



# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601

20 MAR '25 PM4:18  
BARNSTABLE TOWN CLERK

Office: 508-862-4644

FAX: 508-790-6304

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Updated 3/20/2025 Item #6 (Withdrawn)  
Notice Originally Posted 3/18/ 2025,10:49 AM.

### AGENDA – BOARD OF HEALTH MEETING

**Tuesday, March 25, 2025 4:00 PM**  
**James H. Crocker Jr. Hearing Room, Town Hall**  
**367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA**

1. **Discussion:**  
Sale of Flavored Tobacco Products at Licensed Smoking Bars; On-Site Consumption; Chapter 133 of the Acts of 2019, Massachusetts Law. *SECTION 25. Chapter 270, Section 28.(b) No person, retailer or manufacturer shall sell, distribute, cause to be sold or distributed, offer for sale any flavored tobacco product or tobacco product flavor enhancer in any retail establishment, online or through any other means to any consumer in the commonwealth; provided, however, that this subsection shall not apply to the sale or distribution by a smoking bar, as defined in section 22, of flavored tobacco products or tobacco product flavor enhancers for on-site consumption. No person, retailer or manufacturer shall market or advertise a proposed sale or distribution that is prohibited herein.*
  
2. **Show Cause Hearing:**
  - A. (Continued from 02-25-2025) Andressa Araujo, owner of 7 Erin Lane Hyannis, Map/Parcel 291-017-011; Ray Caterino, Warren Miranda representing Miranda's Excavating LLC, located at 1070 Rt. 134, S. Dennis, MA 02660, and Edward Stone representing EAS Surveying, located at 141 Rt. 6A, Sandwich MA 02563, - Disconnection of septic tank and onsite NiTROE system components and installation of new septic tank without obtaining a septic permit during November 2024.
  
  - B. Mary Marcelino, Manager- representing Speedway- 149 North Street Hyannis, Map/Parcel 309-226-001; flavored tobacco products offered for sale.
  
3. **Septic Variances:**
  - A. John O'Dea representing Lana and Edward Lukatsky – 129 Hayes Road, Centerville, Map/Parcel 210-095, Phase 1 of the CWMP, failed septic system, variances requested from 310 CMR 15.305, State Environmental Code, Title V and from Section 360-44, Deadlines to Repair Failed Septic Systems, Town of Barnstable Code.
  
  - B. Dan Ojala P.E representing Down Cape Engineering – 154 Beale Way, Barnstable, Map/parcel 280-003, proposed reduction in minimum tank

capacity from 2,000 gallons to 1500 gallons as required from Section 310 CMR 15.260:2(a) of the State Environmental Code, Title V.

4. **Tight Tank Proposals:**

- A. Greg Avenia P.E, C.F.M, Kleinfelder Engineering representing Town of Barnstable – 228 Straightway. Hyannis, Map/Parcel 268-099, proposed tight tank.
- B. Greg Avenia P.E, C.F.M, Kleinfelder Engineering representing Town of Barnstable – 132 Smith Street. Hyannis, Map/Parcel 267-099 and 0 Old Schoolhouse Rd, Hyannis, Map/Parcel 267-190, proposed tight tank.

5. **Sewer Connection/ Extension Requests:**

- A. Peter and Donna Conlon, owners – 8 Sunnywood Drive, Hyannis, Map/Parcel 273-215, Phase 1, SEWH-24-412, requesting extension to connect to public sewer
- B. Susan Sweet, owner – 971 West Main Street, Centerville, Map/Parcel 229-056, Phase 1, SEWH-24-269, requesting extension to connect to public sewer.
- C. Shawn Horan representing homeowner Dwight Carey – 1007 West Main Street, Centerville, Map/Parcel 229-059, Phase 1, SEWH-24-271, requesting extension to connect to public sewer.

6. **Food- Variances:**

WITHDRAWN - William Russell, owner, representing Pineapple Caper LLC. dba The Nest – 15 West Bay Road, Osterville, Map/Parcel 141-016, requesting a toilet facility variance to allow 12 outdoor seats in violation of the State Sanitary Code, State Plumbing Code, and Town of Barnstable Toilet Facilities Section 322-4.

7. **Minutes** -February 25, 2025 Board of Health Meeting