Town of Barnstable
Board of Health

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Daniel Luczkow, M.D., Vice Chair
Donald Guadagnoli, M.D.
Paul Canniff, D.M.D.
Christine M. Beer, PhD.

BOARD OF HEALTH MEETING MINUTES
Tuesday, June 30, 2026, 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, June 30, 2026. The meeting was called to order at 3:00 P.M. by F.P. (Thomas) Lee, Chair. Also in attendance were Board Members Daniel Luczkow, M.D., Donald Guadagnoli, M.D., and Christine Beer, PhD. Paul Canniff, D.M.D. was not present. Health Division staff members Thomas McKean R.S., C.H.O., and Vanessa Tripp, Office Manager, were present.

1. **Body Art – New Establishment:**
   Daiare Mantovani, owner of new establishment, Cilios – 109 Corporation Street, Hyannis, MA, Map/Parcel 293-040, requesting approval to become a body art establishment for permanent makeup and microblading.

   Daiare Mantovani was present.

   Vanessa Tripp stated a floor plan was received, which is a requirement.

   Mr. McKean stated Health Staff had no objections pending an inspection. The floor plan appeared satisfactory.

   Upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to approve new body art establishment, for permanent makeup and microblading, pending an inspection.

2. **Septic System Variance:**
   (Continued from January 27, 2026) Ryan Pina, EIT, Outback Engineering, Inc., representing owner, Ronald Oliveira – 282 Parker Road, West Barnstable, Map/Parcel 176-013, 19,602 sq .ft – MicroFAST system proposed; multiple variances requested from Section 397-8(E) to install a soil absorption system 55 feet away from an onsite well in lieu of the 150 feet minimum setback required; from Section 397-8(E) of the Town of Barnstable Code to install a soil absorption system 118 feet away from a neighbor's private well at "264 Parker Road, West Barnstable" in lieu of the required from 150 feet setback; from Section 397-8(E) to install a septic tank 51 feet away from the onsite well in lieu of the required 100 feet minimum setback; and variances from 310 CMR 15.405(1)(g), State Environmental Code as described.

   Ryan Pina was not present.

   Ms. Tripp confirmed she had reached out to Mr. Pina and he had not responded yet.

Upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to table this to July 28, 2026 Board of Health meeting.

3. **Septic System Variance – Repair:**
Douglas Brown, representing owners, Gary Tratt and Ellen R TRS Huckins Neck Nominee Trust, 391 Huckins Neck Road, Centerville, MA, Map/Parcel 233-045, 44,431 square feet – Proposed temporary repair of a failed leaching pit. Proposing to add a 500-gallon leaching chamber off existing leaching pit. Property is within Phase 1 of the Comprehensive Wastewater Management (CWMP) Plan.

Douglas Brown was present. Mr. Brown asked if, instead of the 500-gallon concrete chamber, if it could be plastic, due to access in the yard.

Tom Lee asked if the capacity was about the same. Douglas Brown answered, "Yes."

Thomas McKean stated Health staff had no objections.

There was no public comment.

After some discussion and upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to approve request.

4. **Grease Trap Request:**
Jay Patel, representing owner, Cape Cod Hotel, Holiday Inn Express – 1470 Iyannough Road/Route 132, Barnstable, Map/Parcel 274-001, Variance requested from Chapter 322 Food Establishments, Article I Minimum Sanitation Standards, 322-3 Grease Traps, of the Town of Barnstable Code and Section 901-15 of the Town of Barnstable Code. Requesting a variance from the requirement to install a minimum 1,000 gallon in-ground grease trap.

Jay Patel was present. Dipak Patel was also present.

Tom Lee stated the DPW wants an exterior grease trap installed at this location.

Mr. Dipak Patel stated in 2015 they were given a variance and ever since then ownership has not changed. Mr. Dipak Patel stated when they changed the name of Hotel to Holiday Inn, an above ground grease trap was provided, and that this would be sufficient because they do not prepare nor cook any food there. Mr. Dipak Patel stated all of the food is pre-cooked.

In terms of the grease, Tom Lee noted DPW's comment regarding reheating food.

Dr. Beer asked what the method of reheating was. Mr. Jay Patel answered, inside a microwave oven. Mr. Jay Patel stated prior to buying the hotel, it was already connected to Town sewer. Mr. Jay Patel stated the food has not changed and the method of cooking has not changed.

Mr. McKean asked how the scrambled eggs are heated. Mr. Jay Patel answered that scrambled eggs come in a bag and then the bag is heated. Sausages also arrive pre-cooked.

Mr. McKean asked how the customer receives scrambled eggs and sausages. Mr. Jay Patel answered that it is heated up in a bag to the correct temperature, then placed into warming dishes.

Mr. McKean stated there may be issue of the grease generated from washing the warming dishes. Mr. Jay Patel replied any grease residue present on warming pans is wiped off with paper towels.

Mr. Patel stated there is also an under-the-sink grease interceptor present that is operational. Mr. McKean replied that the plumbing inspector requires an under-the-sink grease interceptor at every food establishment, which is designed to protect the internal plumbing. Whereas an exterior grease trap would protect the public sewer lines.

Tom Lee suggested the applicant hire a certified laboratory to take a sample of the wastewater effluent from the kitchen, and test the fat, oil and grease content in the effluent.

After some discussion and upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to table request to July 28, 2026 Board of Health meeting.

5. **Sewer Connection/Extension Request:**
(Continued from October 21, 2025) Mark Sherbertes, owner, 9 Quisset Road, Centerville, MA, Map/Parcel 250-152, Phase 1, SEWH-24-357 - Requesting an extension to connect building to public sewer.

Mark Sherbertes was not present.

Upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to table this to August 25, 2026 Board of Health meeting.

6. **Temporary Food Events Approval:**
   A. Trevon Robinson, United Voices of Jamaica, representing event “Cape Cod Caribbean Carnival” – Aselton Park, 135 South Street, Hyannis, MA, Map/Parcel 326-061, requesting approval for a temporary food event.

Trevon Robinson was present. Mr. Robinson stated this was a fundraising event for a non-profit. Mr. Robinson stated they will be serving food and that the food will be prepared at the “Seven Days” restaurant in Dennis, MA.

Thomas McKean stated he did not see a handwash station at “bar number two” labeled on the plan. Mr. Robinson noted there is an updated plan and that there are two handwashing stations.

There was no public comment.

After some discussion and upon a motion made by Daniel Luczkow, M.D., duly seconded by Donald Guadagnoli, M.D., the Board voted unanimously in favor, to approve event pending submittal of revised plan showing the handwashing stations.

   B. Chawisa Saesua, Event Organizer, representing event “Cape Cod Thai Festival” – Hyannis Village Green, 376 Main Street, Hyannis, MA, Map/Parcel 327-001, requesting approval for a temporary food event.

Chawisa Saesua, event organizer, was present.

Thomas McKean asked for the distance of the handwashing station from food vendor #14, on the plan. Ms. Saesua answered seven feet.

There was no public comment.

After some discussion and upon a motion made by Christine Beer, PhD., duly seconded by Donald Guadagnoli, M.D., the Board voted unanimously in favor, to approve event pending submittal of revised plan showing the handwashing stations for food vendors #13-16.

C. Zavia Walker-Empey representing event "Cape Cod Jerk Food & Fun Festival" – Hyannis Village Green, 376 Main Street, Hyannis, MA, Map/Parcel 327-001, requesting approval for a temporary food event.

Zavia Walker-Empey was present. Ms. Walker-Empey stated they are having Cape Cod's first Jerk Food and Fun festival on the Hyannis Village Green; a celebration of Jamaican food, culture, and music.

Thomas McKean noted the plan shows handwashing stations behind every food vendor.

Ms. Walker-Empey noted a total of eleven food vendors have signed up so far.

There was no public comment.

After some discussion and upon a motion made by Daniel Luczkow, M.D., duly seconded by Christine Beer, PhD., the Board voted unanimously in favor, to approve temporary food event.

D. Adam Liberatore representing event "Boston 25 Morning News Live "Zip Trip" Broadcast – 997 Craigville Beach Road, Centerville, MA, Map/Parcel 206-013, requesting approval for a temporary food event.

Adam Liberatore was present. Mr. Liberatore stated the event is a morning broadcast that presents a massive opportunity to showcase Centerville local culture, community organization, thriving small businesses, and unique coastal charm, to a massive regional TV audience. Mr. Liberatore stated the event is on Friday, August 7th and that they have three restaurants that are attending.

Mr. McKean suggested two handwashing stations and centralizing their locations within the food preparation area(s)

There was no public comment.

After some discussion and upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to approve temporary food event.

7. **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.

Luis Martinez was present. Mr. Martinez noted cut sheets were provided showing the temperature control device within a display case; how it's enclosed, and how it has a sliding door at the back of the unit to keep it closed. Mr. Martinez noted gloves will be worn and that there will be an air curtain on both sides. Mr. Martinez also noted it has an ice bath which drains directly, so it doesn't sit in standing water.

Mr. McKean stated Health staff had no objection to opening the clams. Mr. McKean stated there was a question about the shrimp. Mr. McKean asked how the shrimp would be handled inside the unit? Also, Mr. McKean referred to an email from the plumbing inspector about the restrooms.

Mr. Martinez stated the shrimp cocktail would be prepared prior in the kitchen, and would then come out on display over ice, staying 41 degrees or less for display, which is then sold within eight hours of service time. Mr. Martinez stated the other two shellfish items, oysters and little necks, would be prepared in said display case. Mr. Martinez stated they were not trying to change the capacity of the bathrooms and would be coming to the Board, on a later date, for approval to increase the bathrooms.

Tom Lee discussed that the Board of Health can approve the variances except for the two related to the plumbing code (Sections 322-4 and 322-5 (3)).

Mr. McKean read the first sentence of the email from the plumbing inspector: “The existing two toilets on site will accommodate no more than 52 patrons and staff combined.” Mr. McKean noted there is no allowance for any increase in seating at this time until the issues of the insufficient number of toilets and sinks are addressed.

There was no public comment.

After some discussion and upon a motion made by Donald Guadagnoli, M.D., duly seconded by Daniel Luczkow, M.D., the Board voted unanimously in favor, to approve requests, with exception of Sections 322-4 and 322-5 (3), with conditions that (a) the shrimp shall be prepared inside the licensed kitchen, then brought out to enclosed unit; (b) oysters and clams shall be shucked inside the enclosed unit, and (c) seating is limited to 52 seats until such time State Plumbing Code requirements are met.

8. *Presentation by/with Susanne Conley, Chair, Save Greater Dowses Beach*

Susanne Conley thanked the Board for hearing their presentation today.

Gary Peters, physician, was present. Dr. Peters stated he joined the committee three years ago, largely out of a number of health and safety concerns related to the proposed and ongoing wind development in the Town of Barnstable. Dr. Peters provided a brief review of the history of their interactions with the Board. Susanne Conley, Chair of Save Greater Dowses Beach, appeared before the Board of Health on June 25, 2024, and requested that the Board initiate a review of several health and safety concerns, including EMF exposure levels. The matter was referred to the Town Attorney Karen Nober for guidance on the Board of Health’s authority. In a memo dated September 10, 2024, the Board of Health was informed that they did not have authority to place any restrictions or limitations on the developers, since the projects had already been permitted by EFSB. Dr. Peters discussed a recent presentation to the Somerset Board of Health by Attorney Mike Hugo, Director of Policy and Government relations with the MAHB (Massachusetts Association of Health Boards). Dr. Peters had spoken directly with Mr. Hugo, who reiterated that projects such as this are subject to the authority of Health Boards despite EFSB permitting. The committee requests permission to reintroduce the EMF exposure issue before the Board and asks the Board to contact ESFB and request a further review of the EMF exposure. Dr. Peters further discussed the EFSB permitting for the New England One project.

Dr. Emily McClure was present. Dr. McClure explained that ELF EMF stands for Extremely Low Frequency Electromagnetic Fields. Dr. McClure noted these are non-ionizing fields and not the radiation from cell phone towers or microwaves. Dr. McClure stated these magnetic fields are created when power travels through household electric wires or a high voltage cable from an offshore wind farm. Dr. McClure referenced local magnetic field measurements in milligauss (mG). Dr. McClure stated much electromagnetic field exposure in Barnstable at present is found along the Vineyard Wind 1 cable at Covell’s Beach. She further discussed the cable paths and the magnetic field measurements. Dr. McClure stated high exposures occur when people park above the cables at the beach or travel along Craigville Beach Road and Wequaquet Lane, for example. Dr. McClure discussed the Swiss National Cohort study published in Environmental International; study sought to determine whether exposure to Switzerland’s extensive railway system and residential high voltage power lines created a risk of death by neurodegenerative disease. Dr. McClure further presented study population and exposure levels, and findings. Dr. McClure and the committee asked the Board of Health to communicate with ESFB about their findings; concern

asserting modeling values exceeded in real life after the permitting process for the cables currently in Barnstable. Dr. McClure stated, “the exposed public deserves some answers.”

Tom Lee requested a copy of what Dr. McClure presented.

Dr. McClure agreed to provide a copy of the material that was read aloud.

Dr. Beer asked for a point of clarification if this was an information sharing exercise; the Board does not have authority to take any action.

Tom Lee noted that he would take this under the advisements and discuss it with Legal Department.

Dr. Stephen Driscoll was present. Dr. Driscoll was present to discuss the EMF that’s emanating from the Vineyard Wind cables that land on Covell’s and follow the path that Dr. McClure discussed. Dr. Driscoll stated that it is a 5.3 mile path traveled by many cars a day. Dr. Driscoll presented data collected since June 2025. Dr. Driscoll indicated that they all use the same meters, and those can detect different types of EMF. Dr. Driscoll noted that as more of the 62 turbines become operational, the electric draw will increase, likely to raise these EMF levels further. There were concerns raised regarding long term cumulative health effects, citing the International Agency for Research on Cancer (IARC). Given their findings, Dr. Driscoll expressed concerns for health risks to people who live in, work in, or travel to the areas where these cables are located.

Dr. Peters summarized what was presented to the Board of Health. Dr. Peters stated he is not asking the Board to place any restrictions or limitations on the project at this time, and requests that the Board contact EFSB, for EFSB to mandate EMF reporting similar to requirements for a New England One.

Tom Lee thanked the committee for their presentations. This information would be taken under advisement for further review.

Dr. Luczkow asked what level of EMF has been established as safe or unsafe. Dr. Luczkow also asked if there has been any specific number put out there that’s used as part of engineering designs.

Dr. Peters answered that this has been looked at in a different light than it has been in the past, and these recent studies, such as the one Dr. McClure quoted, are beginning to look at long-term health effects. Dr. Peters noted that never have such high-tension electrical cables been placed in such close proximity to the public, directly beneath the parking lot of beaches, along public roadways, and under businesses.

After some discussion, Tom Lee asked Ms. Conley and the *Save Greater Dowses Beach* presenters to send their presentations and information to the Board of Health, which will be further reviewed.

9. <u>Minutes:</u> April 28, 2026 Board of Health meeting

Upon a motion made by Donald Guadagnoli, M.D., duly seconded by Christine Beer, PhD., the Board voted unanimously in favor, to approve April 28, 2026 meeting minutes.

Adjournment:

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

Adjourned at 4:20 P.M.