

Edgartown Board of Health
Minutes of January 12, 2022

Meegan M. Lancaster

Christopher Edwards

Candace A. Nichols

The meeting was called to order at 4:31pm. Payroll and Bills listed for payment were approved. Also present were **Don Hatch, MVRD manager**, Frank Fenner Chilmark Representative to MVRD and Doug Rice of Wright Pierce Engineering, MVRD site assignment project manager. A draft of the approval for the MVRD site assignment modification was discussed. Agent Poole displayed the document to the group detailing the language required for the approval. Mention was made to the edits needed noting the roadway as being included within the site and a reference to Exhibit A as listed in the document. The health agent will produce the document and notify the Board for signatures.

At 4:56PM the public hearing posted for 4:45Pm was opened by Agent Poole. Chris Alley, SBH, Inc. project manager was present on behalf of the applicant as a request to vary Coastal District Regulation at # 26 Cow Bay, DWPermit # 161/2021 listed as Michael Berk as an upgrade to the existing five bedroom system to eight bedrooms with the use of a NitROE denitrogefication unit. Abutter David Dekker was also attending. The reductions were listed: Section: 5.1.e.6 and 5.1.e.8 as having less than the 200 foot separation required between septic system (reserve area) and the on-site well. Mr. Alley displayed the site plans to the Board adding prior variances were granted based upon existing condition in 2001. The 2001 approval was granted for a total of six bedrooms (five in the MH and one above a detached garage) Mr. Berk is requesting two additional bedrooms based upon proposed building renovations. Agent Poole did a site visit to the property and confirmed existing bedrooms. It was noted, the basement is a **finished area done by the prior owner** without any town permits. A discussion took place concerning the separations requested as having the best possible location with the shortest distance from the locus well (179 feet). The new floor plans were displayed by C. Alley with the existing detached garage proposed with a second floor bedroom, the renovated pool house with two bedrooms on the second floor with a first floor family room (qualifying as a guest house). Member Nichols and Edwards both stated concerns for environmental impact especially with the abutting Trapps Pond showing signs of stress. At this time a **motion was** made and duly second all voting to approved the variance request with conditions, the NitROE unit will have the standard maintenance and monitoring requirement and limiting the total number of bedrooms or private space that qualify as bedrooms, as defined by the EBOH and disqualify private space from the total bedroom count via a deed restriction shall not be allowed. If the owner/applicant wishes to maintain a fully finished basement with a full bath then it would count towards the total number of bedrooms granted by approving the permit. Mr. Alley and Mr. Dekker thanked the Board **and left the meeting at 5:41PM.**

The public hearing posted for **5:00PM was opened by Agent Poole.** C. Coutinho, project manager of Vineyard Land Surveying, Inc. was present on behalf of C. Maillet owner of # 68 Schoolhouse Rd., listed as **Map # 29, Lot # 27 DWPermit #167/2021** for three bedrooms. Also present were: RE Agent J. Dunayer, Sara & David Weintraub abutters, Colette Mailett and Michelle Maillet- McGinty. Mr. Coutinho displayed the plans for review listing the vacant lot as having 21,800 sq. feet of land area with town water and the proposal to include IAT in the way of a **NitROE unit as approved** provisional use by Mass/DEP. A brief discussion took place with regards to the operation of the unit as having a two tank chamber system for the proposed dwelling. Ms. Weintraub inquired to the system's location with respect to her property line. Mr. Coutinho pointed out the location as being on the opposite side of her septic system. Mention was made to the deed restriction policy with non-bedrooms area.

At this time a **motion was made duly seconded** all voting in favor of the variance request with conditions. The NitROE unit is to have the maintenance and monitoring as approved by DEP and limiting the total number of bedrooms (3) or private space that qualifies as a bedroom by the EBOH and

disqualifying private space from the bedroom count via a deed restriction will not be allowed. **The group thanked the Board and left the meeting at 6:00PM.**

Agent's Report/Old/New business as the mask mandated was listed for a discussion to consider an extension beyond today's date. The Board members indicated their concerns for the recent surge of positive cases Island wide and the slow distribution of the Com. of Mass Covid 19 self testing kits. The Board considered the **Dept of Education's Mask Mandate through 2/28/2022** which may also be revised. At this time a motion was made and duly second to extend the mandate until the March 9, 2022 meeting.

The Board discussed the upcoming BOS/FinCom meeting with regards to FY2023 funding. Mention was made to the on-going review of the staff's succession plan and the impact on new employees with regards to state public health changes.

There being no further business before the Board, the meeting was adjourned at 6:25PM.

Respectfully submitted,
Janet Anthony-Hathaway, Assistant

Approved On: _____

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