



## **TOWN OF TISBURY**

*office of*

### **THE BOARD OF HEALTH**

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

MEETING MINUTES – September 21, 2021 – 4:00 PM

The Tisbury Board of Health (BOH) held a meeting on Tuesday, September 21, 2021, at 4:00 PM.

**Due to ongoing efforts to prevent the spread of COVID-19, this meeting was held virtually via Zoom, ID 995 1965 0211, Passcode 872241, phone 646-876-9923.**

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

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

The meeting minutes of August 24, 2021 were unanimously approved as written.

4:30 PM – Public Hearing – amendments to Board of Health regulations

Chairman Loberg closed the regular BOH meeting and opened the public hearing.

Ms. Valley asked the attendees to sign in under the comments section with their names and email address. Our office will keep them apprised of the minutes and meeting updates.

Attendees: Louisa Hofstader, Jennifer ?, Bobbi Reed, Gretchen ?, Doug Dowling

Chairman Loberg confirmed the purpose of the hearing--to provide clarity to three BOH regulations. The proposed updates don't change any current procedures; they only incorporate language to clarify what the commissioners have consistently interpreted as a bedroom for Tisbury's residents. In addition, they include language from the building code and Title 5 regulations. (Refer to Attachment A, Proposed changes to BOH regulations).

The Chairman asked for questions from the (public) attendees, to which there was no response.

The other proposed updates include a change to the occupancy in the Coastal District to make them consistent with other regulations that assume two occupants per bedroom.

There were no questions from the attendees at this point.

The final point clarifies the number of bedrooms allowed when a parcel is subdivided; the pre-divided lot size shall dictate the total allowable number of bedrooms.

Mr. Doug Dowling inquired about the criteria used to establish the districts and the number of square feet per bedroom required in the respective zone. That measured density for future subdivisions, which is being phased out. He explained that approximately 20 years ago, the requirement was 10,000 square feet before it was changed to 15,000 square feet. Ms. Valley explained that other island towns are using the proposed language and that the regulations apply to existing unbuilt lots less than 40,000 square feet.

Mr. Dowling asked the commissioners to consider the following points as well (when making the proposed updates):

- In the zones mentioned above, new construction requires advanced treatment systems.
- Some of the same zones are mixed, i.e., R10 to R50, etc.

- According to the EPA study in Falmouth, Nitrogen can be removed at a rate of 0-90 percent depending on the soil and condition of the site.

There were no questions presented at this point.

Ms. Valley stated that some residents could not log into the hearing due to a possible Zoom issue.

There were no further questions or comments.

The commissioners voted to hold the hearing open for written comments for a week until September 27, 2021. The comments will be reviewed at a future meeting currently scheduled for September 28, 2021.

Mr. Dowling added another point for consideration--that guest houses are not just an extra bedroom with an effluent flow of 110 gallons per day. The effluent is 50-100% more for such a living unit. And it's almost impossible to design a system for a guest house on 12,500 square feet. The commissioners appreciated the excellent information and agreed they should be considered for future revisions.

The hearing was closed by the Chairman at 4:58 PM.

#### HEALTH AGENT REPORT

- COVID update

Ms. Valley reported that the case numbers are in a downward trend. The island population has reduced, and the mask mandate is helping. However, there is some concern about a spike in cases with in-person learning and no vaccination available for kids under 12 years old. Ms. Valley confirmed to the commissioners that the indoor mask mandate is temporary, and a threshold for lifting it will be discussed by the island health agents if the caseload decreases.

Ms. Sandy Whitworth at the Council on Aging has requested a waiver for the play readers group that is resuming in October—they meet weekly on Wednesday and must be fully vaccinated. Plays have up to six characters. Readers will do their part, and the other group attendees are listeners only.

The commissioners unanimously approved the waiver with the following conditions:

- The listeners wear masks at all times.
- The readers do not need to wear masks while acting only.
- The entire group must always be distanced by six feet.
- Nitrogen regulations

Ms. Valley will confirm the tentative meeting with the Oak Bluffs' Board of Health next week and report back to the commissioners.

#### ASSISTANT HEALTH AGENT UPDATE

- Fall Prevention Month

Ms. Blake reported that September is Fall Prevention Month. As part of her class at the Tisbury Council on Aging, she includes recognition of the event for 20-25 participants. Such programs will continue through the month at all island councils on aging centers.

This weekend, Ms. Blake notified the commissioners of two upcoming events—a car show for approximately 500 attendees at Veteran's Park. Ms. Valley will review the COVID protocols with the coordinator(s) this Wednesday afternoon. In addition, Martha's Vineyard Museum's oyster festival will be held the following weekend. Ms. Blake confirmed that vendors would monitor the oyster temperatures throughout the event.

The concert at The Cove Golf and Grill was not as COVID-safe as it needed to be. The space was too small to allow for social distancing.

- Sanitary sewer overflow at 25 Beach Road / 9-B-14

Ms. Blake commended the efforts by Tisbury's Public Works and Health Departments and Maciel & Sons' efforts; they partnered very well to resolve the matter.

The timeline occurred as follows:

- Abutters in the area reported a heavy smell of sewage to the BOH office at approximately 3PM.

- An overflow was found and stopped by the Tisbury Wastewater team, James and Jared, at about 3:45 PM.
- With the aid of an old septic plan from the BOH office, James and Jared identified and disabled the problem at five to 5:30 PM; they found an illegal sump pump that was dumping into one of the Town's pump stations.

Ms. Blake closed the harbor beaches the following morning for 36 hours after two tidal flushes. The lab is not open on the weekends, so the water was not tested.

Mr. Jared Meader filed a report with the DEP. The DPW will assess any applicable fines as a wastewater violation.

- Other items:

Chairman Loberg reported that the recent rain of 0.35 inches triggered the Tisbury Wastewater team to collect water samples from the Lake Tashmoo outfall pipe at West Spring Street, at the spillway, and down below. The models were heavy with fecal coliform, according to the Aquinnah Lab. Tisbury's business partner, TWI, had made a provision to have the samples shipped today in dry ice to the University of New Hampshire for DNA testing to identify the source, i.e., bird, mammal, human, etc. Testing at the Owen Little Way outfall pipe should also be considered if the results produce valuable information. Chairman Loberg will confirm the pricing for possible BOH budgeting in the future.

#### BILLS AND PERMITS FOR APPROVAL

With no further business to conduct, the commissioners adjourned at 4:58 PM.

Respectfully submitted,

Valerie Soushek  
Administrative Secretary

Document(s)

The Board of Health commissioners accept the meeting minutes, dated September 21, 2021, as presented.

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