



# Town of Barnstable

## Board of Health

200 Main Street, Hyannis MA 02601

Office: 508-862-4644

FAX: 508-790-6304

John T. Norman, Chair  
F.P. (Thomas) Lee, P.E.  
Donald A. Guadagnoli, M.D.  
Daniel Luczkow, M.D.  
Paul Canniff, D.M.D.  
Stephen Waller, M.D.-Alternate

**AGENDA – BOARD OF HEALTH MEETING** Original  
**Tuesday, November 22, 2022 3:00 PM**  
**James H. Crocker Jr. Hearing Room, Town Hall**  
**367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA**

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, November 22, 2022. The meeting was called to order at 3:00 pm By John Norman, Chair. Also in attendance were Board Members Thomas Lee, Donald Guadagnoli, M.D., and Paul Canniff, D.M.D. Daniel Luczkow, M.D., and Stephen Waller, M.D., Alternate, were not able to attend. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were present.

**I. Show-Cause Hearing – Pool:**

Mark Flanagan, Vice President-Facilities, YMCA – 2245 Iyannough Road, West Barnstable, Map/Parcel 215-023, inoperable automatic disinfection equipment.

Mark Flanagan, Vice President-Facilities, and Stacie Peugh, President and CEO, were present. Mark discussed how the incident had come about and the numerous steps and procedures put in place to prevent a reoccurrence. They are also looking into the possibility of an alarm to sound if the automation fails and whether the alarm could be located outside the pump room or at the front desk.

Mark had worked closely with Health Inspector Donald Desmarias and Donald was satisfied with their efforts and progress made.

The Board discussed procedures. No fine imposed.

**II. Variance – Septic:**

Dan Ojala, Down Cape Engineering, representing Richard and Lisa Watson– 27 White Cap Lane, West Barnstable, Map/Parcel 178-026, 0.84 acre parcel, requesting one local and one state variance, new construction.

Dan Ojala presented the plans to the board. There will be two buildings on the lot. One in front will have a small office with a bedroom above, and the back building will have two bedrooms.

John Norman and Tom Lee expressed a desire to have a second percolation test done at the time of installation instead of the requested sieve analysis.

A) Upon a motion duly made and seconded, the Board voted to approve the variance, Article II, Section 397-2, allowing the installation of a private water supply and private septic system on a lot containing less than 40,000 square feet of buildable land with the following condition: a second percolation test must be witnessed by the Health

Division. If the percolation test does not pass, the construction shall cease and desist. If the percolation test does pass, they may proceed with installation and construction. (Unanimously, voted in favor.)

- B) Upon a motion duly made and seconded, the Board voted to deny the request for a variance to allow a sieve analysis in lieu of a second percolation test. (Unanimously, voted to deny this variance)

**III. Housing – Repairs Deadline Extension:**

Steven and Maggie Merlesena, owners – 504 South Main Street, Centerville, requesting extension on repairs deadline for rental.

The owners sent an email stating they were not able to attend today’s meeting.

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to extend the deadline for repairs for 30 days until the next Board meeting December 20, 2022.

**IV. Septic Installer - New:**

Steven Smith, Hanson, MA.

Ms. Crocker stated the applicant passed the exam and paperwork is in order. References are being contacted.

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to approve once the references are completed and pass. (Unanimously, voted in favor.)

**V. Show-Cause Hearing – Sewer Connections – Stewart Creek:**

- |                                |  |
|--------------------------------|--|
| A. Fabio DeOliveria            | 33 Betty’s Pond Road, Hyannis                  |
| B. Estate of Raymond Mitchell  | 38 Betty’s Pond Road, Hyannis                  |
| C. Thomas & Michelle Russell   | 44 Betty’s Pond Road, Hyannis                  |
| D. Helen Gallagher             | 47 Fiddlers Circle, Hyannis                    |
| E. Kenneth Tomasian            | 96 Greenwood Avenue, Hyannis *Has Permit       |
| F. Leonid & Tatyana Sukennik   | 121 Greenwood Avenue, Hyannis                  |
| G. Karin & Christopher Harvie  | 197 Greenwood Avenue, Hyannis *Has Permit      |
| H. Jo Ann Dias Crippen         | 17 Hill Street, Hyannis                        |
| I. John O’Neill, Sr.           | 2 Keating Road, Hyannis                        |
| J. Anthony Morin               | 44 Murray Way, Hyannis                         |
| K. Elaine Busias               | 32 Paine Avenue, Hyannis                       |
| L. Matthew & Catherine Conley  | 35 Point Lane, Hyannis                         |
| M. Oswald Jordan               | 54 Point Lane, Hyannis * Water Shut Off        |
| N. Fatima Hill                 | 64-68 Seabrook Road, Hyannis                   |
| O. Michael Tanghe              | 170 Seabrook Road, Hyannis                     |
| P. Defreita Adevalde Bernandes | 112 Stetson Street, Hyannis *Eversource-Meters |
| Q. Thomas Holmes, Sr.          | 38 Woodbury Avenue, Hyannis                    |
| R. Patricia Fallon             | 256 Ocean Avenue, Hyannis                      |

Helen Gallagher, 47 Fiddler’s Circle, Hyannis has been connected to sewer.

Upon a motion duly made and seconded, the Board voted to take the following action on properties: (Unanimously, voted in favor.)

A. Properties to attend December 20, 2022 Board of Health meeting with update.

Fabio DeOiveria	33 Betty's Pond Road, Hyannis
Leonid & Tatania Sukennik	121 Greenwood Avenue, Hyannis
Jo Ann Dia Crippen/Scott Crippen	17 Hill Street, Hyannis
Elaine Busias	32 Paine Avenue, Hyannis
Caribbean Realty (George Eli /Fatima Hill)	64-68 Seabrook Road, Hyannis

B. Refer to Legal Division and Assessing.

Estate of Raymond Mitchell	38 Betty's Pond Road, Hyannis
John O'Neill, Sr.	2 Keating Road, Hyannis
Anthony Morin	44 Murray Way, Hyannis
Michael Tanghe	170 Seabrook Road, Hyannis
Defreita Adevalde Bernandes	112 Stetson Street, Hyannis
Thomas Holmes, Sr.	38 Woodbury Avenue, Hyannis

C. Attend the January 24, 2023 Board of Health meeting with update.

Thomas & Michelle Russell	44 Betty's Pond Road, Hyannis
Kenneth Tomasian	96 Greenwood Avenue, Hyannis
Karin & Christopher Harvie	197 Greenwood Avenue, Hyannis
Matthew & Catherine Conley	35 Point Lane, Hyannis
Oswald Jordan	54 Point Lane, Hyannis
Patricia Fallon	256 Ocean Avenue, Hyannis

VI. Minutes:

October 25, 2022

Upon a motion duly made by Dr. Guadagnoli, seconded by Mr. Lee, the Board voted to adopt the October 25, 2022 meeting minutes. (Unanimously, voted in favor.)

**Voted to Adjourn: 4:38**