

Edgartown Board of Health
Minutes of January 13, 2015

Kathie N. Case

Garrett Orazem, DMD

The meeting was called to order at 6:15PM. Payrolls and permits were signed. The Minutes of December 9, 2014 were approved as written.

Doug Cooper was before the Board to provide an overview of conditions at # 19 Haystack Lane, as previously discussed by the Board. He added the family would like to sell the property as a five bedroom home with a septic repair completed in 1998. Town water would serve the property and variances will not be necessary as an improvement to the existing system. Agent Poole also conducted a site visit and determined two small bedrooms (less than 70 sq. feet) could be considered sleeping space based upon the era of the home. Mr. Cooper stated he would like to return to the Board with a full system upgrade for five bedrooms. After a brief discussion the Board indicated to Mr. Cooper to provide them with an actual design for the five bedrooms system providing detail to the location of town water, wetlands and any abutting wells. Mr. Cooper thanked the Board and left the meeting at 6:40PM.

At this time Chris Alley was before the Board to discuss DWP # 86/2014 and 87/2014 proposed for Herring Creek Farm, held in the name of Herring Creek Farm Acquisition Co. Plans were displayed to the Board for the re-division of the two existing lots. Both system upgrades would be a replacement of existing cesspools and relocation of two on-site wells with advance treatment technology provided for each lot with a MicroFast Unit. DWP # 86/2014 is an existing four bedroom septic which would be expanded to six bedrooms on a 3.14 acre lot. DWP # 87/2014 is an existing three bedroom septic and would be expanded to four bedrooms on a 3.03 acre lot. Abutter notice was provided, no calls or inquires were made to the BOH. Mr. Alley stated, the lot line change was approved by the Planning Board and will be land court submitted. Agent Poole added the original plans for the HCF development is consistent with the bedroom limits placed on the sub-division by both the MVCommission and the Planning Board. After further review of the plans and a discussion which included a time line for the septic upgrade a motion was made and duly second to grant the variance with conditions placed upon the two MicroFast units for testing requirements.

At 7:00PM Mr. Alley presented the Board with plans for subdivision of land on behalf of his client MRK Mullen Realty, LLC. The plans are currently before the Planning Board as a Form C and his discussion today with the Board is to determine the number of bedrooms allowed on the pre-subdivided land area of 8.11 acres. The nine lot subdivision would be designated as 4-four bedrooms lots and 5-three bedrooms lots for a total of 31 bedrooms. Mr. Alley stated he would like the Board to consider a future variance request to include advance treatment on all nine lots thus allowing all the lots to be developed with four bedrooms. He added, by providing treatment to each lot the total nitrogen would be reduced thus allowing the bedroom count to be increased to 36. G. Orazem inquired to the management of each treatment system and if a centralize treatment could be designed. Mr. Alley proposes the treatment testing contract would be made part of the home owner's association rules with one contractor for all of the requirements. At this time a motion was made and duly second to allow the applicant to apply for one "blanket" variance for the sub-division to include advance treatment on all lots with the

contract of testing service to become part of the HOA legal documents. Mr. Alley thanked the Board and left the meeting at 7:25PM.

Correspondence

The Board reviewed a letter sent by Agent Poole in support of TRI, Inc. to DHCD for the current application for rehabilitation funds.

A notice was sent to the Planning Board regarding "Bayside" a/k/a Tara Hills Trust subdivision which has met all of the BOH requirements to date.

A MVRD landfill report for the former site on Meshacket Road was discussed by the Board. A few minor issues addressed include replacement of a portion of the fence and removal of vegetation in the swale and along the north side fence.

Public hearing notices were received from Con/Com on behalf of the Water department and ZBA for Matthew Wiener for a two car addition on Meshacket Wood Road. No action was taken by the Board at this time.

The Board was in receipt of the decision from the MV Commission for DRI 648/Mariner's Landing mixed use at map 21, Lot # 34.223.

Agents Report

The Board discussed the 2015 issuance of retail tobacco permits under the new by-law limiting the number of outlets. There was an establishments that previously was not required a permit (they did not sell cigarettes) is now required to apply and was not included in the cap of eleven annual permits. As part of the new regulation, no new licenses could be granted without a variance. The discussion considered amending the regulation and/or providing a process to limit the number of seasonal applications. The Board suggested some additional research be conducted to determine if other towns in the commonwealth limit the number of retail outlets and if a new provision would be necessary.

Agent Poole provided the Board with information concerning the Island Wide Fertilizer Regulations adopted by the town at the 2014 town meeting. Agent Poole will attend a public hearing scheduled for late January at the MV Commission. He is also working with Ace MV to provide an educational class for landscapers which will include a test prior to issuance of a three year license.

There being no further business before the Board, the meeting was adjourned at 8:05PM.

Respectfully submitted,
Janet A. Hathaway, Assistant

Approved on: 2/10/2015

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