

Board of Health Minutes
November 14, 2011

The meeting was called to order at 7:00 p.m. Present were Mike Wegerbauer- Acting Chair, members Tom Klem and Dr. Mark Neuman. Also present were Julia Junghanns, Director and Patti White, Department Assistant.

7:01 p.m. **FY 13 Budget-** Ms. Junghanns has presented the Board with the Health Department budget requests for financing for fy13. Salaries, and line items were discussed. The detailed budget summary as prepared by J. Junghanns was presented and reviewed. Further discussion on the budget will be continued later in the meeting.

8:00 p.m. **Public Comment**—Mike Lowery, Lakeshore Dr. Presentation to SWQC- Septic in a box (Busse technology), small package system for small lots that may not have enough room. Session was taped, will send links forward. Effluent from system could be used for grey water or irrigation systems. Staff had attended most of the seminar.

8:05 pm **14 French Ave, Local upgrade waiver for septic repair- Robert Johnson- Owner, Michael Sullivan -Sullivan & Connors**

Mr. Sullivan explained the local upgrade requests to the board for this septic repair with no increase in bedrooms. This is a very small lot only 5500 square feet. The abutter has been notified and the signed green card has been received and has been presented at the meeting. Three local upgrades are being requested, a distance less than 20 feet from the leaching area to the foundation, a reduction in distance from the leach field less than 10 ft. to poly barrier, a 3ft. separation from leach area to ground water instead of 4 ft.

Staff feels they are doing the best they can on a difficult lot. The homeowner is bringing the system up to today standards and is not adding any bedrooms. The abutter at 221 Commonwealth Road has questions regarding the distances and is requesting a poly barrier on his lot line.

MN -Motion to approve the local upgrades with addition of poly barrier on easterly side on Carpenter property. Second MW. All in favor 4-0

8:15 p.m. **21 Snakebrook Road- Local upgrade waivers for septic system repair – Richard Flaherty-owner- Michael Sullivan- Sullivan & Connors**

The lot is a substantial size (40K square feet) but is limited by the river which is protected by the Conservation Commission and a wetland and flood plain elevation. This is a septic system repair with no increase in bedrooms. The soils are not terrific; ground water is at 6 ft below the

surface. Three local upgrades are being requested, a 3 foot separation from the bottom of the system to the ground water, distance from the front lot line to the leaching area- reducing the distance from 10 ft to 5 ft.(town property), reduction of the distance to the foundation from 20 ft to 15 ft.

Staff has spoken to DPW director and he has no objection to the reduction in distance to the town property line.

Staff- this is another difficult lot, the house is currently served by a cesspool and they are now upgrading to today's standards and not adding bedrooms. Staff requests a poly barrier around foundation of house.

The residents will also need to file an application with the Conservation Commission.

MW-Motion to approve the local upgrades with the addition for poly barrier around the foundation of the house. Second TK. All in favor 4-0

8:22 pm. **23 Sylvan Way- Local upgrade waivers for septic system repair. Jeff Blom- Owner- Mike Sullivan- Sullivan and Connors.**

The abutters were notified, green cards have been presented. The abutters were not present. The soils on this property are not good; the groundwater is high (less than 7 ft). Sullivan & Connors are proposing to use a Presby system, with this technology, you can reduce the leaching area by up to 40%. The basement in the house is finished and with the location of the doorways, the plumbing cannot be redirected. 5 local upgrades are being requested.

Reduced setback to property line on street and side from 10 ft to 5 ft, a wall with poly barrier inside front property line, a reduction in distance to waterline to reduce from 10 ft to 8 ft, distance from the house to the leaching area to be reduced from 20 ft. to 10 ft, reduction for groundwater offset from 4ft to 3ft.

This design will be positioning the system further from wetlands and out of the water table. Staff has reviewed the plan and this is maximum feasible compliance upgrade to the system. The Presby system will require annual evaluation and maintenance contract.

MW: Motion to approve the local upgrades on the condition of approval of a maintenance contract by staff. Second MB. All in favor 4-0.

8:33 p.m. **60 Riverview Circle -Local upgrade waiver for septic repair- Lawrence Levine owner- Michael Sullivan- Sullivan & Connors**

The lot is small, only 10k sq ft. - flood plain elevation - soils are good and the ground water is deep enough to not present a problem. The existing system is a single leach pit. The engineer is proposing to install a system that satisfies Title 5 regulations for a 3 bedroom system and will not adding bedrooms. The Leaching area is designed for state title 5 regulations. Three local upgrades are being requested. The proposed plan is utilizing the property as best possible due to the site constraints/size of lot.

reduce distance to front property line from 10 ft to 9 ft, reduce the set back to the house from 20 ft to 10 ft, reduce the setback from the abutting property from 20 ft to 10 ft.

The abutter has been notified,(is not present at meeting) if the board wishes to move the leach field closer to property it will increase the size of the leaching area a bit over 100 sq ft . DPW was notified regarding the variance to the street.

Staff- regarding the size of the leaching area, Ms. Junghanns feels that they would benefit if they could add some length to the system.

MW: Motion to approve the local upgrades subject to adding 5 ft to the length of leaching field. Second TK. All in favor 4-0

8:45 pm **58 Thee Ponds Road-Deed Restriction- Margaret Norwood –owner. Bill Sterling- architect.** Ms. Norwood is looking to enclose the breezeway between her garage and house and heat the area. The house has 7 rooms on first floor and 2 in basement level. Finishing and heating a 10th room will require Ms. Norwood to file a deed restriction.

MW: Motion to approve deed restrict subject to limiting modification to just the breezeway as designed. Second MN. All in favor 4-0

8:50 p.m. **56 Orchard Road - Animal Keeping permit- Pablo Suarez and Janot Reine Mendler de Suarez owners.** Animal keeping permit for one horse- question regarding location of fencing.

Street right of way is property line vs pavement

Ms. Suarez is requesting a variance to move the fence two feet inside property line to enlarge area of horse enclosure. The 2008 minutes from the original Animal Keeping permit referenced that the 25 foot setback from the street is for safety purposes. Staff is presenting a copy of the plan from the 2008 board meeting showing the fence as it was approved by the Board. Board reviewed the minutes from the 2008 meeting.

MW : Do we have input from town regarding setback from street? No

This project has been ongoing for quite some time due to construction going on. When the staff went to the property for their inspection in December 2010 after the construction of the barn was completed, the fence was already installed. The Board of Health sent out a letter in December 2010 regarding the discrepancy in the location of the fence. The Animal Keeping Permit was issued with the condition that fence be moved. The Board of Health received a letter from the owners in April 2011 requesting permission to leave fence as it. Since this was not what was approved by BoH, the BOH required residents to notify abutters and reapply for the Animal Keeping permit with a request to move the fence.

David Hill – direct abutter 54 Orchard Rd. The original request in 2010 was for 3 variances, 2 were granted. Now owners are asking for approval of the 3rd variance that was originally denied. Principal of following regulations as set by BOH. Additional question regarding Conservation Committee approvals.

MB : No compelling reason why original ruling should not stand. TK: keep fence where it is.

MB: Motion to deny variance to move fence at 56 orchard lane to the property line.

Second MW All in favor 4-0

DH is requesting a revised plan to be submitted to BOH showing where the actual fence has been placed.

Staff to check with DPW director regarding the location of the fence, staff inspection of the fence location.

To be continued at January meeting.

9:30 pm. Dr. Neuman has left meeting

9:33 p.m. **134 Boston Post Road -Lee's Farm Stand- Hydrogeological Evaluation Review.**--John Stevenson, representing Northbridge Co. - Paul Bonjourno representing owners of Lee's Farm Stand.

The septic design is to accommodate over 9k GPD- the design is for a shared system for the Assisted Living facility and the farm stand. In March 2011 the BOH allowed a variance for a reduction in the sidewalls for the leaching trenches, with the reserve area to be installed when the primary system is constructed. The Northbridge Co. is proposing to construct a 64 bedroom Assisting living facility with an Alzheimer's Care Facility. The Northbridge project will use approximately 9,600 gpd of the system and the Farm Stand parcel will use approximately 388 gpd., the designed system has 4 dosing zones with a grease trap.

Jonathan Patch of Northbridge spoke regarding the analysis- 2 year monitoring wells. High ground water levels in 2010, 4-5 ft mounding. Staff spent a lot of time reviewing all soil testing with our hired Consultant Steven Smith, P.E.. Steven Smith reviewed the analysis reports for the Town of Wayland. Staff also consulted with S. Calichman who witnessed the soil testing, a layer was identified, and if it was removed with a 10 foot over dig, that it will improve the longevity of the system. Soil is sandy and permeable.

Northbridge is presently going through the Conservation Commission process, and has plans for a site walk with ZBA.

Documents for the shared system will be forthcoming with coordination with DEP.

The Board received a letter from Steven Smith, P. E., regarding his review of the Hydrogeologic Report from McPhail Associates for the 134 Boston Post Road Project.

MW: motion to approve the Hydrogeologic Review Report as presented

Second TK All in favor 3-0

9:48 p.m. **22 Training Field- Richard Alan Colson owner- Requesting a variance from septic fees.** Mr. Colson has submitted a letter to the Board. He owns an existing 3 bedroom house, in preparation to sell the house, he had a title 5 inspection done and the Septic System failed the inspection. He has increased the design of the new septic system by adding two bedrooms. The septic fees for New Construction (adding additional bedrooms) of \$1,000 was paid, additional fee for gallonage over 550 gallons is an additional fee of \$137.50 was also paid. Total paid from \$1137.50. Mr. Colson is asking relief from the fees paid.

MW- Has the resident applied for a 41C exemption regarding need based reduction with the Assessor's office. This is used for requests in price reduction for a sticker at the transfer station.

MW: looking for demonstration of hardship from the resident for this request and then he should return to board for further discussion and consideration.

9:55 pm **Update on 125 Dudley Road-** Septic pumping charges are now over \$6,000.00 Information has been received by the Board of Health staff that property at 125 Dudley Road will be sold at auction on November 23. A document has been presented to the Board prepared by Town Counsel, to impose a property lien. The board is being requested to authorize that JJ sign document.

MW: Motion to approve special assessment on the property of 125 Dudley Rd for payment of septic pumping fees in excess of \$6000.00 as required by BOH, for Julia to sign to impose a property lien. Vote 3-0. All in favor

9:59 pm **Return to budget discussion- Mental Health, Mosquito Control and gasoline fees.**

Discussion regarding increase in Food Inspector fees due to Farmers Markets, Town Center and new food establishments. BoH in support of the increase.

HRS has requested an increase to \$61,360.00 from \$52,560.00. Any budget questions/concerns need to be addressed and completed tonight as there will not be an additional BOH meeting before we present the budget to the Finance Committee.

MW- Motion to increase HRS budget line item by \$6,750.00, going from \$52,560 to \$59,310.00. Second TK All in favor 3-0.

BOH requests that we look into rotating larvicide products for catch basin application and possibly use the alternative product for this upcoming spring season. Staff will look further into this and provide the Board with information from Dave Henley and former Director Steve Calichman.

BOH approves the requested 2% increase in the Mosquito line item in the FY 13 budget as requested by D. Henley of EMMCP. Mike W. suggested an increase to the mosquito control line item of approximately \$2,000.00 for additional spraying if the Board chooses to do so. The Director will check numbers, the Board is in support of this increase.

BOH supports Ms. Junghanns to request of personnel board for increased hours (7 hours) for the Department Assistant.

10:18 pm **Discussion regarding adding athletic fields adjacent to the Middle School.** Residents in neighborhoods adjacent to Middle school have presented documentation regarding cancer incidence rates in that area, they have been calling the state DPH and Dep. Residents concern is for old burn dump by the highway garage. The Director contacted the state DPH and the process is that the individuals need to contact the state directly. Staff has been in communication with the state DPH and Dep and a study is being conducted by the state DPH. The state DPH had suggested it might be a good idea to do soil testing in the area along or near the utility lines to the school due to a possible concern for vapors and due to new guidelines since the CDM report/testing that was done in that area. They suggested that the engineering company that is doing the feasibility study for the athletic fields could look into this

and reference the CDM report dtd Feb/March 2000, comparing new guidelines for testing and evaluation of this type of area. Ms. Junghanns will be meeting with the Town Administrator to communicate this information and discuss soil testing in the area near utility lines.

December meeting dates set for second Monday December 12th.

Bills have been approved

Meeting adjourned 10:45 p.m.

Respectfully submitted
Patti White
Department Assistant
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Approved 06112012