



## **TOWN OF TISBURY**

*Office of*

### **THE BOARD OF HEALTH**

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#### **Meeting Minutes – October 9, 2018 – 4:00 PM**

The Tisbury Board of Health (BOH) met on Tuesday, October 9, 2018, at the Tisbury Town Hall Annex.

Commissioners in attendance were Chairman Michael Loberg and Jeff Pratt. Maura Valley, Health Agent, was also in attendance. Commissioner Boyd, Catie Blake, Assistant Health Agent and Valerie Soushek, Administrative Secretary, were absent.

Chairman Loberg presided and called the meeting to order at 4:00 PM.

The commissioners voted to approve the meeting minutes of August 27, 2018, as presented.

#### **HEALTH AGENT OPERATIONAL UPDATE**

##### **Washington septic/23 Sanborn Way**

Frank Daly appeared before the Board of Health Commissioners to present septic design plans for the property located at 23 Sanborn Way, Assessor's Parcel 21-B-33.1. The plans presented require a variance to allow a reduction in the size of the leaching area from the required 550 gallons per day down to 523 gallons per day as there was not an area of the lot adequate in size and slope to allow for the installation of a full-sized leaching area. A variance reducing the distance of the leaching area to the cellar wall from the required 20 feet down to 10 feet was also requested. Mr. Washington entered the meeting and again questioned whether the system was in fact failed. He was advised that two inspectors had deemed the system failed, that the system fails to meet state standards and that the Board of Health is required by State law to enforce the upgrade requirement. Further discussion of the proposed design plan was held. Mr. Washington expressed concern regarding the extensive trenching required to run the waste pipes behind the house to connect the septic tank with leaching trenches on opposite sides of the house. The Board of Health Commissioners indicated that they were comfortable with granting the variances required to allow for the installation of the design plan presented. Mr. Washington was advised to work out the details of the design with the design engineer prior to the next meeting on October 23, 2018. A design plan must be submitted for the next meeting or the Board of Health will take further action to bring the property into compliance.

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### **NitROE**

Ms. Maura Valley reported that the septic design for Theresa Cagney Morrison at 172 Kuffies Point Way, the tenth and final system under the grant, was ready for review and approval. Under the terms of the grant all ten systems are to be installed before the end of the year.

### **Tobacco Violations**

Ms. Valley reported that she had received notification that Bite on the Go and Stop and Shop had violations during an FDA tobacco compliance check. No further information is available at this time. Ms. Valley will follow up to determine what the violations were and what, if any, action the Board of Health should take.

### **Comprehensive Wastewater Management Plan (CWMP)**

Ms. Valley stated that the Oak Bluffs Draft Needs Assessment Report uses many of the studies that were conducted jointly between Oak Bluffs and Tisbury. She will continue to review the document to determine what changes are needed to make it Tisbury specific.

## **APPOINTMENT(S)**

### **4:15 PM      Kirk Metell re: Lake Street restrooms**

Mr. Metell appeared before the Board of Health Commissioners to request permission to construct a garage like storage facility with a lean-to that would contain porta-potties for boaters and the tennis courts at Lake Street. The proposed structure would be similar to the building at Penn Park in Oak Bluffs. Mr. Metell submitted pictures of that facility. Repairs to the existing bathrooms would cost over \$50,000 and the buildings are only used seasonally. Mr. Metell proposed to have two (2) unisex porta-potties, one of which would be handicapped accessible. The Board of Health Commissioners MSC to approve the proposal.

### **4:30 PM      Keith Fenner re: dumping in Tisbury Landfill pit**

Mr. Fenner appeared before the Board of Health Commissioners to request permission to dispose of boring mud from the West Chop water main project. When questioned regarding bentonite use during bi-directional drilling he explained that the bentonite clay softens the soil in front of the drill and carries the fines, making a clay conduit. The drilling material is then pulled or augured out of the hole and needs to be disposed of. Mr. Fenner stated that he understands that he cannot dump mud from his other jobs but was requesting approval for this project as it was a town project.

The Board of Health Commissioners expressed concern regarding the dumping of bentonite as they felt that the clay would continue to plug the pit so that it wouldn't drain, and the standing water could be a health issue and mosquito breeding ground. Mr. Fenner stated that he had investigated the process of solidifying the boring mud and proposed to excavate a hole in the filled area adjacent to the borrow pit, fill the hole with solidified boring mud and then cover the

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area with clean soil. He estimates that he will have approximately 30 yards of boring material to dispose of.

Mr. Pratt made a motion to grant one-time permission to dispose of the mud from the West Chop water main project in the manner that Mr. Fenner had described. He added that this approval should not be construed as approval to resume dumping in the area. Any future requests to dump in that area must be submitted to the Board of Health and would be considered on a case by case basis. Dr. Loberg seconded the motion and added that this method of disposal would be a good test to determine if the solidified bentonite prevented drainage and caused water to pool in the area. MSC- unanimous.

The Health Agent will meet with Mr. Fenner in the morning to visit the site and determine the appropriate location for disposal. She will also monitor the situation for the duration of the project and report back to the board.

**DISPOSAL WORKS APPLICATIONS APPROVED BY THE HEALTH AGENT**

4156 James Policastro / 221 State Road / 8-G-6

**DISPOSAL WORKS APPLICATIONS APPROVED BY THE BOARD**

4137R Theresa Cagney Morrison / 172 Kuffies Point Way / 59-B-8

**NEW BUSINESS**

**PAYABLES AND PERMITS FOR APPROVAL**

Postage \$268.00

With no further business to conduct the Board of Health Commissioners adjourned the meeting at 5:40 PM.

Respectfully submitted,  
Maura Valley  
Health Agent

Document(s)

The Board of Health accepts the meeting minutes, dated October 9, 2018, as presented.

Date: 10/27/18

Signed: 