

Edgartown Board of Health  
Minutes of January 8, 2019

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD

The meeting was called to order at 6:00PM. The Minutes of October 25, 2018 were approved. Bills listed for payment were authorized. Mention was made to a request to appear before the FinCom on Thursday, January 10<sup>th</sup> at 3:15PM for a FY2020 budget review.

**Correspondence**

The Board reviewed a home rule petition submitted for the April town meeting warrant which requests special legislation to prevent substances designed to kill vegetation from infiltrating the ground water be placed under review and approved by the BOH prior to use. The petition is being circulated in most island towns in an effort to control areas of the town where the groundwater is used as a drinking water supply. Agent Poole added the impact of the by-law would be far reaching as currently the BOH office does not have a qualified staff member to determine what levels may be prescribed, limited or prohibited. If an "expert" is hired it would be at a significant cost to the town. No action was taken by the Board at this time.

A letter in draft form addressed to the BOS was discussed by the Board pertaining to a petition which if granted could effectively limit the BOH's authority of an elected town board with specific and sole jurisdiction assigned by Mass General Laws. It is believed the town meeting does not have the rights to limit a board which is governed by Mass General laws. A request to have Town Council review the petition to determine if it is a legal question to provide for a veto power between stand alone town boards and any "special interest groups" was approved by the Board with signatures provided. Agent Poole will discuss the matter with the town administrator and submit the letter.

**At 6:25PM R. Silva, PE** was before the Board as a variance request from Brian Hall as DWP # 111/2018 for a two bedroom septic located at Map 12A, Lot # 6.2 92 Weeks Lane. Benjamin Hall was also in attendance. The variances requested are part of the Coastal District Regulations where the setback is 200 feet. A reduction is needed for the leaching facility to leaching facility down to 91, 127 and 147 feet. A reduction is requested for leaching facility to well separation from 200 feet to 147 feet proposed. A plan was displayed to the Board which will include town water to the locus parcel and a MicroFast unit as part of the application. Mr. Silva stated the plan meets all state requirements and he believes they can achieve the same degree of environment protection. Agent Poole added, as a BOH policy any structure that is granted a variance in the OH/AP area cannot have any deed restricted spaces or any that could fall under a bedroom definition. Mention was made to the testing requirements for as long as the unit is in service. At this time a motion was made all in favor of the variance request. Mr. Silva and Mr. Hall thanked the Board and left the meeting at 6:55PM.

**Correspondence**

A notice was received concerning the **MVY Airport** groundwater investigation for the Coffins Field and West Farm Road ( WT) area. The on-going work to assess for the presences of PFAS is being documented by the airport and the FFA. To date, the work has focused upon a study area located approximately 1000 to 1500 feet west of Coffins Field. Tetra-Tech will expand the area for private well water samples located to the south with any additional request for testing are made directly to R. Myrick lead investigator. Agent Poole stated he did receive requests from homeowners in the Watcha Path sub-division and has forwarded their information to Mr. Myrick.

The quarterly report from **Mass/DPH** for the Dukes County House of Correction was discussed by the Board. Interior maintenance was listed as needed for repairs in areas pertaining to wires exposed, floor surface damage, inadequate floor space and some areas were plumbing was not found in good condition. Violations noted in the report listed thirty which were categorized as "repeat

violations.” Agent Poole added this state mandated inspection report with violations listed be addressed by the Sheriff’s Department in a “plan of correction” within 10 working days.

**Comm. of Mass/DEP** sent notice regarding the permit to discharge at the Wastewater treatment plant. No action was taken by the Board.

The Board reviewed and approved the annual town report for year ending December 31, 2018.

There being no further business before the Board, the meeting was adjourned at 7:10PM.

Respectfully submitted,

Janet Anthony-Hathaway, Assistant

Approved on: \_\_\_\_\_

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD