

BOARD OF HEALTH MINUTES
FEBRUARY 3, 2016

The meeting was called to order at 7:05 p.m. Present were Thomas Klem (TK), chair, Elizabeth Brewer, M. D. (EB) and John G. Schuler, M.D. (JS). Also present were Julia Junghanns (JJ), Director of Public Health and Patti White, Department Assistant.

7:05 P.M. Public Comment- there were none

7:05 p.m. **23 Sage Hill Road- Local Variance for Irrigation Well offset to septic system- owner Derrick Irwin**

Offsets for Wayland Well Regulations are 100 feet to septic system. Primary septic for #23 Sage Hill Road is at 83 feet from the well and the Septic reserve area for house #21 Sage Hill Road is 50 feet from the well. Wayland regulations are more stringent than State irrigation well regulations which have a 25' offset. Due to being closer than 100' this well would never be able to be used as a potable well. Wayland private well regulations (written for potable wells) were taking into consideration irrigation wells that may propose being used as a potable/drinking well in the future. The owner of the property at 21 Sage Hill Road- Richard Cromwell came to the meeting to support the project.

TK: Motion to approve the request for local variances for irrigation well at 23 Sage Hill Road. The variances are for an abutting septic reserve area (50') at 21 Sage Hill Road and (83') for the septic system at 23 Sage Hill Road, the Town Regulations require 100' setback. JS second vote 3-0 all in favor.

7:20 p.m. **Discussion regarding Medical Marijuana Regulations review and future forum:**

Tom Klem has requested a revisable electronic copy of the Framingham Marijuana Regulations, to be modified for Wayland use. Julia had spoken with Cherry Karlson, Chair of the Board of Selectmen; they discussed the BoH review and draft of the proposed Medical Marijuana Regulations. Ms. Karlson thinks that a public forum would be the best way to start the process (likely for some time after spring Town Meeting finishes in April). The forum would potentially include various boards and an advertised public discussion. This would allow residents to come and listen to Board proposals and the Town can gather public comments regarding possible Dispensaries and Cultivations sites, and how the Town is looking to prepare for possible applicants for a Dispensary or Cultivation site. Is the town in favor of these uses or would the town be looking at strict regulations what is the public's opinion? The forum would be attended by the Board of Selectmen, Planning Board and Health Department (and ?) will be there to discuss the process. Tom will continue to work on the draft regulations so we have something to present for the forum.

TK: had spoken to Andrew Reck, Chair of the Planning Board regarding Marijuana regulations.

JS: The Board of Health needs to be prepared with how they are planning to go forward with the Medical Marijuana Regulations. Locations of dispensaries and grow facilities are under the Planning Board (zoning regulations). Cultivators- do they need a license? Zoning will have the say on where you can grow and sell.

Framingham has a section on hardship cultivation by Personal Caregivers.

EB: Did JJ reach out to the Police to see if there are any residents with Hardship Cultivation cards. If they have cards and approval from state to cultivate, could they already be growing? This portion of the regulations may

need to be in place sooner than the sale/dispensaries. Is there a database that the Wayland Police could find the information for Wayland approved Cultivators?

JJ: the Board would be writing the sale/use regulations, possibly licenses to the Dispensaries, Cultivators and users. JJ will be attending an MHOA seminar in March with an update regarding: the state of Marijuana and future plans for the process in the state.

TK: looking to pick up after last meeting where we left off on the draft regulations

Referencing document; draft Medical Marijuana Regulations for Wayland, Page 9. Reviewing this draft:

Section F(Dispensary Agent Permits) & G-(Registration Card holders) are not in Framingham regulations in the same format, TK feels the content is similar, but just different wording.

TK: what other towns have regulations? JJ: discussion at a recent MHOA meeting felt Framingham had the most comprehensive regulations they had seen so far. This is new for Mass., it will be good to review other Town regulations, as they start to come out, and many towns will continue to revise theirs as well.

Section J- the blue highlighted language is from the Wayland Tobacco regulations, the yellow was from Framingham, is just a bit more simple, do we feel the Framingham regulation language covers the same? EB: we may have to rethink banning in nursing homes (Wayland Tobacco regulations does not allow tobacco to be used in Nursing Care facilities)- if patients have card, it is medical? How will medical Marijuana use be regulated, for Qualified card holders?

Section M- Enforcement (Page 12) Enforcement language is taken from Wayland Tobacco Regulations and the Framingham Marijuana regulations (page 13 section 10)

Tom will continue to work on the draft for more work at the next meeting.

7:50 p.m. **Discuss vacant Board of Health seats and determine which weekday evenings the Board of Health will meet going forward.**

EB: was willing to be appointed to CH's seat; does not feel she is able to complete the process for pulling papers and getting the needed signatures required. TK: has offered to help EB and the new member (Brian McNamara) to get their signatures. TK: There might be an issue for Brian McNamara to meet every other Wednesday night, do we have flexibility for other nights? EB: has flexibility, we can switch from Wednesdays to allow him to run. JS: once a month on Monday and once on Tuesdays? TK: I will contact Brian to pick up papers, and EB will coordinate someone to pick up her papers. JS and TK will help them get signatures.

8:00 p.m. **Discuss Artificial Turf-**

JS: had been in discussion regarding the injuries. Last week he did several hours' worth of reading on Artificial turf and he is concerned regarding the heavy metals in the tires, the industry says there is no contamination for the runoff. There is concern with the High School fields being so close to the Town wells (Zone II) at the High School. There are now 200 kids that have been diagnosed with (neoplastic) cancers pointing to fields. The crumb rubber can be replaced with organic matter (more costly) that is not as dangerous. New York City has banned crumb rubber, local town (Medfield?) Hartford CT has banned it, they are removing the crumb fill and replacing with organic matter. With the abundance of caution, this should be concerned. JJ has mentioned this BoH discussion at the Department Heads meeting, she advised them that we have concerns regarding the crumb

rubber in the current Artificial Turf field and the possibility of the installation of a second one. The special town meeting is asking for funding to do research for another field.

EB: when her daughter was playing soccer, all that crumb rubber was coming home, in the car, in the house, in the laundry. It looks like fine dirt gravel. A soccer coach noted increase in Lymphoma in goalies and started talking about these concerns.

JS: we need to ask the Town to consider no more crumb rubber in future fields and talk to Recreation to see what the cost may be to replace the existing crumb rubber. Fields were completed in 08. TK: can we find out when the fill is due to be replaced?

Kurt Tramposh (KT) 2 Weir Meadow Path, was working with Tom Sciacca to help protect the ground water by the wells when the first field was being proposed and installed.

KT: the fields have warranties that required strict maintenance, Wayland did not do the maintenance. Other than crumb rubber, there was a plastic based product used in CA and it was melting in the heat.

Gale associates had done testing on leachates and found lead zinc and cadmium. Recent study by Yale Group of infill, found 96 chemicals in 16 samples - 12 carcinogens and 20 irritants. TK and Tom Sciacca had done electronic heat readings on the fields. TK: was checking with other locations regarding on heat: they irrigate the turf, which was causing a toxic stew, which caused the players to request the irrigation be stopped. TK and TS wanted the BOH to be involved in heat problems, injuries from the turf. Looking for oversight of the chemicals used on the fields (disinfectants) to clean the biohazards from the turf, they use a number of chemicals that may be required for the warranty.

JS: fibers from the crumb rubber can be as fine as asbestos and are being inhaled and swallowed. If there are enough issues, why can we not get this brought out to the public. TK: with replacing the crumb, will you still have injuries. KT: Carbon black is a chemical product that is often found in the infill. Disposal costs for the crumb rubber and for the carpet (field) itself can be expensive. Organic grass is being formulated for stronger grass to hold up better.

JJ: this past summer we had a drought and water bans and the grass fields were in rough shape. How did they handle the grass especially with irrigation needs? KT: Recreation was looking at putting in irrigation wells to keep the fields in shape. JS: Proposed wells would be pulling from the same aquifer as the Town wells, the fields are large and would need to be watered multiple times a week, that could be a problem for the Town.

KT: Sudbury allows irrigation of the grass fields from a well only. If you are digging irrigation well, you must dig deeper to another aquifer than that being used by the Town for drinking water. Wayland may need to look into the well regulations to see if this can be done. Concerns regarding wells near the Town Cemeteries, when the Town was expanding the cemetery, would the expansion impact the Baldwin Pond wells. EB: with New England winters, the town needs the artificial turf, she would like to see the infill replaced with an organic product. They are needed for field rotation to allow grass fields to rest. KT(degree in Environmental Health) (member of Wellhead Protection Committee) some of the new grasses are hardier, there would be a need for more fields to allow the fields to rotate and rest. Techniques for the design of the fields and the process for maintenance of the grass helps to keep the field in better shape.

JS: there are many layers, 1) when and if the infill needs to be replaced? We should consider what we would recommend as a replacement fill. Who is in charge of the fields in town? TK: one individual was to be assigned charge of the fields. JS: please find out who is maintaining fields? The Schools? The Town? JJ: to find out who is

in charge of maintenance and replacement of the crumb rubber and advise JS. TK: let's look to work on finding out about this. JJ: they have a Warrant Article planned (Rec) for Annual Town meeting, asking for money to do research on finding out locations for a possible new field – maybe turf maybe grass. When is the High School field scheduled for replacement? TK: working regarding 193 main street site, warrant article states funding for an artificial turf field. Chip Osborne, (town director for fields in Marblehead - Osborne Associates) horticulturist who got involved with better grass to work in place of artificial turf. Organic fields with training classes (2 to 3 days) to educate municipalities on the maintenance of organic specialized grasses. JS: if we bring this to the Town attention, we could have a group; school, park and rec and DPW to come to a meeting to listen to options for organic grass turfs. JS: I understand there is a new athletic director TK: looks like we will be getting prepared to be able to present information for the Town Meeting if they are going to be going forward with request for funding to place a new Artificial Turf field, we will need to educate residents.

8:50 pm. Directors Report- has been reviewed

9:00 p.m. Approve minutes: August 20, 2014, November 4, 2015 and December 16, 2015

TK: Motion to approve the minutes of August 20, 2014, November 4, 2-15 and December 16, 2015 as presented. Second JS vote 3-0 all in favor.

Next meeting February 24th.

9:20 p.m. **Motion to adjourn second EB vote 3-0 all in favor**

Respectfully submitted
Patti White
Department Assistant
Health Department
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APPROVED30916