BOARD OF HEALTH MINUTES

TOWN BUILDING - HEALTH DEPARTMENT OFFICE

MARCH 18, 2019

The meeting was called to order at 7:00 p.m., present were John G. Schuler, chair (JS), Susan Green (SG),

Arne Soslow, M.D. (AS), Robert DeFrancesco, DMD (RF) and Brian McNamara (BM) (7:14 p.m.) Also present were Julia Junghanns (JJ), Director of Public Health, Darren MacCaughey (DM) Health Agent/Sanitarian and Patti White Department Assistant.

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

7:05 p.m. 490 Boston Post Road, River’s Edge Project update

The River’s Edge development project will need a wastewater treatment plant to handle wastewater. JJ has met with various key staff in Town due to expected variances that may be requested for the wastewater treatment facility that will serve the development project. There is also a meeting and conference call expected to take place on March 20th where key staff and an engineering company will discuss the potential waiver requests. JJ expects the waiver requests to be submitted to the Health Department soon and then the applicant will send notifications to abutters in preparation for the next BoH meeting agenda. There was a general discussion about the Board of Health’s Regulations for Small Wastewater Treatment Plant (WWT) Facilities that were written in 1988 and have not been updated. MassDEP has WWTP regulations that have been updated periodically over the years and likely as recently as 2016. The WWTF for this project must meet the MassDep regulations which are more applicable to the newer technologies and type of Treatment Plants that are being constructed these days. MassDep has staff who are subject matter experts for WWTF’s. They oversee the WWTF permitting for the state including soil testing, inspections, renewal permitting and authority to issue violation notices if needed. The Health Department staff are not WWTF experts and will look for guidance from the Town Engineer and other sources of expertise in this area. JJ and other town staff attended a meeting at MassDep where the project was discussed and the MassDep permitting process was reviewed. The scope of work for the hydrogeo for this project was submitted to the state and the town provided an engineer to do a peer review and provide official comments to MassDep (during the comment period) on our behalf. Staff also provided comments to MassDep. At this time we are not aware of any response to the comments. Our local WWTF Regulations are in addition to the state regulations. Staff is looking to review and possibly update our local regulations in the near future with the consultation of Paul Brinkman, Town Engineer who has expertise and a background in WWTF’s. We are unsure if the regulations should remain or if they should be removed and instead consider adding in a section in our septic regulations (currently being revised) with some important key areas we may want to keep in force. JJ currently has an idea of some sections of the local regulations where the Rivers Edge project may need waivers.

JS: This new Treatment Plant will become the largest treatment plant in the town, given the history of problems with the Treatment plant at the High School, we need to be sure this is designed and constructed properly. We need to look closely at the technology that is being planned; making sure it is a good design with technology that has a good track record and reliability. Also, most importantly we need to be certain that the town provides subject matter expertise/support for staff and the board to guide us through this whole process as well as reviewing of the plans and technology to be sure this is done properly. The Town engineer will be coming to the next BOH meeting with the list of waivers needed. The town has hired a consultant to review the Wayland Wastewater Treatment Regulations regarding this project.

**7:30 p.m. 17 Adelaide Ave construction project over 60% (no additional bedrooms) with upgraded septic system that does not meet new construction**.

The homeowners are looking for relief from the new construction requirements for projects adding over 60% where the septic system does not meet new construction requirements, in this case they are in a Zone II and cannot meet the requirements of 10,000 square feet of land per bedroom (also for new construction), and they do not have a reserve area. The project they are planning does not include adding any bedrooms, they are proposing an addition of 312 sq. ft.( 12ft. X 13 ft.) that includes adding a first floor family room with a master bath above. The original house was small with a square footage of 880 sq. ft. and several additions have been done that bring the property to its current square footage of 1553 sq. ft. The septic system was updated in 1998 (after the implementation of the 1995 Title 5 Regulations) on a lot of 8250 sq. ft., the property is in a Zone II. JJ, the spirit of this local regulation (“the 60% rule”) is to trigger an upgrade of a septic system to today’s standards when an addition is done. In this case an upgrade was done and they have a septic tank and leaching area. BM: what are the sizes of neighboring houses? Owner: There is a mix of properties. The property is already deed restricted to two bedrooms.

**BM: motion to approve the variance request for 17 Adelaide per submitted 2/15/19, RD second vote 4-0 all in favor.**

**7:50 p.m. Review and discuss revised draft Local Septic Regulations**

Staff and the Board continued a detailed review and discussions to update the language in the draft septic regulations. The draft under review had been updated by JJ with the changes from the February BoH meeting review. We began on page 4, Section II Design requirements for Septic systems.

Cesspools: An existing cesspool that would pass a Title 5 inspection is grandfathered in. Upon a property transfer a cesspool (and/or any non-watertight structure acting as a holding tank) is included in this regulation and would be considered a failed system that would need to be upgraded to local regulations.

The language for Active and Passive I/A technology was modified and cleaned up. The technology must be MassDep approved. Technologies with piloting or provisional MassDep approvals are not allowed. 165 gpd per bedroom must be used to calculate the size of the leaching area. An O&M for 2 years will be required. For passive technology 165 g.p.d. per bedroom must be used to calculate the size of the leaching area.

Water table offsets, a reduction can be considered by the Health Agent if a hardship is demonstrated for a septic upgrade/repair with no increase in the number of required bedrooms.

New construction is not permitted on lots where the percolation rate is 40 minutes per inch or greater.

For a Title 5 inspection the septic tank must be pumped to be sure the tank is inspected completely for structural integrity.

Require detail within 150 feet of the disposal system, omit(currently it is within 200 feet)? This is already in Title 5 regulations.

Page 5-

Edits were made, section A continued from page 4- removed a-c and e-f as these are covered the Title 5 regulations and this language is redundant.

Section B Septic Tanks, (add in) chambers and distribution boxes;

All septic tanks must be 2 compartment monolithic tanks or 2 tanks in a series with an effluent filter on the outlet tee and; variances will be granted at the discretion of the Health Agent. All tanks will be sized using Title 5 flow calculations (110 g.p.d.), if a garbage grinder is proposed, the calculations will be done at 165 g.p.d.

Remove section a regarding multiple unit buildings (outdated language).

Page 6- striking tank sizes relating to number of bedrooms. The language was updated regarding tanks pump chambers and D boxes; under pavement or permanent surface to include 18 inch H20 heavy duty manhole frame and cover. #3- distribution boxes- must be H20/Heavy duty with covers to be raised to within 9 inches of finished grade. If in an area subject to vehicular traffic then cast iron manhole frames and covers. If in an area of non-permanent or asphalt surface the paved or risers and covers shall meet H20 loading.

Section C Leaching Facilities- Designs to be at 165 g.p.d., upgrades/repairs may be designed at Title 5 flow if there is a hardship per the Director. I/A technology will be considered after all other options have been exhausted.

Page 7- delete chart of minimum leaching areas sizes for residential permits. Item #3- regarding the six in layer of sharp coarse sand, to be described as ASTM C33 sand. Added # 6 Venting: the end of the leaching facility shall be vented Section D- Distances, strike #2 regarding system in Zone II and continued onto the top of page 8. This information is now covered in Section C on page 6.

Page 8 Section E: Flood plains and land subject to flooding may be omitted, staff will look a little further into this, 1-3.

Section G: Pump design, Staff to look into this and work on rewording of item #1. Sections 2 & 3 are being deleted, as unnecessary, covered in Title 5.

Page #9 Item #4- delete section regarding pump chambers being monolithic(already covered earlier in these new regs). Language in #5 regarding venting is to be modified.

Section I- Waterline or service is being deleted (redundant/covered in Title 5). Section #J Construction easements are to be deleted (redundant/covered in Title 5).

Section K- Inspections- language to be modified to include “Inspections shall be done in accordance with the requirements of the approved plans”. Staff will work on the language to determine how much detail to include.

Page # 10 Section L – some language edits. Item #1, 3, 5 and 6 are to be deleted and language was modified for Item # 2 to be more specific regarding as-builts. Page 10 Section M – Licensing of installers item #3 to include the language “grossly negligent or fraudulent” circumstances warrant such action at the discretion of the “Board of Health”.

**9:45 p.m. Vote regarding request to support ARTICLE 1: Zoning: Amend Article 26 Marijuana Establishments and Medical Marijuana Treatment Centers for ATM, as sponsored by the Planning Board, update on ballot question**

**JS: Motion to support Planning Board Article 1 to amend Article 26, Marijuana Establishments and Medical Marijuana Treatment Centers. Second RD vote 4-0 all in favor.**

10:00 p.m. General Business

Future meeting dates set- April 8th, May 13th, and June 10th

Approve bills, approve minutes: of February 11, 2019

**JS: motion to approve the minutes of 2/11/19 second sg vote 4-0**

Discuss juuls and vaping products- moved to future meeting date

Director’s Report was reviewed (see attached)

Update on 8 Hill St. – to be discussed at a future meeting

10:10 p.m. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.

10:14 p.m. JS: motion to adjourn Seconded

Respectfully submitted

Patti White

Department Assistant

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APPROVED 040819