

TOWN OF TISBURY

office of

THE BOARD OF HEALTH

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

MEETING MINUTES – January 17, 2023 – 4:00 PM

The Board of Health met at the Tisbury Town Hall Annex, 66 High Point Lane, and virtually by Zoom, meeting ID: 890 7075 6229, Passcode: 209393, or by phone at 646-876-9923.

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

Commissioner Boyd called the meeting to order at 4:03 PM.

The meeting minutes for November 15, 2022, were approved by Commissioners Loberg and Boyd. Review and approval of the October 11th minutes were postponed for Chairman Pratt given that Commissioner Boyd was recused for a portion of the meeting.

Ms. Louise Clough was in attendance to hear the discussion about the DEP Nitrogen Sensitive Area Regulations.

APPOINTMENT(S) – None

HEALTH AGENT REPORT

DEP Nitrogen Sensitive Area Regulations/Tisbury Nitrogen Regulation

Ms. Valley stated that the State had extended its comment period from residents before they finalized revisions to the regulations.

Commissioner Loberg reviewed some recent updates—he provided the State's *Project Priority List for the Clean Water Revolving Fund*, specifically for comparing Tisbury to the Cape towns and Nantucket for awarded monies. To accelerate nitrogen mitigation for the Lake Tashmoo Watershed under the State's 20-year permit option, he suggested looking at the number of failed septic systems on an average year that will require an IA system.

Ms. Valley stated that the State would need to develop a mechanism for shared watersheds. In response to Commissioner Loberg, she confirmed that there are currently 860 septic systems in the Tashmoo Watershed, 827 of which are standard Title 5. In addition, historical data shows 10-15 annual upgrades over the years. Therefore, changing the regulation triggers for requiring upgrades, i.e., overflow cesspools at the time of sale/transfer, may be necessary.

Commissioner Loberg suggested reviewing the no-new-net-nitrogen requirements for the addition of bedrooms. However, until Tisbury's CWMP has been drafted and the State has confirmed TMDLs, the Town may not be eligible to apply for the Clean Water State Revolving Fund—funding for a partial plan option still needs to be researched. For example, Wellfleet is on the State's priority list for specific/non-comprehensive improvements.

Other project components will be reestablishing the fertilizer regulations and the Stormwater Management Plan at Lake Street.

Further updates and data will be provided as a standing agenda item.

Wood stove complaint – Old Lighthouse Road

Ms. Kate Foley has reported additional concerns about her neighbor's wood stove burning habits. While there are no Town regulations around this matter, Ms. Valley agreed to research the issue further based on a monitor showing high levels of contaminants that Ms. Foley had installed. According to Tisbury's building inspector, the chimney construction follows regulations, and the neighbor burns adequately cured wood. Still, Ms. Foley's house sits higher than her neighbor's, which could put her property in the line of direct smoke intrusion on some days.

ASSISTANT HEALTH AGENT UPDATE

General Updates

Ms. Blake submitted the annual barn inspection report to the State. In addition, the Animal Control Officer has created a database listing Tisbury farms for inspection. The camp report for 2022 is in progress.

Nina's Dine and Dash food truck is open and doing well at the former Hinkley's parking lot.

Today was the first day of serving lunch to Tisbury School students at the American Legion cafeteria. Everyone involved is pleased with the result of the completed renovations.

DWAs FOR BOARD APPROVAL

4407 Jayne Leaf 157 Clover Hill Dr. 19-A-8

Proposal to upgrade to a NitROE system for a recently subdivided lot with an existing 3-bedroom dwelling in a watershed. The new lot will also be required to install a NitROE system for no more than 3 bedrooms.

4408 Edward McLeod 36 Hine's Point 11-A-10

Upgrading to a NitROE system for renovations to an existing 3-bedroom dwelling. The parcel is limited to 3 bedrooms—there are currently 3 on the second floor and the entrance to an

office/den on the first floor has been widened to 7 feet. However, while the full basement is being finished without running water, there is a game room that opens to a wine storage room. The commissioners did not consider the wine room a bedroom and they approved the plan with variances, and they agreed that even with the requested variances, the proposed plan is an improvement to the current system.

NEW BUSINESS

Request for 2nd extension of disposal works construction permit – 41 Bernard Circle / 5-A-29
Approved, given no change to the regulations and with payment of the \$100 extension fee. Not eligible for further renewal.

The next meeting will be held on January 31, 2022, at 4:00 PM.

BILLS AND PERMITS FOR APPROVAL


Commissioner Boyd adjourned the meeting at 5:17 PM with no further business to conduct.

Respectfully submitted,

Valerie Soushek
Administrative Secretary

Document(s)

The Board of Health commissioners accept the meeting minutes, dated January 17, 2023, as presented.

Date: _____ Signed:  _____
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