



BOARD OF HEALTH

~~ MINUTES ~~

Thursday, September 19, 2024

131 Pleasant St, Room A

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

Called to order at 4:00 p.m.

Staff in attendance: John Hedden, Chief Environmental Health Officer; Roque Miramontes, Director of Public Health; Tomeka Gary, Public Health Coordinator; Jerico Mele, Human Services Director

Attending Members: Malcom MacNab, Chairman; Ann Smith, Vice-chair; Meredith Lepore, James Cooper, Kerry McKenna

Public Participant: Rick Beaudette, Tripp Stable Nominee Trust; Megan Perry; Jacques Zimicki

I. ANNOUNCEMENTS

Chair MacNab announced that this meeting is being audio and video recorded

II. PUBLIC COMMENTS

Public Comment:	There were no public comments.
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III. APPROVAL OF MINUTES 00:01:02

Action:	Motion to approve the minutes of August 15,2024, as submitted. (Motion by: Cooper) (Seconded by: McKenna)
Roll-Call Vote:	Carried 5-0// MacNab, Cooper, Smith, McKenna, Lepore (Aye)

IV. Public Hearing Changes to Board of Health Regulation Chapter 303 Madaket Harbor Watershed 00:01:22

Sitting:	MacNab, Cooper, Smith, McKenna, Lepore
Recused:	-
Discussion:	Roque Miramontes - The town council has reviewed this document and has cleared it from a legal perspective John Hedden - Wants to change the wording at the bottom from health director or public health, inspector officer is hereby empowered to “enforce this article and force Chapter 3 Article 4 to health director or authorized agent for the board of health.” James Cooper - Questioned if interested party were carrying a special variance, why would they not just go directly to installing a tight tank? John Hedden - Explained that you cannot build as new construction with a tight tank
Public Comment:	No public comment
Action:	Motion to close the public hearing (Motion by: Cooper) (Seconded by: Lepore) Motion to adopt the amended regulation (Motion by MacNab)
Roll-Call Vote	Carried 5-0 // MacNab, Cooper, Smith, McKenna, Lepore (Aye) Carried 5-0// MacNab, Cooper, Smith, McKenna, Lepore (Aye)

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V. 14 Tripp Drive Appeal of Enforcement Order for Non-Compliant Subdivision 00:07:08	
Sitting:	MacNab, Cooper, Smith, McKenna, Lepore
Recused:	
Discussion:	John Hedden - It was brought to his attention that the property at 14 Tripp Dr was subdivided in May 2024. This resulted in a 6-bedroom home now existing on a 40,000 sq ft lot. - A septic system with an onsite drinking well is restricted to 440 gal per acre for 40,000 sq ft. - To comply with the regulations the owner could install an IA system or tie into town water. - An order from the Health Department was provided to the property owner to comply with the regulations within six months. Rick Beaudette - Mr. Beaudette representing current property owner to appeal this order since there have been no changes to the structure. Additionally, • Both lots have the same owner. • The land has been subdivided but the use of the land is still the same. • Under Title 5 when you have abutting lots owned by the same people, it can be used as one property James Cooper - Asked if they were going to build on the other property Rick Beaudette - Says eventually they will but before that happens, they would move the house and come to the health department and submit the correct paperwork for septic system. Merdith Lepore - Question why this was not presented to the Health Department when the lots were split at the beginning. James Cooper - Asked Mr. Beaudette to confirm that the property has 2 parcel maps. Rick Beaudette - Confirmed that the property was subdivided. * It is 2 lots with one house on both lots. * Does not have 2 parcel maps as of right now because of the assessor office has not split the lots in their records. * Land court and Planning board shows the property as 2 separate lots. - It's still one facility, and under Title 5 it cannot be in violation because property owner owns both lots. Malcom MacNab - The key word is facility - Going with Title 5 and the regulations it's a facility and when they sell, they will be out of compliance and will have to address it then, but not right now.
Public Comment:	
Action:	Motion to move the cease and assist order for 14 Tripp Drive be removed and if there are any future changes in either of the two lots 13 and 14 the current owner will notify the Health Department (Motion by: McKenna) (Seconded by: Smith)
Roll-Call Vote	Carried: 3-1// Macnab, Smith, McKenna, (Aye) Lepore (Nye) Recused from voting Cooper

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VI. 3 Austin Farm Variance Request 00:54:20	
Sitting:	MacNab, Cooper, Smith, McKenna, Lepore
Recused:	
Discussion:	John Hedden - Presented to the board the variance to install an IA system in the Hummock Pond Watershed district to get 6-bedrooms on a 40,000sq foot lot, the board has approved in the pass.
Public Comment:	
Action:	Motion to approve the variance request (Motion by: Smith) (Seconded by: Cooper)
Roll-Call Vote	Carried: 5-0// Macnab, Smith, McKenna, Lepore, Cooper (Aye)

VII. Surfside Crossing Development 00:58:47	
Sitting:	MacNab, Cooper, Smith, McKenna, Lepore
Recused:	
Discussion:	Malcom MacNab - ZBA made a request to the Board of Health for comments related to the Surfside Crossing Development. This will require careful consideration and a new BOH meeting might need to be scheduled to address the request. James Cooper - Expressed concern with the BOHs potential role in approving or disapproving requests for this development. Ann Smith - Believes that ZBA is asking the board to come up with factual and serious potential public health concerns that are evidence based. Malcom MacNab - Has concerns about being able to provide feedback by November 14 deadline. Board will work with Health Department director to develop a plan to provide comments as requested.
Public Comment:	Megan Perry - Indicated that ZBA is acting as all boards in this matter and is requesting input from many on this development. Jacques Zimicki - Indicated she sent a letter to the Board of Health with maps written in 2018 that expressed concerns about this project.
Action:	No motion made
Roll-Call Vote	

VIII. Updated on mosquito and tick surveillance 01:14:11	
Discussion:	Jerico Mele - Working on tick and mosquito born illnesses a part of the Strategic plan for Healthy and Vibrant Community - Starting a summit with Dr. MacNab, Dr Lepore, and other experts from off island (Patrick Roden-Reynolds, Vineyard; Lea Hamner, Epidemiologist). Group is planning to meet on October 5, 2024. - End goal for is a staged outreach and education campaign focused on community impact. - For the upcoming meeting, immediate goal is to centralize information collection, reporting, and response. - Mosquito investigation is ongoing on the island, steps are being made to connect it to state reporting for epidemiological tracking. Malcom MacNab - Asked about the existence of mosquito control on the island. Jerico Mele - The Town has an existing contract with Vector Disease Control International for collection and speciation; next steps are to expand this to disease monitoring. Kerry McKenna - Asked if there were any actual disease on the island caused by ticks or Mosquitoes

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	Jerico Mele - There is no reported mosquito borne illnesses on the island at this time, though tick borne illness is prevalent. Malcom MacNab - Asked for him to come back with updates on this in the future. Roque Miramontes - Mosquito surveillance ends for the state October 15 so no additional sampling will be done. - We don't know if mosquitoes are carrying any disease, we do know the kinds of mosquitoes being trapped and where some larvicide applications are occurring.
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IX. Director's Report 01:28:54

Discussion:

Roque Miramontes

- The island health fair at the Nantucket Cottage Hospital is scheduled on September 28th.
- The town is sponsoring two influenza & covid clinics, October 5 & 19 from 9:30am-4:30pm.

Jerico Mele

- Sign up for these clinics are on the Town Health & Human Services homepage

Roque Miramontes

- For the October BOH meeting, a presentation on 2024 camp variances will be provided.
- Health Dept staff have been supporting the March 2024 launch of the short-term rental registration website.
 - There have been several technological challenges.
 - The current number of locally registered short-term rentals does not match the number in the state database.
 - The Health Dept is working with contractors to merge databases to develop a more complete list of Nantucket short-term rentals. Outreach to property owners of potential short-term rentals is planned.
 - There has been confusion by stakeholders and property owners as to whether short-term rentals registered in 2024 would apply to the 2025 season or the 2024 season.
 - Current language in Articles 123 & 338 indicates registration of short-term rentals must occur by November 1st each year without a reference to the year it applies to.
 - Director Miramontes deferred to the board on how to address this issue.

Tomeka Gary

- Ms. Gary indicated it was the term “by November” that was causing the confusion.

Ann Smith

- Indicated it made sense to have any new registration apply to the upcoming year.

Malcom MacNab

- Indicated that if it's a regulation, we would potentially have to amend it via a public hearing.

Merdith Lepore

Indicated it is important to also consider the need to collect short-term rental year-over-year data and that a cutoff is therefore important.

Malcom MacNab

- The board will clarify how best to clarify the language moving forward.

Roque Miramontes

- A ServSafe training class for the community is tentatively scheduled for the end of October.

John Hedden

- The Health Department is working to develop a webpage focused on available PFAS filters as well as answering questions posed during a recent Town PFAS meeting.

Ann Smith

- Brought up the variance given to the Sankaty camp in 2024 that had serious issues that needed to be addressed.

John Hedden

- Indicated Sankaty expanded their septic system for a new building that would allow for a new structure to address housing concerns.
- The permit for the building has been issued and construction timelines would be followed up.

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	Malcom MacNab - Requested the Health Department follow up on the mitigation of concerns around this camp and potentially invite their director to report to the board of health later in the year.
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V. Adjourn	
Action	Motion to adjourn the meeting (Motion by: Lepore) (Seconded by: Cooper)
Roll-Call Vote:	Carried: 5-0// Macnab, Smith, McKenna, Lepore, Cooper (Aye)

Submitted by: Tomeka Gary