



BOARD OF HEALTH

Meeting

Town of Nantucket
3 East Chestnut Street
Nantucket, Massachusetts 02554
www.nantucket-ma.gov

Commissioners: Malcolm MacNab, MD, PHD (chair), Stephen Visco (Vice chair), James Cooper, Helene Weld, RN, Rick Atherton

Staff: Roberto Santamaria, Artell Crowley, Kathy LaFavre, Hank Ross, Anne Barrett

~~ MINUTES ~~

Thursday, November 17, 2016

4 Fairgrounds Road, Community Room – 4:00 pm

Called to order at 4:00 p.m.

Staff in attendance: R. Santamaria, Health Director; T. Norton, Town Minutes Taker

Attending Members: Stephen Visco; James Cooper; Helene Weld, RN; Rick Atherton, Board of Selectmen

Absent Members: Malcolm MacNab, MD, PHD

Agenda adopted by unanimous consent

I. ANNOUNCEMENTS

II. PUBLIC COMMENTS – ANY MEMBER OF THE PUBLIC MAY ADDRESS COMMISSIONERS AT THIS TIME

1. None

III. APPROVAL OF MINUTES

1. October 20, 2016: Motion to Approve. Check vote (made by:) (seconded by:) Carried 3-0//Atherton abstain

IV. BOH APPLICATIONS REVIEW

1. Swayze Drive – Administrative Consent Order (ACO)

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:01) **Santamaria** – This is a compliant system; they are waiting for sewer. No issues.

Action **Motion to Approve.** (made by: Cooper) (seconded by: Weld)

Vote Carried unanimously

2. 36 Friendship Lane – Relief from setback - tank to foundation

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:01) **Santamaria** – This is for relief from the setback; the tank is close to the foundation. They didn't get the notification to abutters out; also this is a retroactive variance issued about 10 years ago. This came to our attention when they were looking to build an addition; when they went to put in the addition, they learned the system was too close to the foundation. The foundation is a crawl space, not a full basement. Suggested the Board vote due to time constraints.

Action **Motion to Grant the variance.** (made by: Atherton) (seconded by: Cooper)

Vote Carried unanimously

3. 8 Upper Tawpawshaw – Variance Request from I/A requirement Regulation 64

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:05) **Santamaria** – New construction required a Certificate of Occupancy and triggered the I/A requirement in the watershed district. The addition meets all the setbacks and separation requirements and does not increase the bedroom count. The system, however, is not I/A. **Ben Champoux**, owner – This is for a sunroom on south side of the house with 5-bedroom septic on north side; the system is fully functional and passed inspections. The addition is not increasing the bedroom count. Separation from groundwater is well beyond the minimum. **Cooper** – When we granted the variance for the North Pasture system, that was a lot farther away from the watershed. If you grant this waiver, it sets a precedent for construction of any small addition within the watershed district. **Atherton** – Concurs with Mr. Cooper. **Champoux** – Asked why the waiver criteria are in the regulation. **Visco** – Suggested it should be removed.

Action **Motion to Deny.** (made by: Cooper) (seconded by: Atherton)

Vote Carried unanimously

4. 104 Cliff Road – Setback (tank & pit) variance

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:11) **Santamaria** – This is the same concept as Friendship Lane. They too didn't get the notification to abutters and is a retroactive variances issued about 10 years ago They are looking for maximum feasible compliance.

Action **Motion to Grant the variance.** (made by: Atherton) (seconded by: Cooper)

Vote Carried unanimously

5. 147 Wauwinet Road – Variance from 64.03E and 64.03F

Sitting Visco, Cooper, Weld, Atherton

Recused None

Documentation Supporting documents and plans, staff recommendations.

Discussion (4:12) **Santamaria** – Looking for a variance to the setback within a wetland buffer. This is an I/A system. **Arthur D. Gasbarro**, Nantucket Engineering & Survey – This system is a true upgrade of an existing system; the new system increases the vertical separation from ground water as well as being an I/A. The variance is being requested because this land is within a Massachusetts barrier beach and coastal dune area. It is a maximum feasible compliant system. An I/A is a viable alternative to tight tank; tight tanks are typically the method of last resort. The soil conditions are suitable for the infiltration of the water and sufficient separation from groundwater. **Atherton** – Asked where it would drain: ocean or pond. He thinks a tight tank should be actively considered this close to the pond. **Gasbarro** – Direction of drainage is a subject of debate; there is no definitive information about the direction of flow. The distance is greater than 200 feet from the harbor as well as the vertical separation from the harbor. **Atherton** – Asked what types of systems the other houses have. **Gasbarro** – 143 Wauwinet has an I/A system; there are a couple other I/A systems. In time this area would have all I/A systems and no tight tanks. The houses on the east side of the road are in the harbor watershed district.

Action **Motion to Grant the variance.** (made by: Cooper) (seconded by: Weld)

Vote Carried unanimously

6. 35 Tennessee Avenue – Release of Betterment
Sitting Visco, Cooper, Weld, Atherton
Recused None
Documentation Supporting documents and plans, staff recommendations.
Discussion (4:23) **Santamaria** – The loan is paid off.
Action **Motion to Approve.** (made by: Weld) (seconded by: Cooper)
Vote Carried unanimously

V. BOH BUSINESS

1. Fertilizer Advisory Group Update (4:24)
Michael Misurelli, chair – The first meetings had to do with regulation overview and enforcement, then they worked on the advisory committee charter. Now they are focusing on education goals going forward. Members went to major manufacturers and worked to develop products that would be compliant with Nantucket regulations. We also worked with Island vendors to have compliant products available. The State is working on requirements as to how products are labeled for the general public. We’re working on revising the licensing class and exam to be better geared toward laymen. **Cooper** – Asked if there are Spanish speaking instructors for the class and exam. **Santamaria** – He sent a letter of interest in regards to a grant to translate the videos; he should hear back in December whether or not to apply for that grant. **Atherton** – Asked if there is a list of acceptable products for consumers to refer to. **Misurelli** – They are working on a list, which they will give it to Jeff Carlson, Director Natural Resources. The hope is that through education, people will use the compliant products and the non-compliant products will disappear from the shelves. They also made an effort to speak to homeowner associations. The message is getting around and people are asking about licensed applicators. Discussion about disseminating the list of compliant products to private consumers.
2. Venison Donation Program Update (4:36)
Santamaria – They now have a kitchen and processor for the donated venison. The flyers will be done the morning of November 18 then will be sent out. He is trying to get the information about the program into the “Inquirer & Mirror”.
3. Director’s Report (4:39)
 - a. Behavioral Health Task Group – They will be looking at epidemiological studies on Opioid abuse, substance abuse, alcohol abuse. He will be reviewing and collating this data, doing an analysis of causality data. The data can be broken down according to age, income, and social stratification, for use in grant applications. They are hoping to be able to apply next year for a large grant. **Atherton** – Asked what are the sources for the raw data used in the survey. **Santamaria** – Data sources include: a private survey from the high school, the hospital, and Fairwinds. They can break the data down to types of incident and times of incidents and frequency. Discussion about use of Narcan and tracking private party purchases from pharmacies.
 - b. National Environmental Health Association – He is trying to get National spotlight on Nantucket. He’s a member of the National Food Safety Committee; they are writing a national policy. Nantucket is ahead of the national curve on food safety work and water quality work; and fertilizer management has been unprecedented.
 - c. New Health Department website – It will have its own address; this will allow the department to spotlight work and make information easily available to the public.
 - d. Tick-borne Disease (4:54) – Been able to get exact number from doctors.
4. Food trucks – **Cooper** asked about a possible direction in permitting food trucks next season. **Santamaria** – He has received direction from the Board of Selectmen. Can’t regulate a truck that is part of the catering program for a food establishment. If they want to do street vending, they have to go through the approval process.
5. Sewer – Discussion about status of sewer.

VI. ADJOURN

Adjourned by unanimous consent at 4:58 p.m.

Submitted by:
Terry L. Norton