



Town of Oak Bluffs  
Board of Health  
P.O. Box 1327  
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William White  
Chairman

James Butterick  
Thomas Zinno  
Board Members

Meegan Lancaster  
Health Agent

**BOARD OF HEALTH MEETING  
January 28, 2020 – MINUTES**

**Members Present:** William White, James Butterick, Thomas Zinno

**Others Present:** Meegan Lancaster, Josh Baker, Bob Pachico, Josh Baker, Kathe Kiley, Lynne Daniels, Kathleen Crowley, Peter Koinis, Petey Berndt, Kelly Feirtag, Christine Todd, Mike Wallace, Mike Santoro, Chris Porterfield, Ayoung Cho

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

**APPOINTMENTS:**

- **Josh Baker on behalf of David Lawton – 20 Arlington Ave. 3-36**
  - Variance request:
    - 1) Proposed leaching field to property line (3-35) 7'
    - 2) Proposed leaching field to property line (3-37) 4'
    - 3) 21% reduction in required subsurface disposal area 283 sq. ft. (357 sq. ft. required)

Mr. Baker proposed replacing a cesspool with a new Title V system. This property has a 4 bedroom home on an extremely small lot. The proposed plan is the largest field that could fit while trying to maintain appropriate separations from the house. Ms. Lancaster confirmed with Mr. Baker that the abutters were notified and requested the certified mail receipts. Mr. Baker stated they were notified and he would get the receipts to her today. Mr. Zinno made a motion to approve. All in favor.

**APPROVAL OF MINUTES:**

- **January 7, 2019 - Approved**

**BOARD MEMBER DISCUSSION:**

- **Dinah Reese Burial Plot Plan – 57 Hay Path Rd Map 38 Parcel 12**

Ms. Lancaster stated that the OB Water Department, the Tisbury Water Department and the DEP have already approved this plan. This was the last step for the Board to review the plot plan and take a vote. The septic was installed within the last two years and it is a large property so if an upgrade were required in the future there would likely be an area for it to be installed. The abutters were notified and there were no issues. If approved, Ms. Reese will have to get the plan recorded so if the property transfers in the future there will be public record of the burial plot. Mr. Butterick made a motion to approve. All in favor.

- **Revised fee schedule for food establishments**

Ms. Lancaster stated that the fee schedule hasn't been revised since 2010 and is proposing to raise the fees to be commensurate with our expenses. The proposed increase would be 10% in addition to the base fee but also implement a tiered system for number of seats and square footage. This practice of having a scaled fee schedule is very common in a lot of municipalities in MA and nationally because it allocates the fees by number of seats so larger establishments, which take longer to inspect, will pay more. She provided the Board with the proposed fee schedule. The proposed fee increases would total approximately \$4945.00

Mr. White asked the restaurant operators present if this was the first time they have seen this fee schedule. They replied yes. Seasonal and year round establishments have the same amount of required inspections so their fees will be the same. Mr. Santoro asked about the budget request for an inspector and spoke about the length of time the inspections are taking. Ms. Lancaster explained that she requested a 32 hour per week position and that was countered with a 19 hour a week position. Ms. Todd asked if there would be an increase in the temporary food event fees. Ms. Lancaster replied not at this point but we are looking at that. She had a conversation with the fire chief regarding vendors that are using cooking fuel at events are getting proper permitting through the fire dept. But as of right now there is no increase.

Ms. Lancaster touched on the subject of the length of time it is taking for a new inspector to do the inspections. The initial set up of the new inspectional software includes inputting the locations which is going to take some time but then it will be faster in the long run. She also spoke about the code update classes she offered last spring which focused on commonly observed violations as well as items most likely to cause harm. However, it appears that many establishments did not heed that advice as many of the specifically referenced violations were noted throughout the season. She went on to explain that a restaurant that has multiple violations will take longer to inspect as the observations need to be noted and the corrections need to be made; it is a two way street in terms of the length of the inspection as if there is a place that is in tip top shape then the inspection will be much faster versus a place that needs more corrections. Furthermore, the inspectional frequency is based on FDA risk assessment which is considered best procedure nationally.

There was further discussion about the letter grading system which is slated for the 2021 season.

Mr. Zinno made a motion to accept the new fee schedule. All in favor.

- **Food Waste Composting Initiative**

Ms. Lancaster explained that the DEP currently has a regulation that requires commercial establishments to divert food waste to composting if the operation generates one ton of food waste or more per week. There are currently 32 such operations on the Island. The MV Refuse district is working with the Island Grown Initiative to develop a more comprehensive composting program on island in order to increase the capacity for large scale composting so less waste will be shipped off island. Additionally, compost is being purchased off island and shipped on island for landscape use. The DEP wrote the regulation knowing many would be in violation and are incentivizing communities by offering grants to get towns into compliance.

- **Non-binding Polystyrene Ban**

Ms. Lancaster met with Samantha Look from Vineyard Conservation Society. This ban is a warrant article but is currently voluntary and at this time they have no intention of trying to make it a regulation. Ms. Look said that the voluntary ban was for informational purposes.

- **TRI Community Development Block Grant Application**

TRI Resource is requesting a letter of support so they can continue to offer grants for home improvements of insulation, septic, etc. Ms. Lancaster stated that we provided them a letter last year. The Board was in agreement to send a letter of support this year as well.

**AGENT / ADMINISTRATION UPDATES:**

- **67 South Circuit Ave – Map 17 Parcel 47 - Barmakian – Septic update**

Ms. Lancaster stated that she had drafted a letter for town counsel to review. Promptly after that a septic plan was submitted to our office. The installer picked up the permit and has a septic tank on order and it looks like installation is finally moving forward. Mr. White asked what the timeline would be. Ms. Lancaster thought that it shouldn't take more than a week to get the tank.

- **Other – Corona Virus**

Mr. Butterick spoke about the Corona Virus outbreak and stated that the MA DPH has a lot of information on their website but it has not been updated since last Wednesday. He went on to say that it was likely that the number of cases would expand rapidly in the coming days. He stated that major medical facilities have plans in place to handle a possible influx of cases.

Mr. Zinno asked about the presentation Michael Loberg gave on the NitRoe as he was not in attendance. Mr. Butterick replied that Mr. Loberg is looking to get additional grant money and they would like to install some of these systems in Oak Bluffs. Mr. White thought he gave a great presentation and had their support. Ms. Lancaster stated that we are going through all of our files to get an inventory of the I/A systems in the Lagoon Pond District starting with systems within 500 feet of the lagoon, then 1000 feet, then 1500 feet. We had discussed previously about revising our regulation so she wanted to make sure they had as much information possible to make decisions and part of that is knowing what is already in existence.

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

Respectfully submitted by Lorna Welch, Administrative Assistant.

DOCUMENTS: Revised fee schedule