

Edgartown Board of Health  
Minutes of February 13, 2018

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD

The meeting was called to order at 6:05PM. Payrolls and permits were signed.

### **Agent's Report**

Mention was made to the possibility of a request to FinCom to cover the end of FY18 funding for the food inspector. The Board agreed to support the request in the amount of \$ 3450.00 if other funding options are not made available.

Information was provided to the Board regarding a recent incident between an individual working for a septic hauler and the property owner where a pump out was being done. A call was received from the property owner who had demanded the hauler stop the pump out as he had questioned the gallons being pumped and a meter reading associated with the per gallon cost. At some point the hauler left the property after septic wastes were allowed to go back into the property owner's tank and part of the surrounding lawn area. Agent Poole did make a visit to the site; spoke to both the owner and Officer J. DeRoche. An attempt was made by Agent Poole to speak to the hauling company owner which did not provide any additional information. After a brief discussion regarding the licensing permit process a motion was made and duly second all in favor for Agent Poole to draft a letter detailing the responsibility of the hauler at the time of the incident. The Board indicated they would review the letter at the next scheduled meeting.

An update was provided to the **upcoming Flu Clinic** to be held on Thursday, February 15<sup>th</sup> from 4 to 6pm at the MV Hospital in response to the recent increase level of flu cases reported nationwide. The appointment only session will be attended by **VNA of Cape Cod nurses** with doses for the under 65 years of age group. Agent Poole added, all of the island's agents will work the session.

**At 6:20PM Norman Rankow** was before the Board as a continuation of the variance request made on 1/23/2018 for DWPermit #120/17 Map 11, Lot # 14.12, M. Rankow owner, to vary the Ocean Heights/Arbutus Park wastewater disposal regulation area to consider use of the exiting on-site well in place of town water. It was previously discussed that additional time to review the request is granted in order to research the matter. Agent Poole provided a written summary and timeline to the request and the previous permit issued to M. Rankow on 10/19/1998 for a three bedroom septic with an on-site well. The well was installed by Walter Smith Plumbing & Heating with a well completion report received on December 15, 1998, the septic was not installed. Mr. Rankow asserted there is a completed well water sample with satisfactory results and stressed concerns with not being able to apply for the new septic without having to install town water as a financial burden as the cost quoted was \$40,000. He stated the Board should grant the variance as it was his opinion the well is valid as there is a potable water supply and with town water greater than 100 feet away does not trigger the "must connect" requirement. Agent Poole pointed out the regulations for NEW construction in the OH/AP area where there is no continued use of the on-site well and does NOT serve a single family dwelling. After further review of the variance provisions allowed, a motion was made and duly seconded all in favor to DENY the request to vary the regulation. The applicant has NOT provided the same degree of environmental protection and enforcement would NOT result in manifest injustice because the decision of the Board has not prevented the Rankow lot from being able to gain fully compliant permits from the BOH. . Mr. Rankow said "thanks for nothing" and left the meeting at 6:40PM.

At this **time Joseph Rock was before the Board** as a request to transfer bedroom rights to # 378 West Tisbury Road, which has a failed on-site septic system from his property located at # 7 Bennett Way which is served by town sewer. Mr. Rock provided the Board with an aerial map along with a short narrative for the re-assignment of two bedrooms from 7 Bennet Way to 378 West Tisbury Rd property that he and his wife are about to purchase from a family member. He also added, he would like to

purchase 3675 sq. feet from an abutting neighbor which would increase the lot size at 378 West Tisbury Rd which would allow a 3bedroom septic system based upon the BOH rules and regulations. The discussion centered on the number of Bennett Way homes that are connected to sewer and would remove up to 22 bedrooms from the Great Pond Watershed. At this time the Board indicated Mr. Rock return to the next meeting scheduled with a detail plan based upon additional sq. feet he could purchase and a review of the subdivision plans with Mr. Rock's engineer. Mr. Rock thanked the Board **and left the meeting at 7:05PM.**

**Correspondence**

The Board was in receipt of a HHCode violation report conducted by Agent Poole on behalf of the occupant @ # 20<sup>th</sup> Street, South. A copy of the report was forwarded to the building department and the fire department as violations were noted regarding safety to the occupants.

A review was conducted of the FY19 MVRD revised annual budget. An increase of up to \$ 35,500 was determined AFTER a notice from EL Harvey was received to dispose of all recycle materials. The District voted an increase on all materials coming into the site and at all of the drop-off locations effective 2/15/2018.

ZBA public hearing notices were received from Peter Graczykowski at 24 Sparrow Lane and Jamie Watson at 14 Katama Farm North. No action was taken by the Board at this time.

A short discussion was had concerning the Island Wide Tick Program and a two year goal to have the program managed by a "local non-profit."

**There being no further business before the Board, the meeting was adjourned at 7:31PM.**

**Respectfully submitted,**

**Janet Anthony-Hathaway  
Assistant**

**Approved on: 4/3/2018**

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD