



BOARD OF HEALTH

~ MINUTES ~

Thursday, June 25, 2025

Meeting Trailer Room A, 131 Pleasant, Nantucket MA, 02554

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

Called to order at 6:20 p.m.

Staff in attendance: Roque Miramontes, Director of Public Health; John Hedden, Chief Environmental Health Officer

Attending Members: Malcolm MacNab (Chairman) Ann Smith (Vice-chair), James Cooper

I. PUBLIC ANNOUNCEMENTS

Announced that this meeting is being audio and video recorded

2. Joint Meeting with Board of Health to Discuss:

Board of Health (BOH) members Malcolm MacNab, Ann Smith and James Cooper were present. The Board of Health called to order at 6:20 PM. Dr. MacNab introduced the following items.

Public Health Director Roque Miramontes and Health Department Chief Environmental Health Officer John Hedden were present.

b) Status of Event/Gathering Regulations Discussions (Tabled from June 11, 2025). Dr. MacNab explained that a particular event last summer at a property on South Shore Road that caused a lot of difficulty for neighbors ended up coming before the Board of Health as an issue. He said that the BOH held public meetings and hearings as to draft “gathering” regulations, which have not been adopted at this point. He reviewed those draft regulations. He stated that he has concerns as to the BOH handling this matter, at all. He questioned whether or not regulations are actually needed and noted several concerns involving the capacity of the Health Department to administer and enforce. He noted there are existing bylaws relating to noise and parking and perhaps those are sufficient. Mr. Cooper spoke against the Board of Health having regulations for gatherings and said the issues should be handled by other departments that have the authority to enforce noise and parking restrictions. Ms. Smith commented that overcrowding could be an issue that would be related to Board of Health/Health Department oversight. Campbell Sutton commented on parking enforcement on private roads vs public roads. Ann Dewez suggested that the number of short-term rental registrations be posted on the Town website. Mr. Miramontes stated that the current number is 1,295. He spoke on the lack of Health Department capacity to enforce the draft gathering regulations. Dr. MacNab asked for Select Board comment. Chair Holdgate said that she is not sure about targeting gatherings at short-term rental properties because many gatherings happen at non-short-term rental properties. She spoke on other regulations relating to parking and bathrooms that could possibly be utilized. Ms. Eldridge asked if a single event is considered is a short-term rental. Dr. MacNab responded. Mr. Dixon stated that if the Health Director is saying it does not have enforcement capacity, he is not in favor of proceeding at this time. Mr. Cooper questioned liability if there were to be an accident. Mr. Fee said he concurs that this issue is not a Board of Health issue and that there are other regulations and restrictions that can be invoked to address large gatherings. Mr. Fee spoke further about uses allowed or not allowed by zoning. Discussion followed. Ms. Sutton said she agrees with comments made by Mr. Dixon and Mr. Fee and said there should be an enforcement department funded by application fees and fines for non-compliance. Caroline Baltzer read from a statement she said was issued by the Town in April, 2025 relating to a pending lawsuit regarding short-term rentals; and, referenced Article 66 of the 2025 annual town meeting. Dr. MacNab said the BOH is not “totally comfortable” with the draft regulations and his sense is that the Select Board is not either. He commented that something should be done about gatherings. Mr. Dixon noted there are existing bylaws which regulate much of what is being discussed as needing to be addressed. He added that a “rational basis” should be established for anything new. Discussion continued as to gatherings happening at sites that are not short-term rentals. Ms. Eldridge spoke on regulations she thought regulated numbers of people at beaches. Matthew Peel spoke in favor of regulations for gatherings and questioned whether Town Meeting approval would be needed. Discussion continued with respect to gatherings and other types of activities that are regulated, or not. Chair Holdgate encouraged the public to submit feedback to the Board.

c) Update on Temporary Moratorium on Septic Variance Requests in Nitrogen Sensitive Areas. Dr. MacNab read the moratorium as adopted by the Board of Health and explained the BOH rationale, noting a concern about the number of bedrooms impacting the effectiveness of Innovative-Alternative (IA) septic systems, especially when found in the same nitrogen sensitive areas. He explained the upcoming discussions that are expected to help inform the BOH’s position, going forward. Discussion followed. Chair Holdgate commented that it seems this came up suddenly and hopes that scientific evidence will guide the BOH. Dr. MacNab spoke on some of the applications that came before the BOH in the last several months that led to the moratorium. Chair Holdgate noted that if IA systems are not going to be approved, will that lead to sewerage Madaket. Frank Daily expressed concern about broad assumptions leading to this action that may or may not be confirmed; and, that many people could be negatively impacted by the moratorium if it were to continue. Chair Holdgate expressed concern

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about the lack of public input prior to the moratorium. Some discussion followed. Mr. Fee spoke in favor of obtaining the information needed to make a solid decision. Mr. Dixon, noting that he is about to become the Select Board representative to the Board of Health, he watched the BOH meetings leading up to adoption of the moratorium and spoke on the information needed to finalize a decision. Ann Smith spoke in favor of the moratorium and spoke further on what led to the BOH's decision.

a) Licensing and Enforcement of Short-Term Rentals (Tabled from June 11, 2025). Dr. MacNab reiterated a concern of his that short-term rentals should not be administered through the BOH or Health Department, stating that it is not a public health issue. Rebek Duhaime agreed with Dr. MacNab. Charity Benz suggested “shifting” the program from the Health Department to the Finance Department. Some discussion followed. Chair Holdgate said that the Town Manager would need to make a determination on where else to put short-term rental administration. Chair Holdgate spoke in favor of all rentals being regulated.

IV. ADJOURNMENT

Action:	Board of Health adjourn at 7:39 pm.
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