

BOARD OF HEALTH MINUTES
JANUARY 23, 2012

Meeting called to order 7:35 p.m. In attendance were Chair, Thomas Klem, members Mark Neuman M. D., Michael Bean, M.D. Also present were Julia Junghanns, Director and Patti White, Department Assistant.

7:35 p.m. **Public Comments-** Sally Gaglini- 10 Hawthorne Road- re: the issuance of the Certificate of Compliance for the property at 399 Old Connecticut Path. S. Gaglini expressed her concern this house being used for more then the (2) two bedrooms that have been approved, also her concern for the Certificate of Compliance that was recently issued, she had questions about the date that was used. She asked the Board questions and the Board did not provide comment at this time.

7:40 p.m. **56 Orchard Lane: Animal Keeping** – variance for existing fence location- Janot Suarez Mendler & Pablo Suarez- Owners

The discussion began with the Board being brought up to date on the history of the variances requested and approved at past BOH meetings. The Board reminded the owners that the variance for the fence location was not approved when the other variances were granted. A document from the abutter at 54 Orchard Lane has been presented to the board. The abutter was not opposed to the horse or fence but was concerned about the number of variances being allowed by the Board of Health.

8:00 p.m. Mike Wegerbauer has arrived at the meeting.

There was further discussion about the variances that the Board allowed for this project. M. Bean described his site visit to the property and that this particular area of the road (the end is a cul-de-sac) is very quiet and there are not many people traveling along this road.

M.B. Motion to grant approval of the variance for the existing location of the fence pending Conservation Commission approving the fence location and their conditions being met. Second TK All in favor 4-0

8:10 p.m. Discussion of larvicide application restrictions in Great Meadow Wildlife Preserve- Elizabeth Herland, Project Leader, U. S. Fish and Wildlife Service

EH gave the Board background information regarding the National Wildlife service, their purpose and information specific to the Great Meadow Wildlife Preserve in Wayland. She provided information regarding their regulations and the process involved in requesting a special permit for mosquito control within the Refuge. Mosquitoes are an important part of the eco-system in the wildlife preserve and mosquito control is of concern regarding the effect to the wildlife population and the food chain. EH said that The National Wildlife Service is in the process of finalizing an update in their policy and it is hoped to be finished this year. That is expected to contain the most current information regarding Mosquito control and a handbook will be included. Sudbury and Concord rivers and wetlands are protected by National Wildlife system since 1944—the primary concern is for migratory birds, these areas are not home to any Federal threatened or endangered species.

Area Boards of Health were notified of the meeting, and we had representatives from several area towns that came to participate in the discussion; Bedford Director Heidi Porter and several Board members, Concord Director Susan Rask, Dave Henley of EMMCP, and

Previous to 2003 Great Meadows Project Leader had allowed spraying BTI- a new law came about in 1997 and they could not find any provision for mosquito control, a special permit was not issued in 2001 for spraying. Issue was raised again in 2003 when EH became manager—concerns raised by town and neighbors—for mosquito nuisance. Some guidelines and a draft policy was established in 2005, and disease management policy in 2007. WNV started in 1999, GMWP study done in 21 sites, only 19 had WNV, two from GMWP, sampling done over 3 yr period. WNV risk for the Wayland Sudbury area has been considered low for the past few years.

Larvicidal applications (BTI is the best to use) has non target and target applications. The mosquitoes are a part of the food chain and according to EH larvicide can upset the balance.

EH cannot allow BTI application. The next office above her is in Hadley Mass, if there was a request for an application of BTI it does take time for application process. Emergency requests can be expedited by phone and then proposal would be written and filed.

EH said that to create any policy/guideline it will need to be science based. At this time there is no predetermined mosquito abundance level or threshold to determine if there is a problem that would warrant a Public Health concern and application of larvicide in the Refuge. EH does not believe that management would be allowed for “nuisance purposes” they would need to see solid risk levels. How do we know if the mosquitoes causing the problems are from the Refuge? GMR does not presently test with traps on the properties, but would allow EMMCP to test on their lands. GMR will need to see numbers of mosquitoes and numbers of health problems, to start the process. Mosquito pool monitoring/trap locations inside GMWR will need to be determined and/or in areas agreed upon by both Mosquito Control and herself, to gather the data that GM would require to consider. DH and EH agreed to work together to identify mosquito pool/trap testing locations inside Great Meadows.

We do not know how long it will take for the final policy from the Federal Government to be approved. EH does not believe there is a person above her that can be contacted to advise them of the area concerns for the upcoming season or regarding when the new policy will be released, she is the Refuge Project Leader.

EMMCP is budgeted to sample for local BOH’s and focused on WNV until August/September in 2011 until numbers showed high to be concerned about EEE then they started testing for EEE. DPH will allow for more testing in several trapping areas in West Bedford (adjacent to GM) several in Wayland (adjacent to GMWR) and in Maynard, long term data is being collected.

Discussion ensued regarding what steps might need to be taken to prepare for a possible mosquito problem this upcoming season. DH from the EMMCP provided information on the mosquito testing pools and the information they provide along with the area’s weather conditions. DH said that there are some years with higher risks, depending on a lot of factors that area weather related (rain/temp/snow cover/etc.) they are constantly monitoring all the factors that can contribute to higher risks for WNV or EEE. WNV is mostly showing east of Wayland. There are two cedar swamps (breeding area for EEE) in his District one in W. Bedford and one in N. Sudbury, they do have large numbers of vectors for EEE. A drought in 2010 destroyed the EEE populations; they built up and increased numbers at the end of the

season. There were positive mosquito pools in 2011 at end of the season (one was in N. Sudbury, Culisea Melanura). Concord and Billerica had horses die. Bedford had a human death. There was a case of a Wayland Lincoln resident in 1955. Minuteman Regional student in 1982, gathering in Concord/Lincoln area. If there is no extended dry period between now and July then we will have likely higher risk for EEE, the area in Sudbury and Bedford Cedar swamps is good floodplain habitat for this mosquito species. DPH has a phased response to a mosquito borne illness/arthovirus Public Health concern, which is what is followed by EMMCP. However, it was mentioned that GMWR does not follow this response plan and there is no coordination at this time between DPH and response by National Wildlife Refuges for mosquito control for mosquito borne illness.

Hedi Porter Bedford Health Director – she feels mosquito nuisance to be a health issue. Susan Rask Concord Health Director - wants to know when we start to act if there is a problem, will there be enough time. Julia Junghanns Wayland Director said that larvicide would be less harmful to the environment/wildlife then if we waited until there is an emergency and need to apply adulticide. Our office receives a lot of complaints about mosquito nuisance and concerns for WNV or EEE in areas near GM. Could larvicide use be considered in a cyclical approach (every other year, every 2 years?)? Would this be beneficial?

There was discussion among the BOH about using money in BOH mosquito control budget to do spraying in neighborhoods or other areas if there is a concern to address.

8:50 pm. Dr. Neuman has left the meeting

Libby said that based on the concerns brought up at this Board meeting she sees a need for GM to draft a mosquito management plan and she will begin this process. EH and DH will work together to look at the mosquito pool testing locations that are currently used and identify where new ones could be located in the GM Refuge so we can start obtaining data within the refuge.

Resident Tom Abdella brought up that BTI was allowed in a Wildlife Preserve in the state of Michigan. Libby said she will inquire about this to the Manager of the Preserve as she knows this person as a fellow colleague.

T. Klem said that we will follow-up with another meeting for further discussion in the near future.

9:40 pm. **42 Riverview Road- Rebecca Furie- owner- Deed restriction- new construction.** Director Julia Junghanns explained that the deed restriction is a condition on the septic system permit, to be obtained prior to occupancy. This is brought to BOH due to the new requirement that the BOH approve all deed restrictions. **MW: Motion to approve Deed restriction for 42 Riverview Road subject to a site visit by staff to confirm the structure was built according to plans as submitted and approved. MB second Vote 3-0 all in favor.**

Directors Report reviewed.

Minutes of 01/09/12 and 11/28/11

MW: Motion to approve minutes of 11/28/11 and 01/09/12 as amended. TK Second. Vote 3-0 All in favor

MB: Motion to adjourn TK Second Vote 3-0 all in favor

Respectfully submitted
Patti White
Department Assistant
012312minutes
Approved 022712