

BOARD OF HEALTH MEETING MINUTES MAY 17, 2007

PRESENT: David Merry, Erik Lowe, (Tim Barnett was absent), Agent John Powers, Asst. Hadden Blair, Ernest Mendenhall (Building Inspector) Bill Wilcox, Kent Healy, Deon Thomas, Chuck Wiley, Rose Willett, and Bob Sydell, George Sourati.

WELLS APPROVED: Michael Rouse 22-31, Martha Sullivan 21-5

DWAs APPROVED: Catherine Kelly, Tr 7-17 (pending Sourati presenting sensitive area Policy to her), Barbara Smith 7-179 (pending calculations on design change), James Ferry 16-80, 71.1 (pending MVC approval)

DWA PLAN REVIEW: Michael Rouse 22-31, Mitch Pennington 35.6.2 (held at request of Engineer)

7:13 Vineyard Gardens 16/103 Mr. Chuck Wiley, owner of Vineyard Gardens, appeared before the Board and the Building Inspector to discuss his Kent Healy engineered plan to remedy storm water run-off problems and violation of buffer zones previously committed to. After much discussion including Kent Healy and Bill Wilcox, conditions were agreed to. The Board okayed Healy's trenching and grading plan designed for a 25 year storm event. The BOH would like more separation between the well and the closest trench. Mr. Healy shall be present for the trenching and grading work, and shall certify his approval of the work by letter to the BOH and the Building Inspector. It is understood that the sand filled trenches will need ongoing maintenance to perform correctly. Mr. Wiley agreed to provide a 10 foot evergreen strip on his property line abutting the residential zone, as well as an additional 30' foot "vegetated buffer zone" (defined as in-ground plantings or containerized plants on weed mat. Finally, Mr. Mendenhall will inspect these remedies and inform the BOH of its effectiveness. If it is ineffective, further remediation will be necessary.

8:00 Rose Willett and Bob Skydell appeared before the Board for a plan review of their ZBA Approved farm stand at 22-47 (formerly Bananas, and Farmer Green's). The Agent reviewed the Board's concerns about PHFs, and surfaces (counters, floors, walls). The Agent has previously reviewed these things with Rose, and feels there is a good Understanding. Mr. Skydell offered that there will be a new walk-in refrigerator out back, lots of work to do before opening in about a month, all items prepackaged for retail, fresh and frozen cryovaced meats, no on-site food preparation, no sandwiches, no heated food, no beverages prepared on-site, and business will be seasonal, not year round to start. The Board approved the plan. The Agent will conduct inspections a week prior to opening.

8:22 Deon Thomas appeared before the Board for a plan review of his proposed restaurant at the former Bittersweet, 22-54. Mr. Thomas gave out copies of his breakfast, lunch, and dinner menus, and told the Agent that no changes to the existing kitchen, aside from replacing a freezer, were planned. Erik Lowe asked if he will still be operating the Cornerway restaurant in Chilmark and Mr. Thomas said he would. The Agent reviewed the requirements such as having a "Person in Charge" certified employee in the kitchen at all times. Mr. Thomas will call in advance of opening for his seasonal inspection.

- 8:37 George Sourati appeared before the Board to discuss the disposal works application for Kelly 7-17 which is near Seth's Pond. Last week, the Agent had discussed pressure dosing the "B" layer soils as an alternative to a title 5 system because the Board had adopted a policy of asking the design engineers to discuss alternative systems like de-nitrification systems for DSWs located in sensitive groundwater areas. Mr. Sourati went on to explain that he had not had the opportunity to discuss this with the owners, but that he thinks the title 5 system which proposes pumping to an adjacent lot (same owner) with an easement, 360' from the pond is adequate protection, and possibly better than pressure dosing the "B" layer. The Board approved the title 5 system as presented, but asked Mr. Sourati, per the policy, to consult with the homeowner.
- 8:50 Bill Wilcox of the MVC appeared before the Board to discuss nutrient loading in our coastal ponds. There is an attempt to update the Island Plan to a Regional Vineyard Plan, and one of the 5 committees created deals with water resources and creating goals and strategies with a long term horizon. One goal of the water committee is to restore lost eel grass beds, and improve the health of those still in the pond as they are critical for shellfish and are sensitive to nitrogen. We have lost 75% of the eel grass beds identified in 1951. So, the question is, how do we reduce the nitrogen and other nutrients reaching the pond. This dovetails with protecting the aquifer for private wells and future public supplies. Mr. Wilcox showed a watershed map that demonstrated that a wastewater treatment plant in the future is unlikely because of the vast expense that would be necessary to hook up widespread properties in a huge (Tisbury Great Pond) watershed. Therefore, Mr. Wilcox would like the Board to study the issue, and to look at remedies such as forming a protection district, pushing de-nitrification systems, and learning from others such as Greenlands Water Resources. Mr. Healy joined the discussion which went on to examine the sources of nutrient loading in the pond. It was felt that 50% may come from rain, especially storms that come from the mid-west. It was also thought that ground water run-off from geese, heavily fertilized corn fields, hay fields, horse farms, and other private and commercial animal/agriculture, and roads, is a major source as well. Mr. Healy felt that septic systems did not have much of an effect on the problem. The Board thanked Mr. Wilson and will keep abreast of the problem.

TITLE 5 INSPECTION REPORTS FILED: David Poutasse 30-2.75, and Carpenter & Burke 11-48.

LANDFILL/REFUSE DISTRICT: The monthly receipts were down from last year, but the expectation is that they will be up next month. There is a Capital Improvements Committee meeting 5/31/2007. There was discussion of the district warrant article. There will be a household hazardous waste collection this Saturday at the Edg. Sewage treatment plant. Erik Lowe reported that the District had a good meeting.

EMERGENCY MANAGEMENT: The Agent informed the Board that the Wampanoag tribe may have found a way to fund the MRC to the tune of \$25,000 per year.

OLD/NEW BUSINESS: The Agent informed the Board of the following; Karalekas 17-104 has hired Craig Saunders, civil engineer, to plan for a remedy for the illegal burial of construction debris and has until 6/4/07 to do so. MA DEP has new forms for water tests, The school sent out a safety letter to, parents concerning a student contracting a

case of chicken pox. TJ Haggarty requests that the Board send a representative to a mosquito control meeting on 5/31 at 9 AM. There will be a Board and Town employee seminar covering open meetings, public records, and ethics on 6/20/07 at 5PM. MDPH has changed reporting requirements for camps. The Agent distributed a copy of the new “sensitive area septic policy” for the Board to review.

PERMITS: The Board signed permits for Island Childrens’ School, By the Sea Salt, Lola’s Place, Inc., TP Septic Pumping, and discussed the Farmers’ Market vendors.

CORRESPONDENCE

IN MVRRD, ZBA 10-226, ADCare, Drinking Water Fair, GSF, MHOA, Waste News (2), MDPH (3), SRAC, NRRA, Safety & Health, Flu Vaccine, Barnstable County lab (Island Childrens’ School), DEP (new water forms), Kent Healy.

OUT Gerald Ferry 7-142 (to have septic inspected after 3rd emergency pump-out)

Adjourned 9:20 PM

Respectfully Submitted,

Hadden Blair