

BOARD OF HEALTH MINUTES

July 16, 2012

The meeting was called to order at 7:30 p.m. Present were Thomas Klem (TK), Chair, Cynthia Hill (CH), and Michael Wegerbauer(MW). Also present were Julia Junghanns, Director and Patti White, Department Assistant.

7:30 p.m. Public Comments: Mike Lowery- 120 Lakeshore Road, speaking as a resident he wishes to note regarding the Public Health Director's performance. Mr. Lowery stated that Ms. Junghanns is very easy get along with, and works collaboratively with all departments.

7:32. P.m. Wayland Community Pool- Ben Downs (BD), president.

TK: what is the process regarding handling of the pool chemicals:

BD: Normally a computer controls the unit that feeds chlorine and muriatic acid. A Computer monitors the ph and chlorine levels ongoing throughout the day and measures and distributes chemicals as needed. There are other chemicals that are added by hand: a non -chlorine shock to help with clarity and chlorine levels. Cyrenaic Acid and Chemical Shock are hand measured and added to the pool. The chlorine injector has had a problem with clogging. That morning the chlorine injector was clogged which required the chlorine and/or muriatic acid to be added by hand measure. Several pool staff are trained to add the chemicals, at the time the event occurred neither of these staff were on site. The pool manager was called and he gave instructions over the phone. There was some confusion and the staff member on-site (unknowingly) added the wrong chemical to the wrong tank. A short time later, the staff returned to test the water levels and the ph had not corrected. He then went down to the basement and discovered the odor, which brought the mistake to his attention. He contacted the pool manager, who called Mr. Downs, who arrived at the pool. When he assessed the odor in the basement Mr. Downs then made the decision to call the Wayland Fire Department and cleared the building.

The Wayland Fire Department arrived, assessed the situation and called the State. The situation was handled.

TK: what changes have been made to keep this from happening again?

BD: for chlorine to be added by hand, the product is now stored in a small labeled container and is kept away from the distribution tanks. The muriatic acid is now also kept in a small labeled container. Tanks have been labeled clearly.

Going forward, there are two additional staff who are being trained to handle the chemicals, so there is trained staff to monitor the pool when the pool director is not available.

8:07 p.m. 18 Shawmut Ave -Deed Restriction - Samuel and Marie Delvecchio- owners

Mr. & Mrs. Delvecchio are looking to remove an addition that was added to the back of the house 20 years ago, they would like to rebuild that portion of the house to look more in keeping with the original design.

The new plan includes adding an additional 500 sq ft. There will not be any additional bedrooms and the house will remain with 2 bedrooms and 2 bathrooms for each unit. The total number of rooms after construction will be 10 rooms. Each unit will have LR, DR & kitchen with 2 bedrooms and 2 bathrooms. The Delvecchio's will occupy the 2nd floor unit.

A 4 bedroom deed restriction has already been recorded with the Registry of Deeds.

MW: Motion to support the plans presented tonight, understanding that the deed restriction for 4 bedrooms has been filed with the Registry of Deeds

Second TK all in favor 3-0

8:20 p.m. **16 Oak Hill Road- owners- Mr. & Mrs. Foti-Mike Dimodica Septic Design representing Mr. & Mrs. Foti**

The Nstar right of way is 250 ft. wide in the front of the property. The back of the property drops off in a steep slope about 50 ft. and is not usable for the septic. In 1986 the house was built and the original septic was installed in the right of way. Property abutters (projects last done in 2003) were able to design and install part of their septic systems within the R.O.W. (right of way) Mr. Dimodica has discussed all the previous work and the present plans with Nstar representatives, there was a big meeting with all respective parties all out at the property for a 2 hour meeting to discuss the septic issue. Mr. Dimodica has been doing septic design for 25 years; he knows what BOH and Conservation Commission requires for approval of plans.

Nstar suggested the septic be installed at the end of the driveway but there is 8 ft of fill there. The best location is in the R.O.W (or partially in that area) Nstar now says the feesto use the R.O.W. will be reduced from \$5000 to \$2500. 12 Oakhill Rd, was done in the R.O.W, but Nstar says it was less intrusive to the R.O.W. Mr. Dimodica is presenting several options with variance requests.

Option 1

Local variance:

Reduction in Leaching area from 900 sq ft. to 600 sq. ft

Title 5 variance request:

- 1) leaching field to full foundation – 5ft
- 2) septic tank to foundation- - 5 ft
- 3) leaching field setback to property line-- 5 ft.

Option 2

Variances:

Local:

- 1) 25% Sq ft reduction in the size of the leaching area

Title 5 variance request:

- 1) Septic tank to full foundation - (5ft)
- 2) Leaching field to full foundation -8 ft
- 3) Leaching field to property line- 5 ft

TK: Motion that BOH delegate to the Director of Public Health the responsibility to approve or not the variance request for the septic repair to 16 Oak Hill Road. CH second All in favor 3-0

9:15 p.m.

TK: “ I move that the BOH go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)3 to discuss strategy with respect to potential litigation between the Board and John Pauplis”

Second: MW Roll Call: TK: yes MW: yes CH: yes

TK: I declare that an open meeting may have a detrimental effect on the litigating position of the Board and I announce that open session will reconvene at the conclusion of the executive session in approximately one-half hour.

9:40 p.m. Return from executive session

The Board is now setting discussion items for the NStar meeting on Wednesday July 18th.

Discussion items as follows: Aquifer protection district zoning by laws, Info from Linda Segal: Nstar notified the town with public comment periods; Locations of private wells, Vegetative management plan. It was noted that that the Town Bylaw is stronger than local regulation.

Next year when Nstar sends out public notification period and advises us of sensitive areas they identify, we have the option to respond to notify them of sensitive areas in town that we identify that are not listed. Regulations outline through 333 CMR, 21 days in advance notification. We could better define sensitive areas. Nstar and applicants defined water supply, conservation, as sensitive areas.

Capture zones for Town wells that have been identified in a study are larger than Dep Zone II's, we can make claim that those areas are sensitive also. The information that Dep is referencing is almost 30 years old, there is more current info on “roundup” products.

A study was done by Hydrogeologists and new info was provided regarding capture zones. That was established at town meeting regarding the expansion of the cemetery.

MassDep, R.O.W. management is listed on their website.

10: 39 p.m. TK: motion to adjourn, second MW All in favor vote 3-0

Respectfully submitted

Patti White

Department Assistant

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APPROVED 063014