

# Chilmark Board of Health Minutes

Wednesday, January 15, 2020  
Chilmark Town Hall  
5:00 pm

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

**Also Present:** Chris Alley, Dan Seidman

**Minutes,** December 18, 2019 minutes approved

**Draft final budget FY'21** The Board reviewed and approved a final draft budget in which expenses are level-funded for FY'21 with the exception of Beach Water testing, which was increased to reflect weekly, rather than monthly testing for bacteria according to State requirements following bacteria-positive tests in summer 2019.

**76 Menemsha Inn Road (21-33)** The Board **approved** a replacement well permit for a well immediately adjacent to the existing well with PL variances.

**Miller, 0 Middle Coomb (16-17.2)** The Board **approved** a one-year septic construction permit renewal on the condition that a letter requesting the renewal is provided for the file.

**Rissman, 3 Eliot Ave (33-21)** The Board reviewed the contract requirements for the Bioclere Innovative/Alternative system at 3 Eliot Ave, and deemed the contract currently on file to fulfill BOH requirements for the seasonal property.

**1 Azalea Lane (29-5)** A **Public Hearing** was opened at 5:34pm to review a septic system upgrade. Marina Lent and Chris Alley reported that no comments on the proposed plan have been received. The Board recalled that the original system had failed inspection, and that an upgrade had been approved with variances which included installation of a plastic holding tank, weighted with ballast, in order to spare complex landscaping on the property. The current owner would like to undertake a full upgrade to a denitrifying FAST-and-pump chamber system, taking advantage of the leach-field

reduction, which would allow for smaller variances from Chilmark BOH Regulation requirements than the already-approved plan.

Chris Alley reported that soils are deep, but better than anticipated. The Board listed the following conditions for approval:

- testing requirements will be as specified in the DEP Approval for Remedial Use for Micro-FAST <https://www.mass.gov/doc/microfast-by-bio-microbics-inc-remedial-use-approval-0/download> ;
- after four consecutive satisfactory initial tests, sampling can be reduced to nitrogen parameters only;
- the construction permit for the system will be held back until real estate tax arrears have been addressed.

The Board voted to unanimously **approve** the upgrade as presented.

**Howland/Rich, 11 Shotnigher Lane (34-1.4)** According to septic system inspector Doug Cooper, the baffle at the outlet pipe has let go and fallen into the tank, and the outlet pipe is deformed. Chris Alley proposed a simple repair to be undertaken immediately, to be followed at a later date by a full upgrade. The Board **approved** the repair permit.

**Vila/Barrett 183 State Road (33-115)** Dan Seidman came before the Board for a discussion about options for an accessory apartment at the property, which has two full-sized dwellings, a detached bedroom, and a garage. Noting repeated efforts to increase the bedroom count on the complex property which have been turned down by the Board in the past, Mr. Seidman asked whether the Board would consider installation of a full grey-and-blackwater incineration system in the garage to enable a caregiver to live on site. He noted that the family would be willing to “decommission” a bedroom so as not to create an increase in flow, including by attaching the existing detached bedroom to the dwelling via a hallway which does not allow for privacy.

Matt Poole pointed out that this is a highly-challenging site which has been repeatedly reviewed for septic options and found to be intractable. Jan Buhrman stated that she is interested in alternative systems, but felt that this property cannot accommodate additional living space without the risk of overburdening the site. Dan Seidman acknowledged that this system is not yet approved by DEP, but that there are provisions to do a pilot program for onsite wastewater disposal. He considered this a potentially interesting system for nitrogen-sensitive areas in Chilmark.

Katie Carroll said she is not inclined to approve new wastewater permutations for a property on which all the existing septic options are already under variance. The Board

felt that, with two full-sized dwellings and a detached bedroom, ample options exist to accommodate a caregiver. The Board also noted that the pilot program process is highly-involved and could take an enormous amount of time and effort, and that the property owners would be much better served by working within their existing options.

**2020 annual permits:** The Board **approved** the following licenses to operate in Chilmark in 2020:

- Morsels, Cottage Kitchen
- John Keene Excavation, Septic Installer
- Richard T. Olsen & Son, Inc. Septic Installer
- DECA, Inc. Jim Glavin Septic Installer
- Maciel & Sons, Inc. Septic Installer
- Araujo Bros., Inc. Septic Hauler
- Maciel & Sons, Inc. Septic Hauler
- Healy, 56 Quenames Road (11-29.2) Certificate of Compliance

The Board took note of the Septage Haulers, Installers and Food Establishments already permitted to operate in Chilmark in 2020:

- Septic Solutions Septic Hauler
- ACME Excavation Septic Hauler
- Fenner Construction Septic Installer
- Vineyard Land Surveying; Septic Installer
- ES Smith Form Co. Septic Installer
- Menemsha Texaco; Food Establishment
- All-Island Seafood Food Establishment.

**As-built issued:** The Board took note of the as-built letter and plan provided by Schofield, Barbini and Hoehn for a septic system upgrade at the Grey Barn (AP 11-50).

**Draft annual Report** The Board reviewed and suggested minor changes to the Chilmark BOH Annual Report which is due to be sent to the Town Administrator on February 6, 2020.

**Invoices:** The Board approved the following invoices for payment:

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|--|------------|
| • MVRD Quarterly drop-off contract Q3 FY20 | \$8,247.43 |
| • MVRD Gas Monitoring Q4 50%               | \$52.99    |
| • MVRD Q2 Water Monitoring 50%             | \$2,287.96 |
| • MVRD LDO Inspection Q3 50%               | \$235.50   |
| • MVRD LDO Inspection Q4 50%               | \$235.50   |

- MVRD Semi-Annual Assessment 2<sup>nd</sup> half FY20 \$47,172.81
- MVRD SEMASS \$15
- MVRD SEMASS / Transportation \$ 1,305.57

The meeting adjourned at 19:02 hours.



Katherine L. Carroll, Chair  
Chilmark Board of Health



Matthew Poole  
Chilmark Board of Health

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Janet L. Buhrman  
Chilmark Board of Health

*A recording of this meeting is on file at the Board of Health office and available for on-site review.*