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

**Minutes**

**June 7, 2023**

**5:00 pm / in-person meeting**

**Chilmark Town Hall**

1. **Middle Road**

**Present:** Jan Buhrman, Katie Carroll, Matt Poole, Drew Belsky, Phoebe Walsh, AnnaMcCaffrey

**May 3rd and 17th, 2023 Draft Minutes were approved**

**2 Gosnold’s Way (14-1 & 20-106.1) (SB&H)** - Proposed septic application to tie in a new 1500-gallon septic tank and 1000-gallon pump chamber into the existing leaching field to support a proposed 1-bedroom guest house was approved by the Board.

**443 South Rd. (25-1.1)** **(B. Billingham)** – The Board reviewed the detailed rationale (on file) on why the applicant needs a relief from the required 10` to 9` from the septic tank to the cellar and **approved** the application. This application did not need a public hearing due to no impact to any of the abutting properties, as there is no increase in flow proposed.

**18 Henry Hough Lane (25-22) (VLS)** - Proposed septic system design (presby + 1500 gallon tank) for an existing 4-bedroom house with 2-future bedrooms was **approved.** Future garage with 2- bedrooms above will need a separate tie-in application when the property owner is ready to move forward with this part of the project. The engineer to provide an updated plan, which reflects the dotted line of the future garage with 2-bedrooms above and 1500-gallon septic tank to support it and a copy of the well easement (to the Mason property M25L23) before the permit can be released.

**8 Fannie’s Way (13-10.3)** – The Board **approved** proposed agricultural well application.

**Applications approved:**

* Food Establishment – Morsels (renewal)
* Tent – 94 North Road **(4-27)**, 31 Tea Lane **(12-40)**

**Applications pending:**

* Sewage Treatment, and Disposal system installer – William C. Healy (need a copy of a liability insurance)

**Updates & FYI:**

**23 Black Point Rd. (17-22.6)** – Title 5 Inspection pass

**All Island Seafood recent infraction in the form of using unapproved and unsafe methods of preparing fried food.** On May 30, 2023, the Board of Health Inspector was notified that Stanley Larsen was selling fried food that his establishment was never approved for. The island wide Health Inspector, Drew Belsky, per request from the Board of Health Administrator/ Inspector conducted unannounced inspection. The Inspection revealed that Stanley Larsen was using unapproved and unsafe methods of preparing fried food, which included having a propane tank and two propane burners unsecured on the floor inside a small-unventilated room of the establishment. On June 2, 2023, Anna McCaffrey had a conversation with Stanley Larsen, in which he mentioned that, the Fire Chief Bradshaw recommendation included not only removal of the propane tank from the building but also an advise on getting a kitchen range. The Health Inspector let Stanley know that any changes in the establishment, including additional equipment must go through a Plan Review with the Board of Health and application was provided. Stanley Larsen was also informed that in order to sell fried food he must have a permission from both Park and Recreation Committee and Board of Health.

On June 7, 2023, per request from BOH Admin, Drew Belsky, returned to All Island Seafood to re-inspect, speak with Stanley Larsen about the equipment and possible layout /provide advice. Stanley does not have the hood or vent system to have kitchen range. Drew made it clear to Stanley Larsen that he cannot implement any changes, including additional equipment or equipment supplementation in the establishment without the permission from BOH and in the menu changes both BOH and Park and Recreation Committee. Drew let the Board know that he talked with Stanley about possibly having induction burners as the easiest option, which Stanley already has. Drew was also under the impression that Stanley could be still possibly using the propane tank and the burners, because of the heat wave that he walked into when he returned.

The Board of Health Inspector/Admin is to write a letter to Stanley Larsen about the recent infraction in the establishment with reiteration of what is not allowed. Will send a copy of the letter to the Fire Chief, Parks and Recreation Committee Chairperson, Town Administrator. The Board of Health Inspector/Admin is to look for the approved list of foods by the Parks and Recs Committee.

* **Items not reasonably anticipated by the Chair at the time of posting**

**MV Seafood Collaborative 56A Basin Rd. (21-1.5)** The Island wide inspector Drew Belsky provided an update on the recent inspection conducted at the establishment and it turned out that the establishment is not connected to the septic tank. Phoebe Walsh is in touch with John Keene and Adrian Higgins (VLS) and working on having the necessary work scheduled. The tight tank that was proposed back in 2012 was not technically a septic tight tank, but rather an industrial waste holding tank and the Board of Health was not the approving authority under Title 5 and therefore the application was withdrawn. The Board members noted this tight tank application for this establishment qualifies under Section 15.260 1 (c): Tight Tanks of the Title 5 310 CMR15.000:

(1) Approval of a tight tank may be granted only to eliminate a failed on-site system when no other feasible alternative to upgrade the system in accordance with 310 CMR 15.201 through 15.293 exists, except as provided in 310 CMR 15.260(8). Tight tanks shall not be approved for new construction or for increased flow to existing systems except as approved by the Approving Authority for:

(c) to serve publicly owned and operated seasonal structures where it is not feasible to connect to a sewer or to construct a system in compliance with 310 CMR 15.000.

The Board members expressed that they would like a professional engineer involved from VLS and have the application and plan submitted to BOH with proposed changes. The Board allowed the establishment to have minimal processing in order to prep for the Farmer`s Market and have repairs done early next week. If work is delayed and not done before June 17, Phoebe should let the Board know.

**74 Hammett (8 -37)** – The Board of Health Administrator/ Inspector received a copy of the letter from Town Counsel sent to the owner, ordering to complete all the corrections within 10 days. Will re-inspect within a week.

**Prohibited use of chemical fertilizers, herbicides, fungicides, and pesticides in Squibnocket –** The Board members touched on the recent feedback and concerns from the Squibnocket District neighbors and thought that further conversation is needed. The Board acknowledged that fact that having a tick specific conversation in the context of Section 12.6. H of Zoning Bylaw with the Planning Board would be helpful. Jan Buhrman will speak with Rich Osnoss, the Planning Board chairperson about this topic.

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Katherine L. Carroll, Chair Matthew Poole Janet L. Buhrman

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