



# BOARD OF HEALTH

## Meeting

Town of Nantucket  
131 Pleasant Street  
Nantucket, Massachusetts 02554

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

**Commissioners:** Stephen Visco (chair), James Cooper, Meredith Lepore, Kerry McKenna, Brooke Mohr

**Staff:** Roberto Santamaria, Kathy LaFavre, John Hedden, Cathy Flynn, Jake Visco, Anne Barrett

~~ MINUTES ~~

**Thursday, January 19, 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. by Mr. Visco

Staff in attendance: R. Santamaria, Health Director; T. Norton, Town Minutes Taker

Attending Members: Stephen Visco; James Cooper; Kerry McKenna

Absent Members: Meredith Lepore; Brooke Mohr, Select Board

### I. ANNOUNCEMENTS

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

1. Curtis Barnes – Asked for clarification on the short-term rentals (STR) and if BOH has registration forms available.  
Santamaria – The State will send them to Granicus; they will forward the forms. The Planning Board is involved only in zoning.  
Barnes – Barnstable & Yarmouth require all rentals to register; confirmed Nantucket is registering only STRs. Thinks Nantucket should be registering all rentals. TC said we couldn't charge more than the actual cost of putting in the fee.  
Santamaria – If the BOH or Health Department had been consulted at the time, we would have told them our issue has been with years-round rentals; we never saw article 39. The \$250 fee was based upon the contract price of Granicus, \$3,000 divided by the number of properties then added \$100.  
Barnes – He thinks the \$250 fee is excessive against other locations.
2. Norton – Announced this is her last meeting as minutes taker.

### III. DIRECTOR'S REPORT

1. Thanked Ms. Norton's for her service.
2. We are in a peer review stage for a publication on our Tick-borne Illness Report; he's been working with Dr. Alison Snow, Ohio State University. It shows Nantucket is unique in that we get co-infections such as Lyme-Anaplasmosis and Lyme-Babesiosis and Lyme-Miyamotoi infection. We are also finding that we are grossly under counting Babesiosis and Ehrlichiosis co-infections because we're counting and treating Lyme. The Lone Star tick is starting to appear on Island, so Alpha-galactose allergies is showing up; it's not reportable so his information is anecdotal from our Island medical providers. We have not seen Powassan virus on Island, but it is showing up on the Cape; it's a matter of time. Fortunately, we are not seeing many of the Tripoli or West-Nile mosquitoes.
3. He was just appointed to the Cape & Island Tick-borne Illness Taskforce. There is a lot of information sharing.
4. He doesn't have an update on the Massachusetts Institute of Technology project; they were able to create a mouse model. The issue is our Whitefoot mouse vary genetically so can't be mated with the lab mice, so they have to find a model using Island mouse.
5. For Strategic Planning, we are going to create a new 5-year plan this year.

### IV. APPROVAL OF MINUTES

1. December 15, 2022

McKenna – Under the Naushon Way item, he voted negatively.

Action **Motion to Approve as amended.** (made by: Cooper) (seconded)

Roll-call vote Carried unanimously

**V. BOH APPLICATIONS REVIEW**

## 1. Loan request for 24 Ridge Lane.

- Sitting Visco, Cooper, McKenna  
 Documentation Supporting documents and plans, staff recommendations.  
 Discussion **Santamaria** – For a septic upgrade; no objections. This is the last of the available funds for this fiscal year; we have a Warrant Article for an additional \$2m in funds. He wants to set up a policy of new criteria; he wants a discussion with the Board before July 1<sup>st</sup>. We need to look at capping. We are ahead of the new Title 5 for Madaket and Hummock Pond; we were already using the new Estuaries Map  
 Action **Motion to Approve the loan request.** (made by: Cooper) (seconded)  
 Roll-call vote Carried unanimously

## 2. Needle Exchange Program @ Health Imperatives.

- Sitting Visco, Cooper, McKenna  
 Documentation Supporting documents and plans, staff recommendations.  
 Discussion **Santamaria** – Moving this to next month.  
 Action No action at this time.  
 Roll-call vote N/A

## 3. Variance request for 17 Tetawkimmo Drive, 53-3, septic setbacks.

- Sitting Visco, Cooper, McKenna  
 Documentation Supporting documents and plans, staff recommendations.  
 Discussion **Santamaria** – Boundary line and foundation setbacks. It's a 5' variance; this is a tight lot. Staff recommendation is to deny because it is new construction.  
**Michael Wilson** – This is not new construction. A failure of compliance with Title 5 triggered the upgrade. It would seem the system would fit in the back yard, which is retained with a stone wall. Tanks would go in the driveway proper. If it went into the back yard, effluence would have to be pumped up to the tank, the walls would be dismantled, and the trees would have to be removed for installation. In the front, the setback is to proximity to the road. The foundation is *diminimis* going from 20' to 15' setback. This is repair of an existing 4 BR system.  
**Teddy King**, surveyor – The current tank is about 40 to 50' away from the house near the garage in the rear and about 15' from the foundation.  
**Visco** – Suggested drip dispersal to put this in the backyard and still have room for a pool. Leave the leach field where it is and add an IA component.  
**Wilson** – From a health perspective, wonders if the system being closer to the road would be a compromise.  
**Santamaria** – You can be fully compliant if the leach is a drip dispersal.  
**Visco** – Another option is to reduce the size of the leach.  
**Wilson** – Asked this be withdrawn.  
 Action No action at this time.  
 Roll-call vote N/A

## 4. Variance request for 8 Bank Street, 73.1.3-69, septic setbacks for construction of a basement.

- Sitting Visco, Cooper, McKenna  
 Documentation Supporting documents and plans, staff recommendations.  
 Discussion **Santamaria** – removed from the agenda.  
 Action No action at this time.  
 Roll-call vote N/A

## VI. BOH BUSINESS

1. Ratify Emergency Condemnation of basement at 40.5 Essex Road.

Sitting Visco, Cooper, McKenna

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – Jake Visco, the inspector, found no working toilets, smoke detector, carbon detectors, heat, and proper exists. The tenant vacated the premises. There is a lot of history with improper tenancy at this property. We are working with the owner to correct the problem; they know they are in a tight place with the covenant on the property.

Action **Motion to Ratify the Emergency Condemnation of the basement of 40.5 Essex Road.**  
(made by: Cooper) (seconded)

Roll-call vote Carried unanimously

2. Ratify Emergency Condemnation of basement at 44 Union Street.

Sitting Visco, Cooper, McKenna

Documentation Supporting documents and plans, staff recommendations.

Discussion **Santamaria** – This is a difficult situation and a sensitive property. We couldn't get into the house proper, but we're looking to get into the rest of the building. The Fire Department is aware of the hording situation. Mr. Hedden put this on our Problem Property Taskforce so we can coordinate with all pertinent departments. If the owner doesn't let us in voluntarily, we will go to the next step: either Chapter 140 inspection or and administrative warrant.

Action **Motion to Ratify the Emergency Condemnation of the basement of 44 Union Street.** (made by: Cooper) (seconded)

Roll-call vote Carried unanimously

3. McKenna – Asked if there is a process to update and amend regulations.

Santamaria – The regulations do need to be updated and close loopholes; he and Mr. Hedden will look at what regulations need to be updated. He will put it on the agenda for next month. We'll have to engage Town Counsel once we have a working draft.

## VII. ADDITIONAL DOCUMENTS USED

1. Draft BOH Minutes December 15, 2022

## VIII. ADJOURN

Action **Motion to Adjourn at 4:43 pm.** (made by: Cooper) (seconded)

Roll-call vote Carried unanimously

Submitted by:  
Terry L. Norton