

Edgartown Board of Health  
Minutes of January 26, 2022

Meegan M. Lancaster

Christopher Edwards

Candace A. Nichols

The meeting was called to order at 4:36PM. Payroll and bills listed were authorized paid.

**Agents Report** a Covid update was provided by Agent Poole with distribution of the at home tests from the Board of Health office. Mention was made to the supply chain and how many kits the town will receive. A discussing was had referring to a bill for E. Vanlanding ham with regards to contact tracing with funds from the Soros foundation. The Board briefly discussed the MVRD modification approval all stating they would make themselves available for signatures by Friday the 28<sup>th</sup>.

**At 4:45PM the public** hearing posted for **W. Erickson** at Map 21, Lot # 38.14 DWPermit # 2/2022 as a request o vary EBOH Rules/Regulations Section 8.10 to allow greater than 25% presumed nitrogen removal credit for system with enhanced treatment. **Chris Alley** was present on behalf of his client. Also attending were abutters Ben Hall, Jr and J Villa. Plans were displayed to the group with Mr. Alley providing background information concerning the current state of the septic system as being marginal due to possible surface water on the 40,000 sq. foot lot. The request is to allow a new two bedroom septic system with a NitROE denitrification system. Board members discussed the regulations time line for approval and the use of the NitROE unit currently under provisional use by Mass/ DEP. **Benjamin Hall Jr.** voiced his support for the proposal to grant the variance and fully supported the nitrogen reduction credit obtain by utilizing the NitROE unit. Member Nichols inquired to the new system location and if the slope of the property will adversely affect the use of the NitROE unit. C. Alley said he would personally be on site for any construction and does believe the placement of the unit will not be a factory for any future road run off. At this time a motion was made and duly seconds all voting in favor of the variance request with all maintenance and monitoring required by the technology is in place.

**At 5:15PM R. Silva, VLS** was present as a request to vary Section 8.10 to allow greater than 25% presumed nitrogen removal credit for a system with enhanced treatment for G. Pyden as DWPermit # 2/2022 at Map #21, Lot # 36.22 # 4 Penny Lane. Also attending: Lisa Pyden, Atty. M. Tomassian, RE Agent S. Morse, B. Hall, M. Barrett, J. Fox and Andrea DeMichelle. The request was read into the record with Mr. Silva displaying the site plans to the group. Atty. Tomassian representing client Pyden briefly discussed the process to allow the septic system as having three bedrooms based upon building plans that provided a sleeping loft in the dwelling constructed in 1994 by former owner S. Sack. He added the Planning Board has since removed a requirement that listed the lot as having only two bedrooms based upon a subdivision done by Mr. Sack for the original pre-subdivided land area. **Mr. Silva displayed** the plans for the group pointing out the existing location of the two bedroom system as part of the Pyden's purchase as a repair to a failed sale and transfer report in 2013. **Matt Poole stated he** has reviewed the building plans from 1984 which listed the home as having one bedroom on the first floor and one on the second along with a finished open area at the top of the stairs. He also added a recent site visit determined the "**loft**" area furnished as a bedroom with a half wall open to the living space below. The discussion centered on the use of **the NitROE** denitrification unit and the value of use with regards to nitrogen reduction for the 30, 000 sq. foot lot. Mention was also made to how the bedroom count was determined for the subdivision, and if the sleeping loft would be modified to a more conventional bedroom as opposed to adding an additional new room as a bedroom. **At this time** a motion was made and duly second with all voting in favor of the request to vary the regulation. Conditions placed on the approval were stated with standard maintenance and monitoring for the NitROE and the existing sleeping loft to be considered the third bedroom as defined by the EBOH limiting the number of bedrooms or private space that qualify as a bedroom from the bedroom count via a deed restriction shall not be allowed. **The group thanked the Board and left the meeting at 6:05PM.**

The Board briefly discussed the succession plan for office staff with mention made to the current longevity of both staff members and the prospects for new employees.

There being no further business before the Board, the meeting was adjourned at 6:20PM.

Respectfully submitted,

Janet Anthony-Hathaway, Assistant

Approved on: March 9, 2022

Meegan M. Lancaster

CE  
Christopher Edwards

CAN  
Candace A. Nichols