



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

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Meeting Minutes – August 14, 2018 – 4:00 PM

The Tisbury Board of Health (BOH) met on Tuesday, August 14, 2018, at the Tisbury Town Hall Annex.

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

Chairman Loberg presided and called the meeting to order at 4:14 PM.

The commissioners voted to approve the meeting minutes of July 10, 2018, as presented.

HEALTH AGENT OPERATIONAL UPDATE

NitROE

Ms. Maura Valley reported that on-going bills from Test America for incidental testing equipment will be covered by the grant budget for the NitROE pilot program in fiscal year 2019.

Plastic Bag Bylaw

Ms. Valley reported on a call she received from a representative at Vineyard Conservation Society (VCS) regarding the newly-designed plastic shopping bag being provided by Stop and Shop to its customers. Even though the construction of the new bag meets the criteria allowed under the plastic bag ban regulations, the VCS believes there is a loophole in the regulations and would like the BOH to draft a letter requesting that Stop and Shop discontinue use of the new bags.

Chairman Loberg asked to revisit the topic at a subsequent meeting after he has had a chance to discuss it with his Vineyard Conservation Board colleagues, to which the commissioners voted to approve, unanimously.

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Nitrogen Regulations / Comprehensive Wastewater Management Plan (CWMP)

Ms. Valley reported that she is in the process of gathering data for the efficacy of the NitROE pilot program. The data will be used for updating the Town's wastewater regulations and drafting CWMP, which will address wastewater issues and the Mass Estuaries Project report for reducing nitrogen loads in Lake Tashmoo and Lagoon Pond. As information becomes available, Ms. Valley will be presenting it to the commissioners at subsequent meetings.

APPOINTMENT(S)

4:30 PM Mink Meadows re: Mosquito Control Project

Ms. Lindsey Lawrence and Mr. Matt Crowther reported on the recent success of the Mosquito Control Project at Mink Meadows.

After more than three (3) years of challenges, the project gained momentum again in 2018, when CLE Engineering, consultant to Mink Meadows, recommended a company, SUMCO, which was completing a federal munitions removal project at Tisbury Great Pond.

Additional funding for the project was approved at a board meeting on January 27, 2018 and an agreement was signed with SUMCO on February 1, 2018. Work began in the 2nd week of February. SUMCO's operators were even successful at moving and securing the berm of sand left by Hurricane Sandy.

Mr. Crowther recommended a solution for the dredging spoils and a vacant corner with easy access from the road was identified as the spoils site. The area was stripped of topsoil, filled and then capped back over after the material was deposited.

The total cost of the project since its inception in 2015 was \$202,000. SUMCO's portion of the cost was \$129,605.

The next step of the project will be to observe the adequacy of west side marsh draining through a Goff/Wyss trench.

4:50 PM Island Housing Trust (IHT) and Mr. John Smith re: presentation of proposed SanTOE system installation at IHT's property on Greenwood Avenue, including three (3) duplexes/18 bedrooms, across from Camp Jabberwocky

Ms. Valley noted that a written request to waive the application fee of \$200 had been received from IHT. The commissioners voted, unanimously, to approve a waiver of the fee.

Mr. John Smith of CES, Ms. Farren Worthington and Mr. Phillipe Jordi, representatives of IHT, presented the data and plan, accordingly.

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Ms. Worthington explained that she has been working with Mr. Smith to design the SanTOE system within the Lake Tashmoo watershed, which requires installation of an advanced treatment component.

Mr. Smith presented data on a full-scale demonstration of a SanTOE system (SanTOE) installation in operation since December at the Massachusetts Alternative Septic System Test Center.

Mr. Smith reported that SanTOE has each process step in individual tanks, where the NitROE system contains all process steps in one (1) tank, due to the amount of flow. Each tank will have a capacity of 1,500 gallons and Mr. Smith is proposing Goodale's tank for Martha's Vineyard. The first step in the process is the septic tank, which meets the Title 5 requirement. Mr. Smith will be adding baffles to enhance the flow rather than allowing the waste solids to settle in the septic tank. According to Mr. Smith, the State regulators do not have any issue with the SanTOE design. Following the septic tank, the waste flows to a submerged aerated bed consisting of limestone and bio rings with aeration channels, a bit larger (piston) pump, which pumps at 200 liters per minute, is quieter and pulls about 60 watts of electricity.

Mr. Smith confirmed that the effluent from the complex is expected to be less than 1800 gallons per day (gpd). Each building will have its own septic tank, for a total of 3 tanks. The flow will combine and split into two (2) submerged, aerated beds and two (2) denitrifying beds, and one (1) standard Title 5 leaching field.

Ms. Worthington indicated that twelve (12) bedrooms will be installed with the potential to expand to eighteen (18) bedrooms; however, Ms. Valley noted: based on the plans provided by IHT, the proposed study is counted as a third bedroom in all units. Ms. Valley further explained that any room that provides privacy and is over 70 square feet is counted as a potential bedroom. The doorway must be 7 feet wide and open to a public area if it is not intended to be a bedroom. Ms. Worthington made a note of the regulations and confirmed that the system has enough capacity for 18 bedrooms.

Ms. Valley noted to the commissioners that the plan does require a variance from BOH regulations that is not noted on the plan in that there is a regulation in place that doesn't allow for more than two (2) dwelling units to be tied into the same septic system. Ms. Valley reminded the commissioners that they have approved variances for similar situations in the past. Ms. Valley further confirmed that she saw no reason for not approving the plan.

Mr. Jordi explained to Chairman Loberg: these are not condos. Each homeowner will own their proper home and the land will be leased from IHT. There will be shared improvements, which will include the SanTOE system as it will be owned by the homeowners' association (Association). The Association will be responsible for the upkeep and management of the system. Any initial costs for the pilot would be set aside in an account.

Chairman Loberg stated that the BOH is expecting to be provided with the analytical data as it may be included in the Town's Comprehensive Wastewater Management Plan.

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Mr. Smith confirmed to Commissioner Pratt that there are no major differences in the on-going maintenance and testing procedures between the SanTOE and NitROE systems. Mr. Jordi again confirmed that the costs for on-going maintenance and inspection of the proposed SanTOE System will be assumed by the Association. As a homeowner, assessments will be based mainly on the operation of, and repairs to, this system, as well as driveway and parking maintenance. This is the extent of the association's responsibility. Ms. Valley reminded the commissioners that this is a pilot program so historical data is not available.

Mr. Smith explained: with SanTOE, the septic tanks will be closer to the buildings and they will be buried, as is customary, with access ports. The submerged aerated bed and denitrifying chamber will be concrete tanks installed at ground level with a berm to stop water intrusion. Each open top tank will have a secured and locked deck. Additional locked hatches will allow for testing influent and effluent at each tank. They will not have concrete lids. There will be no odor issues. There will be some open channels, 6"-12", but they will be covered with steel grating to prevent tampering.

Mr. Smith is guaranteeing a discharge rate of less than 10 mg/l, to IHT at all times.

Ms. Worthington confirmed that the BOH can expect to receive the results of the monitoring, which will be conducted monthly for eighteen (18) months.

Mr. Jordi is hoping to break ground this fall/early winter with a completion date of June 2019; however, the schedule is dependent on approval of the new Planning Board bylaws, by the Attorney General.

The commissioners motioned to approve IHT's proposed septic plan, noting a variance for hooking up more than two (2) units to one (1) septic system. Ms. Valley confirmed her recommendation for approval by the commissioners. Ms. Valley also confirmed to Chairman Loberg that she would resolve any potential issues with the third bedroom or what constitutes a bedroom. As presented, three (3) bedrooms are being proposed; however, if IHT resubmits floor plans with a revised opening then the plan will be finalized as two (2) bedroom units, with the potential for expansion. Mr. Smith also asked for confirmation that no fence is required as long as the tops of the tanks are completely secured and locked, to which Ms. Valley agreed. The commissioners voted to approve the proposed plan, unanimously.

Island HealthCare Funding Support Request

Ms. Valley asked the commissioners to sign a letter of request for funding, to which they all heeded.

West Nile Virus testing

Ms. Valley reported that the State no longer accepts crows for testing. We do have Richard Johnson, who traps and collects samples and sends them off weekly. He does it through the county. No hits of WNV on the Island, yet. The BOH has received a few calls from residents who have discovered dead crows on their property.

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Next Meeting

Ms. Valley reported that Chairman Loberg would like to include Dr. Ruth Faden, Johns Hopkins Bioethicist, to speak on "Mice Against Ticks", at the next BOH meeting. In order to accommodate Dr. Ruth Faden's availability, Chairman Loberg is proposing a change to the next regularly scheduled meeting, from Tuesday, August 28, 2018 at 4:00 PM, to Monday, August 27, 2018 at 8:30 AM. Commissioner Pratt said that he will be available. Commissioner Boyd will not be available; however, he is agreeable to rescheduling the meeting.

Well Testing

In light of the recent Monsanto judgement, Ms. Valley reported that she has asked Tisbury Water to identify some properties with private wells around Lake Tashmoo so that water samples can be collected and tested for the presence of Glyphosate.

Andy Chapman's Project

Ms. Valley reported that Mr. Andy Chapman is seeking approval of a non-conventional septic design for construction within a watershed. The proposed system consists of composting toilets and a Title 5 reduced leaching field; thereby eliminating the requirement for an advanced treatment component.

The commissioners voted to unanimously approve Mr. Chapman's septic design as presented.

Boring Mud Disposal at Landfill

Ms. Valley reported that she had ordered the Department of Public Works to disallow the dumping of boring mud, a slurry of bentonite clay and fresh water resulting from bi-directional drilling, at the Tisbury Landfill. However, Mr. Johnny Dumas of Eversource requested continued access at a frequency of one (1) load per week for six (6) more weeks while a project is being completed.

The commissioners agreed to uphold Ms. Valley's order due to concerns of the lack of control over what is actually being disposed of in the pit and the generation of mosquito harborage.

ASSISTANT HEALTH AGENT OPERATIONAL UPDATE

Black Dog Bakery & Tavern

Ms. Blake reported that she had received a complaint from an employee. Upon inspection, Ms. Blake noted several infractions, to the extent that she almost closed the bakery. She spoke to the manager and all infractions were resolved within the time period allowed so the space was kept open. Frequent inspections are being conducted to ensure continued compliance.

Beach Testing – Ms. Blake reported that two (2) overages have been detected. One required closure. The other is pending a result of the re-test.

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Restaurant updates – Ms. Blake provided updates on the Golden Bull Restaurant and Blue Crab Kitchen: both establishments are delayed in opening due to on-going renovations. Blue Crab Kitchen is only providing catering services at this time.

DISPOSAL WORKS APPLICATIONS APPROVED BY THE BOARD

4142 Michael J. Figueiredo / 330 State Road / 22-A-21 – Approved.

NEW BUSINESS

Postponement of Septic Inspection –

Martha's Vineyard Family Campground / 569 Edgartown Road / 18-A-7/9

Approved with a deadline of 12/31/2018. Re-opening in Spring 2019 will be contingent on a satisfactory inspection. The commissioners motioned to approve a deadline of 12/31/2018.

Postponement of Septic Inspection –

Mark Mszanski / 11 Old Oklahoma Rd. / 16-A-5

Decision postponed until Ms. Valley is able to determine if an inspection has been scheduled with Doug Cooper, as indicated by Mr. Mszanski. If not inspected by 9/1/18, fines will be assessed, retroactively to July 13, 2018 and until an inspection is conducted.

Citation Appeal – Barbara Jo Geary / 165 Bernard Circle / 4-A-21 – Approved.

Postponement of Septic Inspection – Thomas Brown / 125 Massasoit Avenue / 1-K-2

Approved with a deadline of 9/30/2018.

Postponement of Septic Inspection – Glenn Pachico / 11 Martin Road / 8-E-24

Approved with a deadline of 10/31/2018. Fines will apply, effective 11/1/2018.

PAYABLES AND PERMITS FOR APPROVAL

Valerie Soushek / postage / \$108.40

Maura Valley / mileage / \$58.59

Petty Cash / office supplies / \$3.99

With no further business to conduct the Board of Health Commissioners, the meeting was adjourned at 6:06 PM.

Respectfully submitted,

Valerie Soushek
Administrative Secretary

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Document(s)

The Board of Health accepts the meeting minutes, dated August 14, 2018, as presented.

Date: 9/15/18 Signed: 