

BOARD OF HEALTH MINUTES
MARCH 4, 2015

The meeting was called to order at 7:00 p.m. Present were Thomas Klem, (TK) Chair, members Cynthia C. Hill (CH), Mike Wegerbauer (7:50 p.m.) and Elisabeth N. Brewer (EB), M. D. Also present were Julia Junghanns, (JJ) Director of Public Health and Patti White Department Assistant.

7:00 p.m. Public Comment- there were none

7:05 p.m. 32 River Road- Deed Restriction for finished space in detached barn- Christopher Houghtaling and James Douthit- owners

There was a discussion regarding this project and a review of the plans, questions were posed regarding the use of the finished rooms in the barn area. They are looking to finish 2 rooms inside the barn –family room on first floor and home office with ¾ bathroom in the loft above. The house has 1.5 bathrooms presently with a total 11 rooms and 4 bedroom septic design. Plans for connecting plumbing for the bathroom to the septic must be submitted for staff review.

TK: Motion to approve a 4 bedroom deed restriction for 32 River Road for the finished space in the detached barn. The property is currently an 11 room single family home; with the modifications to the barn it will become 13 rooms with bedrooms remaining at 3. CH second, all in favor 3-0.

7:20 p.m. 26 Covered Bridge Lane- Deed Restriction for new construction with finished basement- Trask Development- owners Ben Stevens (BS) for Trask Development presenting

The property has been sold and the new owners have requested a finished basement. The house will be 11 rooms with a 4 bedroom septic system. (5500 sq. ft. with basement) This property shares the septic with 24 Covered Bridge Lane. Staff has requested Trask Development change the room on the first floor labeled study/in-law to a study.

BS: Covered Bridge Lane is a private road and the homeowners association will cover the Road maintenance, (actual) covered bridge maintenance and annual septic pumping for every house in the development (14 systems).

TK: Motion to approve the 4 bedroom deed Restriction for 26 Covered Bridge Lane for new construction per buyers request on plans dated received Feb 5, 2015. The finished property will be 11 room, 4 bedroom house. The motion is conditional upon changing the room label of study/in-law room on first floor plan to be labeled as study. Second EB, all in favor 3-0.

7:30 p.m. 27 Covered Bridge Lane Deed Restriction for finished basement- Trask Development- owner Ben Stevens (BS) representing Trask Development

There was a discussion regarding this project and review of the plans. They want to finish the basement as per the buyers request. The room count is increasing from 9 rooms to 13 rooms with the finished basement, the number of bedrooms remaining at 4.

TK: Motion to approve the 4 bedroom deed restriction at 27 Covered Bridge Lane for finished basement per buyers request on plans dated February 5, 2015. The room count is increasing from 9 rooms to 13 rooms with the finished basement, the number of bedrooms remaining at 4. Second EB vote 3-0.

7:45 p.m. 26 Dudley Road- Local Upgrade Variances for repair septic design- P. E. Kevin O’Leary (KO) of Jillson Co.

The septic system failed the Title 5 Inspection, soil testing was done in the fall and the new septic system is a repair/upgrade of the current septic system (no increase in bedrooms). All abutters have been notified, green cards received, with the exception of 30 Dudley Road. The property is a 3 bedroom house on a lot of .15 acres (6,534 sq. ft.), directly on Dudley Pond.

The leaching field will be 450 sq. ft., which will meet Title 5 requirements, but not Wayland's required 800 sq. ft. In this case it is a repair/local upgrade and we are doing the best we can on a difficult lot.

Local upgrade request for set back from property line 10 'required, 9' provided for rear lot line. 10' required for side yard, 8.0 provided.

Local upgrade requested for setback from cellar wall to tank and leaching field 10' required to tank, 6.2 provided. 20' required to leach field, 14.1' provided.

KO: A 40 mil. barrier would not be needed in his opinion, as the dirt basement floor is above the level of the tank. JJ: agreed that it does not sound necessary.

TK: Motion to approve local upgrades requested for 26 Dudley Road as per Title 5 310 CMR .

1) Set back from leaching field to lot line, 10 feet required, 8' to rear of lot and 9' to side yard of lot line proposed.

2) Reduction of set back from cellar wall 10 ' to septic tank required, 6'2" proposed 20' from cellar wall required to leaching facility 14' 1" proposed. Per plans dated received February 24, 2015

Second CH vote 3-0 abstain 1 MW.

8:05 p.m. 373 Commonwealth Road- Septic Permit reissue/Ownership change- Atty. Brian Levy (BL) - Owner's Attorney

BL: Recap from last BOH meeting (2-10-15) regarding when the lease/use of the property ceased and when the soils were tested. Mr. Levy was counsel to previous owner for the process of permitting, but has not been involved with the property until he assisted with the transfer of ownership in December 2014.

ZBA oversees the permitting (Comprehensive Permit) which covers all the Boards in Wayland. This is a 40B project and we don't have the authority to enforce WBOH Town Septic Regulations.

CH: regarding the soils testing from the prior use for the Nursing Home. The tests have a large list of items tested? Was this due to prior use for many years?

David Leone: ZGA: There is a list of common chemical/medical/hazardous materials that the soils were tested for and the levels were all in the permissible range and the soil is clear to be used.

TK: has the Comprehensive Permit been activated? MW: The Building Department said that construction had begun. JJ: this has been discussed with the Building Commissioner, he has confirmed that the Comprehensive Permit was activated and construction is ready to begin. (Jay Abelli – Building Commissioner has written a letter confirming the permit is active).

TK: Motion to approve the transfer of the septic permit due to ownership change from 373 Commonwealth Partners, LLC. To 373 Commonwealth Residence, LLC. Second MW, In favor 3 (TK, EB & MW) opposed 1 (CH).

8:25 p.m. Approve the minutes of June 30, 2014

TK: Motion to accept the minutes from June 30, 2014 as submitted. Second CH vote 4-0 All in favor.

8:26 p.m. Update on Meeting with DEP regarding Landfill Site Assigned land- River's Edge Project site

Director Junghanns attended the meeting and noted items of concern that were discussed:

Dep has concerns for mercury from monitoring well testing results that they recall from when the septage facility was active; D.E.P is asking for updated monitoring well data from the REAC to be done and then maybe a hydrogeological study to look at mercury contamination more closely.

A Proposed new Waste Disposal site (septic system for Rivers Edge) would need approval from DEP. Any permitting process would be working closely with DEP.

Regarding the Landfill Site Assigned Land; potential items to be addressed prior to the transfer of the Site Assignment.

There are 3 options for the town to handle this existing Landfill site assignment issue for the potential residential housing project.

- 1) Option 1, for BOH to release the site assignment at local level-there is a formal Public Hearing process that must be followed for BoH to lift the Site Assignment for that piece of the parcel (including a hearing officer).
- 2) Option 2, Obtain approval from Dep - If Dep provides a "Presumptive approval" this would provide permission to go forward to start the RFP. The Site assignment would not change – Rivers Edge would apply for this through to DEP and we will be on copy of the paperwork.
- 3) Option 3, go through Dep for a Minor or Major modification- which would allow additional use of property. (DEP would need to approve allowing the "overlay" of residential use on this Landfill site assigned parcel/property.)

We don't know which direction/option will be proposed from REAC at this time.

Dep said that the certification report has not been received from the Wayland Landfill (Post Closure report). They asked that this be checked into and provided to Dep.

8:30 p.m. Conservation Warrant Article Amendments- Chapter 193 Storm water & Land Disturbance – comments- Sherre Greenbaum- Chair of the Conservation Commission

Ms. Greenbaum distributed a general explanation regarding the Chapter 193 Warrant Article Amendment.

There is no effect to septic systems and their installation/replacement with this bylaw (no change to existing language).

The original intent in 2008 was to revise Chapter 193 and write illicit discharge, the illicit discharge bylaw may be written in the future.

The amendment added some grammar and definitions, added definition of "alter" expanded the definition from bylaw 194 (keeping the same language- consistent) the primary change is in properties to be exempt- 193.4.

Impervious surface was 20k and will now be 5k. Small lots could disturb the entire lot; the plan is to tighten it up so that each size small, medium and large lots would be more equitable.

8:50 p.m. Concussions discussions

CH has been talking to parents regarding their experiences with concussions —Dr. Brewer has a daughter who played soccer. Ms. Hill has spoken with a parent who has 3 children who have suffered concussions from sports (football) and Ms. Hill is hoping she will come to the Board to share her experience.

The Board is trying to understand what teams/school levels are under the School Coaching staff, what teams are under the Recreation Commission and what teams are just renting field spaces and are overseen by private international/national Youth Sporting Leagues. Youth sports are separate from the school and would have their own concussion protocols/policies.

MW: In town we have: Wayland Youth Soccer, Wayland Youth Basketball, Wayland Hockey, Wayland Youth Football, Cheerleading and Lacrosse teams on many age levels. Baseball and softball are offered and are under separate organizations. Wayland Weston youth football and cheerleading are not affiliated with Pop Warner.

Chris Brown is the Wayland Sports Trainer- there were questions regarding what Chris oversees.

Lisa Parady set up program at Gillette Stadium promoting the Sideline Program.

CH: is working on “Mom’s list” to get firsthand understanding of the process of a concussion from the family level.

There was a postal mail flyer from Emerson Hospital- with an article about Concussions.

EB: every state has rules and regulations on concussions; we should be looking at this and verifying that Wayland is following the State guidelines/Regulations. We should we obtain copies of the state rules/regs.

Malcolm Astley had joined the meeting- he doesn’t know if the Town is following the state guidelines, he will check with the School Committee- Malcolm is not running for re-election to the School Committee, the Committee will be working to transition this Concussion Project to another member.

EB: Center for Disease Control has a program called“ Heads UP” she feels it is a great resource- she also spoke with High School Coach (volleyball, baseball and basketball) and confirmed that baseline testing is done at the start of school year and they retest if there is an injury.

TK: let’s try to find out what the State guidelines/Regulations are, what Wayland guidelines are and does Wayland follow the State Regulations, if not can we draft a “letter of suggestion” regarding State guidelines.

JJ: will check with R. Mori and have this looked into. We will obtain copies of the regs/guidelines, compare to what we do in Wayland, then circle back to the Board to get these questions answered.

9:25 p.m. **MDPH – there is no update from Breast Cancer Study**

9:30 p.m. **TK: Motion to adjourn second CH:**

Respectfully submitted
Patti White
Department Assistant
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APPROVED 093015