

# Edgartown Board of Health

## Minutes

September 13, 2022 at 2:30 Via Zoom

### In Attendance

Chris Edwards: Chairperson	Rick Lindequist
Candace A. Nichols: Board Member	Judy Gaylord
Gretchen Regan: Board Member	Marty Lills
Matt Poole: Health Agent	Rhonda Sprague
Celena Guimaraes: Assistant to the BOH	Jan & John Larson
Tracy Smith: Schofield & Barbini	Tracy Morgan
Doug Cooper: Registered Sanitarian	

### Meeting called to order at 2:34

Meeting Minutes for 08/23/2022 were approved

Payroll for August 17<sup>th</sup>-30<sup>th</sup> and August 31<sup>st</sup>- September 13, 2022 were approved.

**Bills:** Darosa's Bill for \$483.27 for office supplies was approved. Amazon Bill for \$650 for a printer was approved.

**Covid Update:** Agent Matt Poole updated the Board of the suspended daily report from Maura Valley due to not a significant amount of individuals reporting positive tests at rapidtestmv.org

**Pooper Scooper & Non-domestic feeding Reg:** No progress has been made. Will update the Board at a future meeting.

### 19 Haystack Lane:

The Health Agent informed the board that a local regulation variance was not requested by the applicant with this filing. The omitted variance request was for relief from the 100 ft. separation from the leaching field to an inland wetland (non-saltwater body). The board determined that a new notice will have to be sent out to the abutters by the applicant and a decision cannot be made at this meeting, or until the omitted variance request is added to the application for consideration at a future meeting. The future meeting date to be determined later in meeting.

Matt Poole read the variances that are being requested by Pamela Monahan to the audience; reserve area to existing reserve area from 200 ft. to 53 ft., reserve area to existing leach field from 200ft to 96ft,

leach field to existing leach field from 200 ft. to 110 ft. and lastly, reducing property line to leach ft from 10ft (which is a Title 5 minimum) to 6 ft.

Tracy Smith explained to the Board that the current septic system for the property is located on the parcel across Haystack Lane, to the northwest, identified as Map 12A Parcels 41,42,45,46 & 47 and was designed and installed in 1998. The applicant has applied to abandon the current septic system on the northwesterly side of Haystack and construct a new septic system on Map 12A Parcel 52 to serve the existing dwelling on the same lot. The existing dwelling is proposed to be converted from four bedrooms to two bedrooms with a NiTROE treatment unit and a pump chamber. Doug Cooper shared the history of the property that led to construction of a leaching field on the northwesterly side of Haystack Lane, due to the septic system serving the dwelling at the time being in the groundwater table. Doug cooper also shared his opinion about how having two dwellings, each served by separate treatment systems, as an improvement to current configuration without enhanced treatment. The new tanks will be mono tanks in order for groundwater and surface water infiltration and exfiltration to be less of a concern.

The board accepted the applicant's presentation and took no action due to the need to update the variances sought and the abutter notification as noted earlier in the hearing. The hearing was continued to October 25, 2022 at 4:10 PM with notice to be mailed to the abutters with the additional variance request and meeting date and time. The meeting will be held via the Zoom platform.

#### **20,22 & 24 Haystack Lane:**

The Health Agent read the variances that are being requested by Ken Monahan; reserve area and leaching field to leaching field from 200 ft. to 100 ft., reserve area to reserve area from 200 ft. to 53 ft. and reserve area to leaching field from 200 ft. to 55 ft.

The same omission of the 100 ft. wetland setback was noted as missing in this application as was identified on 19 Haystack at the previous hearing. This property's proposed setback from a freshwater wetland is 58 ft., being less than the 100 ft. required in the Edgartown Board of Health Rules and Regulations. The board determined that a new notice will have to be sent out to the abutters by the applicant and a decision cannot be made at this meeting or until the omitted variance request is added to the application for consideration at a future meeting. The Board set a continuation of the hearing to October 25, 2022 at 4:10 PM with notice to be mailed to the abutters with the additional variance request and meeting date and time. The meeting will be held via the Zoom platform.

Tracy Smith represented the application, which proposed the removal of the existing septic tank and pump chamber currently serving the existing home on 19 Haystack Lane (the parcel to the southeast) and disconnecting it from the gravel leaching field installed in 1998 on the subject lot under wastewater disposal permit #29/1998. This disconnection would result in the locus parcel effectively being a 'vacant lot'. Ms. Smith went on to explain that the current application and variance requests are to allow construction of a NitROE treatment system, septic tank and new infiltrator leaching facility to serve a proposed two bedroom dwelling. Matt Poole asked Doug Cooper and Tracey Smith if they received confirmation of the wetland lines from Conservation Commission. Doug Cooper responded that he did

Speak with Jane Varkonda, Conservation Agent, but hadn't received confirmation of the wetland lines shown on the septic design plan.

Candace Nichols asked about the change in footprint and renovations for the existing dwelling located at 19 Haystack Lane. Doug Cooper shared that the footprint isn't going to change, the dwelling will be renovated from a four bedroom to a two bedroom. Candace asked for a Conservation compliance report in order to make sure that the wetlands aren't getting mowed or cut. Matt Poole shared that he will ask the Conservation Commission to go to the property to make sure that the stakes put in by Doug Cooper are correctly placed and to review a previously issued order of conditions.

Judy Gaylord asked about a bedroom in the basement of the existing house at 19 Haystack that has no access to the main floor and if that will count towards the bedroom count in the reconfigured dwelling. Doug Cooper shared that the Monahan's plan to have only two bedrooms but is not certain of what the floor plan configuration will actually look like but will have to meet the bedroom requirements consistent with the regulations.

John Larson asked about the application that was filed in 2016, if the system was updated then in accordance to the order of conditions. Matt Poole answered that he believes that the 2016 Board of Health application was withdrawn by the applicant.

Teresa Prego asked for the perc rates for both properties. Tracy mentioned that the perc rates are listed on the plans and are noted as <5 mpi for both properties. Matt Poole asked for floor plans for the next meeting, not required but would be helpful. Matt will schedule a site visit with someone representing the applicants and the Board of Health members. The Health Agent also asked Tracy to look into the shorelines as shown on aerial photos available on the town's GIS to see if the shorelines, both to the northwest and southeast, are stable based on any changes that occurred in recent years.

Meeting with a new variance continuance moved to October 25<sup>th</sup>, 2022.

Adjourning of variance meeting was called at 3:41

Matt Pool briefed the Board of Covid test that have arrived and of upcoming variance hearings.

**Closing: Meeting was adjourned at 4:03 pm.**