

BOARD OF HEALTH MINUTES  
TOWN BUILDING 41 COCHITUATE ROAD  
BOARD OF HEALTH OFFICE  
APRIL 12, 2017

The meeting was called to order, present were John G. Schuler, M. D. (JS), Brian McNamara (BM) , Arne Soslow, M. D. (AS) and Susan E. Green. (SG) Also present were Julia Junghanns (JJ) and Patti White, Department Assistant.

7:00 p.m.        **Public comment- there were none**

7:05 p.m.        Welcome new BoH members and discuss next BoH chair, potential vote  
There was a discussion regarding who is interested and willing to act as next BoH chair. Both Dr. Soslow and Brian M. have been BoH chair's in the past but are not interested in filling this role at this time. Dr. Schuler is not interested either. Dr. Brewer's name was mentioned as she has the most seniority on the BoH, JJ will reach out to her and see if she would be willing/interested. JJ mentioned that we could have a chair and a vice chair if one person feels it's too much/or availability is an issue.

7:10 p.m.        **57 School St. - Variance from WBOH Regulations for leach field sizing, to add bedrooms, Professional Engineer Bob Drake, owner Nathaniel Lindzen**

(continued from March 20, 2017) the current house is a 1445 sq. ft. cape with 2<sup>nd</sup> story dormers, 8 X 8 sunroom adding 500 sq. ft. (3 levels) to back present plans show full basement, will not meet 20' setback to leachfield. (the addition will allow the owner to divide the current master bedroom and create 2 bedrooms and move the master bedroom to the other side of the 2<sup>nd</sup> floor. The request is for a variance to increase by 1 bedroom, they cannot meet Wayland's regulations for 165 calculations. With the Cultec system, they can design at 110. A previous repair design was sized at 165 as a repair, but did not site a reserve area (not required for a repair).

Using the Cultec system there will be a reserve area. The system will have a retaining wall 6' from the rear property line with a 40 mil barrier. Owner says he was not aware of the retaining wall height, doesn't like the idea of it being so high. Cultec chambers allow for complete direct contact with the soil, not using stone.

AS: Julia, what are your thoughts? JJ: the problem with this lot is that there is a lot of ledge on the property. The soils in the proposed leaching area, one of the test holes required to use the B layer, acceptable to the state (they must have at least 4 feet of pervious soils, and it just makes it). This discussion of using passive technology (smaller footprint) has come before the Board in the recent past. The board needs to decide how they want to allow this technology to be used if new construction is considered/proposed. Many different scenarios have come before the board because using the passive alternative technology does not satisfy town regulations for square footage. Engineers see the use of passive I/A technology as a tool in the engineer toolbox for difficult septic repairs (difficult lots/wetlands offset issues/poor soils/ledge/topography issues with steep slopes). This type of passive I/A system is being used more frequently throughout the State. AS: Are they seeing good results from these systems? Is there a risk with using this technology? JJ: this is a more difficult lot to design on, with all the ledge found.

BD: Cultec and Infiltrator technology; he has not been involved with any systems that have been installed and failed. These systems need proper supervision when being installed, to be certain of good installation/complete distribution, that can be the reason for the problem. The technology has been approved by the State. AS: will there be a garbage grinder? BD: the design of the system would need to be increased to allow for a grinder. SG: have systems like this been approved for repairs of systems? JJ: we have not seen any problems with this technology, but, there are may be problems somewhere in the State. JS: I have concerns about the retaining wall, will the abutting neighbors be notified? JJ: they are not required to notify the neighbors when the wall is within the specified offset that is allowed. BD: we could plant shrubs that would cover the retaining wall for the neighbor's view.

The board discussed the need to review their policy and determine their stance on issuing variances for new construction when Innovative and Alternative technology is being considered either passive or active, this should take place when we have a full board in the near future (end of May or early June). JJ: we need to consider being consistent with decision making and granting variances. Our policy has been reviewed and discussed as a BoH meeting a few months ago but with the changing of 2 board members we decided to hold off until after the election. AS: feels we should get this done before we make any more decisions on projects, SG agrees.

**JS: motion to approve the variance from WBOH regulations for leach field sizing to add one bedroom with the use of a passive system (Cultec Technology) as shown in plans dated March 9, 2017 Vote: JS yes SG no, BM no, AS- (abstain) vote 1-Y 2-N 1-abstain Vote Does NOT pass.**

General discussion regarding review of BoH I/A policy, maybe they should come back after this is done? This project could be grandfathered if the policy is reviewed/changed and it is in their favor as approvable. The owner stated they don't have time and may proceed with the repair design as they need to get going/move in soon.

**8:00 p.m. Definitive Subdivision Amendment approval – Whittemore Place ( 209 & 213 OCP)—Fred King, (FK) P.E. of Schofield Brothers, LLC, Owner, Mark Klempler (not present)**

The Subdivision was approved in 1989, by the Planning Board and the Board of Health (BOH), Stormwater maintenance was just starting to use infiltration systems; there are now the new standards and the design has been improved. In 1998 the subdivision was indefinitely approved by the Planning Board and does not expire. Since the approval there have been State and Local Regulation changes and the plans are being revised to address the changes in the regulations, which consist primarily for Stormwater management. Dr. Klempler has sold his home at 209 Old Connecticut Path, he is getting the subdivision updated and approved and the plans will be sold to a developer. There are concerns regarding the drainage off the back of the property, in the Davelin road area where prior flooding has occurred. Klempler Lane, the road for the subdivision is reflected on Town Maps. At the suggestion of the planning board it will be serving 3 lots. It is hoped the Homeowners association will manage the drainage facility.

Wayland BOH has Subdivision Regulations requiring a drainage review by a consultant, and the BoH must officially review the Definitive Subdivision in 45 days and either approve or deny the project. We had the detailed drainage calculation review done by a consulting company; Tera Tech, who submitted their review and questions, and Schofield Bros (design engineers) commented in response, followed by Tera Tech replying to their comments. There are 2 main outstanding questions that were shared via email. BOH has 45 days to approve the subdivision from the date of submittal and provide comments to the Planning Board.

As part of the subdivision submittal, a monetary deposit has been paid to the Health Dept. to cover the drainage calculations review done by the consultant.

JS: will any of the drainage issues cause any problems with conventional septic designs for each lot. FK: part of the analysis was to confirm that the drainage will not compromise any of the septic systems. Soil testing has confirmed that there should not be any problems to design conventional systems. There will be new confirmatory soil testing done on each lot to verify during high ground water testing season. JJ:soil testing methods were changed when Title 5 Regulations changed significantly in 1995, therefore confirmatory testing must be done and will need to be done before May 31<sup>st</sup> (high groundwater testing season as per town BoH regs).

Planning board met last night to discuss this project. Sean Readon, P. E. of Tera Tech said there is a lot of hydrology data, but everyone agrees to verify the groundwater. Check monitoring wells and compare with current data. Last 2 weeks, lots of rain and melting snow, this is part of the Happy Hollow Zone II. Additional monitoring results from today readings.

New drainage to add swales JJ: who will be maintaining the swales? FK: we are expecting the homeowners association to take care of the mowing of that area.

**JS: Motion to approve the Definitive Subdivision “Whittemore Place”, 209 & 213 Old Connecticut Path. As shown on the plans dated February 14, 2017, subject to further confirmatory soil testing, and with outstanding questions and answers on the drainage review from peer review consultant Tetrattech and responses from Schofield Brothers. As submitted 4/5/17 (drainage review) and responses from Schofield Brothers dated 4/11/17, including email from Tetrattech dated 4/12/17. Second BM, vote 4-0 all in favor.**

**8:30 p.m. Discuss potential joint letter with BoH and Surface Water Quality Committee (SWQC) to Dudley Pond abutters**

JJ: The SWQC is discussing sending out a mailing to Dudley pond abutters. Susan Green has been doing research of the Health Dept. records to identify properties that may need either outreach or education regarding their care of their septic systems and ways to protect Dudley pond. We have also discussed sending a brochure/ mailing to abutters with Susan and had some good ideas that were reviewed.

Health Dept. Staff has begun working with SWQC on the attached informational brochure. AS: I believe it is well done and educational. JJ: thinks it’s a bit too long/wordy, concerns for people not reading it. SG: This is very informative for residents, and might be good to provide to RE agents for new owners. AS: does the Dudley Pond association have welcome packages?

JJ: Summer season (weekly) water testing is done at Dudley pond as well as the Town beach.

**8:40 p.m. Review recent letters received from Environmental Resources Management, “Downgradient Property Status Opinion”, regarding 430 Boston Post Rd., Former Raytheon Facility**

According to the letters received from CMG Environmental, Inc. (12/6/16) (former Raytheon property- Town Center) by the new bike path(near stop and shop/parking lot area) there has been a lot of testing done to determine/prove where the contamination of CVOC’s is originating from. ERM who is representing Raytheon has submitted testing and reports supporting their opinion that there are two separate and distinct Plumes of CVOC’s (Chlorinated volatile organic compounds), and that plume one and plume 2 are not part of the Raytheon contamination and originated from a different source. Ben Gould Licensed Site Professional, who has represented the town on the former Raytheon property, from CMG Environmental, Inc. will be meeting with the Board of Selectmen at their next meeting, to provide a report on this and answer questions. He represents the BOS in regard to the Raytheon/Town Center property and has been advising them through the town center project. Health Director Junghanns will attend the meeting and plans to call Ben in advance also, and then update the board with any new information. If the board has any specific questions, Ms. Junghanns can pass them to Mr. Gould for his response. This new area is being separated out from the Raytheon identified contamination where their cleanup has been taking place. DEP oversees these cleanups and assigns the tracking numbers for known contaminated sites in Mass that are being cleaned up, 4 plumes have been identified and they want to assign them with a separate tracking # to remove association with the former Raytheon property.

**8:50 p.m. Review letter from 37 Oak Hill Road regarding planned maintenance by Eversource Energy (formerly NStar)**

The Town received a letter from residents of the Oak Hill Road neighborhood. They received an abutter notice from Eversource regarding planned herbicide treatments and brush maintenance. We responded to Eversource regarding their YOP earlier in the year with a memo regarding sensitive areas to be avoided, specifically Private and Town wells, well capture zones, Zone I’s. There was a general discussion regarding MDAR and the history of discussion with Eversource regarding the town’s wishes to restrict herbicide treatments in this area. MDAR is the authority to permit licenses to applicators and oversees approval of herbicide/pesticide use. Town’s don’t have the ability to restrict/regulate pesticide/herbicide use by Eversource.

9:00 p.m. **Follow up regarding BoH inquiry on catch basin treatments and DPW involvement**

Staff had inquired to DPW to see if they might be able to apply the Altocid treatment to the catch basin at the time of cleaning. DPW Director Holder replied that right now DPW staff is fully scheduled with projects and this is not possible.

In other mosquito related news, Director Junghanns was advised by East Middlesex Mosquito Control that the Helicopter larvicide treatment of wetlands will probably not be till early May

9:00 p.m. **Update from Ruth Mori, R. N., B. S.N, Public Health Nurse/School Nurse Leader**

The 10<sup>th</sup> grade students are now being screened on the newly required (SBIRT) Screening Brief Intervention Referral for Treatment. Nursing is assisting the Guidance dept. for this new State mandate from 2016.

The Board wishes for Ms. Mori to come to a future BoH meeting with an update on emergency preparedness at the schools, AED's and Sporting groups.

8:30 p.m. **Review notes from BOS "listening Sessions"**

We will be reviewing the website to include more information

8:40 p.m. **Share new information if any regarding the Wastewater Treatment Plant at Wayland High School**

JS: The Health Department permits the Wastewater Treatment plant at the new High School, which is operated and maintained by a Wastewater Treatment Specialty Co. The Board wishes to know if there has been enough education of the custodial staff and general staff at the school regarding the system (what can or can't be disposed of in the system) ? Who is responsible? Who was the installer? Who is paying the bills and who will be sure this does not happen again?

JJ: attended a site visit/walk through at the Treatment Plant with staff from the Department of Environmental Protection, the Facilities Director, and Plant operator to review the problem, how and why it happened. AS: can we get a synopsis of the event and lessons learned? JJ: A comprehensive report is being drafted by the O&M company and Information is being gathered regarding, costs, chain of events, pumpings, etc. and we will be getting more information very soon. The questions posed by BoH have been identified and shared with the Facilities Director.

9:10 p.m. The Polystyrene Ban will be overseen by the Health Dept. this was just passed at Town Meeting and there is much to be investigated and people to be educated.

9:20 p.m. **General Business**

The bills have been signed. There is no director's report, JJ will provide a verbal report.

9:30 p.m. Minutes of 3/20/17—hold to approve to next meeting.

Dr. Shuler. will be out of town until May 3<sup>rd</sup>,

JS: Motion to adjourn Second BM

Respectfully Submitted  
Patti White  
Department Assistant  
041217minutes  
APPROVED 052217