



TOWN OF TISBURY
office of
THE BOARD OF HEALTH
PO Box 666, 66 High Point Lane
Vineyard Haven, Massachusetts 02568

MEETING MINUTES – September 26, 2023 – 4:00 PM

The Board of Health (BOH) commissioners met at the Tisbury Town Hall Annex, 66 High Point Lane, on Tuesday, September 26, 2023, at 4:00 PM. The meeting was also available virtually by Zoom (meeting ID: 839 1569 7264 and passcode: 016721) or by phone at 646-876-9923.

Commissioners in attendance were Chairman Malcolm Boyd, and Dr. Michael Loberg, Vice Chairman. Commissioner Jeff Pratt, Clerk, joined via Zoom. Maura Valley, Health Agent, and Valerie Soushek, Administrative Secretary, were also in attendance.

Chairman Boyd called the meeting to order at 4:02 PM.

Visitors via Zoom: Louise Clough, Tisbury resident

The meeting minutes for August 15, 2023, and September 12, 2023, were accepted and approved as written.

APPOINTMENTS

4:30 PM - Public Hearing for Revisions to Nitrogen Regulations

Chairman Boyd opened the hearing at 4:30 PM and read the "Public Hearing Notice."

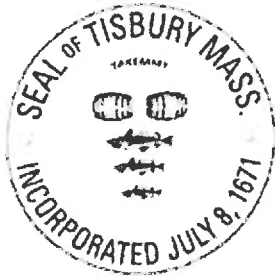
The attendees were confirmed--

In person attendee – Ann Fay Lawton

Attendees via Zoom – Louise Clough; Sheri Caseau, Martha's Vineyard Commission; Scott Horsley, Consultant; Gerry Hokanson; Daniel Green, Martha's Vineyard Times; Louisa Hofstader, Vineyard Gazette; Gary Sohn

Ms. Valley read the proposed changes.

Chairman Boyd opened the public comments session.



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BOARD OF HEALTH
PO Box 666, 66 High Point Lane
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(508) 696-4290

Malcolm Boyd
Chairman

Michael Loberg
Jeffrey Pratt
Board Members

Maura Valley
Health Agent

PUBLIC HEARING NOTICE

The Tisbury Board of Health will hold a public hearing on Tuesday, September 26th at 4:30 pm to review and consider amending regulations relating to the deployment of enhanced de-nitrification technologies within the Lake Tashmoo and Lagoon Pond watershed overlay districts. The following revisions are under consideration:

SECTION 5. INSTALLATION OF ENHANCED DE-NITRIFICATION TECHNOLOGY

5.1 Upon the occurrence of a trigger as set out in section 5.2 (and subject to sections 5.4, 5.5 and 5.6), the Board of Health will only issue a permit for a proposed new wastewater treatment system and/or any system upgrade for a **Property** in a **Watershed District** provided:

- a) the application provides for an **Enhanced De-Nitrification Technology**; and
- b) all other conditions for the issuance of a permit are met.

5.2 The following situations are "triggers" for the purposes of section 5.1:

- a) a new wastewater treatment system is required to serve a **Property** (i.e., new construction);
- b) at the time of replacement, upgrade or relocation of a property's existing wastewater treatment system;
- c) additional development on the **Property** or a change in use or in intensity of use (or potential use) which would increase wastewater Nitrogen discharge beyond the Board of Health approved system capacity irrespective of whether the existing wastewater treatment system has excess sanitation capacity;
- d) at the time that a **Property** is transferred to another owner.

This meeting will be held at the Tisbury Town Hall Annex, 66 High Point Lane, Vineyard Haven. The public may also join the meeting via zoom at <https://us06gmeet.zoom.us/j/83915697264> Zoom ID: 839 1569 7264 and Passcode: 016721 or dial in at 1-646-876-9923.

As a consultant to the Town for the TWMP, Scott Horsley spoke in favor of the revision, "such proposed revisions are very consistent with the intent of the TWMP that the Tisbury Select Board unanimously approved. One of the primary provisions in the plan is to upgrade enough systems within the Tashmoo Watershed to meet the target nitrogen concentration identified by the Mass Estuaries Project (MEP) Report and the TMDL published by the State. This provision would be required to upgrade enough systems over the 20-year planning period as required in the State Watershed Permit Regulations, adopted July 7, 2023. These revisions would achieve compliance with the State regulations."

Chairman Boyd closed the public comments part of the meeting at 4:41 PM.

The commissioners voted unanimously to adopt the proposed revisions, effective January 1, 2024. Maura will advertise and file the revision with the Department of Environmental Protection.

HEALTH AGENT REPORT

ARPA Wastewater Grant Applications

Two new applications have been received, but the County has revised their forms, so the recent applicants need to resubmit. Two applications have been approved, and (3) are being reviewed.

Targeted Wastewater Management Plan (TWMP)

Commissioner Loberg and Ms. Valley will attend a Cape meeting with Scott Horsley tomorrow afternoon to represent the Town of Tisbury and answer questions on our TWMP and nitrogen regulations. Other attendees include representatives from the Conversation Law Foundation and the Department of Environmental Protection. Ms. Valley and Commissioner Loberg will provide a review for Commissioners Boyd and Pratt at the next BOH meeting.

On behalf of Tisbury, Ms. Valley confirmed that Scott Horsley has applied for SRF funding for \$1 million for individual systems in the Tashmoo Watershed. In January, the Town should receive confirmation of approval or denial. That funding is annual, and we can apply annually after that.

Sun Storage Rodent Infestation

The BOH office has received complaints regarding a rodent infestation at Sun Storage. An inspection with the Building and Fire inspectors confirmed the infestation, so they've been ordered to inspect each unit, develop a comprehensive rodent control plan, develop a plan to clean the affected units, replace gaskets at the bottom of the unit doors, and clear rubbish and debris from the property. Building and Fire also found issues with the facility and required actions to address their concerns. In the meantime, Sun Storage's building permit with the Town is on hold.

SHARED SERVICES INSPECTOR

Ms. Valley reported on behalf of Drew, who followed up with Mikado on some issues identified at their recent licensing inspection. The issues have been resolved.

Also, Drew is working to schedule an inspection at Wolf's Den.

NEW BUSINESS – N/A

DISPOSAL WORKS APPLICATIONS APPROVED BY BOARD

4445 Charles Kleeman - 284 Daggett Avenue / 26-B-2 - The plan includes a proposed upgrade of an overflow cesspool with (2) pits to a NitROE system for a proposed expansion from (3) to (6) bedrooms on a large lot in the Tashmoo Watershed. No variances are requested. The commissioners voted to approve the plan unanimously.

EXECUTIVE SESSION - Preliminary review of Health Agent applications

BILLS AND PERMITS FOR APPROVAL

<u>Vendor</u>	<u>Budget Category</u>	<u>Total Due</u>
FedEx	Rabies control	\$ 29.04

The next meeting will be on Tuesday, October 10, 2023, 4:00 PM.

With no further business to conduct, Chairman Boyd motioned to adjourn the meeting and move into executive session at 4:45 PM.

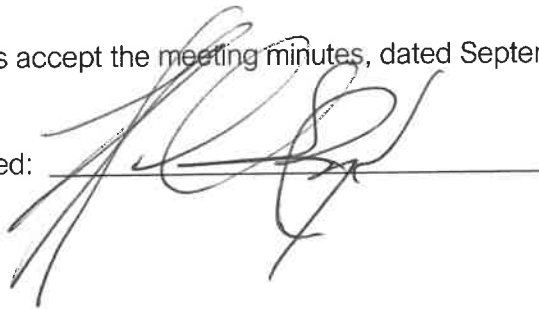
Respectfully submitted,

Valerie Soushek
Administrative Secretary

Document(s)

The Board of Health commissioners accept the meeting minutes, dated September 26, 2023, as presented.

Date: 24 Oct 2023 Signed: _____

A handwritten signature in black ink, appearing to be 'J. Boyd', is written over a horizontal line. The signature is stylized and cursive.