

Edgartown Board of Health
Minutes of March 25, 2014

Harold T. Zadeh, Chair.

Kathie N. Case

The meeting was called to order at 5:30PM. Payrolls and permits were signed.

At 5:35PM Atty. S. Murphy was before the Board as a request to permit a full bathroom in an existing loft space for his client Storbeck at # 80 Mattakesett Way. A letter and a color picture was presented along with a draft deed restriction calling out the third floor space as an “open sleeping area which will not be enclosed and remain as an open loft. “ Agent Poole added he did speak with the contractor with regards to a full bath and permission necessary from the Board. Mr. Murphy stated septic records could not be located for the property built in 1979. A septic inspection report revealed there is a 1000 gallon tank with leaching trenches. The flow will not increase with the full bath and the same number of people will occupy the dwelling. At this time a motion was made and duly seconded all in favor of the full bath in the open loft space. Mr. Murphy will submit the deed restriction later in the week; he thanked the Board and left the meeting at 5:45PM.

R. Barbini was before the Board to review floor plans for his client Chris Ordway property owner at # 97 Chappy Rd, DWPermit # 14/2014. Building plans submitted in 1995 were displayed which included renovation of the main house as three bedrooms with a one bedroom garage/guest house for the 1.6 acre lot. Mr. Barbini’s office did the renovation plans which were approved by Edg. Conservation Commission at the garage/guest house was added. BOH records were not filed or located as part of the project. Mr. Ordway would like to keep the existing four bedrooms in the main house and renovate the exiting one bedroom guest house. A new septic system will be part of the proposal which will include the use of advance treatment a MicroFast Unit. The discussion continued with mention made to the calculations benefited with treatment and the preexisting condition of the two structures. At this time a motion was made and duly seconded all in favor of the request, standard treatment requirements will be conditioned as part of the approval. Mr. Barbini thanked the Board and left the meeting at 6PM.

At this time, Phil Miller, Else Elliston architect and Steve Olsson were before the Board as a follow up to the meeting held on March 11, 2014 and was agenda listed under “old business’ Mr. Olsson’s neighbor Jack McElhinney was present briefly who stated Mr. Olsson is a good neighbor and he has not had any problems with him or his tenants. Mr. Miller provided a sketch plan of the existing conditions of the Olsson home at # 7 Chapel Ave as requested by the Board. The “lower level” was listed as one bedroom with a full bath and closet. The first floor detailed the living room and a full bath and one bedroom. The second floor sketch showed the kitchen/living room and “great room” with a fireplace and full bath. The fourth drawing detailed the second floor of the garage as having two bedrooms and a room labeled as an office/study. Mention was made to the total number of bedrooms or “sleeping space” not to exceed four. Agent Poole added, at the time of his visit in 2013, the office/study was furnished as a bedroom and effort needs to be made to eliminate that area as sleeping. He also added, there were two areas that were set up as “sleeping alcoves” and he assumed Mr. Olsson will not furnish those areas with beds.

The Board inquired of Mr. Olsson as to why he was advertising the property as being capable of “sleeping 14” on an internet rental site. He stated he did change his web page and most of his rentals are extended families and he was not going to do that again. The Board pointed out to Mr. Olsson he signed a deed restriction for the finished space in the basement as non-sleeping, but he now calls it a bedroom. Mr. Olsson added he has directed his attorney Rob McCarron to have the lot lines redone to transfer additional land area to this lot so he would have enough square footage for the Board to allow four bedrooms on the lot. Agent Poole stated the Board has not received any documents yet for the land transfer mentioned by Mr. Olsson and others. Mention was made to consider placing a new deed restriction on the property in place of the one signed in 1996. The new restriction would provide access with reasonable notice made to the occupant for inspection by the Agent or a Board member to confirm the four bedroom limit. Mr. Olsson added he plans to retire soon and reside on the property. The Board directed Mr. Olsson to get the required document from his lawyer for the Board to review the four bedroom plans based upon the new lot size. Ms. Elliston was present based upon plan review of Mr. Olsson’s abutting lot # 72 Chapel Ave. a three acre parcel which has an existing four bedroom house. Plans were displayed for a two bedroom guest house with both bedrooms on the first floor and the kitchen, living and dining room on the second floor. There will be a full basement which will not have interior access from the first floor. The interior walls will be finished with a washer and dryer as the only plumbing. Agent Poole inquired to the proposed “pool house” shown on an earlier design plan. Mr. Miller stated it will be an open post and beam structure on an existing slab with a half bath with an outside shower there will be no interior finished space other than the half bath. Chair. Zadeh indicated all permit paper work must be submitted to the Board for a full review of both projects and that a new deed restriction is required on Mr. Olsson’s dwelling at # 7 Chapel Ave. Mr. Olsson stated he would comply will all the Board’s concerns and would submit the proper paper work as soon as possible. The group thanked the Board and left the meeting at 6:50PM.

Correspondence

A memo was reviewed from the Shellfish Dept. regarding testing protocol for Poucha Pond for water quality. The testing funds were to be covered from an escrow account set up by Mr. R. Schifter who has not responded to the Shellfish Committee’s inquiry to begin the test sampling. The Board took no action at this time.

The Board was in receipt of an addendum from Visiting Nurse of Cape Cod for the program and services for community nursing for the remainder of FY14. The hourly rate was set at \$ 85.00 per hour which would be \$ 3.00 less than current.

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

Respectfully submitted:

Janet A. Hathaway, Assistant

Approved on: _____

Harold T. Zadeh, Chair.

Kathie N. Case