

Board of Health Minutes  
December 10, 2012

The meeting was called to order at 7:35 p.m. Present were Thomas Klem, Chair, members Michael Bean, M. D. and Cynthia Hill. Also present were Julia Junghanns, Director and Patti White, Department Assistant.

7:35 Public Comment, there were none.

7:36: p.m. Marijuana Dispensary Proposed Zoning Bylaw -- Review and Discuss

Heldi Heilman from Wayland Care has come to update the Board with her most current information on where "Medical Marijuana" stands. The state DPH will not be ready with new regulations for January 1<sup>st</sup>—See attached list of timeline.

Sarkis Sarkisian- Town Planner- the Planning Board is preparing an amendment to the Wayland Zoning Bylaws for the Annual Town Meeting. The amendment will propose that Marijuana Dispensaries be located in a specific zoning district where the existing Septage Facility is located. There was a discussion with the Board about this idea and concerns were raised about this approach or considerations for another approach. Another approach could be to zone out Marijuana Dispensaries entirely however this could be thrown out by the AG's office. Other town's are doing similar things but no one knows what the AG's response will be and whether it will be allowed.

Ms. Heilman is requesting the Board to support MMA (Mass Municipal Association) in their request to extend the implementation of Question # 3- MMA asks the Boards of Health to write to the politicians to allow DPH time to write the proper regulations. The Board agreed to do a letter and directed Julia to handle this and follow the sample letter that was provided from another town down the Cape.

In addition to the letter to MMA, it is being suggested that letters should also be sent to the Speaker of the House and our State Representatives Tom Conroy, Richard Ross, the State Attorney General's Office and MHOA (Mass Health Officer's Association)

Several towns (Westboro- being one) have begun zoning law changes to ban Dispensaries outright with a backup law restricting distances from church, schools, playgrounds....ultimately in the adult entertainment district.

The Wayland Planning Board is scheduling a public hearing on January 8th regarding the zoning bylaw for Medical Marijuana dispensaries.

8:10 p.m. FY 2014 Budget Discussion- The Board and Health Director Julia Junghanns reviewed the budget line by line.

8:30 p.m. 10 Maguire Road- Michelle Long; owner- question of number of bedrooms

Ms. Long is looking to get a ruling from the BOH regarding a discrepancy in the town records regarding the number of bedrooms in the house and the existing septic system design, which records a 2 bedroom septic system and a 3 bedroom house. She is looking to do a small addition on the Kitchen/Living room end of the house and move one bedroom upstairs to an unfinished room on the second floor. The 1<sup>st</sup> floor bedroom will be enlarged. The changes would still keep the property at 3 bedrooms. In order to proceed with the building changes, Ms. Long will need to go before the Zoning Board and would like to have the official word from the BOH to proceed to the ZBA.

Owner says the house has historically been a 3 bedroom and assessor's records reflect 3 bedrooms. The owner's aunts previously owned the house and she inherited the house. It is currently being rented but she plans on moving to Wayland. An inspection was done by the Building Commissioner and Julia. The building materials in the upstairs bedroom are older materials and the room appears to have existed for quite some time. The septic system was looked at by Starmer and has been determined that it is functioning very well and has a lot of life/use left.

**TK: Motion to approve the septic system at 10 Maguire Rd. to support a 3 bedroom house based on historical information and the letter from Dan Starmer, Title 5 Inspector.**

**This motion superseded the records in the BOH file that references a two bedroom septic system.**

**Second CH vote 3-0 all in favor.**

9:00 p.m. There was a continued BOH budget discussion and review.

**TK: Motion to approve the 2 budgets for FY14, the level funded budget, and the reduced budget, second CH, vote 3-0 all in favor.**

**TK: motion to approve the BOH meeting minutes of August 27, 2012 as amended. Second MB . Vote 3-0. All in favor.**

**Bills have been approved**

**Director's report reviewed.**

Agenda item 91 Claypit Hill Road-Deed restriction has been moved to January 2013

**TK: Meeting adjourned second CH all in favor vote 3-0.**

Respectfully submitted  
Patti White  
Department Assistant  
121012minutes  
Approved 011413

