



Town of Oak Bluffs
Board of Health
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William White
Chairman

James Butterick
Thomas Zinno
Board Members

Meegan Lancaster
Health Agent

**BOARD OF HEALTH MEETING
January 7, 2020 – MINUTES**

Members Present: William White, James Butterick

Member Not Present: Tom Zinno

Others Present: Meegan Lancaster, Lorna Welch, Chris Alley, Marc Saunders, Lisa Merritt, Jim Monteith, Delilah Meegan, Michael Loberg, Joan Hughes

Chairman White called the meeting to order at 10:00 am.

APPROVAL OF MINUTES:

- **November 19, 2019** - Approved

APPOINTMENTS:

- **Chris Alley on behalf of Marc Saunders 21 Wayland Ave. 8-99**
 - 1) **Proposed leaching field to property line (Plymouth Ave) 3'**
 - 2) **Proposed leaching field to property line (Wayland Ave) 3'**
 - 3) **Reduction of 19.5% (25% max) in the subsurface disposal area**

Mr. Alley explained that when the highlands were developed there were odd shaped lots at the ends of the blocks where the roads come together and this is one of those properties, a triangular lot at the end of Wayland Ave. The property currently has a cesspool that needs to be replaced. There are several large oak trees which they would like to save as they are part of the streetscape in that neighborhood. Ms. Lancaster stated that she had a different plan than the one he was showing the Board. Mr. Alley confirmed that he had a revised plan that had not been submitted to Ms. Lancaster yet because the prior plan was going to take out the tree. He stated that he would provide our office with revised plans. Ms. Lancaster thought there may be space for another infiltrator which would reduce the reduction variance. Mr. Alley stated that he would look into it. The Board approved variances #1 and #2 as those variances would not change with the addition of extra leaching capacity. Ms. Lancaster will review and sign off on the revised plans when submitted and requested that Mr. Alley submit survey stamped plans due to the variance requests for setbacks to the property line.

- **Michael Loberg – Discussion of new NitROE innovative/alternative systems installed in Tisbury**

Mr. Loberg gave a PowerPoint presentation demonstrating how the NitROE I/A systems work and the progress they are making with the installations in Tisbury.

BOARD MEMBER DISCUSSION:

- **Reduction in testing requests for compliant I/A systems**

Ms. Lancaster asked the Board if they were agreeable to her granting requests for a reduction in annual testing for I/A systems that are in compliance for two years. The Board was agreeable to this.

- **Multiple deed restricted places in dwellings**

Ms. Lancaster stated that one of goals for 2020 was to review and clean up all the regulations. She provided the Board with examples of other municipalities that have stricter definitions of a bedroom. For houses that are deed restricted that are now wanting to add on (playroom, etc.) she feels that currently there is too much grey area. She would like the Board to codify the regulation regarding bedroom definition and deed restrictions in order to be consistent and make it easier for people to understand what they can and cannot do. She provided an example of a house on Wing Rd., in Zone II with a one bedroom deed restriction that submitted a building application for a full bathroom in a finished basement. She denied the application due to the fact that they already have a deed restriction in place and the finished basement space would meet the definition of a bedroom.

- **Sea View Tattoo – permit application review**

Ms. Lancaster stated that Mr. Gemma, who wants to take over the space of Cottage City Tattoo is the person whom she found tattooing without a permit last summer. She asked Mr. Gemma to send her copies of his previous licenses. She didn't hear back from him so she made a records request in Worcester where he used to work. In those records was a letter from the City stating that he had been cited for practicing without a license but he has since had his license reinstated. She spoke with him regarding this and he stated that he was in a motorcycle accident and during that time his license lapsed. She asked him to write a letter to the Board explaining the gap. She would also like to have him come before the Board before we issue him a license to ensure that the expectations of the Board are clear.

AGENT / ADMINISTRATION UPDATES:

- **FDA Tobacco change to 21**

Ms. Lancaster and Ms. Becker created an inspection form for the tobacco retailers. They will be conducting educational inspections to get the vendors up to speed on the new regulatory changes.

- **FY '21 Budget update**

Ms. Lancaster spoke with Mr. Whritenour regarding some changes in the budget. Ms. Lancaster requested about \$46,000 for what would be the 30-32 hour per week, year-round inspector position. Mr. Whritenour countered at \$27,000 which would be 19 hours per week equivalent, year-round. She talked to Mr. Whritenour about aggressively changing the fee schedule to get more revenue which he was supportive of.

- **Viewpoint permitting in use - fee establishment for manual input of applications in Viewpoint**

Most permit applications are now online and Ms. Lancaster wanted the Board to consider a fee for manually entering a paper application into the system. A discussion ensued and it was decided to table a fee for now until the rest of our permit applications are online and have worked out the bugs.

- **Publication of food establishment inspection reports on web-site starting January 1st**

Ms. Lancaster stated that we should have some type of disclaimer like, “this is a snapshot in time, this isn’t necessarily indicative of past performance or future results”. The Board agreed. She would like to post the report summaries which is a checklist with a summary and the score because some of the reports are as much as 18 pages which is a little too much information and could be confusing. She added that Ms. Welch has been cleaning up the BOH website page.

- **Other – Sunset Lake Project**

Ms. Lancaster stated that she just met with Donna Hayes who is with the Friends of Sunset Lake. They have a large plan to refurbish that area. Ewell Hopkins decided that they need to get Planning Board approval for this project which means the BOH has to sign off on it in order for the Planning Board to review it. She provided the Board with a photo of the plan they submitted which includes an ADA compliant walking path around the lake, a bridge and landscaping. They will also be building drainage swales to help alleviate flooding across the road. Ms. Lancaster stated that she told Ms. Hayes that she would like to run it by the Board before she signed off. The Board was fine with the plan.

Mr. Butterick asked about the progress at the Barmakian property. Ms. Lancaster replied that she was promised a plan sometime ago that was going to have the buoyancy calculations because they have to counter weight the tank due to high ground water. She has not yet received a plan. Mr. Butterick expressed concern about ensuring that all violators are being handled the same. Ms. Lancaster said she would contact town counsel again and have them review a final enforcement letter.

Mr. Butterick made a motion to adjourn. All in favor.

Respectfully submitted by Lorna Welch, Administrative Assistant.

DOCUMENTS: NitROE PowerPoint Presentation