



Town of Oak Bluffs, Massachusetts
BOARD OF HEALTH
P.O. Box 1327
Oak Bluffs, MA 02557

Patricia Bergeron, Chm
William White
James Butterick

Ade Solarin
Health Agent

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BOARD OF HEALTH MEETING

October 11, 2016: Minutes

Members Present: Patricia Bergeron, James Butterick William White

Others Present: Ade Solarin – Health Agent, Alexandra Kral, George Sourati, James Brown, Susan Garrett, residents of Munroe Avenue in support of Susan Garrett.

APPOINTMENTS:

10:00: Minute approval for 9/27/2016

*Member White motioned to approve minutes for 9/13/2016 meeting.
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: 0 Pennsylvania Avenue M 21 P 80.2

The following variances from Title V are requested:

1) *To allow the construction of a one-bedroom sewage disposal system on 11,750± square feet of land area in Zone II*

- **George Sourati:** We had a permit to install a 1-bedroom enhanced system on this property that is now expired. I re-applied to install a 1- bedroom standard septic system on 11,750± square feet of land area in Zone II.
- **Health Agent:** I denied the application based on previous Town Council's decision not to include easement area in the square footage of the property. Property itself is 7500 sq.ft and you need minimum of 10,000 sq.ft. for a standard 1-bedrom septic system in Zone II.
- **George Sourati:** I consulted with Brian Dudley regarding this matter and after reviewing specific conditions of the easement we came to a conclusion that the unpaved part of the easement area can be counted toward the total square footage of the lot.
- **Member Bergeron:** We won't be able to rule on your variance request until the previous decision by the Town Council has been withdrawn.

10:10:8 Warwick Avenue M 11 P 204

The following variances from Title V are requested:

- 1) *To reduce the required separation distance from a leaching field to a property line from 10' down to 5'± (Parcel 1-205), 5'± (Parcel 1-208), 5'± (Parcel 1-203)*
- 2) *To reduce the required separation distance from a septic tank to a property line from 10' down to 5'± (Parcel 1-205)*



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- 3) *To reduce the required separation distance from a leaching field to a cellar wall from 20' down to 12'± (Parcel 1-204) and 12'± (Parcel 1-208)*
- 4) *To reduce the required separation distance from a septic tank to a cellar wall from 10' down to 5''± (Parcel 1-204)*
- 5) *To allow the reduction of the required subsurface disposal area by 20.5% from 550 gallons per day down to 525 gallons per day*

- **Health Agent:** The plan is still under review.

10:30: 57 Isaac Avenue M 22 P 58

Ms. Welsh would like the Board of Health and its agent to apply outdated (pre 1995) Title 5 regulations to her property located on a 10,890 sf lot in Zone II in order to be able to get more bedrooms.

Member White motioned to deny Ms. Welsh's request and apply current Title V standards to her property. Motion was unanimously approved.

10:40: 0 Norris Avenue M 16 P 164 Re: Variance Request

The following variances from Title V are requested:

- 1) *To allow the construction of a one-bedroom sewage disposal system on 10,037± square feet of land area in Zone II*

Member White motioned to approve requested variance as presented. Motion was unanimously approved.

10:50: 117 County Road M 12 P 64

Mr. Brown would like to update the Board of Health on progress relative to deed restrictions and renovation proposals at 117 County Road.

- **James Brown:** I submitted a building application to eliminate one bedroom at my house. Health Agent denied that application .Afterwards, I proposed 4 different options of the floor plans that will eliminate an extra bedroom and tried to meet with Health Agents to discuss my proposals.
- **Health Agent:** I have not reviewed submitted proposals yet. He just turned it in two days ago. Once I complete the review process we will contact Mr. Brown with an update on the status of his application.

11:00: 97 Munroe Avenue M 2 P 35 Re: Housing Complaint

Continual use of the portable toilet

- **Health Agent:** We received a complaint regarding the use of a portable toilet at 97 Munroe Avenue. An inspection was conducted and I did not find any violations except for a continual use of the portable toilet. The portable toilet was located 30 feet from any building used for eating or sleeping and did not cause objectionable odors. The Owner was informed that if she intends to continue using portable toilet for an extended period of time she must apply for a special permit from the Board of



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Health. The owner of the property sent us a letter stating that she won't be able to attend this meeting and that the portable toilet has been removed from her property.

- **Susan Garrett:** I'm a neighbor to Ms. Hurd at 97 Munroe Avenue. Every summer Ms. Hurd moves out of the house to live in her shed and rents out her main house as a vacation rental. She has not obtained any special permit that would allow her to use a shed as a living space. This ongoing situation is causing a lot of disturbance to her neighbors.
- **Member Bergeron:** On the Board of Health side, there are no violations regarding use of the portable toilet. However, the use of a shed as a living space should be addressed with the Building Department.

HEALTH AGENT:

11:10: Free Dental Cleaning

Health Agent: Free Dental Cleaning will be held October 20th at Senior Center

11:15: Reporting Zone II Violations to the State

Health Agent: I have been contacted by the Mass DEP regarding a potential audit of our septic files. I will provide more information as we go.

11:20: Vacation

Health Agent: I'm planning to take a short vacation in the middle of November. We are planning to inform our clients about limited availability for those dates.

Member White: Motioned to adjourned

Respectfully submitted by,
Alexandra Kral, Administrative Assistant