



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

James Butterick
Thomas Zinno
Board Members

Garrett Albiston
Health Agent

Alexa Arieta
Assistant Health Agent

BOARD OF HEALTH MEETING MINUTES
August 9, 2022 – 10:00 AM

**In accordance with Governor Baker's emergency modification of the Open Meeting Law
this meeting will be held virtually.**

Members Present: William White (chair), James Butterick, Thomas Zinno

Others present: Garrett Albiston, Alexa Arieta, George Sourati, Ed Charter, Seth Charter, Maura McGroarty

APPOINTMENTS:

- **George Sourati on behalf of owner Good Dog Trust (Edward Charter)-52 Eastville Ave Map 7 Parcel 119**

Variance Request:

Reduce the required distance from the sanitary disposal facility to several neighboring sanitary disposal facilities from 300' down to 74'+/- (nearest).

George shares his screen. Approval already received a few years ago for a four-bedroom septic, for a three-bedroom house and photography studio. Three-bedroom house has been constructed. Because of finances, they have decided to subdivide this lot in two, and sell off a portion with a two-bedroom septic. They would like to increase their field to accommodate a fifth bedroom. They are asking for a waiver from the proposed leaching field to a neighboring leaching field. It is a fast system.

Mr. Albiston asks about protocol. They are asking for a five-bedroom system, to accommodate both lots (including the new lot, with a two-bedroom house) They will request an easement to share the system with the existing house. Easement will be requested at the end of the process. Title 5 allows this by right.

Mr. Butterick asks Mr. Albiston if he needs to do more research. Mr. Albiston explains that he knows it has happened before, and that he knows that Mr. Sourati is knowledgeable in this, and this should be just fine.

Mr. Zinno asks if there is enough frontage. Mr. Sourati confirms. Mr. Zinno asks if we have a deed restriction on this property. Mr. Sourati says they would be willing to deed restrict both lots. Mr. Albiston states that there is potential in 5 or 6 years that these tanks would need to be changed out to nitro tanks per DEP.

Mr. Albiston states that it is allowed, but that it might be wise for the homeowner to look into a NITRO system at this point, based on the DEP regulations approaching. If put into regulation, it would be required.

Mr. Zinno would like to see them come back with some financial figures and would like more information. Mr White says that he does not agree.

Mr. Butterick makes a motion to approve the waiver. Mr. White seconds. Waiver is approved 3-0.

APPROVAL OF MINUTES:

- January 25, 2022
- February 8, 2022
- June 21, 2022
- July 12, 2022

Mr. Butterick makes a motion to approve all sets of minutes. Mr. Zinno seconds. Approved 3-0.

AGENT UPDATES

DEP meeting-potential regs for nitrogen around salt ponds. MV will not be included in those mandatory regulations at the start. Will only include cape towns. DEP states it will be quite a while before MV will need to be included in that, and it will be at least 2 years until that would be required here.

Mr. Albiston and Mr. Zinno are meeting tomorrow to discuss draft regulations on this locally. Mr. Albiston asks for other members input on this. CWMP will be requiring special permits for systems around salt ponds. A new regulation would be proposed for new construction and upgrades. Mr. Butterick asks what Tisbury did. Mr. Albiston explains the Tisbury regulation, and states that doing this in Oak Bluffs would place a very strong burden on many of Oak Bluffs homeowners. Tisbury requires any septic system within 2500 feet of a pond to install an IA system. Groundwater moves 7-13" inches per day, and this seems stringent for Oak Bluffs.

Mr. Zinno states that the CWMP will be defining everything for the regulations.

Maura McGroarty is a Farm Pond abutter. She asks about the DEP decisions on the cape. Is it done on a town-by-town basis, or as a whole? Mr. Albiston says that he would ask to defer her to the DEP, but he thinks each municipality is dealt with separately. Ms. McGroarty asks if this is across all towns or not? Will other town regulations be taken into account when Oak Bluffs does their own? Mr. Zinno states DEP will look at this regionally and regulations will be in effect across the whole island when this happens.

At 10:48 AM, Mr. Butterick makes a motion to adjourn. Mr. Zinno seconds. Adjourned 3-0.

Respectfully submitted by Alexa Arieta, Assistant Health Agent