**CH I L M A R K B O A R D O F H E A L T H**

**Minutes**

**August 17, 2022**

**5pm, via zoom**

**Present:** Katie Carroll, Matt Poole, Jan Buhrman, George Sourati, Reid Silva

**Minutes**: Minutes of July 20th and August 3rd, 2022 were **approved** with corrections.

**5pm**

**Special Joint Meeting Board of Health / Selectboard:** Selectboard members were unable to attend this meeting to go over proposed Nitrogen Sensitive Area designations in Chilmark, so the Board discussed its preparation for the upcoming discussion with DEP, scheduled to take place on August 23, 2022. The Board noted that the meeting can be posted in accordance with the Open Meeting Law, but with an advisory that this is a Listening Session for Board of Health and Selectboard, and that comments and questions from the floor will not be taken at this meeting.

Matt Poole pointed out that the DEP’s Title 5 amendment process will be guided by the Mass Estuaries Project Total Maximum Daily Limit (TMDL) requirements, so good familiarity with these, which are posted on the google drive, is important as we move forward. He noted that, unlike the down-island towns, up-island towns do not have environmental planners already working on a plan to meet the TMDLs within the specified timeframes. He felt that the replacement within five years of every single system in a coastal pond watershed, which, in Chilmark, makes up the vast majority of properties, is highly draconian and should be avoided. But to do so, the Town will need a solid detailed 20-year plan, demonstrating how 75% of the TMDL can and will be met within 20- years. He also noted that, for the up-island towns in particular, working jointly on plans involving shared ponds and watersheds will be very important.

The Board will hold a joint meeting with the Selectboard to discuss these substantial changes at its regularly-scheduled meeting on September 21st, at which point, having had the preliminary discussion with DEP on August 23rd, there will be more specific information to discuss.

**Chilmark Zoning Bylaw Sec.12 in Squibnocket District:**  When the Board last addressed the issue of what, if any, substances are approved for use in Squibnocket, the Board produced a statement, after consulting with Town Counsel, that spelled out the definition of “pesticide” and “herbicide” and definitively reached the conclusion that “The terms as listed in the bylaw prohibits the use of “organic” pesticides and herbicides.”

The Board noted that it appears that Squibnocket Pond District residents and their landscaping companies need a reminder of activities prohibited under the the Bylaw, and asked Marina Lent to write an updated letter, clarifying the terms as well as means of enforcement available to the Town for this Bylaw.

**8 Greenhouse Lane, (33-30)** George Sourati came to the Board to request an out-of-season perc for a house and guest house on a >4acre property. The house and guest house have separate septic systems, and the owners wish to build a 700sf recording studio with a ½ bath and tie it into the existing main house system. The proposal is complicated by the fact that the existing system now finds itself 7’ below the landscape-enhanced surface, which was done in a way which is not in compliance with the septic code. The Main house will eventually end up having to be moved further from the eroding coastline, but there is no plan at present to undertake this move. Katie Carroll noted that the project can be done with an in-season perc test towards the end of the calendar year. The Board asked for a proposed septic system upgrade plan for Board review that would address existing deficiencies with the system.

**Homeport Septic Tank:** Reid Silva reported on an inspection for structural integrity of the pump chamber, which is located under the patio and was flagged by the Title 5 Inspector. He reported that its top had cracked a long time ago, but that a 4”x8” timber was placed underneath the crack to stabilize it. The piece of timber is currently in good condition, but will not last indefinitely and should be replaced. Reid Silva felt that, given the condition of the tank, this could be addressed as a repair, not necessarily a tank replacement, and that he would recommend this be undertaken in the fall, after the end of the summer season, at which point the sides of the tank can be evaluated more closely. The Board noted that this repair must be fully completed and the system brought into full code compliance prior to receiving a license to operate for the 2023 summer season.

**Trash in Menemsha**: Jan Buhrman updated the Board on her discussions with town officials and affected parties regarding the difficulty in managing the volume of trash that goes through the Basin Road area in Menemsha during the summers. The Board agreed that, in order to take thoughtful and effective steps to mitigate the problem, the town needs to engage in a planning process well before next spring. The process will need to involve various town departments, committees and boards but also key anchor businesses in the area. The Board asked Marina Lent to put this issue on the Board’s agenda for its October 5, 2022 meeting.

**Harmful Algal Blooms** have been found in Chilmark Middle and Upper Pond, while Tisbury Great Pond remains in good condition, and Squibnocket Pond shows signs of a minor bloom and has been posted at the Town Boat Landing, where Marina Lent has been conducting weekly sampling.

**Issues Unanticipated at the time of Posting:** The Board noted that Marina Lent has announced her plans to retire this fall, starting on September 12th at the very earliest. She assured the Board she will be available to work on transition for a new hire. The Board asked her to begin the hiring process as quickly as possible, as this does not leave sufficient time to have a carefully considered hiring process for this position.