



BOARD OF HEALTH Meeting

Town of Nantucket
131 Pleasant Street
Nantucket, Massachusetts 02554
www.nantucket-ma.gov

Commissioners: Stephen Visco (chair), James Cooper, Meredith Lepore, Kerry McKenna, Malcolm MacNab, MD, PHD, Select Board

Staff: Roberto Santamaria, Kathy LaFavre, John Hedden, Cathy Flynn, Jake Visco, Sean Reid, Heather Nardone

~~ MINUTES ~~

Thursday, June 15, 2023

4 Fairground Road, Community Room

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

Called to order at 4:00 p.m.

Staff in attendance: Roberto Santamaria, Health Director; John Hedden, Chief Environmental Officer; Cathy Flynn, Health Inspector; Sean Reid, Health Inspector

Attending Members: Stephen Visco, James Cooper, Kerry McKenna, Meredith Lepore, Malcolm MacNab, MD, PHD, Select Board

Late Arrivals: None

Remote Attendance: None

Agenda adopted by unanimous consent.

I. ANNOUNCEMENTS

None

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

None

III. REVIEW OF MINUTES

1. May 18, 2023

Motion to Approve. (Made by: Cooper) (seconded by McKenna)

Carried 4-0// Lepore abstained

IV. BOH APPLICATIONS REVIEW

1. Beach Plum Pool- Variance from the depth water markers: 105 CMR 435.12

Sitting Visco, Cooper, McKenna, Lepore and MacNab

Documentation Supporting documents and plans, staff recommendations.

Speakers None

Discussion **Santamaria-** Not in compliance. Asking for variance to not add depth markers in pool. Not visible to swimmers in (4:01) pool. If not, this hearing will be closed until July.

MacNab- Questioned the reason for the variance.

Hedden- They have an infinity pool. He spoke with the state. Aa 4in depth marker on the inside of pool to be visible to swimmers. If can't add to the inside of the pool, the alternative is to post depth markers on the pool deck, visible to swimmers. The original pool was built 10/12 years ago. New pool construction reviewed by Health Department around 2017. Not built as approved.

Santamaria- Depth markers could be added using vinyl stickers.

Hedden- Lack of depth markers have been noted on the past 3 years of inspections. Office playing catchup.

Lepore- Asked if the pool is open. Concerned about safety and the children in the neighborhood using the pool with no idea on the depth of the pool.

Santamaria- They are permitted. The Health Department is asking for them to add the markers. They are asking not to add depth markers. It doesn't affect operation, it affects safety. We will continue to conduct random inspections. If correction order is not addressed, fines will commence.

Hedden- Explained the correction inspection and fining process.

Action **Motion to Deny the Variance.** (Made by: MacNab) (seconded by McKenna)

Vote Carried unanimously

2. 63 New Street Siasconset, Map: 73 Parcel: 3, septic variance.

Sitting Visco, Cooper, McKenna, Lepore and MacNab
Documentation Supporting documents and staff recommendations.
Speakers Don Bracken, Bracken Engineering

Discussion (4:09) **Bracken-** Existing 2-bedroom dwelling, pre 1995 septic system. Proposing 2nd dwelling with 6 bedrooms. Lot size would only allow 4 bedrooms. Proposing 6 with I/A system. Net nitrogen reduction comp to having IA with what would be allowed by right. Routinely approved in other areas.

Cooper- Would like the house tied into to the system. Just because we allow IA doesn't mean they get more bedrooms.

Bracken- Two different family members involved. Issue with finances and cooperation.

Santamaria- This is in Zone 2 of the well head.

McKenna- Asked if this is the same as Madaket. Noticed septic for main house is on 65 New Street.

Bracken- Accessory dwellings are allowed on most lots. Lot was subdivided. They have an easement but not documented at the Registry of Deeds. Septic has been there for over 20 years and was installed in 1979.

Visco- Concerned leaving two 1979 leach pits across from the Sconset well fields when we're trying to reduce nitrogen loading. Suggested getting rid of the pits, keep the tank. Pump or gravity flow the effluent to new 2000-gal tank. Would be a stipulation on granting variance.

Bracken- That was their initial design. Feels that as proposed would still meet requirements for nitrogen loading and consistent with what BOH has approved in the past.

MacNab- No precedent.

Lepore- Asked how long the 1979 system lasts.

Santamaria- Year-round use, 20-25 years.

McKenna- What they are proposing can handle both dwellings.

Bracken- Agrees with the Board. They have the square footage. Can either combine into one IA or 2 individual IA's. Would like the board to vote. Will come back with a new submittal.

Action **Motion to Deny the Variance.** (Made by: MacNab) (seconded by Cooper)
Vote Carried unanimously

3. Summer House; 1 Magnolia Avenue, Map: 73.3.1, Parcel: 123 Emergency Condemnation of Dormitory

Sitting Visco, Cooper, McKenna, MacNab and Lepore
Documentation Supporting documents and staff recommendations.
Speakers None

Discussion (4:22) **Santamaria-** Yesterday, June 14, 2023, a joint inspection with the Problem Properties Task Force (Fire, Building, Plumbing and Electric) found many code violations significant enough to life safety. Gas was ordered to be disconnected. There is no hot water in the dormitory as a result. The dormitory has been condemned. Asking for ratification of the condemnation from the Board.

Hedden- Clarified that the condemnation was only for the dormitory at 1 Magnolia Avenue. We were made aware of possible unpermitted gas work. It's an unsafe situation.

Action **Motion to Ratify the Condemnation Order of 1 Magnolia Avenue.** (Made by: MacNab) (seconded by McKenna)
Vote Carried unanimously

V. DIRECTOR'S REPORT

1. Unattended Death Cluster in the last 7-10 days. Working on Crisis Response. Fairwinds is assisting. Fire Department brought in a crisis response team. We are collaborating with the Department of Mental Health to provide trauma services to members of the Emergency Department. Coordinating with Human Resources Department at the Schools to provide QPR training (Question Persuade Response), Suicide Prevention Training for all staff. Will be providing public wide training throughout the summer. It is important to acknowledge and respond. If feeling despair, call or text the Mental Health Hotline number is 988. Live chat is also available. Fairwinds is available, as well.
2. Creating a STEM (Science, Technology, Engineering and Mathematics) class curriculum with the Water, Sewer and Fire Departments with the Boys and Girls Club for Fall 2023. This will be an 8-week program. This is for careers in local government. Hope to have a syllabus, soon.
3. COVID clinic this Saturday June 17, 2023, at the Elementary School Cafeteria. COVID link is available on the town website. Additional signage was requested.
4. Well Water Hearing was moved to July 20, 2023. Completed Policy Brief and will email to the Board. Two interns are working on this. First intern is a Health Policy major at UMass and the second intern is an Environmental Policy, Nutrition and Health Major from Queen's University in Belfast, Ireland. Well Regulation and PFAS House Bill will be forwarded to the Board soon.

5. Public Health Nurse has been working on “Ask A Nurse” program and Elderly Clinics at the Saltmarsh Center. Will start June 20, 2023. Working with Our House to set up a Community Health Hygiene Product Distribution Program. Have a program to purchase free vending machines to offer products such as tampons, socks, toothpaste, deodorant, etc. Have had preliminary discussions with the Airport, also. Working with the VNA to start exercise classes for Seniors, as well as the Comprehensive Home Health Program including Hospice, Maternal Child/ Maternal Child Health Nursing and individual “At- Home Public Health Nursing” programs.
6. Tuberculosis Training with the CDC and Boston University’s Public Health to expand our Infectious Disease reporting.

The Director and the Board expressed their thanks to Steve Visco for the past 14 years of service.

VI. ADDITIONAL DOCUMENTS USED

1. Draft BOH Minutes May 18, 2023
2. Massachusetts State Pool Code 105 CMR 435.00

VII. ADJOURN

Action **Motion to Adjourn at 4:38 pm** (Made by: MacNab) (seconded McKenna)
Vote Carried unanimously

Submitted by:
Cathy Flynn