

Edgartown Board of Health
Minutes of February 10, 2015

Harold T. Zadeh, Chair.

Kathie N. Case

Garrett Orazem, DMD

The meeting was called to order at 5:30PM. The Minutes of January 13, 2015 were approved as written. Payrolls and permits were signed.

Agent's Report

Information was provided to the Board concerning the year end financials and progress report for the MV Tick program. An educational video was produced with the help of 10th grade students interacting with 6th grade students on exposure prevention. The video will be added to the BOH website for public viewing. Additional field work will be conducted this spring with yard surveys in areas deemed deer habitats.

Agent Poole attended a public hearing at the MV Commission concerning the MV Fertilize regulations adopted by island towns at the April 2014 town meetings and submitted to the Commission as a DCPC. ACE MV will provide educational support for landscapers with a class to be held at the MVRHS on Saturday, March 21, 2015. There will be a small charge for the class with a test upon completion which will allow each town to issue a three year certification/permit.

AT 5:40PM Brooks Billingham was before the Board for the public hearing posted for Paul Crotty as a request to vary BOH Section: 1.3.21 Katama Regulations at # 19 Katama Farm North, DWPermit # 3/2015. Madeline Fisher an abutter to the property was also in attendance. Mr. Billingham presented the plans to the Board detailing the existing system as a 1000 gallon septic tank with a septic pit. He added a majority of the variances request are for the locus well and reserve area there will be no increase in wastewater flow. Chair. Zadeh inquired if they system was deemed a failure, to which the reply was no. The owner would like to construct an in ground pool based upon the setbacks for the parcel, the ideal pool location is where the existing septic system is located. Mention was made to the location of town water and if a connection could be considered. Mr. Billingham stated town water is not an option and he has provided the maximum distances between the proposed new septic and all wells within 200 feet. Ms. Fisher inquired to the impact this new system would have on her property if and when she too would need to upgrade. Agent Poole added, she would have to request similar relief from the 200 foot setbacks, but would not be denied based upon existing conditions. At this time a motion was made and duly seconded all inform of the variance request. Mr. Billingham thanked the Board and left the meeting **at 6:05PM.**

At 6:08 PM Doug Cooper, RS and Jonathan Buchman were before the Board for a public hearing to request a modification of conditions placed on Mr. Buchannan's two properties located at 94 & 96 Edgartown Bay Rd. as part of an approval prior to his purchase. Ms. Gail Ballou an abutter was also present for the hearing. Mr. Cooper provided the Board with a brief history to the permit process for development of the two house lots. Both homes are served by town water and MicroFast advance treatment technology. The conditions places on the lots by the Board for lot # 27 were held in the name of Daisy Realty Trust and lot # 26 by John Brainard. Mr. Buchman inherited the conditions of approval and developed a home on each lot. Mr. Buchman contacted the BOH office mid- summer with concerns based upon difficulties with locating a reliable service provider to maintain his treatment system and accurate testing

samples. Mr. Cooper added, tests that were conducted did provide adequate results and they would like to request a reduction in testing based upon the “seasonal” use of the homes. A short narrative with 6 listed modifications was provided to all present which hopefully will insure proper septic system operation and adequate environmental monitoring. Chair Zadeh, asked if any other person present would like to speak to the request for modification. Ms. Ballou spoke to the time frame that inspections were not conducted, the impact to the environment and the definition of ‘seasonal use” She also indicated that the natural vegetation was replaced with a manicured lawn. M. Buchman added, he shuts down the house right after Labor Day he does come once per month in the “off season” he does not stay at the home and the water is shut off. He did apologize for the lack of testing, he was not aware the contractor he hired did not provide the BOH with the necessary paperwork. Agent Poole added the property does have drip irrigation with limited plantings and no more than 2500 square feet of lawn area. He stated town wide there are more than a few properties with advance treatment technologies that are not 100% compliant with some properties having different issue which has created a challenge for the BOH on a regular basis. After further review of the proposed changes presented to the Board, a motion was made to continue the hearing until March 10, 2015 at 5:45PM. The Board directed Agent Poole to review the modification and provide a narrative for the Board to discuss. **The group left the meeting at 6:50PM.**

New/Old Business

The Board discussed a draft order to be issued to a property owner based upon a recent housing inspection conducted on behalf of the tenant at # 53 Jernigan Ave. Mention was made to a list of violations which required immediate attention by the property owner. The occupant will also be responsible for minor violations and the time line association with compliance. No action was taken by the Board at this time.

Tobacco permits were discussed by the Board. Further information was provided to consideration for a seasonal permit category and how it may affect an annual license holder. It was noted, other than two locations a majority of the annual tobacco permits are associated with the sale of alcoholic beverages. No action was taken at this time.

There being no further business before the Board the meeting was adjourned at 7:10PM.

Respectfully submitted,
Janet A. Hathaway, Assistant
Approved on: 3/10/2015

Harold T. Zadeh, Chair.

Kathie N. Case

Garrett Orazem, DMD