

BOARD OF HEALTH MINUTES
TOWN OF WAYLAND
Board of health office
January 30, 2017

The meeting was called to order at 7:05 p.m., Present were Tom Klem, Chair (TK), Brian McNamara (BM) John G. Schuler M. D. (JS) and Elisabeth Brewer, M. D. (EB). Also present were Julia Junghanns, (JJ) and Patti White Department Assistant

7:02 p.m. Public Comment – there were none

7:03 p.m. 5 Crest Road Septic system variance for new construction on an undersized lot in a Zone II. Registered Sanitarian William Murphy, owner Paul (PM) and Leslie Morette

The lot is very small with a parcel just purchased from the town (transfer of land) for a total of 13000 square feet. The house is across the street from the pond. PM: the present house is in significant disrepair. The house is presently 2 bedrooms. BM: Under Title 5 if the house is torn down and rebuilt, it is not considered new construction, Wayland new construction regulations require the lot to be 2000 sq.ft. for new construction. The septic design will meet new construction design criteria, the soil is well drained and low water table. JS: is there a concern for nitrogen reduction? JJ: The property is in a zone II, but it will not require nitrogen reduction since they are not adding a bedroom. PM: we are thinking of downsizing; presently own a house across the street, not sure if they will move or sell the house after it is built. JJ: Variance being requested is for a town regulation (20,000 sq. ft. lot size required for new construction in a septic Zone II)

TK: motion to approve the request for septic system new construction on an undersized lot in Zone II at 5 Crest Road. The variance is that the system will meet state title 5 requirements not Wayland square footage regulations. Second BM vote 4-0 all in favor.

7:20 p.m. Minutes of December 12, 2016 and January 3, 2017

TK: motion to accept 12/12/16 as submitted. TK: motion to accept 1/3/17 as amended. JS: second Vote 4-0 all in favor.

Next meeting date February 13th? Dr. S may be late Brian and Tom are ok for 7pm.

Director's report

There is one confirmed case of whooping cough at WHS and a second possible. EB: can we verify that the immunizations were up to date?

School bus parking.

Julia has attended a meeting with school, fire, police and town staff to brainstorm for possible sites for parking. The middle school was a possible site, there is not an actual site located yet. There has been an investigation of the old "burn dump" across RT. 20 from the current transfer station.

7:40 p.m. Discuss the Recreational Marijuana Law and ATM Article for Temporary Moratorium on Recreational Marijuana Establishments- guest Sarah Greenaway (SG) of Youth Advisory Committee (sponsor of the Article)

Sarah Greenaway (Youth Advisory Committee Chair) and Lynn Dowd (LD) (Director of Youth and Family Services –Y&FS)

Youth and Family services is sponsoring an article to further extended the 6 month State moratorium to allow Wayland time after other town have started, to decide how they want to handle Recreational Marijuana sales in Wayland.

TK: you have crafted this with the draft from the State? SG: This article has been worked by a number of people with information received from Town Counsel; we are looking for feedback from the Board of Health regarding the proposed extension. JJ: The Planning Board is holding a public hearing on February 7th and they are looking for our comments/support/endorsement, which will then be shared with the Finance committee

TK: Jason from Wayland Cares had spoken at the Finance Committee meeting, will he be involved? LD: yes, he is part of the staff of Y & FS and has been involved in this process.

BM: is there any time frame regarding how long we can do a moratorium? JJ: I have not seen any information that there are any time limits for a moratorium. LD: Town counsel has advised us that the Attorney General's office would support a full 1 year moratorium. EB: the state is doing 6 months to 7/1/18 and we will bring it to 1/1/19? SG: that is correct. EB: What do you feel we can learn from other towns opening in a 6 month time frame. EB: if we get close to the end date (1/1/19) and want to extend, can we? JJ: it would have to be re-presented to Town Meeting. LD: The state needs to set up a Cannabis Commission with all the guidelines and they feel they need the extension of time to 7/1/18, the additional time will allow us to see how other towns are setting up.

TK: Motion in support of a proposed Warrant article, sponsored by the Youth Advisory Committee to put in place a moratorium until the proposed date of January 1, 2019 for the sale of non-medicinal marijuana in the Town of Wayland, if passed by Town residents at Spring Annual Town meeting. Second BM, vote 4-0 all in favor.

8:00 p.m. **45 Waltham Rd.-The Carroll School**

Judi Seldin (JSeldin)- the Carroll School, Sean Malone, P. E. – Oak Consulting and Erin Cusker- DSK Architects have come to the Board to present their plans for the property.

JSeldin: We are looking to modify the whole house for school use, we previous visited to the Board for permission to use the Pool house for offices, now we are ready to modify the main house for classrooms. The maximum occupancy of school is 100; broken down to 40 staff and 60 students. The existing septic system has been approved as sized for the proposed use as a school. This meeting is to approve the change of use.

There were previous questions from abutters regarding the cleaning products to be used at the School, all products to be used are green products and are not be considered Hazardous Waste. As requested we forwarded documentation of these products to the neighbors who were concerned)

JJ: Title 5 has different daily flow for residential properties (7 bedrooms) than for school use. The school will not have a cafeteria (students will bring bag lunches) and plans are to either remove or dismantling showers in the bathrooms. This is a middle school, there will be athletics, but they will not be showering at the school, the flow for a school will be covered by the current system.

Information related to Health and Nursing Services at the Carroll School

JJ: Ruth Mori, R.N., B.S.N., Public Health Nurse/School Nurse Leader did some research regarding school nursing needs and requirements.

JS: I spoke with Ms. Mori and we agree that it is not required to have a R.N. onsite. Ruth has provided information regarding what is requiring and recommendations. The nurses in the other (Carroll) schools will oversee the needs of the Wayland campus. The Staff (division heads and staff) will be trained on first aid, CPR along with the administration of EPI pens, medications and field trip requirements. JS: who will dispense

medications? JSeldin: our nurse is trained to dispense meds as prescribed by MD's. Other private schools do not have nurses on staff.

TK: Motion to approve the request in change of use of the existing septic system for the Carroll School at 45 Waltham Road. GPD usage shall not exceed 1155 gallons. Second BM vote 4-0 all in favor.

8:20 p.m. Discussion of development plans for Mahoney's Garden Center- Developer Steven Zieff (SZ)

I have hired Tighe and Bond to do an investigation of the property and discovered a 1000 gal underground storage tank. We are looking at historical records and have located a foundation from old building. Existing house (separate house will do ANR) the original design plans will possibly be changed. We may change locations of the building from previously presented plans.

BM: what are your distance requirement from the river? SZ: The River's bill says if disturbed areas are being returned—setbacks from riverfront? JJ: Darren witnessed soil test and they have found some good soils

BM: What is the total size of your proposed project? SZ: less than 10,000 g.p.d., no certain idea of how many units I anticipate filing plans in April or May. I am hoping to keep "Mahoney's" present as possibly a small farm stand.

JJ: we would like to have this project comply with our regulations.

SZ: these will be rental units. Looking for 110 g.p.d. for design- 89 bedrooms - will total 9790 g.p.d. I am not sure of the size of the units or number of units.

8:35 pm Comments for Eversource YOP

JJ: Eversource is asking for our comments to their plan for 2017. We confirmed our list of private wells, in review of the work being proposed. They are not allowed to spray in the Zone 1 and the BoPW was looking at the capture zone. I will be sending them a map showing any private wells in the area. The plan calls for herbicide treatments; we will be sending note regarding sensitive areas. See page 8 of 2017 YOP with a description of no spray areas. They do not mention Capture Zones, the BoPW will be asking for it to be included. Ms. Junghanns to prepare a memo asking for no spray at private wells, Zone 1 and would like to request Capture Zones.

8:50 p.m. Discus ATM Warrant Article and BoH comments/statement: Polystyrene Food Container Bylaw

JJ: The DPW will be enforcing and supporting the ATM warrant article for the plastic carryout bags. The Finance committee is looking for our comments on this warrant article. I have concerns regarding the inspections, costs? We have no way to know what time and money may be involved.

JS: apprised of proposed by-law, we do not think this is health issue and we do not feel this is (?)

TK: We agree in principle that it is desirable to decrease the use of Polystyrene products in Wayland. However we do not see this as a public health issue and furthermore, do not currently have the resources to enforce this bylaw. We do not think it is fiscally responsible to add staff as other towns have had to do to enforce the bylaw. Second BM vote 4-0 all in favor.

9:25 p.m. Update on requiring Title 5 inspection on properties in zone I- (Town Wells) Advise provided from Town Counsel.

JS: if we are requesting title 5 inspections. BM: put a list of items we want to have done. Pump the tank, it is not required to be pumped. EB: We wanted to know if we could require the inspection and do we have the right to require them to pay for the inspection? TK: I think we should pay for the inspection, for the time and nuisance of the inspection. BM: If BOH calls the resident and says we are coming to inspect the system, do they have to allow us on the property? JS: what is the cost of a title 5 inspection? JJ: if there is a problem locating the system it could be much larger fee. BM: can we write a policy that if you live inside a zone 1 that you need to have your system inspected in every ___ so many years?

9:35 p.m. Discuss the review and update of Small WWTP Regulations (adopted in 1988) by a Professional Consultant.

JJ: The Wayland regulations for Small Wastewater Treatment Facilities (WWTP) are in need of updating. There is money under our Contractual Services expense line item and we have identified consultants (Mill River Consulting) as a company to do that for us. Staff to find out if we need to get bids? Can they submit cost numbers to us to review?

9:45 p.m. Dr. Brewer has left the meeting.

9:50p.m. TK: motion to adjourn second BM.

Respectfully submitted
Patti White
Department assistant
013017minutes
Approved 021317