

## BOH Minutes May 17 2017

### CHILMARK ~BOARD~OF~HEALTH

#### Minutes

May 17, 2017

Chilmark Town Hall,

5:0pm

**Present:**~ Katie Carroll, Matt Poole, Jan Buhrman

**Also Present:**~ Reid Silva (Vineyard Land Surveying), Karsten Larsen, Katie Thompson, Mary Benefit, Doug Benefit

**Benefit, 14 Quansoo Road (11-29.4)** Doug Benefit came to the Board to discuss an application for building an accessory apartment on a parcel which has a 5 bedroom septic system and an existing three bedroom house.~ The septic plan, prepared by Kent Healy, indicates a two-bedroom guest house, however, Mr. Benefit indicated that the proposed accessory apartment will only have one bedroom. ~

The Board reviewed requirements for the accessory apartment under the Town's 2016 Bylaw.~ Katie Carroll noted that it is unclear in the bylaw whether the usual requirement applying to a guest house, that the ability to be served by two separate, fully-compliant septic systems also applies to accessory apartments.~ This could be clarified in the future, however, in the case of the property in question, there is every indication that two separate, fully-compliant systems would be possible.

The Board found that the proposed accessory apartment is within the capacity of the existing septic system, asked Marina Lent to convey this information to the Building Inspector, and asked that Kent Healy amend the septic plan to reflect a one-bedroom accessory apartment, rather than a two-bedroom guest house.~

**86 Stonewall Road (32-71)** Reid Silva presented a proposed septic system upgrade for an existing one-bedroom dwelling with a two-bedroom deed restriction stating that "there shall never be more than two bedrooms in the single-family dwelling located on said premises".~ The Board amended the permit to reflect the existing one bedroom dwelling and **approved** the proposed upgrade.

**Perc Season:**~ The Board noted that the ground water table is still sufficiently elevated to keep the perc season open until its next meeting, scheduled for June 7.~

**Sushi Shack 2017:** Karsten Larsen and Katie Thompson came before the Board to discuss plans for the Sushi Shack on Basin Road during the 2017 season.~ Karsten stated that he would like to expand his product line to include, in addition to tuna sashimi, shucked quahog raw bar (not oysters), pre-packaged sushi boxes from an approved source (a fish store with a dealer permit), and bluefish ceviche.~ He stated that he had discussed how to properly develop each of these with a State inspector, who advised him on some of the requirements.~

Noting that the sushi-shack does not allow for any processing activities, the Board stressed that processing for the sushi shack under agreement with Larsen's Fish Market in their premises must be done in hours that that establishment is not operating, since it operates near full-capacity when open.~ The Board also noted the need for strict temperature control of a littleneck raw bar, with ice and shade provided, monitored and maintained at all times.~ The Board reviewed freezing-requirements for parasite destruction, and reviewed water, hand washing and wastewater equipment in the shack.

The Board stated that the previously-approved products can be approved for operation pending a successful pre-operation inspection.~ The Board also specified that detailed written procedures, including temperature logs and product date-marking for all proposed products, must be in place and reviewed prior to expanded operations.~ The Board asked Marina Lent to work with Karsten and Katie to ensure that written procedures are in order.

**Goldmunz, 31 Lake Road (35-39)** The Board considered requirements for installation of an incinerating toilet (incinolet) in a barn without plumbing proposed by Dave Sauter on behalf of the Goldmunz family.~ Title 5, which deals with disposal of sewage and wastewater, is silent on the incinolet, which does not produce either one.~ However Matt Poole noted that the Barnstable County website has a very helpful guide on use of the incinolet.

The Board **approved** the proposal with the following requirements:~ the system must be installed by a licensed electrician; the system must be inspected by the electrical inspector; venting must be properly installed according to manufacturer's requirements

and recommendations of the Barnstable County fact sheet.~

**Silva, 31 Tea Lane (12-40)**~ The Board **approved** a well permit application for an undeveloped lot. The proposed well location does not require variances.

**Doyle, North Road (3-60)** The Board **approved** an application for a well to serve the guest house. The proposed well location does not require variances.~

**Cestar, 12 Hill Land Road (32-40)**~ The Board reviewed a draft Inspection and Testing Agreement with Wastewater Treatment Systems Inc for FAST treatment system, and suggested it be amended to conform with the testing requirements used in Edgartown, which Matt Poole will provide.

**Tobacco Regulation update:**~ The Board reviewed and adopted final draft regulations on the sale of tobacco and tobacco products.~ The regulations will increase the age of sale from 18 to 21 years of age, effective immediately. (*Updated Regulations are attached to these minutes*).

**Food Truck from Beach Plum Inn Kitchen:** Matt Poole mentioned that he had been approached by Josh Aronie regarding plans to operate a food truck in Edgartown during the summer. He pointed out that, with mobile food service, the onus for ensuring proper handling and food safety falls most heavily on the town in which the fixed kitchen is located. He stressed that the Board will need detailed written procedures and asked Marina Lent to take this up with Josh Aronie. Marina Lent noted that she is scheduled to inspect the Beach Plum Inn kitchen soon, and will make sure that this use of the kitchen is addressed during the inspection in some detail.

**Certificate of Compliance:** ~issued to:~

- McDaniel, 2 Kennasooome Way (11-55.1); ~
- Herman 90 Old Farm Road (3-26);~
- Marcus, 81 Cobb's Hill Road (11-26.3); ~
- Clam Point Cove Nominee Trust, 225 State Road (33-122);

**A/I System Field Inspection & Service Report:** ~

- Ma, 224 North Road (8-48): ~

**Food Establishment Permit:** ~

- Chilmark Store:~ ~
- Mermaid Food Trailer:~ ~
- Menemsha Inn; ~ ~
- Menemsha Market; ~
- Galley; ~
- Beach Plum Inn;~
- The Bite;

**INVOICES:**

- MVRD SEMASS ~\$ 1,493.50
- Barnstable Lab CCC PWS water testing ~\$61
- Menemsha Porta-Pottie \$ 962.50

The meeting adjourned at 19:15 hours.

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Katherine L. Carroll, Chair  
Chilmark Board of Health

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Matthew Poole  
Chilmark Board of Health

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Janet L. Buhrman  
Chilmark Board of Health

