

# CHILMARK BOARD OF HEALTH

## Minutes

October 20 2021

5 pm

via zoom

**Present:** Katie Carroll, Matt Poole, Jan Buhrman, Reid Silva, Betsy and Bob Larsen, Colin Ruel, David Beckwith, Kara Shemeth, Kate Woods, Len Butler, Mara Flanagan, Courtney Burns, Margaret Maida, Sharon McKee,

**Minutes:** The Board approved the minutes of Oct 6, 2021 with amendments, and approved Minutes of Sept 1 & 15, 2021 as written.

**Hoch, Beach Road (2-2)** Reid Silva presented a proposed six bedroom septic plan for proposed 6 bedroom house and garage on 5.87 acres. Well permit was previously approved and is on file. The septic plan does not require variances and was **approved** by the Board.

**The Bite, Basin Road** Reid Silva requested a hearing date for proposed septic system to serve the Bite. The Board noted that wastewater disposal is integrally related to the proposed use of the food establishment, and asked for a discussion with the establishment owners at its next scheduled meeting on November 3rd to determine the proposed use, in order to be able to assess the adequacy of the proposed septic system.

**Beetlebung Farm 521 South Road (26-88)** Reid Silva presented a proposed a 424 gpd septic system for commercial food establishment including high-capacity infiltrator with geo-grid, to serve a proposed commercial kitchen and bakery used for light processing of farm-grown produce and baking. There is also a proposed 1-person office space in the barn. The system meets all separation requirements. Reid Silva described how the gpd flow had been determined, based on a maximum of 10 employees at 15gpd per person with a kitchen flow of 100gpd and including flow of 150gpd for the vegetable washing station. The Board noted that vegetable wash water can be diverted to a very simple gavel bed drainage system rather than adding to septic system flow, but also advised that having a generous margin on wastewater for the facility means that wastewater disposal will not represent a limiting factor in the future.

The Board noted that the septic system in question is fully compliant with all regulations, but that the food establishment plan review determines the required flow. The Board thus turned to the owner-managers of the proposed food establishment to begin its plan review.

### **Beetlebung Farm Food Establishment Plan Review**

The owner-managers stated that the kitchen will serve a retail store and will have est. 1-3 persons working in the kitchen space under normal operating conditions. The kitchen will not be rented out for use by independent tenants, however, occasional use by members of the farming

community for value-added food-processing, within the limits of the code and of kitchen capacity, is contemplated. Regular kitchen activities do not include regular preparation of prepared meals for service, but will focus on value-added processing of farm produce, such as sauces, fermented foods, etc.

The Board also asked about the kitchen in relation to the rest of the barn structure. The barn will house animals below, which will be inaccessible from the kitchen. Space in the barn is not winterized. The Board asked about events in the barn, and, while occasional events are likely, large public gatherings are not a regular feature foreseen for the space.

The Board thanked the owner-managers for this very interesting discussion, and asked for the description of proposed uses connected to the food establishment on the property to be written down and presented at a continued plan review session at its next scheduled meeting on November 3rd, in the context of which it would also be possible to approve the proposed wastewater disposal system.

**Larsen's, Basin Road (21-1.2)** Food Establishment plan review and building plan, cont'd: Matt Poole inquired about details of construction in the proposed establishment. The walls will be tiled, to allow for ease of cleaning, with Cossa-board in the cutting room. Matt Poole also specified that food-grade lighting needs to be used. Trash area will be similar to the current arrangement, with totes on the backside of the building that are regularly picked up for disposal. The board also mentioned that some form of prevention of insects, whether screens or air-dam, will be required, and noted that, if an air-dam is to be used, it will need a floor-intake. The Board awaits a septic disposal plan from Reid Silva, detailing the tight tank replacement. The Board also noted that the food code requires a service sink or curbed cleaning facility equipped with a floor drain. The Board asked the owner-managers whether they had determined that the proposed water-pressure hose-down of the processing area draining into the harbor was permissible. Upon assurance from the owner-manager that it is, the Board asked for a letter requesting a variance to this effect. The Board approved the facility plan review, and asked Marina Lent to inform the building department that the food establishment plan review has been successfully completed, and prepare a letter to the file for the requested variance.

**Sanitary Code Inspection, 33 North Road (3-7 & 8)** Marina Lent updated the Board on her visit, together with Chilmark electrical inspector Rob Young, with the occupant of structure #2, Main House to determine compliance with the Order of the Board of October 7, 2021. She reported some improvement in clearing accumulated items both in the interior and the exterior of the dwelling. The countertop hotplate unit has been relocated out from under wooden shelving, and the electrical panel had been securely covered, as ordered by the Board. However, the burnt-out outlet in the kitchen had still not been replaced.

The Board asked Marina Lent to ensure completion of the previous order, and to prepare an order to disentangle and remove the multiple extension cords in use within the dwelling. This item will remain on the agenda of the Board until the Board is satisfied that the property is in compliance.

### **Items unanticipated at time of posting:**

**Report on Selectboard meeting of Oct 19, 2021** regarding the incident in July 2021 at the Chilmark Community Center: The Board will review this at its next meeting

**Condition of Chilmark beaches:** Verbal reports of accumulated trash on Lucy Vincent Beach in particular have come to the attention of the town hall. Matt Poole also raised a safety concern brought to his attention, that boards with “foils” on the bottom pose a possible safety hazard to surfers.

**Use of chemicals in Squibnocket:** Marina Lent reported that the use of certain landscaping substances is reported to have resumed. She referred the reporting party to Zoning Enforcement Officer Lenny Jason. The Board asked Marina Lent to provide documents relating to the Board’s past discussion and decisions on this item, including an advisory from Town Counsel on the matter, for review at its next meeting.

**Request for date of hearing:** the Board agreed to a hearing date of November 3, 2021, at 17:30, for consideration of a request for variance of the separation of leach field to property line at 3 Ben’s Way, AP 13-9.6, and asked Marina Lent to inform engineer Doug Dowling and the property owner of the hearing date and time