



BOARD OF HEALTH Meeting

Town of Nantucket
131 Pleasant Street
Nantucket, Massachusetts 02554

www.nantucket-ma.gov

Commissioners: Stephen Visco (chair), Malcolm MacNab, MD, PHD (Vice chair), James Cooper, Meredith Lepore, Melissa Murphy
Staff: Roberto Santamaria, Kathy LaFavre, John Hedden, Cathy Flynn, Jake Visco, Anne Barrett

~~ MINUTES ~~

Thursday, March 24, 2022

This meeting was held via remote participation using ZOOM and YouTube.

Called to order at 2:30 pm by Mr. Visco.

Staff in attendance: R. Santamaria, Health Director; K. LaFavre, Health Agent; J. Hedden, Health Agent; C. Flynn, Health Agent; J. Visco, Health Agent; T. Norton, Town Minutes Taker
Attending Members: Stephen Visco; Malcolm MacNab, MD, PHD; James Cooper; Meredith Lepore
Absent Members: Melissa Murphy, Select Board

I. ANNOUNCEMENTS

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

1. None

III. APPROVAL OF MINUTES

1. February 17, 2022

Action **Motion to Approve.** (made by: Mc) (seconded)
Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

IV. DIRECTOR’S REPORT

1. At Town Meeting we have a several articles that should be discussed on April 8th. The first article will add a couple of people – public info and contaminant review – and refund Artell Crowley’s position. Another article is the Plastic Ban. Lastly is the Short-term Rental Bylaw; he’ll have copies of those articles.

V. BOH APPLICATIONS REVIEW

1. Variance request for 11 Osprey Way, 82-3, 56.02 A & 64.04B Maximum flow rate.

Sitting Visco, MacNab, Cooper, Lepore
Documentation Supporting documents and plans, staff recommendations.
Representative Dan Mulloy, Site Design Engineering
Discussion **Mulloy** – Looking for a bedroom-credit variance to expand to 6 bedrooms using I/A technology.
Visco – He’s had the chance to look at this.
Santamaria – No objections.

Action **Motion to Approve.** (made by: Cooper) (seconded)
Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

- ~~2. Variance request for 30 Wanoma Way, 92.4-234, property line setbacks.~~

Sitting Visco, MacNab, Cooper, Lepore
Documentation Supporting documents and plans, staff recommendations.
Representative Don Bracken, Bracken Engineering
Discussion **Santamaria** – This permit has been approved and accidentally added to this agenda.
Action No action required
Roll-call vote N/A

3. Variance Request for 5 Sheep Commons, 54-278, nitrogen loading Local BOH Reg 64.04 B. 1 & 2.

- Sitting Visco, MacNab, Cooper, Lepore
Documentation Supporting documents and plans, staff recommendations.
Representative Don Bracken, Bracken Engineering
Discussion **Bracken** – This is the last vacant lot in the subdivision, which was created in 1989. Most of these lots were given 4-bedroom septic approvals after 1997. A similar variance was granted in 2017. The lot is over 27,0000 square feet (sf) and with an I/A system, it will comply with Title 5. This is within the Nantucket Harbor Watershed District.
LaFavre – Under current regulations, they would get only 2 bedrooms; she did some research and there is another lot given an extra bedroom. All other lots are 3 or 4 bedrooms. Given the history and land there should be no issue with granting the variance.
Action **Motion to Approve.** (made by: Cooper) (seconded)
Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

4. Variance Request for 6 Nichols Road, 92.4-65, 15.405 (1)(a) set back to property line.

- Sitting Visco, MacNab, Cooper, Lepore
Documentation Supporting documents and plans, staff recommendations.
Representative Don Bracken, Bracken Engineering
Discussion **Bracken** – This is a septic upgrade to I/A triggered by future renovations; there is no increase in bedrooms. This is a private road with ownership to the center of the road; the septic is sited next to the road but is designed for H-20 to withstand normal traffic.
Cooper – Asked who has say in what happens to the private road.
Bracken – Everyone has rights to use the road; no permission from other residents is required for the positioning system.
Lepore – Asked how being in the road would affect the system should the road be widened.
Bracken – That’s why it was designed to handle normal traffic, so they could widen the road over this.
Action **Motion to Approve.** (made by: Cooper) (seconded)
Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

5. Variance for 105 Tom Nevers Road, 91-25, nitrogen loading aggregate plan

- Sitting Visco, MacNab, Cooper, Lepore
Documentation Supporting documents and plans, staff recommendations.
Representative Gerald Buzanoski, for the owner
Ken Gullicksen, Reade, Gullicksen, Hanley, & Gifford LLP
Discussion **Buzanoski** – The system is approved for 3 bedrooms; his client wants to construct a 4-bedroom house with the property 1,000’ shy for allowance of the 4th bedroom. We propose to supplement that by taking an easement on 107 Tom Nevers Road.
Cooper – Suggested it would be simpler for the owner to transfer the 1000 sf to 105 and be done with it.
Buzanoski – Both lots are pre-existing, nonconforming; doing that would make 107 less conforming than it is.
Visco – 107 is a 22,000sf lot which would support only a 3-bedroom septic with I/A.
LaFavre – Requested that in the recorded document 105 be limited to 4 bedrooms and 107 limited to 3 bedrooms.
Buzanoski – That would be one of the requirements for that section of Title 5.
Visco – This has been done in other places; it’s not an unusual request.
Lepore – Could 107 request a 4th bedroom. The GIS says that house already has 4 bedrooms.
Buzanoski – That’s a 3-bedroom dwelling. The ownership of 105 and 107 is 2 distinct entities but the same people; it’s easy to grant the easement. Both systems will be I/A.
Action **Motion to Approve with bedroom restrictions outlined by Ms. LaFavre.** (made by: Cooper) (seconded)
Roll-call vote Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

VI. BOH BUSINESS

1. PFAS Update

Sitting

Visco, MacNab, Cooper, Lepore

Discussion

Santamaria – We are adding a position to work with contamination issues.

The school turf has been put on hold for further discussion; it might go to straight grass. We want to see more data on the turf.

The Town and Airport have done a lot of work on PFAS to the point that, based upon discussions with the State and consultants, it's better for the Town to slow down until the State laws catch up. The Select Board has voted to put the expansion of the water system west of the Airport on their Town Meeting Article.

On Monday, the PFAS Action Group has secured a study on fire-fighting gear for how much retardant and water proofing is on the equipment and the amount of PFAS it sheds; the professor will be here on the 28th.

Lepore – Asked about the environmental impact on the 5-gallon spill at the Airport; that's concerning for people nearby who aren't being put on Town water.

She thinks it would be important for BOH to make a statement on putting a hold on the Turf; it's being pushed by the vendor.

Santamaria – On the spill, he doesn't know of any impact; they kept the spill out the asphalt. He recommends against any statements regarding the Turf. He also recommends not using words such as pushing sales, bad science, etc. regarding that discussion. There is talk of legal action if we don't curb that type of language. We need cold, hard, empirical evidence before issuing a statement.

MacNab – He supports Mr. Santamaria's recommendation.

Visco – This is so new and there aren't enough studies on the newer products.

2. COVID-19 Update

Sitting

Visco, MacNab, Cooper, Lepore

Discussion

Santamaria – Sewer reports consistently show less than 5 cases per day. Right now, we are baseline Zero. This time last year we had a significant outbreak.

The newest subvariant, BA.2 has become dominant in the US, though there are increased number of cases, the number of hospitalizations are not increasing.

The CDC director issued a statement that we are getting closer to the end of the pandemic. Sewer testing will move to every two weeks. COVID is here to stay but is moving into the "influenza" category with a seasonal ebb and flow.

3. **MacNab** – As daffodils come out, ticks come out. With the inundation of COVID, we pushed tick-borne diseases aside. The MIT team working on genetic mice and will be on Island to share their progress.

Santamaria – We saw a spike in tick-borne diseases over the last two years.

VII. ADDITIONAL DOCUMENTS USED

- 1. Draft BOH Minutes February 17, 2022

VIII. ADJOURN

Action

Motion to Adjourn at 3:09 pm. (made by: MacNab) (seconded)

Roll-call vote

Carried 4-0//Cooper, MacNab, Lepore, and Visco-aye

Submitted by:

Terry L. Norton