

Edgartown Board of Health
Minutes of March 27, 2018

Harold T. Zadeh, Chair.

E. Garrett Orazem, DMD

The meeting was called to order at 6:00PM. Payrolls, permits and bills listed were signed by the Board.

At 6:10PM Reid Silva, PE and Benjamin L. Hall, Jr. Esq. for Benjamin L. Hall were present as a variance request to the Coastal District regulations Section 14.1 e.6: leaching facility to leaching facility from the required 200 feet to 41 feet and 106 feet, DWPermit # 6/2018 at # 76 Seventeenth Street. The request was read into the record with one letter in opposition received. R. Silva displayed plans to the Board with included a Google map of the area which indicated the direction of ground water flow. Mention was made to the letter received from abutter D. Rudavsky/R. Jampol at # 71 Weeks Lane who stated her well was not on the plans. Mr. Silva did provide the Board with a revised plan which included the Rudavsky well location. He added the new septic system will not compromise her well with the system located the required distance from their well. Ms. Rudavsky letter also stated her concerns for the approval of the permit as setting a presentment for the Coastal District regulations and urged the Board to deny the variance request. Mr. Hall provided the Board with his written response to the Rudavsky/Jampol letter which mentioned there are proper soils, the distance of the abutters well as being 126 feet from the proposed leaching filed and the use of advance treatment to reduce the nitrogen levels. It was added the Rudavsky's lot is the same size as the Hall's and is served by an on-site well and most likely a single cesspool. The Hall lot will be served by Town water and will require a maintenance and monitor contract in place for as long as the unit is in use. Agent Poole discussed the conditions of an approval where he would prefer the leaching area be constructed with infiltrators as opposed to a gravel bed. After a brief discussion by the Board a motion was made to approved the variance with the standard maintenance and monitoring contract be applied for the use of the MicroFast. Mr. Hall and Mr. Silva thanks the Board and left the meeting at 6:41PM.

At this time G.Sourati,PE, PE, Steven C. Handy, Steve & Ed Handy, abutters Candace Nichols and Judith Erickson-Kitchin were present for the request to vary the BOH Section 1.2.351 Lilly Pond for DWPermit # 3/2018 at APMAP # 21, Lot # 38.11, 27 Clay Pit Rd owned by Steven C. Handy requesting a two bedroom septic is allowed on a 41,666 sq. foot lot. The request was read into the record by Agent Poole. Mr. Sourati displayed the plans to the Board pointing out the location of the septic with a MicroFast unit and an on-site well. He stated the plan meets all of the Title V requirements but falls short of the required 25% maximum removal of nitrogen in the treated wastewater. At this time the Board requested to see the floor plan for the home as having two bedrooms. A study on the first floor which will be counted as bedroom number one. Ms. Nichols inquired to a second floor loft. Mr. Handy stated there will be a second bedroom on the second floor with a loft which will have a half wall at the top of the stairs and will overlook the living area there will be no intention to privacy. After a brief discussion by the Board a motion was made and duly seconded to approve the variance with the condition a maintenance and monitory contract for the MicroFast must be in place for the life of the unit. **The group thanked the Board and left the meeting at 7:00pm.**

Correspondence

The Board discussed a letter received from Atty. D. Perry concerning the permit denied by the Board for property owner M. Rankow. The letter outlined further review by the Board to re-consider the application under a different format.

A Massachusetts order to quit was issued by C. Cater to her tenant for the property recently inspected by Agent Poole located at 10 Martha's Rd. No action was taken by the Board at this time.

A From C subdivision plan was received from Douglas Hoehn for property located at 139 Meetinghouse Way f/k/a Meetinghouse Place. The development will be served by both town water and sewer.

Comm. Of Mass/DPH sent a copy of a plan of correction in response to an inspection of the Dukes County House of Corrections conducted on November 29, 2017. Eight violations were listed as not addressed by Sheriff Ogden along with a time line to complete the repairs necessary.

Agent's Report

At this time food inspector K. Kiley joined the meeting to discuss on-going food inspections. The topics included working with Pam's Pesto regarding her wholesale license, a variety of locations that have failed to adequately provide permit information, and enforcement of the surcharge fee for repeated violations not corrected in a timely manner. The Board thanked Ms. Kiley for her update she left the meeting.

Agent Poole provided information concerning property owned by D. Hedley, III at 24 Katama Bay Rd. regarding the number of bedrooms existing and the number permitted. A request for a special permit from ZBA for an in-ground pool provided the access needed to inspect both the house and a "detached bedroom". Notice was provided to the zoning official and the owner's agent who will conduct a site visit at a later date. No action was taken by the Board at this time.

The Board discussed the Town ballot question # 6, for adding fluoride to the town water supply. Mention was made to additional data collect by Agent Poole regarding the cost associated with implementing the fluoridation process. His research provided the Board with figures that were well below what was original quoted by the Edg. Water Commissioners.

There being no further business before the Board, the meeting was adjourned at 7:45PM.

Respectfully submitted,

Janet Anthony-Hathaway, Assistant

Approved on: May 25/2018

Harold T. Zadeh, Chair

E. Garrett Orazem, DMD