

Edgartown Board of Health  
Minutes of October 22, 2019

Harold T. Zadeh, Chair

E. Garrett Orazem, DMD

Meegan M. Lancaster

The meeting was called to order at 6:00PM. Payrolls and permit were approved by the Board. Bills listed for payment were authorized.

**Correspondence**

**The FY2021 Budget** and Town meeting schedule was discussed by the Board. Mention was made to the time line for submittals in early December with the annual reports due no later than January 2, 2021. **ZBA public** hearing notices were received for D. Gordon to request a detached bedroom above a garage @ # 20 Twentieth St, North. **Con Com hearing** notices were reviewed for CEJJC Nominee Trust as an addition to existing residence at # 75 Cow Bay. Hal & J Scott's request for an addition at # 127 Chappy Rd. was also reviewed. No action was taken by the Board at this time. Two letters address to **Brian Corey for his homes located at # 1 Coffins Field and # 5 Coffins Field** were discussed by the Board. Agent Poole added the septic permits were submitted as 2 two family dwellings which does not comply with the existing zoning for the area. At this time member Orazem joined the meeting. An update was proved by Agent Poole with regards to the Flu Clinic held on Saturday 10/19 were all of the vaccine does were utilized.

**At 6:16PM a public hearing** requested by G Sourati for his client G. Erez to vary DWP # 77/2019, 3 bedrooms for property located at # 41 Jernegan Pond Rd. was opened. Mr. Erez was present along with Nancy & Peter Shemeth, Anthony Serpa, Denise Searle, E. Courtney, Katie Johnson, Mark Sauer, P. Johnson and K. Shemeth. The notice was read into the record to vary Section 2.3.2(a) OR Section 2.352 of the BOH regulations. Section 2.3.2(a) is to allow a third bedroom on a 21,801 sq. foot lot with the use of a MicroFast advance treatment system for a lot less than 24,000 sq. feet as required. Section 2.352 would request to utilize 2,279 sq. feet of the road area along the locus property line for a total land area of 24,070 sq. feet. Mr. Sourati displayed the site plans to the Board detailing the lots location N/E of the towns groundwater divide with regards to the calculating the number of bedrooms allowed. It was pointed out the original lot was 1.2 acres and divided into a 21,801 & 22,400 sq. foot lots with on-site wells. Mr. Sourati added with the use of a MicroFast Unit the lot would comply with Title V. regulations. Chair. Zadeh inquired to the history of how the sub-division was developed and if the road is actually "owned" by all of the property owners. N. Shemeth spoke with regards to the number of bedrooms allowed on each 1 acre lot as being three. A. Serpa spoke to the formula for his property as only having 1 bedroom per 15, 000 sq. feet and if by granting this request a president would be set. Chair Zadeh indicated that the Board has approved this use of the fee in the road but also wanted to be re-assured that the ownership of the "roadway" is not held by the late J. Galley-Hathaway. At this time Mr. Sourati provided the Board with a written opinion based upon a recent title search with regards to road ownership and stated his opinion is unless otherwise noted in each deed from Ms. Hathaway it is assumed each property owner does own to the middle of the road along their property line. Kara Shemeth speaking on behalf for Nancy and Peter mentioned a deed she was able to locate at the registry which indicated the roadway was listed as parcel # 1 and is held by Ms. Hathaway other than three individuals listed who were granted ownership rights. After a brief discussion it was determined further information is necessary to clarify the issue of the road ownership and a motion was made all in favor to continue the variance request until Tuesday November 19 at 5:00PM. The group thanked the Board and the meeting was adjourned at 6:55PM.

There being no further business before the Board, the meeting was adjourned at 7:00PM.

Respectfully submitted,

Janet Anthony-Hathaway, Assistant

Approved on: \_\_\_\_\_ 11/19/2019

Harold T. Zadeh

E. Garrett Orazem, DMD

Meegan M. Lancaster