

Edgartown Board of Health
Minutes of Tuesday, July 16, 2019

E. Garrett Orazem, DMD

Meegan M. Lancaster

The meeting was called to order at 6:00PM. Permits and payrolls were signed. Bills listed for payment were authorized by the Board. A review was conducted of the FY2020 Island Health, Inc. public health nursing service. Agent Poole stated the amount authorized for the contract will not exceed the amount of \$ 25,000.00.

At 6:15PM Chris Alley was before the Board as a variance request for **DWPermit # 52/2019 # 77 Washque Ave, S. Daly**. Mr. Alley briefly stated the need for the hearing as a variance from Title V for the replace of a cesspool which would allow a leaching field 8 feet from Wasque Ave as 10 feet is the requirement. Plans were displayed to the Board along with new floor plans for a proposed renovation of the existing three bedrooms home. The existing well will be replaced and will provide a 100 foot separation from the leaching field. Agent Poole suggests a site visit of the dwelling be made to confirm a bedroom count. Mr. Alley mentioned access may be difficult at this time and is willing to send the office photographs of the interior. After a brief discussion by the Board a motion was made by M. Lancaster to approve the variance request with the condition access or photos be provided of the exiting number of bedrooms. The motion was duly seconded by Orazem in favor. Mr. Alley thanked the Board and left the meeting at 6:35PM.

At this time Matthew & Jeanne Defeo were present to discuss the use of a recreation room to be constructed over a garage for their home currently under construction **at # 32 Pulpit Lane**. DWPermit # 66/2018 included use of a MicroFast denitrification unit as the lot is within the mapped Zone II. A condition of the approval is to not allow any deed restricted space without Board approval that could be utilized as sleeping area as defined in CMR 15.000 Title V. Mr. Defeo displayed his plans to the Board indicating the garage will be attached with the only access to the room is thru the main house. He added, the current structure is a modular home where as the garage will be stick built and they can modify the second floor to fit what the BOH will allow. After a brief discussion a motion was made by M. Lancaster duly seconded to approve the recreation room as detailed by Mr. Defeo and to allow the use of a deed restriction calling out the space as non-sleeping. Mr. & Mrs. Defeo thanked the Board and left the meeting at 6:45PM.

Jessica Buckley was before the Board as a request to add a bathroom with a stall shower at her home under construction **at # 76 Seventeenth Street, South**. DWPermit # 6/2018 is for a two bedroom dwelling issued to the original owner B. Hall which will use a MicroFast denitrification unit as the lot is located within the AP/OH area. Ms. Buckley displayed plans to the Board and indicated her living space is 718 square feet and she did not realize exactly the size of the upper story of the home which has a two bay garage underneath. She added they would like to have a utility sink on the lower level as she will have a garden in addition to the bathroom with a stall shower in the area of the washer & dryer. They run a catering business in the Town of Oak Bluffs and will not conduct any business at their home. The finished area will be open to the garage and will be non-livable space and will be considered a pass thru to the second floor. At this time the Board discussed the request with regards to future owners and added a deed restriction is not necessary as the space will remain open to the garage and is not considered livable. A motion was made and duly second to grant the request with the condition Agent Poole will sign off on the building plans for the area. Mrs. Buckley thanked the Board and left the meeting at 6:45PM.

Correspondence/Agents Report

The Board reviewed a memo sent to **FinCom and the BOS** regarding a transfer of funds to be utilized to cover expenses associated with social services provided by Island Health Care for FY2019.

Zoning Board public hearing notice was discussed as an appeal made concerning the special permit issued to the **HarborView Hotel** for the construction of a new pool bar.

A Planning Board memo was discussed regarding a special permit request made by Sunshine and Coconuts for a mobile unit to be located at **# 250 Upper Main Street/Evolve Studio**.

The Board accepted the notice sent by **Mass DEP** regarding the public water supply sampling schedule for the town's Lily Pond well due to the detection of tetrachloroethylene.

A notice of **violation for a tobacco** sale was received for **North Line Shell**, Airport Business Park at the most recent compliance check conducted by Cape & Islands Tobacco Control. Agent Poole will notify Mr. Paciello and issue the \$ 200.00 fine as this is the first violation.

The Board was informed of a recent **dog bite incident** at the Kitchen Porch retail outlet owned and operated by **J. Buhrman**. A dog bite report was received from the town's ACO and a site visit was conducted with her and Agent Poole. It was also determined that the quarantine order issued by the Chilmark dog officer was violated as Ms. Buhrman did not complete the 10 day order. Agent Poole added, Ms. Buhrman did contact him and she suggested she will close the public area at the location and confine the **dog to her "office."** Agent Poole will do a re-inspection to confirm she has completed the process if she is to keep the dog with her at work. No further action was taken by the Board at this time. The file will reflect a **violation of having the dog** on the property and exposing the dog and the public to injuries.

The Board discussed the on-going issues of septic waste/failure at the home of G. Grasing located at **# 27 Thirteenth St.South Map 11A, Lot # 11**. An order to pump and repair the failed on-site septic system was issued to the owner which was hand delivered and received on July 3 with no action taken at this time. Agent Poole had received permission from Town Admin. Hagerty to consult town council regarding this matter as the overflow onto the ground surface is an eminent health hazard and there is possible zoning violation at the location. After a brief discussion regarding the legal; process a motion was made all in favor for Agent Poole to contract out with a septic waste hauler to have the system pump and to have the area barricaded off to prevent exposure.

There being no further business, before the Board the meeting was adjourned at 7:40PM.

**Respectfully submitted,
Janet Anthony-Hathaway, Assistant**

Approved on: 10/8/2019

E. Garrett Orazem, DMD

Meegan M. Lancaster