



BOARD OF HEALTH MEETING
June 7, 2016: Minutes

Members Present: Patricia Bergeron, William White, James Butterick

Others Present: Ade Solarin-Health Agent, Alexandra Kral-Administrative Assistant, Doug Reece, Allan Robillard, Sherri Caseau

APPOINTMENTS:

10:00: Minute approval for 3/1/2016, 3/8/2016 and 3/15/2016 meetings

*Member White motioned to approve minutes for 3/1/2016, 3/8/2016 and 3/15/2016.
Motion was unanimously approved.*

10:05: Review with a Health Agent

Health agent reviewed the agenda with the Board of Health and suggested to proceed to the next appointment.

10:10: 19 Hampson Avenue M 8 P.190: Re Variance Request

The following variances from Title 5 are being requested:

- 1) To reduce the required distance from soil absorption system to a property line from 10' down to 2'*
- 2) To reduce the required distance from soil absorption system to a cellar wall from 20' down to 16'*
- 3) To reduce the required distance from septic tank to a property line from 10' down to 5'*
- 4) To reduce the required distance from septic tank to a cellar wall from 10' down to 7'*
- 5) To increase maximum depth from finish grade to the top of leaching field from 36" to 48"*

- **Applicant:** This plan was approved by BOH before. Plans got expired. I'm re-applying for plan approval with the same variances. Existing cesspool will be abandoned.
- **Member Bergeron:** As I understand all requested variance are based on the small size of the lot.
- **Health Agent:** I have no problem with this plan.

*Member Butterick motioned to approve variances as presented.
Motion was unanimously approved.*



10:20: 78 Isaac Avenue M. 22 P.66.3: Re Variance Request

15.240(5): To allow the construction of one bedroom sewage disposal system on 10,913± square feet of area

- **George Sourati:** This is a 10,000 square feet lot located in the Zone 1. Title 5 does not recognize a 1 bedroom septic system, so I'm asking for the variance. To accommodate a new house we will have to relocate the tranches. It is a re-vision for the previously approved plan.
- **Health Agent:** I'm fine with it.

Member White motioned to approve variance request for 78 Isaac Avenue as presented. Member Bergeron 2nd it.

Motion was unanimously approved.

10:30: Morgan Douglas Re: Water Fluoridation

Request to discontinue practice of Water Fluoridation in the Town of Oak Bluffs

- **Member White:** I would like us to send a letter to Mr. Douglas informing him that Oak Bluffs residents voted to continue the practice of Water Fluoridation, at the previous town meeting, and that he is welcome to bring this issue back to the Town Meeting.

10:40: Alan Robillard: Discussion of Lagoon Ridge Project shortcomings

- **Alan Robillard:** I own property in the Oak Bluffs which abutters to proposed Lagoon Ridge Development.
- **Doug Reece:** I'm a president of Lagoon pond association.
- **Alan Robillard:** I think the issue of the nitrogen that will be going into the lagoon will have a lot of negative effects on the following aspects: ecology of the lagoon; economy connected to shell fishing; real estate value; tourism. MVC is fully aware of the impact that this development will have. However, they are giving their conditional approval to the project. I would like to review part of those conditions that are related to the Board of Health. I personally don't think those conditions are strict enough. 1) You have to test your system monthly for 12 months and continue monthly testing until 21 dwellings have been connected. If testing for shared facility *fails*...How we would know that testing failed if there is no specific definition of failure in this condition. 2) Prior to installation of shared facility, applicant must provide surety bond (bond should be able to replace all 21 systems). The bond



shall be released to the applicant after facility has been operating for one year and has had more than 50% of 52 planned bedrooms. By my calculations I come up with 62 bedrooms. In my opinion system should be tested for a longer period of time. First of all, there is a very small chance that all 52 bedrooms will be built within the first year.

- **Doug Reece:** Davio Danielson made a statement at one of the previous MVC meeting that plans were already approved by Health Agent and the Board of Health.
- **Health Agent:** I have not signed off on it yet but I indicated on several occasions that I have no issues with the approval of it. I would suggest Mr. Robillard turn in his concerns in writing and we can meet again to go over all the loopholes and discuss how we can tighten them up.
- **Sherri Caseau:** Those conditions were not finalized yet.
- **Allan Robillard:** According to my research each town allowing the installation of cluster wastewater system should have an ordinance for such systems.
- **Member Bergeron:** We don't have such ordinance. I believe this is going to be the first cluster wastewater system in the Town of Oak Bluffs.
- **Doug Reece:** Is there possibility that Board of Health can create a policy that would limit the amount of title 5 system that are being installed in the water shed or require only alternative systems to be used?
- **Member Bergeron:** Any application to install any septic system in the Lagoon District gets extra attention during the review. However, the policy that you asking us to adopt would be very prohibitive.
- **Doug Reece:** Is there any way to determine that the particular system proposed by lagoon ridge development is the best option that can be used?
- **Health Agent:** Plan was reviewed and recommended by a reputable third party company.
- **Member Bergeron:** Thank you for the information provided. It is pleasant to see that Oak Bluffs residents are concerned about the local environment.
- **Health Agent:** Would you like to approve Lagoon Ridge Development Plans based on MVC conditions?
- **Member Bergeron:** I think we can wait until MVC finalizes those conditions.

HEALTH AGENT:

Grease Trap Regulation discussion

Discussion of the draft copy of regulation presented during previous meetings

- **Member Bergeron:** We were trying to wait for the full board to be present during this discussion. I feel that proposed grease trap regulation can cause a lot of local restaurants to take a very strong financial hit.



- **Health Agent:** I created this regulation after the Wastewater Department informed me that Fats, Oil and Grease from restaurant pipes clog sewer lines and that this problem has increasingly become a financial burden to the Town of Oak Bluffs.
- **Member Bergeron:** I would prefer to downgrade this regulation into a policy, starting with the board requiring proof of grease pumpouts prior to opening any Oak Bluffs Food Establishments. If that won't solve the existing problem then we can think about expanding the policy.
- **Member Butterick:** How would we know that it is not working?
- **Health Agent:** Probably by getting Wastewater Department's feedback.
- **Member Butterick:** I would like to get more detailed review of proposed regulation.

Member Bergeron motioned to schedule a discussion of Grease Trap Regulation for the next meeting on June 21st, 2016.

Motion was unanimously approved.

Policy Discussion

Discussion of existing and proposed policies for Oak Bluffs Board of Health

- **Health Agent: Also,** I would like to review existing policies for the Town of Oak Bluffs Board of Health:
 - *Installation of Monitoring Wells*
 - *Trash Pick Up*
 - *Returned Checks*
Member Bergeron motioned to eliminate "Returned Check Policy"
Motion was unanimously approved.
 - *Body Piercing*
Member Bergeron motioned to eliminate "Body Piercing Policy"
Motion was unanimously approved.



OTHER BUSINESS:

6 Carole Avenue: Certificate of Compliance

- **Member Bergeron:** Tom and Karen Doyle requested audio file for the minutes on April 26th and May 10th. After minutes are transcribed audio file gets deleted. I advised Ade to contact Town Attorney to seek his guidance on how to handle this request. As I understand the minutes were completed but have not yet been approved by the board by the time Mr. & Mrs. Doyle submitted their request. However, according to the Town Attorney you can provide a draft copy of the minutes and you are not required to keep audio file after minutes are transcribed. Audio file was deleted prior to the request.

Member White: Motioned to adjourned

Respectfully submitted by,
Alexandra Kral, Administrative Assistant