



TOWN OF TISBURY

office of

THE BOARD OF HEALTH

PO Box 666, 66 High Point Lane
Vineyard Haven, Massachusetts 02568

MEETING MINUTES – March 5, 2024 – 4:00 PM

The Board of Health (BOH) met at the Tisbury Town Hall Annex, 66 High Point Lane, and virtually by Zoom, meeting ID: **867 0172 9753**, Passcode: **356904**, or by phone at **646-876-9923**.

Commissioners in attendance were Chairman Malcolm Boyd, Vice Chairman Dr. Michael Loberg, and Jeff Pratt, Clerk. Drew Belsky, Health Agent, and Valerie Soushek, Administrative Secretary, were also in attendance.

Chairman Boyd called the meeting to order at 4:00 PM.

APPOINTMENT(s)

4:10 PM Renato Santos – 82 Norton Avenue / 25-A-34.2 re: basement regulations
Based on the previous BOH meeting, Mr. Santos was asked to come before the Board regarding a proposed basement addition to the property at 82 Norton Avenue. The property was approved for a 5-bedroom septic, currently serving a 2-bedroom guest house and a 3-bedroom main house. He wishes to construct a gym, dry sauna, steam room, half bathroom, and movie theater with a wet bar and a sink within the basement, potentially considered a bedroom. Additionally, a separate outside egress could be used as a private entrance to a bedroom.

The commissioners considered the following options:

- Allow the basement as is.
- Open walls to eliminate potential privacy for a bedroom.
- Deny the basement as it is regarded as a potential bedroom.
- Require the installation of increased flow to accommodate the potential bedroom.

- Deed-restrict the property to acknowledge that the basement will never be used as a potential bedroom.

The commissioners voted to unanimously approve Mr. Santos' plan with a deed restriction limiting the property to five bedrooms and additional restrictions for no shower and no wet bar in the basement.

4:30 PM Patricio Maicon – 107 Mott Hill Road re: failing to upgrade a failed and undercapacity septic system in the Tashmoo Watershed.

Following a Title 5 inspection, the subject property had a failed system. The property was then sold, and an addition was proposed, adding a bedroom. So, an undersized and failed system currently serves this property, and the owners were given their certificate of occupancy prematurely within the last three months. The BOH office asked Mr. Maicon to speak to the Board about how he is addressing this significant issue--

Mr. Maicon has been working with George Sourati to design an I/A system for additional bedrooms but there have been scheduling delays.

The commissioners unanimously ordered a ninety-day deadline for completing the design and installing a new septic system. In the meantime, the Board further ordered the system to be pumped within a week (from this meeting) to prevent backup into the house or a ground breach.

HEALTH AGENT REPORT

28 State Road / 9-A-3 re: emergency sewer tie-in

At the request of the sewer advisory committee, D. Belsky wrote a letter to the select board requesting an emergency tie-in due to a failed double cesspool system prior to being voted into the district at the town meeting. The request is pending the select board's approval.

Assistant Health Agent search

Two interviews for the open position of Assistant Health Agent are scheduled for Thursday morning starting at 9AM. Chairman Boyd will be attending on behalf of the board.

ARPA (American Rescue Plan Act) wastewater grant application review

Another application for upgrading a 2017 standard Title 5 six-bedroom system within the Tashmoo Watershed was received and meets the AMI criteria and BOH requirements. We still have \$105,000 available for three more systems.

D. Belsky agreed to speak to Martina Thornton, Dukes County, regarding other towns' reallocation of unused ARPA funds to Tisbury. And more specifically if the funds could be used toward the proposed Lake Street cluster system.

West Tisbury is being encouraged to use their ARPA allocation for their Tashmoo Watershed properties.

DISPOSAL WORKS APPLICATIONS FOR BOARD APPROVAL

4467 Kris Henricksen – 10 Elm Street / 16-E-1 – Approved for an I/A retrofit for sale/transfer in the Lagoon Pond Watershed.

NEW BUSINESS

B2 Sale/Transfer Waiver Letter – The owners of 114 Cook Road / 22-C-5, located in the B2 sewer district, have requested a waiver from the BOH's denitrification regulations. The existing system was inspected for sale/transfer in February 2024.

The health commissioners unanimously approved the request for a waiver of Section 5.2.d in *Tisbury's Board of Health Regulation for the Deployment of Enhanced De-Nitrification Technologies within the Lake Tashmoo Watershed*, effective January 1, 2024, given the property's location in Tisbury's future B2 Sewer District.

OLD BUSINESS

Tashmoo Woods Update

Chris Alley, Schofield, Barbini & Hoehn, and Doug Cooper, Cooper Environmental, have been working with the Tashmoo Woods Association. They are making progress on addressing the new Nitrogen Regulations within Tashmoo Woods. The association is expected to provide a response within five more months.

Job Description Update – D. Belsky and J. Pratt have drafted additional documentation outlining tasks and projects performed above the Administrative Secretary's pay grade since the Assistant Health Agent's departure. The requested documentation will be provided to the Administrator's office this week for inclusion in another executive session.

The next meeting will be held on March 26, 2024. Commissioner Pratt will be traveling starting March 27th through mid-June.

BILLS AND PERMITS FOR APPROVAL

Chairman Boyd adjourned the meeting at 5:30 PM with no further business to conduct.

Respectfully submitted,

Valerie Soushek
Administrative Secretary

Document(s)

The Board of Health commissioners accept the meeting minutes, March 5, 2024, as presented.

Date: 26 March 2024 Signed: 