



## TOWN OF EASTHAM

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### MINUTES EASTHAM BOARD OF HEALTH MEETING THURSDAY, APRIL 30, 2015 AT 3:00pm

**Present:** Dr. James Taylor, Chair, Jane Crowley, Dr. Joanna Buffington, Vicky Anderson, Susan Barker,

**Absent:** Dr. Martin Haspel, Glen Olsen

#### I. PUBLIC NOTIFICATION RE VIDEO AND/OR AUDIO TAPE

#### II. OPENING STATEMENTS

- Today was the ground breaking for the Municipal Water Project. The project is continuing on track and the community should begin to see some activity in regards to the project.
- The Health department has been very busy with the seasonal openings of hotels, motels, food establishments etc.. We have also been coordinating our inspections with the Building Department and Fire Department.
- The Health Department has also been working hard to inspect 100% of the rental properties in Eastham. The Health Department has been working closely with the Town Clerk to make this possible. At this time all new rentals are required to have a start up inspection from the Health Department.
- Dr. James Taylor would like to see the Health Department report to the Board of Health once a year on the status of their on-going projects.
- **Land fill Study-** There is a comprehensive site assessment plan and Jane will be meeting with DEP in next month or so in regards to the ongoing project.
- **Wastewater Management Program-** the Town of Eastham is working with the Town of Orleans to establish criteria for the Wastewater Management Project. The Town of Eastham's consultants have been brought back onto the project and are helping Eastham plan for next year.

#### III. VARIANCE

##### 1. John Chabot                      445 Turnip Rd                      Map 7 Parcel 491

East Cape Engineering has submitted a proposal to remove the existing 3 bedroom dwelling from the 24,700 Sq. Ft. lot and rebuild a proposed 3 bedroom dwelling with the Microfast 0.5 Treatment Unit under general use approval. Due to the constraints of the lot size 24,000 sq. ft., 4 variances are requested which include 45ft from the top of the coastal bank (55 ft provided) and reductions of distance from proposed well to side lines and the existing leach area on parcel 492. The separation from the applicants proposed septic location to the proposed site well location is better than what currently exists and therefore provides more environmental protection. The plan includes secondary treatment with a Microfast 0.5 treatment unit.

- This variance had to be continued to the May 28<sup>th</sup> Board of Health Meeting due to the failure to notify the abutters.

*Dr. Joanna Buffington motioned to continue the variance to the May 28<sup>th</sup> Board of Health Meeting.  
Vicky Anderson Seconded the motion.*

3-0 Vote

#### IV. REDUCTION REQUEST

- **2470 State Hwy-** Rosano Davis Sanitary Pumping, Inc. requested a reduction in water sampling at this site from 4 times a year to 2 times a year. After examining the water sampling results from the past two years the Board of Health decided to approve the reduction request.

*Vicky Anderson motioned to approve the reduction of water sampling from 4 times a year to two times a year.*

*Dr James Taylor seconded the motion.*

3-0 Vote

- **60 Bridge Pond Dr-** Rosano Davis Sanitary Pumping, Inc. requested a reduction in water sampling and field testing at this site from 2 times a year to 1 time a year. After examining the water sampling results from the past two years the Board of Health decided to approve the reduction request.

*Dr. Joanna Buffington motioned to approve the reduction of both the water sampling and field testing to once a year. She requested that the testing be done in September for the next two years.*

*Vicky Anderson seconded the motion.*

3-0 Vote

- **13 Horton Way-** Rosano Davis Sanitary Pumping, Inc. requested a reduction in water sampling and field testing at this site from 2 times a year to 1 time a year. After examining the water sampling results from the past two years the Board of Health decided to approve the reduction request.

*Dr. James Taylor motioned to approve the reduction of both the water sampling and field testing to once a year, based on the last three good results. He requested an explanation for the high results seen on 6/28/13.*

*Dr. Joanna Buffington seconded this motion*

2-1 Vote

- **17 Nycoma Way-** Rosano Davis Sanitary Pumping, Inc. requested a reduction in water sampling and field testing at this site from 2 times a year to 1 time a year. After examining the water sampling results from the past two years the Board of Health decided to approve the reduction request.

*Dr. Joanna Buffington motioned to approve the reduction of both the water sampling and field testing to once a year.*

*Vicky Anderson seconded the motion.*

3-0 Vote

- The Board of Health would like to see a check list in place for future reduction requests. They would like the following items to be on the checklist:
  - explanations of nitrate changes or use changes
  - If reducing to once a year, is there a best time?
  - Is it a seasonal property?
    - If seasonal and only tested once a year the Board of Health would like to see testing in September.

- Any occupancy changes?
- Explanation for outlier results

## V. CORRESPONDENCE & OTHER INFORMATION

- **E-cigarettes**

- There was a brief overview given on the proposed regulations
- The major points of interest were as follows:
  - Change of legal age to buy tobacco products, including E-cigarettes in Eastham from 18 to 21.

Tobacco Control Advocates, Kathy Wilbur, Judith Kurintal and Sarah McCulgan came to the meeting to answer any questions the Board may have about the tobacco control regulations. The following were topics of discussion among the Board of Health members and the Tobacco Control Advocates:

- It will be necessary to give town members and establishments advanced notice of the changes that may be coming. Some towns have given very little notice.
- The Tobacco Control Advocates would be happy to do the PR for the regulatory tobacco changes.
- All of the establishments with tobacco permits have been personally notified of the proposed regulatory changes. They have also been invited to come to the Eastham Board of Health workshops and meetings to discuss any questions or concerns they may have.
- An inventory was taken on all the establishments that hold tobacco permits to help determine how these changes may affect the companies.
- There was some discourse among the board members on the banning of flavored tobacco. One board member was not comfortable with banning the flavored tobacco. She felt that increasing the legal age to purchase tobacco products to 21 would be sufficient as a first step.
- Yarmouth has passed the flavored tobacco ban.
- According to the Tobacco Control Advocates, the use of E-cigarettes among teenagers has tripled in one year. E-Cigarettes are attracting kids who say they would never smoke a regular cigarette but find it okay to smoke flavored tobacco from an E-cigarette. Some kids use it to get off regular cigarettes.
- The FDA has not approved E-cigarettes.
- Sections D, F and G of the proposed tobacco regulations were the only sections where there was some discourse among the Board of Health members.
- Sections D, F and G will be discussed at the May 7, 2015 Board of Health workshop.
- All Board of Health members agreed on presenting the Regulation on prohibiting smoking in the workplace and public places as presented.
- The Board of Health members discussed using a January 1<sup>st</sup> implementation date for the new tobacco regulations. Jane Crowley suggested a September 1<sup>st</sup> implementation date so that businesses won't be impacted by the summer and it is the start of the teens new school year.

- **Release of Deed Restriction**

- The release of the deed restriction was postponed until the next meeting because the original copy was not available for the board members to sign.

- **Seasonal Beach permitting**-The Board of Health members were informed on the beach testing results from last year. The only beach that exceeded contaminant levels and needed to be closed for a short period of time was Salt Pond. In order for a beach or pond to be closed, a water test must fail criteria two consecutive days in a row. All of the beaches and ponds were approved for permitting.

- **Approval of Minutes**

- January 29, 2015

*Vicky Anderson motioned to approve the minutes as presented.*

*Dr. Joanna Buffington Seconded the motion.*

3-0 Vote

**VI. ADJOURNMENT**

*Dr. Joanna Buffington motioned to adjourn the meeting at 4:30 pm*

*Vicky Anderson seconded the motion*

3-0 vote

**THE NEXT BOARD OF HEALTH MEETING – THURSDAY, MAY 28, 2015**