

Edgartown Board of Health  
Minutes of November 10, 2015

Kathie N. Case

E. Garrett Orazem, DMD

The meeting was called to order at 6:10PM. Payrolls and permits were signed.

A discussion took place concerning a quorum necessary for the public hearing posted for Jason Merrill at 6:15PM. Member Orazem did disclose he employs Mr. Merrill's aunt at his dental practice and did not want his participation to be considered a conflict. Agent Poole quoted the rule of necessity in this case which could allow Dr. Orazem to hear the variance request tonight.

**At 6:15PM** the public hearing posted for Jason Merrill as a request to vary the Lily Pond Regulations Section 1, 2.35 was opened. Those present included Mr. & Mrs. Jason Merrill, Doug Cooper, RS, Kathy & Clay Merrill, Steve Castanho, Barbara McGiver and Doug Jones abutters. Mr. Cooper displayed the site plans to the Board providing information to the nitrogen loading requirements for the Lily Pond area. The proposed two bedroom home would generate 23 lbs. of nitrogen, where the limit for the 1.2 acre lot would be 20 lbs. of nitrogen. Ms. MacGiver inquired to how the nitrogen limits would affect her well water. Agent Poole added the limits are based upon drinking water standards and the land use restrictions within the Lily Pond area. Both Steve Castanho and Mr. Jones spoke in favor of the variance request. At this time C. Case made a motion to approve the request based upon information provided which was duly seconded and unanimously approved. The group thanked the Board and left the meeting at 6:35PM.

**New business** before the Board included a conversation with Mr. Jones regarding his on-site failed septic system located at # 104 Third Street. He currently has a 26,000 sq. foot lot within the Arbutus Park/Ocean Heights regulation area which would require advance treatment as part of the septic upgrade. Mr. Jones indicated he would request consideration by the Board to use two smaller lots within the area for land area calculation which would then allow the three bedroom upgrade without treatment. Agent Poole suggested Mr. Jones return to the Board with plans for the septic upgrade with the location and size of the alternative lots. Mr. Jones thanked the Board and left the meeting at 6:50PM.

**Correspondence**

FY2017 Budget Information was reviewed by the Board. All accounts will be level funded and submitted to the office of the Board of Selectman as required.

A memo received from D. Cooper regarding the condition of an on-site septic system located at # 17 Majors Cove Rd was received by the Board.

ZBA public hearing notices were reviewed for #22 No. Water Street and # 8 Mockingbird Drive. No action was taken by the Board at this time.

**Agent's Report**

Agent Poole briefed the Board regarding a recent report of illegal dumping of metal, tires and other debris at a large vacant lot located at # 456 Edg/VH Rd. Further review of the site will take place with the Zoning official and the Fire Chief.

Mention was made to a small fuel oil spill reported at Airport Mobil. Agent Poole did conduct a site visit along with other town and airport officials.

Information was shared with the Board regarding a recent fire at the Stop N Shop deli, where a cardboard box was ignited after it was placed on top of the chicken fryer. Assistant Hathaway conducted an inspection along with Fire Chief Shemeth. A majority of issues were corrected within 24 hours.

Agent Poole detailed a recent housing inspection conducted at 222 Upper Main Street due to a fire where the occupant/owner was removed from the home based upon the unsafe conditions.

There being no further business before the Board, the meeting was adjourned at 7:27PM.

Respectfully submitted,

Janet A. Hathaway, Assistant

Approved on: \_\_\_\_12/15/2015

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