



## BOARD OF HEALTH

### ~ MINUTES ~

Thursday, August 14, 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 4:10 p.m.

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

Remote Staff: Jerico Mele, Deputy Director of Health and Human Service  
Tomeka Gary, Public Health Coordinator

Members attending: Ann Smith (chair), Meredith Lepore (Vice-chair), Thomas Dixon (came in 4:25pm)

Remote Members: Kerry McKenna

Public Participant: Paul Santos

#### I. PUBLIC ANNOUNCEMENTS

Announced that this meeting is being audio and video recorded

#### II. PUBLIC COMMENT

Discussion:

#### III. FOLLOW UP DISCUSSION OF SEPTIC SYSTEM

Discussion:

##### **Current protection districts and regulations**

- Nantucket Harbor District and Madaket Harbor District require IA systems and **one bedroom per 10,000 square feet** with no variances allowed
- Hummock Pond Watershed has **one bedroom per 10,000 square feet** restriction but doesn't require IA systems for new construction
- The Wellhead Protection District has **one bedroom per 10,000 square feet** under state regulation but doesn't require IA systems
- State Title V allows **six bedrooms per acre** with nitrogen reducing systems vs. **four bedrooms per acre** with conventional systems
- The board cannot be less stringent than state regulations but can be more restrictive
- **300-foot buffer** applies to surface waters including Sesachacha Pond and Miacomet Pond
- **Variance request patterns and precedent concerns**
- Recent patterns show approximately **10 variance requests** within a quarter-mile area of Wellhead Protection District in the past **two months**
- Board members expressed frustration that variance decisions are often justified by citing previous approvals as "precedent"
- Meredith Lepore emphasized variances should be evaluated individually without precedent consideration "a variance is asking for this is the rule, and I don't want to follow that"
- Kerry McKenna requested town counsel guidance on precedent issues and when board can deny similar-looking requests
- Ann Smith emphasized the need for legal opinion clarifying state Title V regulations vs. local ordinances
- **Island-wide water quality protection concerns**
- The board discussed potential requirements for IA systems island-wide, not just in designated protection zones
- Kerry McKenna proposed financial assistance programs similar to Barnstable County model to offset cost difference between conventional and IA systems
- Discussion of establishing additional protection zones island-wide due to single aquifer serving entire island
- Ann Smith stressed the importance of evidence-based decisions within the Board of Health authority, avoiding zoning/planning issues
- Concerns raised about the cumulative impact of additional bedrooms despite improved septic technology
- **Data collection needs for informed decision-making**

## Minutes – BOH August 14, 2025 Adopted September 18,2025

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|  | <ul style="list-style-type: none"><li>• Board requested <b>12-month</b> analysis of variance requests showing addresses, protection zones, and board actions (approved/denied)</li><li>• John Hedden will create a visual grid showing protection districts, their specific requirements, and areas of flexibility vs. absolute restrictions</li><li>• Staff will provide GIS mapping overlay showing variance request locations on protection zone maps</li><li>• The board requested summary of study conclusions explaining rationale for each protection district and risks of non-compliance</li><li>• The potential for an extension of the 90-day moratorium on bedroom credits in nitrogen sensitive areas was raised</li><li>• Current moratorium expires <b>September 18th, 2025</b></li><li>• Board tentatively scheduled special meeting for <b>September 11th</b> to review data and make decision</li><li>• If insufficient data is available by September 11th, the board will extend moratorium for a limited period at September 18th meeting</li></ul> |
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| IV. ADJOURNMENT |                                                                                                                                     |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Action:         | <b>Motion to Adjourn at 5:32 pm. (Motion by: Lepore) (Seconded by: Dixon)</b> Carried 4-0// Smith, Lepore, McKenna, Tim Dixon (Aye) |

Submitted by: Tomeka Gary