

**TOWN OF WAYLAND  
BOARD OF HEALTH  
MEETING MINUTES**

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**Monday, March 7, 2022, at 6:30PM  
Wayland Town Building  
41 Cochituate Road, Wayland, MA 01778**

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**(Hybrid meeting; in person and via zoom)**

One may watch or may participate remotely with the meeting link that can be found at <https://www.wayland.ma.us/public-body-meeting-information-virtual-inperson-and-hybrid> Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This meeting may be recorded which will be made available to the public on WayCAM as soon after the meeting as is practicable. Everyone in attendance must adhere the Town of Wayland's new mask requirement dated August 11, 2021 (Revised to optional) <https://www.wayland.ma.us/home/news/august-11-2021-announcement-covid19-update-and-new-mask-requirement-wayland-town>

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**Present:** John G. Schuler M.D., Robert DeFrancesco D.M.D, Susan Green, Brian McNamara

**Not Present:** Arne Soslow M.D.

**Also Present:** Julia Junghanns, Director of Public Health

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**Call to Order:** R. DeFrancesco called the meeting to order at 6:30PM

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**Roll Call:** R. DeFrancesco – YES, J. Schuler – YES, S. Green – YES B. McNamara – NO A. Soslow – NO

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**Public Comment, 6:30PM**

B. McNamara joined the meeting at 6:35PM

There was no public comment.

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**General business, Bills, Review and approve Minutes: January 25, 2021, February 7, 2022**

S. Green motioned to approve the minutes for January 25, 2021. J. Schuler seconded the motion.

**VOTE:** YES: J. Schuler, S Green, R. DeFrancesco

NO: None

ABSTAIN: None

MOTION PASSED 3-0-0

J. Schuler motioned to approve the minutes for February 7, 2022. S. Green seconded the motion.

**VOTE: YES: J. Schuler, S. Green, R. DeFrancesco**

**NO: None**

**ABSTAIN: None**

**MOTION PASSED 3-0-0**

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**265 Concord Road – Animal Keeping Application for 2 Luxury Horses, Owner Rafeal Brown on behalf of Brown Family Farms, LLC**

R. Brown owns a farm at 265 Concord Road, he and his wife also own 267 Concord Road where his parents reside. He noted the abutter on 263 Concord Road is also a Brown with no relation. R. Brown's parents just moved from Montana with their horses, and he would like to allow the horses to stay on property. R. Brown said he has plenty of room for the horses, and that stalls would be cleaned of manure daily. The manure would be collected in a sealed container and taken to the dump weekly. R. Brown noted it is about 140 feet to Mrs. Brown's residence at 263 Concord Road. Mrs. Brown wrote a letter to the Board regarding the horses. Mr. Brown received many letters from abutters in favor of having the horses including 281 Concord Road, and Sudbury Valley Trustees.

B. McNamara asked if all abutters were in favor of the horses. R. Brown said yes, all the ones he has heard from were in favor. J. Schuler asked if they were waiting for other abutters to reply. J. Junghanns pointed out that they only have to be notified of this hearing by certified mail return receipt. B. McNamara asked if there has been any negative response. R. Brown replied no. J. Junghanns has not heard of any.

R. Brown showed the Board a map of his residence and his abutters. J. Schuler asked what a luxury horse was. R. Brown said the paperwork only gives two options "luxury" and "draft", so he selected luxury. He said his father's horses are just regular horses.

B. McNamara asked if the plan shows where the stalls will be located in relation to the neighbor that is 140 feet away. R. Brown said yes. The variance would be for the 10-foot difference (150 Feet requirement). R. DeFrancesco read Mrs. Brown's letter (263 Concord Road) which said she read and understood R. Brown's plan and was in full support. B. McNamara asked if this was going to be issued as a livestock permit with 2 horses, with no plan of future animals being added. R. Brown said this was correct. J. Schuler asked how long the permit is good for. J. Junghanns replied 1 year with a yearly renewal application to follow.

B. McNamara made a motion to approve an animal keeping permit limited to two luxury horses for the plan submitted at 265 Concord Road and grant a variance within 140 feet of the abutting neighbor.

**VOTE: YES: J. Schuler, B. McNamara, R. DeFrancesco, S. Green**

**NO: None**

**ABSTAIN: None**

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**MOTION PASSED 4-0-0**

**COVID-19 Case updates/New information**

J. Junghanns distributed a report that represented PCR test result data. She reported the past couple weeks have seen 18 cases, 8 cases, and 14 cases through March 3<sup>rd</sup>. For February 11-17<sup>th</sup>, 8 cases were under 18 years old, with 10 cases being residents over 18. For February 18-24<sup>th</sup>, 8 cases were under 18 years old, with 12 cases being 18 years or older. For February 25<sup>th</sup> – March 3<sup>rd</sup> 4 cases were under 18 years old, with 10 cases being 18 years or older.

There have been 31 cases in schools over the last two weeks. The High School had 8 cases, the Middle school had 9 cases, Claypit Hill had 11 cases, Happy Hollow had 4 cases, Loker had 3 cases, and the Children's Way had 0 cases. J. Schuler asked if any students are seriously ill. J. Junghanns said she has not heard of any seriously ill people. S. Green asked how the cases were detected. J. Junghanns replied rapid home tests, and pooled testing. S. Green asked if pooled testing is revealing positive cases. R. DeFrancesco replied yes. J. Schuler inquired about masks. J. Junghanns said as per the School Committee masks are no longer required as of March 7<sup>th</sup>, DESE lifted the mandate as of Feb. 28<sup>th</sup>.

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**131 Boston Post Road, Jindu Asian Cuisine-New restaurant owner Zhaozhong Fend, Variance for rice acidification process for HACCP Plan to render it a non-time temperature control for food safety as per food code 590.003: FC 3-502.11**

J. Junghanns said the owner of the restaurant, Zhaozhong Fend would like a variance issued so that he can prepare rice for sushi which would be a variance from the food code regulations. B. McNamara asked if the Board had issued a variance for the Takara restaurant for sushi rice preparation as well. J. Junghanns said yes, anyone who prepares sushi must get a variance due to the way the rice is used to roll the sushi it cannot be held at temperatures required by the food code, therefore the variance is needed and special instructions to prepare the rice. J. Junghanns said the food inspector, Beth Grossman, will go on site to watch the preparation of the rice and follow up with a lab testing. Beth Grossman reviewed the Hazard Analysis Critical Control Point plan and is satisfied. Z. Fend said he has had 8 years of experience in the restaurant business. Z. Fend's business partner explained how sushi rice is more acidic than regular rice, and that's why it must be prepared differently.

J. Schuler asked if the employees were new at the rice preparation process or had done it before. Z. Feng said the cooks are experienced. S. Green inquired about safe fish preparation. Z. Feng said he purchases the fish through a licensed supplier, every fish is inspected by the chef, they are stored in a refrigeration units with temperature control and checks/monitoring logs, and ordered in small amounts to ensure freshness. R. DeFrancesco asked how much of the menu was sushi. Z. Feng replied quite a bit of the menu is sushi.

J Schuler motioned to approve the application for rice preparation for 131 Boston Post Road. S. Green seconded.

**Motion to approve: J. Schuler motioned to approve the variance; S. Green seconded the motion.**

**VOTE: YES: J. Schuler, B. McNamara, R. DeFrancesco, S. Green**

**NO: None**

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**ABSTAIN: None**  
**MOTION PASSED 4-0-0**

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**Correspondence; Eversource Energy 45-day YOP review period, River's Edge 484-490 Boston Post Road  
Notice of 120-Day release notification condition and PIP meeting notice**

**Eversource Energy**

J. Schuler asked if this was the same location from last years Eversource correspondence. J. Junghanns said the area was roughly from Stonebridge Road through Oak Hill Meadow View and that they would be doing trimming and herbicide treatments. The correspondence notified the Board when the treatments will take place (April 1 - October 18<sup>th</sup>). Additional treatments may be necessary October 1 - December 1 in areas that may not have received treatment. J. Schuler asked what kind of herbicides are being used. S. Green asked what spraying would be used. J. Junghanns replied the method they use is targeted backpack spraying, there is a full Yearly operation plan on their site. J. Junghanns said if any Board member wants to make a comment, they may via MDAR. J. Schuler said they should minimize the use of Round Up. S. Green asked why they can't cut back vegetation, as opposed to herbicidal treatment. J. Junghanns said in they past they have said they want to have the option to use either. J. Schuler inquired about mosquito spraying. J. Junghanns said that should be around April or May.

**River's Edge**

J. Junghanns informed the Board that petitioners of the Town organized a PIP (public information presentation) to have transparency on River's Edge site cleanup. The group talked about PFAs levels. A reading of 220 parts per trillion was found from a groundwater sample taken at the property in a Northerly well in the wetland area. DEP classifies this property area as a medium to high yield aquifer area (even those it is not being used). J. Junghanns said that based on the report at this meeting, and the groundwater flow direction in that area they believe the Pfas came from the nearby Sudbury landfill. J. Junghanns said they noted that PFAs in that area could be getting into the Sudbury River which connects into the Concord River, which is Billerica's water supply, these are things the state will be looking at. Pfas is a whole new study and they are still figuring things out and how to remediate contamination. J. Schuler asked about the Wayland PFAs situation. J. Junghanns said she would get an update on this but that to her knowledge the filtration system at HH wells is still not up and running. J. Schuler said they found the highest levels of PFAs across the street from the high school, and in/near Dudley Pond.

J. Schuler asked what is happening with the High School wastewater. J. Junghanns said she is not sure about the plant operation but believes they are still pumping the tanks as opposed to running the treatment plant. She would have to look into it to find out current status. B. McNamara asked if pumping the system was part of the school's budget. J. Schuler said no, DPW oversees this. B. McNamara said he would like to know the budget expense of this. J. Junghanns said as per DEP using the system as a tight tank was not a permanent solution.

B. McNamara asked if the proposed septic regulations have been reviewed. J. Junghanns said this is under review by Town Council right now. J. Junghanns asked B. McNamara if he was pulling papers for reelection, she is wondering because the Health Dpt. was hoping to move forward with the process to adopt the new septic regulations before the Board changes and we have only a certain number of the original board meetings left. J. Junghanns said there are currently 2 people running for the 3-year Board vacancy, and 1 for the 1-year Board vacancy. She said the Board will meet with the Board of Selectmen

on March 21<sup>st</sup> to interview interim candidates for S. Green's position. (Time period of from when S. Green leaves until Town Election of this year).

J. Schuler asked J. Junghanns if she could get an update on the school septic system. J. Junghanns said yes and that the state was not looking at this as long-term tight tank. J. Schuler said he received a notice regarding the vacated gas station on the corner of E/W Plain in Cochrane. J. Junghanns said upon removal of the underground storage tanks at the property, they found contaminants (most likely gasoline) and as required they reported it to MassDEP for cleanup process through MCP. The owner must hire a licensed site professional to oversee things, follow the MCP process, and correspond with the state. J. Schuler asked if the Board was involved in this, should someone want to buy the property. J. Junghanns said this information would go into the property file as public record as well as any additional information that is copied to the town during the cleanup.

B. McNamara inquired about the tight tank at the former gas station at 356 Boston Post Road. J. Junghanns said the process has stalled due to no response from the owner and she has met with the Town Administrator who is consulting with Town Council about the next steps.

R. Eyre asked if PFAs becomes an issue with River's Edge, would this be the developer's responsibility or the Town. J. Junghanns said she wasn't sure what the arrangement was and that she believes most of the contamination is coming from the Sudbury landfill. J. Schuler said he thought the Town allocated funds to clean up any PFAs contamination. J. Junghanns said they have to look into the source and determine if the contamination is a continual source and if it needs to be cleaned up and how. A licensed site professional will need to do more research, follow the MCP cleanup process and likely more testing at the site and consult with MassDEP.

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**Motion to adjourn:** S. Green motioned to adjourn; J. Schuler seconded the motion.

**VOTE:** YES: J. Schuler, B. McNamara, R. DeFrancesco, S. Green

NO: None

ABSTAIN: None

**MOTION PASSED 4-0-0**

**Meeting adjourned 7:23PM**

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Respectfully submitted,

Kevin McLaughlin

APPROVED 040422