

## BOARD OF HEALTH

### Meeting

Town of Nantucket

3 East Chestnut Street

Nantucket, Massachusetts 02554

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

**Commissioners:** Stephen Visco (chair), Malcolm MacNab, MD, PHD (Vice chair), James Cooper, Helene Weld, RN, Rita Higgins

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

~~ MINUTES ~~

**Thursday, January 16, 2020**

4 Fairgrounds Road, Community Room – 4:00 pm

Called to order at 4:00 p.m.

Staff in attendance: R. Santamaria, Health Director; A. Crowley, Assistant Health Director; Taylor Hilts, Director Human Services; T. Norton, Town Minutes Taker

Attending Members: Malcolm MacNab, MD, PHD; James Cooper; Helene Weld, RN; Rita Higgins, Select Board

Absent Members: Stephen Visco

Agenda adopted as amended 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. December 19, 2019: **Motion to Approve.** (made by: Higgins) (seconded by: Weld) Carried unanimously

#### IV. DIRECTOR'S REPORT

1. He will provide a written report of inspection break down.
2. Introduced the new direct of Human Services, Taylor Hilts. We are officially the Health and Human Services Department and Ms. Hilts is in the 3 East Chestnut Street office.  
Hilts – Her work experience is in mental health and social work. Cited how aspects of Human Services dovetail with Environmental Health. Reviewed goals moving forward.
3. Grace McNeil has come back as an intern and will be working on a 10-year retrospective on chronic health. Also, Sky Flegg will be back.
4. We've permitted all the open businesses; met our December 31<sup>st</sup> deadline. We're one of the only Health Departments in the state that sends out reminder notices months in advance; we didn't have to fine anyone.
5. Information for SMAST has been passed to the Town Manager; she is convening a workgroup, made up of Public Works, Water Company, Sewer, Health and Natural Resources. Finance needs to look for funding. The Madaket Regulations will be up for discussion in April when we should have an answer if sewer is feasible.
6. New England is under a severe flu outbreak, which is an unexpected strain in the flu-shot area. It is an influenza and is burning through the population quicker than expected. People brought it back from the mainland after Christmas break. If symptoms set in, don't go to work and get to a physician that day.

**V. BOH APPLICATIONS REVIEW**

1. Variance Request: Hummock Pond Road, LLC, 167 Hummock Pond Road (65-36) from Local Regs 56.02 & 64.04, >110 gpd per 10,000sf lot

Sitting MacNab, Cooper, Weld, Higgins

Documentation Supporting documents and plans, staff recommendations.

Discussion **Dan Malloy**, Engineer – This is to expand the I/A septic to provide for a commercial kitchen; asking for a bedroom credit to accommodate the kitchen. This is in the Hummock Pond Watershed Zone B and will connect to Town water. Looking for input from the Board about the variance, which will allow them to move forward with the design. They will have to work with the neighbors to get the aggregate space.

**Crowley** – We have concerns about approving this without a design; if he can comply with no further variances, we are okay with this. He talked to Massachusetts Department of Environmental Protection (DEP), which doesn't have an issue. Recommend giving them the nod provided they comply with the aggregate plan.

**Cooper** – About the aggregate land, asked if the abutters understand the rights they give up by agreeing to this.

**Malloy** – The goal is to figure out how much land we need and ascertain which abutters to talk to; if they aren't interested, this doesn't go forward.

**Santamaria** – The septic would have to be built on the abutter's land. We need more information before granting the variance.

**Higgins** – Asked about the deed restriction.

**Malloy** – Whatever properties are part of the application the deed restriction will apply to future septics.

**Cooper** – Asked if they know the total number of gallons they'll need.

**Malloy** – We know what our flow rate is and that of abutting properties. We need an answer to which flow rates will change.

**Crowley** – the I/A septic proposed will have to meet all the regulations; there is the potential for higher effluent flow from the properties.

**Malloy** – The approval of the variance today would not include construction of the system; that would be a separate application with a plan; at that point it has to meet all the regulations.

**MacNab** – He doesn't see that the variance wouldn't be granted if we had all the information; he's not willing to grant the variance without that information.

**Cooper** – If we grant the variance, it would have to be written into the decision that the plans aren't approved.

**Higgins** – Asked if it could be restricted to commercial use only.

**Santamaria** – They already have it permitted for residential use; it can always revert to that. DEP requires a minimum gallonage for commercial use; the property isn't big enough for that large a system.

**Cooper** – Asked if they could build out the property with the new system.

**Malloy** – You could condition the approval that the septic is for a specific use.

Action **Motion to Table for a future date.** (made by: Cooper) (seconded by: Higgins)

Vote Carried unanimously

2. Loan request: Brannigan, 5 Fisher's Landing (38-151)

Sitting MacNab, Cooper, Weld, Higgins

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – This property had an enforcement action against it and this loan is connected to getting it into compliance. It is for \$87,000 with no landscaping.

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

Vote Carried unanimously

3. Variance request: Behrman, 272 Polpis Road (25-30) from setbacks to wetland & property line
- Sitting MacNab, Cooper, Weld, Higgins
- Documentation Supporting documents and plans, staff recommendations.
- Discussion **Crowley** – Back in November this was before the BOH to request a variance for the distance from the well; they’ve come in with a new well plan that complies, but the system will be within 100 feet of wetlands. It is maximum feasible compliance within watershed. Recommend granting the variance.
- Action **Motion to Grant the variance.** (made by: Cooper) (seconded by: Higgins)
- Vote Carried unanimously

## VI. BOH BUSINESS

1. Review and vote on Genetic Mice Committee Charter
- Discussion **MacNab** – This to approve the committee’s charter so that the steering committee knows what it’s supposed to do as an advisory board to the BOH. It is also a “mini contract” between the BOH and Worcester Polytechnic Institute. The Madaket Mice Project and Genetic Mice Project are the same thing, but he prefers the latter.
- Weld** – This is very comprehensive.
- MacNab** – The committee will meet February 7<sup>th</sup>.
- Action **Motion to Approve the charter for the Genetic Mice Committee.** (made by: Higgins) (seconded by: Weld)
- Vote Carried unanimously
2. Higgins – There is a plan for a 2<sup>nd</sup> Town Meeting, Madaket sewer would be taken up then.

## VII. ADDITIONAL DOCUMENTS USED

1. Draft BOH Minutes December 19, 2019
2. Health Director’s written report
3. Draft Genetic Mice Committee Charter

## VIII. ADJOURN

Adjourned by unanimous consent at 4:34 p.m.

Submitted by:  
Terry L. Norton