

BOARD OF HEALTH MINUTES
TOWN BUILDING- HEALTH DEPARTMENT
APRIL 9, 2018

The meeting was called to order at 7:00 p.m. Present were John G. Schuler, M.D. (JS), Brian McNamara (BM) Arne Soslow, M. D. (AS), Susan Green (SG) and Dr. Robert DeFrancesco (RF). Also present were Julia Jughanns, Director of Public Health, Darren MacCaughey Health Agent and Patti White Department Assistant.

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

AS: Welcome to the Board Bob, tell us a little bit about yourself: RD: general dentist in Watertown, works for ADA as an expert witness and is a member of the Board of Dental Examiners.

7:05 p.m. Discuss and vote BoH Chair- John G. Schuler, and Arne Schuler, There was a discussion regarding co-chairs between Dr. Soslow and Dr. Schuler with Dr. Schuler taking a lead on things, they will take turns as needed. Motion Dr. Soslow, second Susan G. vote 5-0.

7:10 p.m. 47 Pilgrim Path- Waiver of policy regarding I/A technology for nitrogen reduction for new construction – P. E. Robert Drake (Robert D), Owners Lia Hempel and John Lawrence

Robert D: The owners are looking to demo and rebuild the house; the current building is not suitable for habitation and needs to be demolished. The house is located on the corner of Pilgrim Path and Woodland Road, the lot is 15,540 sq. ft. with 116 feet of frontage on Pilgrim Path. The existing house is approximately 24' X 34' (880 sq. ft.) and is currently listed in assessor's records as 2 family with a total of 3 bedrooms and a 24X30 multicar garage. This property is in a Zone II and the new septic system will be adding nitrogen reduction technology, the primary and reserve leach fields will be full sized.

The proposed system will include a tank, d box and leaching trenches, the existing system is a leaching pit with 2 leach lines.

The project will require ZBA approval and they will allow 20% lot coverage. The new house will be for the same 3 bedrooms with family room/ game room that will not have closet or direct entry door. As part of the project, department staff will require a deed restriction for 3 bedrooms to be filed.

AS: What is the proposed size of the new house? Robert D: The proposed house will be approximately 1860 sq. ft., the lot coverage proposed will be at 19% just under the ZBA restriction of 20%. There will be a small finished area at base of basement stairs; the rest of the basement will be unfinished.

BM: can you modify the existing house location? Robert D: I located the house to allow the driveway to offset from the driveway of the property across the street.

SG: Is this an active system, active technology? BD: this is a typical 1500 gallon 2 compartment tank unit the active treatment system to reduce nitrogen installed in the tank with media.

JJ: The State Regulations allow for a homeowner to rebuild for the same number of bedrooms without using any treatment, this is a Wayland Regulation that requires adding the I/A technology to reduce nitrogen. We have approved several similar projects in Septic Zone II areas; 341 Old Conn Path (now 3 Pine Ridge Rd.) and 3 Riverview Circle was to be a renovation and during construction it was discovered to have a structural problem and the house had to be taken down, I/A technology was used to reduce nitrogen.

AS: what type of system are you proposing? JJ: this will be a Fast system (active treatment system to reduce nitrogen). Robert D: As an active system, it will require a contract for inspection and maintenance of the system; we try to avoid using I/A technology when able, but reduction of nitrogen is necessary for Zone II.

AS: Is the acceptable to do an escrow? JJ: I believe in the past we have done a 1 year of the O & M contract.

AS: Motion to approve the plans for 47 Pilgrim Path as drawn; contingent with the removal of the second floor family room bathroom, to grant the use of the I/A technology, the O & M Contract with escrow for one year and 3 bedroom deed restriction. Second JS vote 5-0 all in favor.

7:40 p.m. Vote to release guaranteed deposit funds as per the Subdivision Control Act for completed Subdivisions as follows: Covered Bridge, Rose Hill Lane, 57 Main St. (TDBank), 33 Shaw Drive, Patriots Way/ 41 Shaw Drive, Sage Hill, 115 Lincoln Rd., Lee Estates- Elizabeth Road

JJ: We have a number of guaranteed deposit funds, for subdivisions that have been completed (homes built/septic installed and all occupancies/certificates of compliance issued). Upon application of the subdivision the funds were collected for peer reviews and drainage reviews. Patti has done all the research and we reviewed everything together, all is in order and funds can be released for these projects. Usually someone requests the funds to be released but that did not take place. We initiated the research to release the funds after a report was generated and it was brought to our attention.

JS: Motion to release subdivision funds as listed, work has been completed. Second Vote 5-0 all in favor.

7:50:p.m. Discuss Ch. 40B Projects; peer reviews, updates, any new information

113-119 Boston Post Rd. - Cascade Wayland- Consider potential town funded analysis, discuss proposed

The next ZBA meeting for the Cascade project is 4/25/18, at the last hearing, a deadline of 4/11/18 was set for the hydrogeo study and complete list of waivers to be submitted, the Applicant claims they were not aware of this time frame. On Friday an email was received from the Applicant's attorney, explaining that they were planning on submitting an extension to the ZBA deadline which is currently 4/30, unless the extension letter is received.

The septic is 89 bedrooms and 9900 g.p.d.. A conventional septic system including alternative treatment; BOH regulations require a hydrogeo study which the applicant agreed upon at the very beginning of the application process for the comprehensive permit with the ZBA. AS: Do we formally draft a message?

BM: Dan Hill, Planning Board Chair, wants the town (town funds) to initiate analysis of information we have. JJ has talked to Building and Conservation and since there has not been any information forthcoming, feels that it will be useful to the ZBA to initiate the project Mr. Hill has proposed.

AS: I agree with Mr. Hill, that we need to do something; a review of the data. JJ: I have requested for readings from the monitoring wells; the readings were last done in January, which had an usually low water table. We would like to request March, April and May readings to be done. We are trying to get an updated list of waivers they are asking the ZBA to grant for their project, there was a very broad list from June 2017 that were in the original Comprehensive Permit Application that need to be updated.

Soil testing was done in December 2016 and January 2017.

As of April 9, 2018, we have not received an updated list of waiver requests from the Applicant, so we are referencing the original list received July 26, 2017 in the comprehensive permit application:

1) BOH regulations

The Board of Health would not recommend a waiver to all BOH regulations- this is not specific enough

2) Flood Drain Regulations

No information has been received with any proposed alternative

3) groundwater testing season

The Board of Health would not recommend a waiver to this

4) Periodic Flooding

The Board of Health would not recommend a waiver to this
5) Leaching facility(section II (C) (1) & Section II (C) (2)
The Board of Health would not recommend a waiver to this
6) Distances
The Board of Health would not recommend a waiver to this
7) Floor Plains and Land Subject to flooding
The Board of Health would not recommend a waiver to this
8) Pump designs (Section II (G) (2) and Section (G) (5)
The Board of Health would not recommend a waiver to this
9) Hydrogeological Evaluation
The Board of Health would not recommend a waiver to this

JS: We have concerns due to the proximity to sensitive areas/wetlands and the fact that ledge that was observed during soil testing.

AS: We have addressed these items in prior statements to the ZBA. I believe we should reference Julia's memo of February 9, 2018, pull out all the prior memos that have been written and include with a cover letter. We still have not yet received any of the requested information.

JS: The board has been asked to comment on the Cascade list of waivers, as of this date we still do not have adequate information to verify that the project will meet Title 5.

**A. Soslow motion: The Developer Eden Management, as of this date, has failed to provide data and access that permits the Board of Health to grant the Developers waiver requests; reference to Exhibit A-4 Page 8 and 9 from the Comprehensive Permit Application dated July 26, 2017.
Second B. McNamara, Vote 5-0 all in favor.**

24 School St. Windsor Place- revised septic design plans (if received), updates on groundwater mounding and hydro/storm water reports.

24 School St. Windsor place

This ZBA hearing has been extended to 7/2/18. There was a conference call and discussion of the cumulative groundwater analysis, a revised report was requested by Conservation and the deadline was missed as the engineers had delays.

Once the cumulative groundwater analysis report is received and it is peer reviewed, the information will be folded into the septic design. Once that information has been completed, we will review the plans with the list of waivers that has been submitted. The septic system design was reviewed by staff, and comments were provided to the engineer. The groundwater mounding analysis will give us more information on the design. Waivers that were requested include; offset to wetlands, leachfield sizing, distance between trenches. The design will include I/A treatment to enhance the effluent.

There was a brief discussion regarding the Dan Hill memo and a town funded study. JJ suggested that the BoH vote/take a position on this.

AS: The Board of health supports the Planning Board Chair Dan Hill's recommendation that Town funds be used to proactively undertake Town initiated studies necessary to guide the ZBA Cascade decision, John S. second, Vote 5-0 all in favor.

8:30 General Business

Potential next meeting dates- April 30? BM no- JS yes, Dr. Soslow- yes or May 7th? May 21st. June 11th BM, no till 5/21

Director's report has been reviewed and the bills have been approved.

9:25 p.m. Meeting adjourned- Seconded.

Respectfully submitted
Patti White
Department Assistant
040918minutes
APPROVED 06112018