

Edgartown Board of Health
Minutes of May 13, 2014

Harold T. Zadeh, Chair.

Kathie N. Case

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

Don Hatch MVRD manager and Selectman Art Smadbeck were before the Board for a general discussion regarding the transfer station. Mr. Hatch detailed the manner in which the Comm. Of Mass has made changes to the "waste stream" with food waste and paper waste separated. He said there will be some changes to the traffic flow at the site to keep residential customers away for the commercial area. Consideration would have to be made for a second building on the property with some effort for composting. Mention was made to recent development of abutting lots as new single family dwelling with on-site wells. Mr. Hatch added, the homes sited would greatly affect further development of the MVRD lot. A map of the existing conditions and proposed changes was displayed by Mr. Hatch. Agent Poole inquired to the location of the monitoring wells, what the setback requirements between residential wells would be and if there would be a flight path issue. Mr. Smadbeck added is there any future to working with the towns of Oak Bluffs and Tisbury in consideration of the future development of the Island waste needs. Mr. Hatch stated, there has been discussion about the long term disposal needs and the Districts relationship with SEMASS. At this time the Board thanked Mr. Hatch for the information and would take the new site plan under advisement. Mr. Hatch added, he would return to the Board at a later date as the plans are reviewed by his Board.

AT 6:00PM Chris Alley of S,B & H was present along with his client Kathy Farrell for a general discussion to develop a lot as an affordable house site for Ms. Farrell located off Fifth Street. Ms. Farrell will also have to request a specil permit from the ZBA as the lot is non-conforming. A draft site plan was displayed to the Board indicating the separations needed for Ms. Farrell's septic and the abutting lot well. The AP/OH regulations state the lot must be served with town water, based on the lot size. Mr. Alley added there is one abutting well which will affect the separation and the owner will not consider abandonment and connecting to town water. Mr. Alley would like the Board to consider the use of composting toilets in an effort for nitrogen reduction. Agent Poole pointed out an on-site system shall be designed in accordance with Title V. Mr. Alley added he would request a variance to the BOH regulations and would be able to design a small leaching area for a proposed one bedroom home. At this time Ms. Farrell thanked the Board and left the meeting at 6:10PM.

The meeting continued with Mr. Alley present for a floor plan review for his client Ann Yanez/Beach House, LLC located at # 11 Navy Way. Agent Poole did conduct a bedroom count at the property with Mr. Alley and the owners present there are three existing bedroom. Septic plans for the property built in 1979 could not be located a septic inspection was done in 2002 by Doug Cooper. A new system will be designed as part of the property upgrades. Mr. Alley added there is a room located off the kitchen on a hall way with a full bath that the owners would like to renovate and keep the full bath. They would consider a deed restriction so they are able to relocate the room to space above a proposed garage. Chair. Zadeh indicated a half bath would be allowed as long as the deed restriction is in place calling out the space as non-sleeping. Mr. Alley thanked the Board and left the meeting at 6:20PM.

Reid Silva, PE was before the Board for consideration of a septic plan revision for his client D. Giovannini property owner 98 Edg. Bay Rd., DWPermit # 11/2013. Mr. Silva stated his client would like to reduce the amount of mounding as previously approved. She would also like to at some point have enough room for an in ground pool. There would be a reduction in distance from an abutting leaching area with only one on-site well with the locus parcel and all other abutters served by town water. Mention was made to the use of advance treatment approved by the Board at the original public hearing held on January 28, 2014. Mr. Silva stated he was not aware of that requirement he would inform his client. At this time a motion was made that the change could be approved all voting unanimously in favor. Mr. Silva thanked the Board and left the meeting at 6:40PM.

At this time Steve Olsson, Atty Rob McCarron and contractor Phil Miller were before the Board to discuss the permits pending for the Olsson pool cabana located at # 72 Chappy Ave. Mr. Miller provided the Board with a sketch plan of the proposed 32 by 17 foot space on an existing concrete slab. The building will be post and beam, no heat or insulation. The septic proposed for the lot will serve a two bedroom guest house with a full bath for the pool cabana. Chair. Zadeh indicated the pool cabana with a full bath and a "kitchenette" could be used as living space or summer sleeping space. Chair. Zadeh indicated the gas wall fireplace would have to come out and a half bath is what is usually allowed. A discussion continued with regard to the definition of a kitchen. After the discussion the Board accepted Mr. Olsson's offer to specify an under counter refrigerator, microwave and bar sink as the only kitchen appliance. These specifications will be written into the deed restriction. Mr. Olsson stated he would use it as a game room and store his boat there in the winter months. An outside shower could be allowed with a deed restriction recorded at the registry of Deeds also limiting to a half bath. Atty. McCarron spoke to the Board regarding the Olsson property at # 7 Chapel Ave. A new deed has been filed which provided an increase in land area to allow up to four bedrooms on the lot. Agent Poole reminded Mr. Olsson that all of his rental website advertisements must state the number of occupants would be equal to the actual bedrooms. It was also determined Agent Poole would do a site inspection to confirm the number of beds on the property mid-June. At this time the group thanked the Board and left the meeting at 7:10PM.

Correspondence/Agent's Report

The Board reviewed a letter addressed to Janice Feltz property owner at # 57 Watcha Path which was a second notice that Ms. Feltz's tenants are continuing to import compost material from off the property without proper permits. The file will be forwarded to town council for legal action.

Dept. of Public Health sent a facility inspection report conducted on May 2, 2014 at the Dukes County jail. Several violations were noted, a majority of them relating to the building structure, floor space, equipment cleaning and plumbing. No action was taken by the Board at this time.

A request was made to vary the public beach testing requirements for Wasque Beach and Joseph Sylvia State Beach (Big Bridge). A motion was made and unanimously voted to approve the request.

There being no further business before the Board, the meeting was adjourned at 7:35PM.

Respectfully submitted,
Janet A. Hathaway, Assistant

Approved on: _____

Harold T. Zadeh

Kathie N. Case