

## BOARD OF HEALTH MINUTES

March 3, 2014

The meeting was called to order at 7:24 p.m. Present were Thomas Klem (TK), Elisabeth Brewer (EB), M. D. and Michael Wegerbauer (MW). Also present were Julia Junghanns (JJ) Director of Public Health and Patti White, Department Assistant.

**7:25 p.m. Public Comment-** Peggy Patton- 43 Plain Rd. Ms. Patton is giving the Board copies of a document - "Government and organizations that ban or warn against wireless technology" dated June 2012, referencing page 9- cell towers. This is in reference to the issue of the Town Meeting Article to vote on the River's Edge Housing project that is next to the Sudbury cell tower on their closed landfill.

Annette Harrington 10 Loker St. - A church in her neighborhood was going to put cell towers on top of the church- she alerted the neighborhood that cell towers were regulated in 1999. Ms. Harrington does not want to see the Wireless Overlay District rendered unusable.

Julia Lenney 27 Rich Valley Road – see statement presented in writing. (attach to minutes)

Public comments in writing from Andrew Corcoran- opposed; Stan Robinson- opposed and Margo Melnicove- opposed.

**7:30 p.m. Tobacco Control discussion of revising regulations and review Sample Regulation Template- Cheryl Sbarra Senior Staff Attorney, Director Tobacco Prevention and Cessation Program and Chronic Disease prevention program- Massachusetts Association of Health Boards:**

Ms. Sbarra is updating the Board on the sample regulations draft forms that were left with the Board last month. Ms. Sbarra is reviewing the check list of items that have been suggested to be included in updated Tobacco regulations.

The Board wishes to expand the regulations to include Nicotine Delivery products such as e-cigarettes and cigar products. They are discussing raising the age of sales to 21 along with the possibility of capping of the number of permits to be issued each year. There was also discussion on Fines (Wayland is \$300.00), tolling periods for fines and suspensions of licenses. There was discussion regarding signage specifics for retail to clearly identify that the age is 21 and not 18. Signage will need to be tailored to this as state regulations are still 18.

Ms. Sbarra will begin to draft the Regulations and then return them to the Board for further revisions. The Board wishes to draft letter to retailers to explain the changes and that a public hearing will be held for the discussion.

**8:30 p.m. Discussion of Warrant Article 18- Amended Zoning Bylaw Chapter 198: Rivers Edge Housing Overlay Zoning District (Article 25- River's Edge Housing Overlay District) - Rebecca Stanizzi (RS) (Economic Development Committee) (EDC)**

The Wayland Town code 1503.2.13 states "Any antenna for use as a wireless communications facility shall not be installed, nor mounted in, nor attached to a new monopole tower or existing structure in any location that is within 900 feet of a lot line defining a parcel on which exists a dwelling, a school, a day-care center, a nursing home or an assisted or independent living facility". RS: There are still several other parcels of the wireless district are still available, along the high tension wires across Route 20 from the proposed project site, on either side of the old landfill, along the high tension wires, the actual transfer station (not on the capped landfill) site and a small parcel of land that abuts the Longfellow club. The closest proposed residences to the Sudbury cell tower to River's Edge would be 135 feet from Sudbury cell tower.

EDC is asking consultants (IDK) to do a study of the effects of the Sudbury antenna/cell tower at 135 feet distance. MW has asked to get data from the property boundary at 85 feet.

The distance in the town bylaw of 900 feet was derived from research that was done to find a location that was away from residential areas, the Wireless district was created and 900 ft. distance was chosen as it was the farthest areas from the residential properties and the overlay district was identified.

**9:10 p.m. 175 Old Conn Path- Deed Restriction for finished basement and relocating bedroom – Owner Patricia Hopkins**

For ease of access in and around the house, Ms. Hopkins wishes to construct a living area in the basement. Additional family members will be occupying the remainder of the house.

**TK: Motion to approve the request to create livable space in the basement to include a bedroom at 175 OCP, based on the plans dated received 1/31/14, subject to a 4 bedroom deed restriction being filed. Approval is subject to receipt of the most recent pumping records and further restricting a stove in the basement. Second MW vote 3-0 all in favor.**

**The bills have been approved. The Director's report has been reviewed. Next meeting dates will be March 17<sup>th</sup> and 31<sup>st</sup>.**

TK: Motion to adjourn-Second MW- all in favor

Respectfully submitted  
Patti White  
Department Assistant  
030314minutes  
Approved092214