originally posted on May 21, 2026 at 3:13 P.M.  
Updated on May 22, 2026: Item 7 (Title changed to "Subdivisions" and 7B word change from "preliminary" to "definitive")

### BOARD OF HEALTH MEETING AGENDA

Tuesday, May 26, 2026, 3:30 PM

James H. Crocker Jr. Hearing Room, Town Hall

367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA

**1. Septic Installer License Approval:**

Brendan Browne, Septic Installer, representing Browne Brothers Construction, Harwich, MA - Requesting approval to become a licensed septic installer in the Town of Barnstable.

**2. Body Art – New Establishment:**

Sorivel Rosario, owner of new establishment, Cape Cod Permanent Makeup Studio – 342 Main Street, Unit #A, Hyannis, MA, Map/Parcel 327-006-001, requesting approval to become a body art establishment for permanent makeup and microblading.

**3. Septic System Variances:**

- A. Jay Tripp, owner, 181 Mitchells Way, Hyannis, MA, Map/Parcel 290-074-002, 43,996 square feet lot - Variance requested from State Environmental Code Title 5, 310 CMR 15.223(1)(b), Septic Tanks. Conversion of an Amnesty Apartment into an ADU, request to provide an effluent filter in lieu of the requirement to install a double compartment tank or two septic tanks in series by using MassDEP approved effluent filter.
- B. Timothy Santos, Merrill Engineers and Land Surveyors, representing owner, Bluff Point 1999 Trust No. 2, 124 Bluff Point Drive, Cotuit, MA, Map/Parcel 034-070, 19,170 square feet (upland) – Variances requested from The Town of Barnstable Code 360-1, minimum setback requirements to a waterbody; proposed NitROE system, request to install a leaching field 50 feet from a coastal bank and to install a septic tank 39 feet from a coastal bank. No increase in flow.
- C. Daniel Ojala, Down Cape Engineering, representing owner, Karen Kasparian, Cape Cod Cranola, 5 Joan Road, Centerville, MA, Map/Parcel 228-086; 0.28 acre parcel, three bedrooms existing (330 gpd); site is located within a nitrogen sensitive area (Saltwater Estuary Protection Zone) thus restricted to 330 gpd maximum; requesting approval to prepare granola for sale to retail markets; request to utilize existing septic system without a grease trap, site is located within Phase 1 of the Comprehensive Wastewater Management (CWMP) Plan.
- D. Daniel Griffin, owner, 10 Wianno Avenue, Osterville, MA, Map/parcel 117-091, 3,495 square feet parcel- Requesting a variance from Section 360-45 of the Town of Barnstable Code to increase the seating to twenty (20) seats. Conditional variance originally granted on September 6, 2024 limiting the food establishment to six (6) seats maximum within a

nitrogen sensitive area (Saltwater Estuary Protection District); 330 gpd limit maximum as per Regulation.

**4. Septic System Variances – Repair:**

- A. Douglas Brown, representing owner, Kimberly Spiro, 62 Hillside Drive, Centerville, MA, Map/Parcel 193-039, 11,761 square feet – Proposed temporary repair of a failed septic system, proposed to re-stone leaching pit. Property is within Phase 1 of the Comprehensive Wastewater Management (CWMP) Plan.
- B. Mary Taglienti, representing owner, 40 Cove Island Road Nominee Trust, 40 Cove Island Road, Centerville, MA, Map/Parcel 187-061, 63,995 square feet (upland) – Variances requested from State Environmental Code Title 5, 15.224 (2): variance for a decrease in the minimum hydraulic detention time in the first compartment, 48 hours to 43 hours, 15.405 (1b): variance for an increase in the maximum allowable soil absorption system depth, 3 feet to 4 feet, 15.405(1f): variance for a reduction in the setback for a soil absorption system to a Coastal Bank, 50 feet to 36.4 feet. Variances requested from Town of Barnstable Code 360-1, reduction in the setback distance from the soil absorption system to the Coastal Bank, 100 feet to 36.4 feet, and the setback distance from the soil absorption system to the Salt Marsh, 100 feet to 62.4 feet, variance for reduction in the setback distance from the septic tank to the Coastal Bank, 100 feet to 50.9 feet, and the setback distance from the septic tank to the Salt Marsh, 100 feet to 74.8 feet. Existing 5-bedroom dwelling, no increase in bedrooms is proposed.

**5. Innovative Alternative Technology:**

David Leger, representing owner, Angela Thornton, 75 Bob-White Run, Cotuit, MA, Map/Parcel 024-054, 20,909 square feet - Proposed I/A Secondary Treatment technology for new construction of a two-bedroom dwelling unit located within multiple (all) nitrogen sensitive areas including within a State designated Zone II, within the Saltwater Estuary Protection Zone, within a Well Protection (WP) zone, and within a Groundwater Protection (GP) zone.

**6. Sewer Extension Request:**

Christine Carey, owner – 1413 Falmouth Road/Route 28, Centerville, MA, Map/Parcel 229-089, Phase 1 Route 28 East Sewer Expansion, SEWH-24-280 - Requesting extension to connect building to public sewer until such time public sewer is available at Sachem Drive.

**7. Subdivisions:**

- A. Daniel Ojala, PE, PLS, Down Cape Engineering, Inc., representing owners, Gladstone LP, Preliminary Subdivision – 32 Pleasant Hill Lane, Hyannis, MA, number of lots 2, 145,490 square feet - Map/Parcel 308/20, 308/23, development will be served by public sewer and public water.
- B. Matthew Eddy, PE, Baxter Nye Engineering & Surveying, representing owners, NWASSEF LLC, Definitive Subdivision – 145 Barnstable Road, Hyannis, MA, number of lots 2, plus 1 private road, 34,003 square feet - Map/Parcel 327-244-001, development will be served by public sewer and public water.

**8. Swimming Pool Variance:**

Christian Axios, representing owner, EPF Hyannis Property Owner LLC, Hanover Hyannis, 99 Wilkens Lane, Barnstable, MA, Map/Parcel 296-039-002, Variances requested from Section 105 CMR 435.13(1) Walkways, requesting a pool variance setback from edge of pool to Hoyer Lift, and Section 105 CMR 435.23 Lifeguards, requesting to operate a swimming pool with “qualified swimmers” in lieu of the requirement to provide fully certified lifeguards.

## 9. Food Variances:

Luis Martinez, representing owner, Alex Tamargo, Wicked Willy's Raw Bar & Fish N Chips - 473 Main Street, Hyannis, MA, Map/Parcel 308-084 – Proposed construction of a new raw bar/ outside tiki bar and proposed expansion of menu. Multiple variances requested as follows:

- **2013 Federal Food Code: 6-202.16, Exterior Walls and Roofs** – Submitted plan does not show design and proposed construction of any exterior floor-to-ceiling walls along the perimeter designed to protect the establishment from the entry of insects, rodents, animals, and from the weather.
- **2013 Federal Food Code: Outer Openings, 6-202.15 (A):** - Submitted plan does not show design and proposed construction of closed tight-fitting windows and solid self-closing tight fitting doors to protect the establishment from the entry of insects, rodents, animals, and from the weather.
- **2013 Federal Food Code 6-201.16, Wall and Ceiling Coverings:** Submitted plan does not show design and proposed construction of interior wall and interior ceiling covering materials which shall be constructed of easily cleanable materials.
- **2013 Federal Food Code: Protective Barrier, 6-202.15 (C):** – Submitted plan does not show design and proposed construction of exterior doors required to be used as exits which must be self-closing, solid and tight-fitting.
- **2013 Federal Food Code: Outer Openings, 6-201.11 (D)** - Submitted plan does not show design and proposed construction of any screens nor any air curtains at any window or door openings, properly designed and installed air to control flying insects.
- **2013 Federal Food Code: Floor and Wall Junctures, Coved, and Enclosed or Sealed, 6-201.13 (B):** Submitted plan does not show design and proposed construction of floor and wall junctures which shall be coved and sealed.
- **2013 Federal Food Code: (7) 6-201.18, Walls and Ceilings, Studs, Joists, and Rafters.** Submitted plan does not show design and proposed construction of walls, studs, joists, and rafters which shall not be exposed in areas subject to moisture.
- **2013 Federal Food Code: Floors, Walls, and Ceilings, 6-201.13 (A):** Submitted description does not provide information regarding cleaning method of floors and wall junctures. (Note: If water flush cleaning methods are used, sufficient drains must be graded to drain - and all floor and wall junctures shall be coved and sealed).
- **Section 322-4 of the Town of Barnstable Code:** Insufficient number of plumbing fixtures (toilets and sinks) provided in accordance with 248 CMR of the Massachusetts State and Gas Plumbing Code for the proposed increase of 52 seats.
- **Section 322-5 (3) of the Town of Barnstable Code:** Additional seating requested for outside dining fails to comply with subsection 3 of this Section which requires sufficient restrooms provided in accordance with the State Plumbing Code.
- **Section 322-5 (5) of the Town of Barnstable Code:** Food not prepared inside the facility's kitchen and kept inside until served as required per this Code.

## 10. New Temporary Food Event:

Brooke Mackay, Market Manager, Barnstable Green Market – 3195 Main St./Route 6A, Barnstable, MA, Map/Parcel 299-024, requesting approval for a weekly farmer's market with up to fourteen food sale vendors at the Barnstable County Complex.

**11. Policies: I/A Pilot Applications/ Amendments:**

- A. Maureen Thomas, representing owners, Joseph and Joanna Fortescue – 14 Barberry Lane, Marstons Mills, Map/Parcel 102-162, 9,148 square feet – Request for Amendment to the original Board approval to allow the addition of recycling lines from the NitROE effluent tank to the settling tank.
- B. Maureen Thomas, representing owners, Ronald Palma and Juanita Sweet – 251 Lakeside Drive, Marstons Mills, Map/Parcel 102-166, 7,405 square feet – Request for Amendment to the original Board approval to allow the addition of recycling lines from the NitROE effluent tank to the settling tank.
- C. Maureen Thomas, representing owners, Roger and Celeste DeRosier – 295 Lakeside Drive, Marstons Mills, Map/Parcel 102-163, 10,019 square feet – Request for Amendment to the original Board approval to allow the addition of recycling lines from the NitROE effluent tank to the settling tank.
- D. Maureen Thomas, representing owners, Jessalyn Blondin – 317 Lakeside Drive, Marstons Mills, Map/Parcel 102-145-002, 10,454 square feet – Request for Amendment to the original Board approval to allow the addition of recycling lines from the NitROE effluent tank to the settling tank.

12. Chairman, Tom Lee – Proposal to eliminate formal public hearing process for the licensure of disposal system installers within the Town of Barnstable

**13. Discussion:**

Status update – Status of sewer connections within the Town of Barnstable,

**14. Minutes:**

March 24, 2026 Board of Health meeting