

Edgartown Board of Health
Minutes of September 11, 2018

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD

The meeting was called to order at 6:05pm. The Minutes of July 24, 2018 were approved as written. Bills listed were authorized by the Board for payment. Also attending were Reid Silva, PE. and Robyn Bray. The Board briefly discussed upcoming meeting dates and a possible re-schedule of the October 23rd meeting.

At 6:15PM the public hearing for a variance request made by J. Defeo at # 32 Pulpit Lane, Map 29, and Lot # 5 DWPermit # 66/2018 for three bedrooms was opened with Mr. Silva on behalf of his client. The request was made to EBOH Section: 2.352 to exceed the 110 gallons per day of flow per 10,000 sq. feet of land area in Zone II Meshacket well. Also necessary is a waiver from Section: 8.10 to allow greater than 25% presumed nitrogen removal for the system with enhanced treatment to allow the use of 2,750 square feet of road area for calculation. Ms. Robin Bray a notified abutter was present and had submitted a written email regarding the Defeo request. Mr. Silva displayed plans to the Board indicating the location of the house and septic system which will include a MicroFast Unit. He added prior to the Zone II delineation the lot would have qualified for 3 bedrooms with some lots having up to four bedrooms based upon prior approval of the Zone II. Inquiry was made to house plans for the proposed structure, which have not been received. At this time the Board made mention of any other calls received from abutter other than Ms. Bray. One call was received from an abutter who wanted to confirm the system proposed would include a MicroFast unit. The Board asked Ms. Bray to read her letter into the record. Ms Bray stated she and her husband live at # 35 Deacon Vincent Way and have concerns regarding the size of a three bedroom structure as opposed to a two bedroom and the possible effect to the Zone II. Another concern made was to the possible removal of two large oak trees along with numerous evergreens and cedars and if the new owner will "clear cut" the lot. Mention was made to a manicure lawn and if at all possible consideration to a natural lawn without irrigation and the use of pesticide, herbicides and fertilizers. Chair. Zadeh inquired on how the lot will be accessed related to the driveway which will be located on the Pulpit Lane side of the lot. An attached garage is proposed also. At this time Agent Poole made mention to the requirements the Comm. of Mass Title V allows 50% reduction and the Board put in place a requirement of 25 % which over time has been hard for some systems to achieve, especially based upon the seasonality of the homes. At this time the Board took into consideration the recommendations of Ms. Bray for the applicant to consider leaving some screening in place as a "buffer "and re-assured her that the town has a fertilizer regulation in place which defines when and what you can use on the lawn. A motion was made which was duly seconded all voting in favor of the variance request. The standard maintenance and monitoring requirements will become part of the approval. **The group thanked the Board and left the meeting a 6:37PM.**

Correspondence

A letter was received concerning an ongoing lawsuit from Atty. Casner on behalf of his client C. Sennott vs. Donaroma's Landscape's use of the Daniels' property and abutter to Map 28, Lot # 32.1. Agent Poole added, he has provided all requested paperwork including various emails including a DEP notice which detailed hours of operation permitted.

A notice was received from S. Spector as a request for public records held on file for F. Fisher, III property located at 8 Ninth Street. The request was satisfied, no further action was taken.

The Board endorsed a letter of support to Island Health Care (IHC) Community Health Center for a grant request to provided critical services to patients that cannot be otherwise provided.

ZBA public hearing notices were received for J.Gould to permit a two bay garage with storage above # 25 Enos Ave. E. Eisenhower/Caval's request for an accessory apartment located at # 53 Twelfth St, North. Both applications will be review by the Agent prior to a building permit approval.

The Board briefly discussed the Planning Board public notice received **for MVRD, Inc.** as a request to re-route existing accesses for recycling and weighting refuse at # 750 Edgartown/West Tisbury Rd. The Board members were aware of the changes and support the request.

Agents Report

An update was provided to the most recent food inspections conducted by K. Kiley. Mention was made to critical violations found at Morning Glory Farm. Pictures were provided to the Board with a notice sent detailing the corrective actions necessary for full compliance.

Other inspections discussed included violations at the Stop N Shop mainly in the deli section and the frozen food isle where standing water was found from units that may have defrosted. The Board inquired to when a review will be conducted for the renovations and if any repairs will be done prior. Agent Poole added some repairs called out in the September inspection cannot be put off until the renovation and will be address over the next few months.

Agent Poole spoke of the upcoming MV Wine & Food Festival to take place at the Winnetu Resort at the end of October along with the MV Wild Food Challenge held at the Farm Institute on the 21st of October. Information was shared with the Board concerning the proposed renovations at the HarborView Hotel. They have requested permission to close for the winter which was granted by the BOS and will take place on or about October 1st.

There being no further business before the Board the meeting was adjourned at 7:20PM.

Respectfully submitted,

Janet Anthony-Hathaway
Assistant to the Board
Approved on: 11/13/2018

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