

BOARD OF HEALTH MINUTES
JUNE 29, 2016

The meeting was called or order at 7:03 p.m. Present were Thomas Klem (TK), chair, members John G. Schuler, M.D. (JS) and Brian McNamara (BM). Also present were Julia Junghanns, (JJ) Director of Public Health and Patti White Department Assistant.

7:00 p.m. Public Comment- Linda Segal Aqueduct Road- speaking for herself. Ms. Segal provided some emailed documentation. Ms. Segal has concerns as a former member of the Wellhead Protection Committee, who initiated a plan for the protection of properties inside Zone 1's, the protective radius around Public Drinking Wells. She would like to bring these concerns to the attention of the BoH. DEP had encouraged the town to work together to protect any property within the 400' radius of the Town drinking water wells, The homes around/inside the Zone 1 predate the DEP decision. The property in question, 8 Glezen Lane, is presently for sale and she has concerns regarding the listing for the open house/real estate listing narrative on the property. A previous case before ZBA inside a Zone 1, where they were looking to do work on the property was handled with a joint discussion with BoPW and BOH. Last night's BOPW was recorded on Waycam and there were comments made regarding the property for sale and the listing of the property. JJ: for a property transfer a Title 5 inspection or septic repair would be triggered. JS: we would follow the State and Town Regulations for any work on a septic system.

7:10 p.m. 10 Sunset Road, Local upgrades for septic system repair, property line offset reduction- Ted Doucette, Professional Engineer, owner Matthew Kosko

The concept plan for this project has come before the Board and now the plans for the addition have been drawn up and several septic variances are needed

- 1) Offset reduction between a foundation and the soil absorption system from 20 feet to not less than 10 feet.
- 2) Reduction in the offset between a foundation and the septic tank from 10 ft. to 5 ft. The proposed tank will be a monolithic tank (seamless) that will have a much less likely chance for leakage.
- 3) Request to eliminate the requirement to show a reserve area.
- 4) Request to increase the depth of cover over the system from 3 feet to not less than 4 ft. This will eliminate the need for a pump system. There will also be a vent to increase airflow.
- 5) Request to reduce the offset from groundwater from 5 ft. to not less than 4 ft. This will lower the elevation of the system and eliminate the need for a pump system that would increase the cost and be difficult to fit on the lot.
- 6) Request for reduction in distance from the property lines of 8 Sunset and 7 Lakeview from 10 ft. to 5ft. for the soil absorption system.

There was no observed ground water and the soil is sandy. An infiltrator system is proposed, passive innovative and alternative technology which provides more leaching area on a smaller footprint (MassDep approved technology).

Two abutters were notified, Cohen and Nawaw. 8 Sunset and 7 Lakeview signature only received from #7 Lakeview. TD to provide cards/copies to staff.

The existing septic system is the original cesspool. The new addition, including the square footage from the addition done back in the 90's will put the additional square footage over 60%. MK: the total square footage of the house after the addition will be under the BoH policy of 2,000 sq. ft. JJ: this plan will fall inside the Boards policy guideline for a 2 bedroom house. This is a very small house with a very small addition.

BM: is there a hardship, they are making improvements. If we know the building plan will be over 59% do we need to grant a variance for the building permit? JJ: It is up to the BoH to decide, that is the reason the policy (with suggested square footages) was created for situations like this as a guide for the Board to consider along with the scope of the project. The spirit of the regulation for projects over 60% is to trigger an upgrade on an

old system that does not meet today's standards. We have become more strict in interpreting this regulation in the past 4 years or so. Historically if a project triggers an upgrade, depending on the project, it could be viewed differently, but not the same as a teardown/adding bedrooms. After 399 OCP, this interpretation changed and was viewed more strictly by the BoH and staff. JJ: Smaller homes, with their small square footages of living space exceed the 60% rule much faster than a larger house. This is an issue that we have struggled with in the past.

TK: Motion to approve the request for the septic system variances

- 1) Reduction for the setback between a foundation and soil absorption system from 20' to not less than 10'**
- 2) Reductions between the foundation and the septic tank from 10 ft. to 5 ft.**
- 3) Request elimination of the requirement to show a reserve area**
- 4) Request to increase the depth of cover over the system from three ft. to 4 ft.**
- 5) Request to reduce the offset from groundwater from 5' to no less than 4'**
- 6) Request variance for distance from soil absorption system for 7 Lakeview and 8 Sunset from 10' to 5'**

All variances are referenced in the letter from Mr. Doucette to BOH dated June 28, 2016. Plans are subject to final approval by staff. Property to be renovated, the addition will exceed the 60 % limit for new construction, but the total sq. ft. will be less than 2000 sq. ft. guideline. BM second vote 3-0 all in favor.

7:35 p.m. 60 Shaw Drive, variance request from Town Septic Regulations to conduct soil testing outside of groundwater testing season for new construction-Mike Staiti, Keystone Development

The project proposes a 3 lot subdivision on a lot with a total of 5.8 acres. The existing house will be demolished and three lots with new houses are proposed. BOH regulations require soil testing for a new subdivision (of 3 lots or more) to be done between March 1 and May 31st. There were questions regarding using mottling instead to identify high ground water. JJ: this regulation is to ensure that large subdivisions with many septic systems have the water table pegged. It is really a safety measure to do the testing during the high ground water season where you could actually see the water table. Comments; our Town Regulations seem outdated.

JJ: Even if soil testing was done in season, this was a dry year and a true estimated seasonal high ground water would not be seen, mottling would be used. We could request a monitoring well be placed on the lot to be reviewed during high ground water season.

BM: does staff do inspection on installation of monitoring wells? JJ: soil testing could be done to confirm prior to installation and mottling is used to confirm historical high groundwater. The existing house at 60 Shaw drive, failed a Title 5 inspection so soil testing was done and then a septic design also. The soil testing was done at the end of February, just before our season (March 1-May 31st).

MS: If there is soil testing and mottling is identified, will there still be a need for a monitoring well? JJ: depending on the findings during soil testing, if the board will approve, staff will make the decision onsite as to whether or not the monitoring wells are necessary based on site conditions. The well locations are set by the engineer and the staff. JJ: if installed, we witness the readings of the monitoring well with the engineer to check and verify the data. There is no large expense for this, it is a pvc pipe, it needs to be placed appropriately to have valid data. BN: the soil testing data from 60 Shaw doesn't show any mottling, so I don't think we need a monitoring well.

TK: Motion to approve the request at 60 Shaw for variance from Town Septic Regulations to conduct soil testing for new construction outside the ground water testing season for a subdivision (of 3 lots or greater). Construction/placement at the site, if requested by staff to include monitoring wells. Second JS vote 3-0 all in favor.

7:55 p.m. Appointment for Animal Control Officer and Food Inspector.

TK: Motion to appoint David Poirier as Animal Control Officer for a term of 1 year from 7/1/16 to 6/30/2017.

TK: Motion to approve Beth Grossman as Food Inspector for Board of Health for a term of 1 year from 7/1/16 to 6/30/17 Second BN: vote 3-0 all in favor.

7:59 p.m. Administrative Assistant- Job description review for Classification Study

The Board reviewed the Job Description for Department Assistant- Public Health, as originally written with revisions by staff. Discussions took place, page by page (copy for reference with edits) with wording edits and updating. This is the beginning of the process for the Classification and Wage study that is part of the Contract Negotiations with AFSCME-2 and the Town of Wayland.

8:30 p.m Health Director Performance Review- discuss

A copy of last year's Performance Review has been provided to the Board along with copies of the Director's Reports for the past year for their review. TK: will reach out to the Board members for feedback. JJ: will get feedback from Town Administrator.

8:40 p.m Minutes of May 4, 2016 and June 1, 2016

TK: Motion to approve the Minutes of May 4, 2016 and June 1, 2016 as submitted, Second JS: vote 3-0 all in favor

9:00 p.m. The Director's report has been reviewed
Update on Wayland nursing and rehab- JS: when is the new septic going to be installed? JJ: We believe there has been a change of ownership. The board had decided and communicated in a legal order that they had until the fall to get the new system installed. We have reached out to them to find out what the status is on a septic design (soil testing was done) and we have not received anything. JS: I think it is time to send an official notice to get them to present a formal response for progress towards the new septic system. There was discussion regarding the (downgradient property status) notification we received regarding CVOC's in groundwater migrating to Town Center, Cook's gas station was identified as a source. Staff investigated found documentation on the Dep website that was missing from our files regarding Cook's gas station where a cleanup is taking place. JJ: will contact the LSP regarding the clean-up and they have ensured they will send us future correspondence. These projects are handled by Licensed Site Professionals, BoH is notified of cleanups. The Health Department will be participating as one of the departments who will have assistance from a Summer Intern (high school student). Brief discussion regarding projects: 40B proposed for the Mahoney's Garden Center and the Carrol School at 45 Waltham Road.

Tobacco compliance checks were done to confirm retailers are complying with our new Tobacco Regulations (what is on display, being sold, signage). There were 3 violators that were selling the smaller packages of cigars. The regulations outline that violations are fined for \$300.00. JS: a warning sounds like the reasonable next step. Provide a copy of the regulations and a letter to advise that we are waiving the fine and there will be re-inspections and then a fine if they are not in full compliance. BM: yes, there should be a re-inspection to see if they restocked the shelves, and if so then give the ticket and the fine.

The bills have been approved.

9:30 p.m. TK: Motion to adjourn. Second BM vote 3-0

Respectfully submitted
Patti White
Administrative Assistant
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