

Edgartown Board of Health
Minutes of October 24, 2017

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD

The meeting was called to order at 6:12PM. Payrolls, permits and bills listed were approved.

Stuart Specter and Dana Thornton were before the Board under “old business” regarding the on-going issues for property located at # 8 Ninth Street, North, Map 11A, Lot 217, Francis Fisher, and III. Mr. Thornton inquired to what actions the BOH has taken over the last year to get Mr. Fisher’s property into compliance with his failed septic system. He added on numerous occasions he is not able to be outside in his yard due to the strong odor and stressed the length of time he has had to deal with the conditions at the Fisher property. Agent Poole responded that we now have a septic permit application approved, a contractor under consideration to install and a funding format for the repair. Mr. Specter spoke to the rodent impact to the neighborhood and his effort to market his property. Mention was made to calls made by Agent Poole to town Counsel Goldsmith regarding the legal avenue it was determine the process could be slowed down if the town took the matter could resolve the septic issues with Mr. Specter added this home has been a long standing problem neighbor and is concerned the town is not taking enough action. Chair Zadeh indicated there may be zoning issues at the property and the group should address their concerns to that office. Both Mr. Specter and Mr. Thornton thanked the Board for their time and left the meeting at 6:20PM.

Correspondence

The Board reviewed a letter sent by L. Jason, Zoning Inspector to Clinton Fisher regarding his property located on Sandy Lane. It ordered Mr. Clinton to remove the debris and enter into compliance with the zoning-by-law. The Board took no action at this time.

Public hearing notice was received from ZBA as a request to construct a two story attached garage with a master suit above at # 2 Knoll Drive. Agent Poole stated he will review the floor plans prior to the hearing to maintain the permitted bedroom count.

Con/Com hearing notice for Chappaquiddick beach Club to upgrade their on-site septic system was discussed by the Board. DWPermit # 93/2017 was received and the Board reviewed the septic flow assigned by the engineer for 1120 gallons per day based upon the property used as a private club, camp for children and limited food service. No action was taken at this time as Agent Poole will discuss the flow numbers with the engineer.

At approximately **6:15PM** the Board opened the public hearing posted for a revision to the BOH **Rules and Regulations for the Sale of Tobacco products**. A draft of the proposed regulation change was discussed by the Board. If adopted the new minimum age for the purchased of tobacco produces would become 21 years of age. Also included in the change would be to ban all flavored tobacco products and to re-define the category listed as “violations” where in the case of a fourth violation or repeated, egregious violations within a 24, 36 month period, the BOH shall hold a hearing accordance with subsection 4 of the regulations and may permanently revoke a Tobacco Product Sales Permit. After a brief discussion concerning the number of current tobacco sales permits issued, a motion was made and duly seconded all in favor of the revised R/R for the sale of tobacco products.

Agents Report

Information was shared with the Board regarding the public notice for the Board to order fluoridation of the town water supply which was placed in the Vineyard Gazette 10/20/2017 edition. Mention was made to email letters received from out of state members of the public concerning the possible harm the fluoridation may cause. One of the letters detailed her experience with her horses on a ranch in Colorado and the illness caused.

An update to two recent food events held in town which Agent Poole and food inspection Kiley attended, the MV Food and Wine Festival and the MV Wild Food Challenge. Agent Poole added he was impressed on how Ms. Kiley has stepped up to perform at full strength especially on how she has developed a style of positively and education with the food vendors.

A brief discussion took place concerning the nursing service contract. It may be possible to have a contract of service in place by January 1, 2018. No action was taken by the Board at this time

There being no further business before the Board, a motion was made and duly second to adjourn the meeting at 7:10PM.

Respectfully submitted,

Janet Anthony-Hathaway
Board Assistant

Approved on: 12/12/2017

Harold T. Zadeh, Chair.

Kathie N. Case

E. Garrett Orazem, DMD