

## BOH Minutes Jun 5 2019

### Chilmark Board of Health

### Minutes

Wednesday, June 5, 2019

Chilmark Town Hall

5:00 pm

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

**Also Present:** Chris Alley, Reid Silva, Alison Manning, David White, Ali Geroche, Keith Legere

**Minutes** of May 15, 2019 were approved.

**Ruane, 498 South Road (30-105)** George Sourati requested a permit for an emergency well replacement since the existing well has failed. The proposed well will be located 20' from the dwelling and does not require variances from separation requirements. The Board **approved** the replacement well permit pending receipt of a letter from the owner acknowledging that the separation of the well to the locus leaching field is less than 150', and on the condition that the failed well must be properly decommissioned in accordance with DEP Private Well Guidelines.

**The Yard, (26-91)** (public hearing, cont'd) Reid Silva presented the septic system construction permit application for the changes underway at the Yard. The Board requested clarification of the proposed use of the property, both in- and off-season, and noted that the facility would meet requirements for a public water system if more than 25 people stay at the property more than 60 days per year.

The Yard representatives replied that in-season occupancy of the 12 bedrooms on the property is frequently single-person per bedroom, and usually only a few days per week. They also observed that current use of the facility is concentrated to the summer months because so much of the campus is not winterized. The Yard activities are held in many different locations around the island and this is not projected to change with the renovations, which will not therefore lead to intensification of the Chilmark location. Year-round occupancy is expected to be two to three staff, with occasional visitors for a few days at a time.

There will be irrigation on the campus to re-establish ground cover following construction activities, but conditions posed by the MV Commission's project approval include not using pesticides or herbicides.

The Board suggested that the pump into the FAST be metered to determine intensity of use, and that the effluent be tested quarterly for Nitrate, Nitrite, Ammonia, pH, TSS. With data from three consecutive years, the Board will conduct a review and could reduce the testing requirements to just Nitrogen testing. The Board noted that alarms for the system should be both visible and audible, interior and exterior.

The Board **approved** the proposed septic system construction permit.

#### **17:30 Public Hearing**

**Grandfield, 15 Doctor's Creek (24-135)** Reid Silva presented a proposed septic system upgrade for a house on a substandard lot, currently served by a cesspool. The proposed upgrade will require the following variances: leaching facility to well separation 150' required, 100' 119', 84' (locus well) provided. Leaching facility to property line separation 30' required, 5' proposed; septic tank to well separation 50' required, 43' (locus) proposed. The property is

currently on the market, listed as a three-bedroom dwelling. Soils are deep, at 112". The upgrade location maximizes well separations.

The Board noted that no space in a proposed new dwelling should be deed-restricted as not-for-sleeping, due to the restrictive nature and small size of the lot. The Board felt that a monolithic tank is required, due to high groundwater.

The Board asked Marina Lent to conduct a bedroom count on the existing dwelling, to definitively confirm that it has three bedrooms. The Board continued the hearing to its next scheduled meeting on June 19th.

**Tedaldi, 34 Old Farm Rd (7-90)** The Board reviewed a proposed replacement well presented by John Clarke. The existing well was drilled in 1998, and barely made the required flow of 5gpm at the time. Flow is now dwindling. The proposed well will be placed in the vicinity of the existing well and does not create variances to separation requirements. The Board **approved** the permit on the condition that the failed well must be properly decommissioned in accordance with DEP Private Well Guidelines.

**McCoubrey, 6 Little Oak Lane (25-62)** Chris Alley presented a proposed septic upgrade for an existing three bedroom house on piers currently served by a pump system and cesspool. The proposed design is for four bedrooms, and meets all separation requirements for the 2 acre lot. The Board **approved** the proposed plan.

**Goldstein, 8 Rockrose Path (18-113)** Chris Alley presented a proposed septic upgrade for an existing dwelling on 1.6 acres. The proposed plan does not require variances and was **approved** by the Board.

**Western Crossing Real Estate Trust, 86 Menemsha Crossroad (26-35.2)** The Board noted receipt of a proposed septic repair permit application, following a conditional pass on Title 5 septic system inspection due to a leaking tank. Matt Poole, as the executor of the estate, recused himself from the discussion. The proposal is to replace the existing tank with a new 1,500 gallon tank, and was **approved** by the Board.

#### **17:45 Public Hearing**

**Kogan, 14 Swan's Way (11-66)** Reid Silva presented a proposed septic system upgrade for a four bedroom dwelling currently served by two cesspools in series, which failed a Title 5 inspection. The proposed plan calls for the following variances leaching area to property line separation 30' required, 10', 22' proposed.

The Board considers that the proposed upgrade is a clear improvement over existing conditions and represents the best upgrade option for the property. The Board voted to **approve** the proposed plan.

**Zverina, 24 North Slope Lane (20-43)** Reid Silva presented a septic system construction plan for a Presby system on the very steep property. The current plan shows the leaching system in the location of the perc tests that were conducted; he foresees a likelihood that the location of the leaching system may be revised, and will conduct further soil tests once a location is determined. The Board **approved** the proposed plan which does not require variances.

**Cottle, 6 DH's Hill Road (27.1-178)** Reid Silva presented a septic system upgrade for an existing house. The Board has asked that the leaching system not require incursions into the Beech grove on the property, which abuts North Road down to Menemsha. The leaching system will be a Presby to accommodate uneven terrain. It does not represent an increase in flow. The current system serves a two bedroom house with future four-bedroom addition. The system is fully compliant and was **approved** by the Board.

**Rabe, 35 Wintergreen Way (18-25.3)** the Board reviewed building plans provided but was unclear what information was being sought, and asked Marina Lent to look into it.

**Island Wide Youth Collaborative** The Board felt that before it can approve the Agreement for the important programs under this contract, which seek to provide early and preventive support to children and youth threatened by Substance Use Disorder and Substance Abuse, members would like to see more detail on the actual service delivery of the past years. The draft Agreement lists the programs to be funded, but there is no reporting on the programs actually conducted over the past year, or any discussion of whether and how these services are working. Matt Poole

and Jan Buhrman will work on these questions, and the Board decided to review the draft Agreement for FY'20 following discussion among the island Health Agents' Coalition.

**Chilmark Store** The Board approved a draft letter outlining the parameters of a detailed septic review to be undertaking in fall 2019 following the summer operations. The Board looks forward to reviewing the system based on use data of the current summer season.

**Cossutta, Estate of, 10 Eban's Way (13-21)** The Board asked Marina Lent to look into whether a greywater system was installed at this location after inquiries by the Conservation Commission.

**Beach Trash** The Board noted that there is a persistent problem of trash being left at beach parking lots. Much of it appears to be plastic debris which people retrieve on the beach. While this appears to be meant as a public service by the people who do it, it still requires that the taxpayers pick up the tab for final disposal. But there are also dog walkers who leave fecal-filled baggies as well as people who appear to be leaving household trash, and this is directly prohibited by BOH regulations.

The Board felt that the trash issue in the summer is under the purview of the Beach Department and staff, but would like to start a discussion on having a regular trash pickup at the beaches throughout the year. Marina Lent brought to the attention of the Board signage which establishes BOH fines for illegal dumping, and noted that these could be posted on the beaches in the off-season. The Board expressed gratitude that Kevin Oliver has offered to do pickup as a regular duty if the volume remains manageable, but the Board felt that the town should be covering the cost of labor and disposal. The Board asked Marina Lent to write a letter to the Beach Department and Selectmen suggesting that weekly trash disposal from beach parking lots be established.

**DPH Public Health review** The Board noted correspondence from DPH regarding the recommendations of the Special Commission for Public Health, and decided to review the substance of the report in the off-season.

**Perc Season** 2018/2019: The Board decided that, since water is still standing in Beetlebung Corner, the perc season in Chilmark will remain open for two more weeks.

**Invoices:** The following invoices were approved for payment:

- Wampanoag Lab CCC/Library tests \$ 200
- Reimburse Marina Lent for water testing shipping: \$7.85
- IWYC July 1, 2018 - May31, 2019 \$613
- Araujo Bros. Bath House porta-pottie \$175 (charged to Bath House budget)
- MVRD SEMASS Transportation \$1,261.05

The meeting adjourned at 18:42 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