

Edgartown Board of Health Minutes of January 28, 2014

Harold T. Zadeh, Chair.

Kathie N. Case

The meeting was called to order at 5:30PM. Payrolls and permits were signed. The Minutes of December 10th and 23rd 2013 were approved as written.

Correspondence

A review of the quitclaim deed for property owners K. Selby and J. Hathaway was discussed by the Board. The upgraded septic system located at 15 21st St. North was installed and the new owners will inherit the bedroom limit restriction.

A request to reduce the level of testing requirements for the on-site septic system for B. Elbow owner of # 3 Third Street was reviewed by the Board. Due to the low occupancy of the home (single adult) the system has had a total number of nitrogen over the 19 limit. Mr. Elbow has, based upon instruction by the technician added their recommendations in an effort to lower the nitrogen limits to no avail. He stated any additional testing at this time will not provide the lower limits. His request is to maintain the system at the lowest reasonable testing frequency. After a brief discussion by the Board, a motion was made and duly seconded all in favor to reduce the testing to one time per year.

At 5:40PM Reid Silva was before the Board as a request to reduce the septic to septic distances for his client Hamel/Giovannini at 98 Edg. Bay Rd. A plan was previously approved as a variance request based upon an upgrade of the system and proposed renovations to the single family dwelling. Today's request is to reduce the separations between the locus well and leaching facilities from 200 to 141 and 145 feet. This is to accommodate a future in-ground pool which will reduce the separations from 200 ft. to 114, 113 and 33 feet between the leaching facilities. Agent Poole added he did receive an email from one abutter who inquired about having the same opportunity to upgrade when his septic system fails. At this time Chair. Zadeh stated the need for the changes requested based upon a landscape plan and future pool application is not the usual process. After a brief discussion a motion was made and duly seconded to deny the request to vary the well and septic separations. Mr. Silva thanked the Board and left the meeting at 5:55PM.

At this time Richard Barbini, PE was before the Board to request a variance from EBOH regulations for the Katama Area, to reduce the 200 foot separations for his client Michael Klein at # 2 Young Street. The proposed variances would allow construction of a new Title V leaching facility at 124 feet from an existing well and 137 feet for an abutting well. Mr. Barbini displayed a plan to the Board pointing out the location of the existing 3 bedroom home. There will be no increase in the number of bedrooms and advance treatment technology will be provided. Mention was made to the type of service provided for the proposed treatment system. Agent Poole added the monitoring and testing requirements associated with the Singular tank systems previously permitted at other town locations have not taken place. He cautioned Mr. Barbini to inquire with the manufacture and the service provider to assure the BOH testing will be conducted. Mr. Barbini added he will confirm the maintenance and monitoring plan and if necessary will revise the plan to include another treatment type. At this time a motion was made and duly seconded all in favor of the request to vary the plans provided for # 2 Young Street.

Stuart Lollis and Mr. Barbini were before the Board to discuss a bedroom re-location for their clients Susan Plaine at # 24 Manaca Hill Rd., Map 30, & Lot # 12 and Daniel Plaine at # 26 Manaca Hill Rd. DWPermit # 99/2006 was issued to S. Plaine as an upgrade to an existing on-site septic system with advance treatment technology in the form of a BioClere Unit. The permit was for a total of six bedrooms between two structures, a five bedroom main house and a one bedroom guest house. Mr. Barbini displayed plans proposing to convert the five bedroom home to a four bedroom and adding the bedroom to the existing one bedroom guest house. A draft of a deed restriction was provided by the client's attorney, which Agent Poole has reviewed. He added, Susan Plaine has not kept up with the treatment requirements and must get back on track to comply with the original permit requirements. He also added, some language change would be required for the deed restriction, otherwise the plan is satisfactory. At this time a motion was made and seconded unanimously to approve the request to re-locate one bedroom from # 24 Manaca Hill to # 26 Manaca Hill. Mr. Barbini and Mr. Lollis thanked the Board and left the meeting at 6:10PM.

Correspondence, cont.

The Board reviewed the Planning Board approved plans for Bad Martha Farmers Brewery located at 270 Upper Main Street. The "tasting brewery" will not include a full food service with minimum brewing on site. Mention was made to the high strength wastewater generated by the process and the permits necessary with the Mass. Alcoholic Beverage Control Commission (ABCC) for a seasonal beer license. No action was taken by the Board at this time.

ZBA Notices

A notice was received from S. Chapps to request demolition and re-construction of a new 3 bedroom dwelling at # 29 Edgewood Drive. An upgraded 3 bedroom on-site septic system will be installed as part of the permit. Agent Poole will review the house plans as part of the building permit process.

The Board discussed the hearing notice posted by G. Pimentel for renovation and addition to his single family dwelling located at # 37 Clevelandtown Rd. A new three bedroom septic system was installed in late 2012 the proposed work will reconfigure the exiting bedrooms with the addition of an office.

A Conservation Commission hearing notice was discussed for Harwich Realty Trust to renovate an existing dwelling and construction of a new deck at # 22 Caleb Pond Rd. There will be a slight footprint change which will not impact the existing on-site septic system.

Agents Report

The Board reviewed the YR 2013 annual town report which will be submitted to the Town Administrator.

A discussion took place regarding a draft of the MV Lawn Fertilizer Control District. A meeting will be held on Wednesday, January 29, at 5:00Pm at the MVRHS Library. This will be an all island BOH public hearing with participants to include members of the UMASS Extension Service along with a representative from Tim Madden's office. Mention was made to placing the draft regulations on the next meeting agenda which will qualify as a DCPC nomination.

There being no further business before the Board, the meeting was adjourned at 6:35PM.

Respectfully submitted,

Janet A. Hathaway, Assistant

Approved on: _____

Harold T. Zadeh, Chair.

Kathie N. Case

