



BOARD OF HEALTH

~ MINUTES ~

Thursday, March 19, 2025

Meeting PSF Community Room, 4 Fairgrounds Road, Nantucket MA, 02554

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

Called to order at 4:00 p.m.

Staff in attendance: Roque Miramontes, Director of Public Health; Jerico Mele, Deputy Director of Health and Human Services, John Hedden, Chief Environmental Health Officer Andrew Shapero, Environmental Contamination Administrator

Remote Staff: Andrew Shaper, Environmental Contamination Administrator, Tomeka Gary, Public Health Coordinator;

Members attending: Ann Smith (chair), Meredith Lepore, James Cooper, Thomas Dixon, Kerry McKenna

Remote Members:

Public Participant: Devan Braun, Rebec Duhaime, Aron Myers, Travis Lombardi, Willa Arsenault, Graham Veazey, Kim Latlippe, Gary Hedman, Jenny Cook, Matthew Peel, Brent Tardamela, Elizabeth Weber, Linda Williams, Richard Branigan, Ayesha Khan, Chip Clunie, Dawn Hill, Mike Hugo

I. PUBLIC ANNOUNCEMENT

II. PUBLIC COMMENT

Discussion:	None provided

III. APPROVAL OF MINUTES

Discussion	All minutes will get approved in April meeting
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IV. DIRECTOR'S REPORT

Discussion	• Roque Miramontes presented to the select board on March 4th on HHS department priorities • US measles cases are at 1,362 so far in 2026 (vs. ~1,100 all of 2025); 94% are outbreak-associated; Massachusetts has had only 2 cases this year, none on Nantucket • Two ServSafe classes are being offered this spring — one is already full; Roque Miramontes suggested board members audit the second class if available • The community needs assessment has hit the threshold of respondents needed for statistical validity, with roughly 1–1.5 months of survey collection time remaining • Alpha Gal syndrome (linked to Lone Star Tick bites) is now a reportable condition in Massachusetts, which will allow Nantucket to track cases more accurately — the island had ~10 cases last year vs. 500+ on Martha's Vineyard
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V. SHORT-TERM RENTAL REGULATIONS AMENDMENT PROPOSAL-OPEN PUBLIC HEARING AND CONSIDER ADOPTION OF AMENDMENT. THE AMENDMENT CLARIFIES SHORT-TERM RENTAL OWNER/OPERATOR REQUIREMENTS AND DEFINED IN NANTUCKET BYLAW CHAPTER 123.

Discussion:	• KP Law attorney Devan Braun summarized the amendment: LLCs and S corps can only apply for a short-term rental certificate if all members/partners/beneficiaries are natural persons and none of those people also serve as an officer, director, or investor in a related corporate entity • The amendment closes a loophole where corporations were listing natural persons as nominal sole members while retaining purely financial interests • Applicants bear the burden of proof and must submit an affidavit under pains and penalties of perjury; the Board retains authority to require additional documentation • Public commenter Rebek Duhaime asked for clarification on the phrase "owns or operates either directly or indirectly a short-term rental on Nantucket" — Braun explained it's intentionally broad to cover corporate entities that own multiple STRs through different shell companies
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	- The amendment adds a new subsection 7 to section 338-4 of the town code - Board voted to adopt the amendment; Braun will coordinate with Roque Miramontes on submitting it to the select board for approval and publishing with the town clerk and newspaper - The amendment is subject to select board approval before taking effect
Action:	Motion to open a public hearing (Motion by: McKenna) (Seconded by: Lepore) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye) Motion to close the public hearing (Motion by: Dixon) (seconded by: Lepore) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye) Motion to amend chapter 338 as presented in the packet. (Motion by: Dixon) (Seconded by: McKenna) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye)

VI. 42 ARKANSAS AVENUE-LOCAL UPGRADE APPROVAL REQUEST FOR TITLE 5 SEPTIC SYSTEM SETBACKS	
Discussion	local upgrade approval for septic tank property line setback; lots are too narrow to meet the 10-foot setback requirement
Action:	Motion to approve local upgrade at 42 Arkansas (Motion by: McKenna) (Seconded by: Lepore) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon

VII. 66 ARKANSAS AVENUE-LOCAL UPGRADE APPROVAL REQUEST FOR TITLE 5 SEPTIC SYSTEM SETBACKS	
Discussion	similar as 42 Arkansas local upgrade approval for septic tank property line setback; lots are too narrow to meet the 10-foot setback requirement
Action:	Motion to approve local upgrade to 66 Arkansas (Motion by: McKenna) (Seconded by: Lepore) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye)

VIII. 2 WEST WAY-SEPTIC LOAN REQUEST FOR PROPERTY LOCATED IN MADAKET HARBOR WATERSHED	
Discussion	technical failure (less than 6 feet groundwater separation, conventional system in Madaket Harbor watershed); not the owner's primary residence
Action:	Motion to approve loan for 2 West Way at 50% (Motion by: McKenna) (Seconded by: Lepore) Carried 5-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye)

IX. 11 H ST -SEPTIC LOAN REQUEST FOR PROPERTY LOCATED IN MADAKET HARBOR WATERSHED	
Discussion	same watershed, same technical failure; owner confirmed as primary resident and is beginning to experience hydraulic failure as well
Action:	Motion to approve loan for 11 H St (Motion by: Lepore) (Seconded by: Cooper) Carried 4-0// Smith, Lepore, McKenna, Cooper, Dixon (Aye)

X. 113 HUMMOCK POND-SEPTIC LOAN REQUEST FOR PROPERTY LOCATED IN HUMMOCK POND WATERSHED	
Discussion	technical failure in Hummock Pond watershed; property has a perched water table within a silty clay layer requiring excavation ~9–10 feet deep and replacement with clean sand, roughly doubling typical system cost; loan estimate is \$153,557.98; owner confirmed as primary resident;
Action:	Motion to approve loan at 113 Hummock Pond (Motion by: Dixon) (Seconded by: McKenna) Carried 5-0// Smith, Lepore, McKenna, Dixon, Cooper (Aye)

XI. ENVIRONMENTAL CONTAMINATION ADMINISTRATOR UPDATE	
Discussion	10 new samples reported this month; one new detect just above the state standard on Cato Lane, all others non-detect - Andrew noted the dataset is large at this point — incremental additions don't shift the overall distribution significantly - New health effects fact sheet summarizes Dr. James Todd's December presentation; covers PFAS impacts on organ systems and guidance on interpreting blood test results; going live on the website soon - New home gardening fact sheet released with practical tips: - PFAS can enter produce via irrigation water — rain barrels are an option if PFAS is known to be present in irrigation water - Washing produce thoroughly removes surface PFAS from soil contact - Wearing gloves and washing hands after gardening reduces direct soil exposure - Raised beds with clean soil are an option; look for the OMRI label on soil products to avoid biosolid-based amendments - Some pesticides may contain PFAS — limiting use is suggested for concerned residents - Soil testing is not currently recommended or required; it's more complex than water testing and typically requires an environmental professional 98% of Americans have some PFAS in their blood; the 9% in the upper risk threshold have more reason

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	to minimize exposure • A board member raised micro- and nano plastics as an emerging concern (citing a study linking nano plastics in carotid artery plaques to a 60% higher risk of heart attack, stroke, or death over 34 months); Andrew said testing standards aren't as developed as for PFAS but it's worth tracking • A member of the public raised concern about the apparent inconsistency between advising caution around PFAS in soil and garden use while allowing children to play on athletic fields with known PFAS contamination
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XII. BOARD DISCUSSION OF SCIENTIFIC PRESENTATIONS REGARDING TURF FIELD AND DETERMINATION OF POTENTIAL NEXT STEPS

Discussion	• Travis Lombardi (Director of Athletics) read a statement from Superintendent Dr. Hallet: the school views synthetic turf and an artificial track as the only viable option given field overuse (~1,300 hours/year), limited campus space, and difficulty sustaining natural grass; the project has support from town administration and approval from the finance and capital committees • Willa Arsenault (Nantucket Land and Water Council) said key information gaps remain: no full alternatives evaluation, incomplete materials testing, and no leaching data as materials age; Gary Hedman (Horsley Witten) noted the project team has generally signaled agreement with the recommendations from the March 2nd meeting, and that comprehensive materials testing of all components is the key outstanding requirement • Several public commenters pushed for the project to move forward urgently — spring sports started the week of March 19th with zero teams able to use the stadium; the track team was reportedly practicing in the school hallway • Matthew Peel questioned the school's argument, saying the case for turf would be stronger if the district had first invested heavily in grass maintenance and still couldn't keep up • Willa Arsenault (Nantucket Land and Water Council) said key information gaps remain: no full alternatives evaluation, incomplete materials testing, and no leaching data as materials age; Gary Hedman (Horsley Witten) noted the project team has generally signaled agreement with the recommendations from the March 2nd meeting, and that comprehensive materials testing of all components is the key outstanding requirement, • Discussion was terminated without any motion being considered as draft motions were distributed by the Board of Health chair without their inclusion in the packet for the public to review prior to the meeting
Action:	

XIII. CONTINUATION OF PUBLIC HEARING: HUMMOCK POND WATERSHED REGULATION AMENDMENT

Discussion	• Following a recent joint meeting with the select board, planning board, and housing board, the select board put forward 4 points that other boards largely accepted; staffs are now expected to integrate those into the draft regulations • Roque Miramontes clarified the health department needs actual proposed edits to the regulatory language — not general comments — before sending to town counsel • The board debated whether variance criteria need to be written into the regulation itself or could live in an appendix; one board member noted that if exceptions are built in, it undermines the regulation • Tom Dixon and Kerry McKenna both noted that two board members can't work together on drafting without triggering open meeting law subcommittee requirements • Kerry McKenna will work solo with Dylan Metsch-Ampel (Deputy Housing Director) to develop proposed language edits, then submit to staff for consideration ahead of the April meeting
Action:	

XIV. CONTINUATION OF PUBLIC HEARING: WELLHEAD PROTECTION DISTRICT REGULATION AMENDMENT

Discussion	• Following a recent joint meeting with the select board, planning board, and housing board, the select board put forward 4 points that other boards largely accepted; staffs are now expected to integrate those into the draft regulations • Roque Miramontes clarified the health department needs actual proposed edits to the regulatory language — not general comments — before sending to town counsel • The board debated whether variance criteria need to be written into the regulation itself or could live in an appendix; one board member noted that if exceptions are built in, it undermines the regulation • Tom Dixon and Kerry McKenna both noted that two board members can't work together on drafting without triggering open meeting law subcommittee requirements • Kerry McKenna will work solo with Dylan Metsch-Ampel (Deputy Housing Director) to develop proposed language edits, then submit to staff for consideration ahead of the April meeting
Action:	

XV. ADJOURMENT

Discussion:	Motion to adjourn at 5:45pm (Motion by: McKenna) (Seconded by: Dixon) Carried 5-0//Smith, Lepore, McKenna, Dixon, Cooper(Aye)
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Submitted by: Tomeka Gary