

Board of Health Minutes  
Town Building- Health Department Office  
December 9, 2019

The meeting was called to order at 7:00 p.m. present were Susan Green (SG) Chair, John G. Schuler, M. D. (JS), Robert DeFrancesco, D.M.D. (RD), Arne Soslow, M. D. (AS) Also present were Julia Junghanns (JJ), Director of Public Health and Patti White Department Assistant

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

7:05 p.m. High School Wastewater Treatment Facility update, Town Engineer Paul Brinkman

Paul's memo to the BOS dated, September 22, 2019 titled, "Wayland High School Wastewater Treatment Plant Operations Restart", was reviewed and referenced. This memo outlines the High School WWTP finances and records show that we are currently paying \$120,000 per year (approx. 2k per week, 13.5 per gallon), to haul the septage from the plant. It's about the same to haul or to run the plant. They installed water meters. Paul stated that this number is actually less than the annual budget for operating the plant which is presently \$147,000.00. We are financially in a stable situation with the pumping costs. Water meters have been installed at the treatment plant that are communicating numbers (similar to the ones being proposed for all residences) for tracking purposes and analysis. There was a water leak that was seen in the water meter reading (constant daily readings), which called out the problem. After the repair was done, the readings went back to the normal range. SG: You say you have options for getting the system back on-line and operating?

JS: what was the problem? PB: I was not here when the system was brought online, it appears that there were errors by the operators and secondly the design and construction was not proper. JS: If we resurrect the system, will it operate properly? PB: We are fixing the initial problems, ie; pneumatic system for the air valves. Construction for this type of facility is different than when it was first constructed, all those issues will be corrected. Regarding the operation process; we visited a similar/larger facility and the proper process is now understood and with a wastewater operator to oversee things, we expect this will work properly. The membranes had been an issue at the High School plant. We recently replaced the membranes at the Town Center plant and it is working very well. With the new knowledge and information gained from the Town Center Plant, we believe that the High School facility can be rebuilt to work properly. We looked into using town center technology for WHS, but it would be marrying up two separate systems, it could run, but it could be difficult.

The plan for the High School plant is to rehab all equipment, valves and membranes. The chemical handling was never set up properly, new design plans have been set up and once the work is done it will be in compliance with DEP regulations. DEP is ok with our plans; they just ask to be kept updated and informed along the process. This project will have to go before spring Town Meeting for a vote on Capital project funds. AS: I believe TM will need more details to educate the public enough to understand why rebuilding and restarting the same system is necessary. PB: The operation of town Wastewater facilities was transferred to the DPW and Richard Pezolesi (Pez) and I have spent a lot of time reviewing all the options. I feel that this will be the best option as outlined in the memo. We are looking to get set up with phase 1 (engineering plans) and have the process running for start of school next fall. There was money left over from the Town Center bond that can be transferred over to the WHS system to start funding phase 1. JS: Can you explain how the chemicals will be handled? PB: We have found an area in the existing building to use for chemical storage that will not require an expansion of the building. SG: You mentioned operator error, how can we be sure this will now be operated properly? PB: Along with the work to be done and implementation, the operation will run as the Town center system does presently. We have a firm that operates the facility, does the daily routine system checks, and also handles on call situations for alarms. Pez and PB are handling the higher level issues, such as the membranes. The prior operators were trying to reach certain numbers and they were doing things to try to obtain these numbers. That was causing problems with the system. AS: If this is still not working after the first year, do you have a backup plan B? SG: When are you planning the implementation of phase 1? PB: Septage hauling will continue for about one more year. JJ: what are your plans regarding the contractors? PB: when we are ready to hire an operator, we will be certain that they have experience with

this particular facility and check all their references. JJ: can you explain just what the new contractors will be responsible for? PB: They have a daily checklist and they draft the monthly report with all testing, they will also be on call for alarms. They will be doing just the basics; all decisions for process will be made by Pez and me. AS: I would suggest that before Town Meeting it would be good to prepare a list of all things learned and provided with confidences that things have been applied properly. PB: The WHS plant is completely different from the Town Center plant. There will always be issues with this particular plant but we will try to plan for all possible issues going forward. JS: What are the concerns for the summer months when the school is not operating at full capacity? PB: We need to be more thoughtful of summer issues, we might limit operations. AS: Are you restructuring the contract? PB: We are not writing the contract, but we are hoping to have a clause with penalties, for a situation such as; if they are not calling out for issues and just reacting and trying to correct on their own. We plan to ask that various services are written out in the contract.

**7:30 p.m. Alta at River's Edge- update on project and environmental reports/reviews, Town Engineer Paul Brinkman**

JJ: I would like to discuss the hydrogeo study, storm water, wastewater, and the environmental reports in general. A lot of water will be going into the ground on this site and the site will also be going through a cleanup for environmental contamination.

PB: There has been discussion regarding the plans to build a Wastewater Treatment Plant (WWTP) with a leaching field to discharge almost 40,000 g.p.d. The Town center plant can treat up to 78,000 g.p.d. and it is permitted to discharge 52,000 g.p.d into the Sudbury River. The facility is bringing in (22,000 to 25,000 gpd) ~~under~~ well under the allowed amount of gallons per day for treatment and the associated discharge amounts are well under the permitted amount. Designing at 36,000 g.p.d. and discharge 15,000 g.p.d., the Town Center has spare capacity to treat the effluent from River's Edge, which would save the Town money. There are challenges to getting the effluent transported from River's Edge, down Rt. 20 to the Treatment plant and back to the River's Edge site to be discharged into the leaching facility. If less money is spent on building a WWTP what is the value of the construction vs the piping to Town Center WWTP? PB: This proposal may reduce costs for all other users of the Town Center Plant (150 total users between town center and the Rt. 20 users). The plan is still being discussed and has not yet been approved. The land disposition agreement has certain values for pieces of the land and deductions for what is spent on development. If this idea were to move forward, considerations would be made for money saved on construction of the WWTP. JS: How is the empty Whole foods plaza being handled? PB: They continue to pay a base connection fee. JJ: The Town Center plant would still discharge into river for the allowed amount as per their permit. If River's Edge is not using the full gallonage allowed to discharge into the leaching field at the project site, then the town Center plant could potentially treat more wastewater and it could be sent up to the leaching field at Rivers Edge for discharge into the leaching area. JJ: the last time we met, the BSC group stormwater report had not been received. I marked up the report for discussion items. Linda Hanson, conservation administrator (LH) and JJ met and spoke about stormwater and wastewater, the hydrogeo study on the site, possible changes of groundwater flow, with consideration of the environmental reports. They both would like to see a comprehensive review that includes all those factors. The report mentions money being earmarked for certain items. The Planning Board report sent recommendations to ZBA (on page 15), there is mention of funds to be recommended (\$10,000) to be earmarked for things that will need to be done by the town at different stages of the project; inspections, certifications, etc. Is this type of comprehensive review also being considered to be paid for with those funds? PB: Our understanding is that this money was earmarked for physical things that were constructed; the amount that Ben Gould quoted is fairly modest.

PB: In Ben Gould's report, he spoke about after remediation, and what is being proposed, will there be a substantial impact? JJ: That does not include the impact of wastewater and groundwater. JJ: spoke with Ben G., he agrees that a comprehensive study should be done. There are questions regarding when should it be done, who makes sure it will be done and who will pay for it? This issue is coming up due to the history of the site and plans for residential development, i.e.; concerns about groundwater movement on a site having an environmental clean-up, in preparation for a residential development. Multiple reports have been done, hydrogeo study, environmental site assessment reports (phase I and limited phase II), a development plan and stormwater plans. PB: his understanding is that ground water will only change in

a small way, regarding groundwater elevations. JJ: based on? PB: groundwater reports. JJ: from the Hydrogeo? PB: yes. SG: Due to the timing of project, are we comfortable with the timing and the project/process? Is this happening soon? JJ: The ZBA, may vote as soon as next week, but we could provide feedback for conditions in the decision. AS: what areas are we to be looking at to be sure we are making the proper decision; we are relying on staff for some of this. SG: there are a lot of reports. JJ explained she reviewed the reports but does not feel comfortable with her background/expertise to integrate the information personally or provide a professional opinion; she is not an LSP or a hydrogeologist. JJ is recommending that someone with specific background/expertise (LSP/hydrogeo background or similar) should be involved to look more closely at these issues on the site as a whole. Stormwater has been peer reviewed; there were questions in that report regarding (page 10) understanding groundwater flow directions, contaminant distribution, recharge areas. PB: he understands the concern, but he is uncertain how to get this done? What concerns does the Board of Health have? JJ: we just highlighted the concerns raised in the stormwater review comments. AS: We oversee community health, chemicals leaching, flooding areas that could become mosquito traps, we can build a case to be sure these issues will be properly reviewed, and answers/recommendations provided into a summary. Who decides? JS : page 7 regarding stormwater downhill to grates? How do we know adding another grate will be the proper answer? JJ: this report was done for Concom, they have approved the permit, and they are working on the order of conditions. We don't know about the conditions that will be attached to the report yet. PB: Concom did discuss that all contaminated soils will be removed, they will be hauling the cells identified as contaminated, (BSC Group was peer reviewer of the report) leaving groundwater contamination. The MCP/waste site cleanup process will need to be followed, and they will need their own LSP to report to the state. BSC did the peer review and there were responses to his review, Ben Gould issued responses in return. JJ: What about soil vapor issues and methane? How will that be handled? Vapor barriers will be provided in areas that are potentially at risk for vapor intrusion, what is recommended is included in the reports. We understand an LSP will be onsite during excavation? PB: understood. JJ: we are talking about these new reports, we had just the first one that he (BG) spoke on and provided the report on, this additional information was not available at that time for feedback. JJ: we can recommend to ZBA a further look at groundwater movement is needed. PB: For your comfort level, that may be the way to get assurance. SG: do we need to have a motion? JJ: the ZBA will be reviewing comments and the planning board advisory report and any recommendations. I sent a memo regarding the wastewater and stormwater, it was not in the report. SG: do we need for you to do a memo to ZBA to ask for money to be put aside for the comprehensive report. PB: I was told that the money was for physical things being constructed. The amount of money Ben Gould quoted was fairly modest.

**AS: Proposes the following language to be incorporated into a draft memo to ZBA that JJ will put together, she will work with AS on the final language. The BOH perspective on the materials received 11/18 BSC 11/12 A & M are unable to offer an opinion as to the adequacy of the recommendations of A&M and BSC and recommend to ZBA to ensure that recommendations reflect best practice levels is desired. Second SG: vote 4-0 all in favor. (memo to ZBA)**

PB: your office will be issuing a permit; you should have the right for confidence. JJ: I am reading the report and there are suggestions that should be looked at.

**8:05 p.m. 51 Riverview Road, Property Line offset reduction for local upgrade/septic repair, Septic Designer David Schofield, R. S. (DS)**

Paul Ramsey is here representing the Wayland Rod and Gun Club, a direct abutter to this project.

DS: Mr. Schofield is representing Nash Quadir, who will be purchasing the property. This is a very low lying site, off Stonebridge Road by the Sudbury River. The whole site is in the flood plain and there is a vegetative wetland in the back of the lot. Soil testing has been done and DS will be designing a septic system. There cannot be any increasing grades and they must maintain compensatory storage as it is. Test holes were a mixed type of soils almost not able to perc. They are proposing I/A with a 2' reduction to groundwater, very low profile (not raised) to use the highest ground on the property, which was the front corner of the lot. This area also contained several large mature trees in the area, they are trying to do no harm to the mature trees. When designing, DS was not aware of the proposed addition, but with the location of the proposed septic system allowed for the addition to be done. Providing an alternative design to the 5' property line offset

would require more site disturbance. SG: What is the need for a new system? DS: the current system, a single cesspool, is failed and in the groundwater.

The request is for a variance from the 10' property line requirement to 5.5 feet, this is a Wayland and State offset requirement. The system will require a pump chamber, but the use of I/A technology will keep 3' offset to groundwater. JJ: Staff does not have any issues with the design, this is an improvement to a failed cesspool that is also being moved away from the back part of the property (away from the wetlands/river floodplain).

Paul Ramsey, Rep from WR&G: Our only concern is will there be any impact to the Rod and Gun Club for future plans on their abutting lot? DS: If WR&G were to develop their property, they would be required to stay 10' from the edge of the septic system to the lot line for New Construction. AS: Is there anything needed for the abutter? Rep: The Board of Directors wants to understand if there is any impact for any possible future project. SG: Is this septic designed for the addition? JJ: This is not a design for new construction, this is just a repair. DS: There are no additional bedrooms proposed. DS: This is a passive system; there are no moving parts, so there is no maintenance contract for this system. The system has a two compartment tank with an effluent filter in the tank before the pump chamber. JJ: staff has review project and we have no issues with the design.

**SG: Motion to approve the property line offset reduction for 51 Riverview Circle for a local upgrade septic repair per septic plans submitted December 5, 2019 (revision date on septic plans) RD second. 3 yes in favor, JS abstain due to contractual conflict.**

**8:25 p.m. Silver Leaf Homes – 81 West Plain Street, Preliminary Subdivision comments**

For a preliminary subdivision, we provide comments to the Planning Board. The property is on West Plain St. the property abuts land owned by St. Zephrin's church, (not the actual church location) the house on the property is planned to be demolished. The lot is across from Parkland Drive, they are proposing this subdivision with 2 houses. Soil testing was done, the lot is quite flat. JS: what is the size, are there requirement for the house lots? JJ: The property is not in a Zone II, one lot is 28,000 square feet and the other 39,000 square feet. The septic systems are shown where the soil testing was done and stormwater infiltration areas are shown on plan. After the Planning Board's review, the next step for the applicant would be the Definitive submission (to BoH and Planning) which will include a stormwater report/drainage calculations completed as part of that submission. Soil testing results on the properties show good soils, consisting of course sand and fine sand with perc rates less than 2 min per inch. This plan shows approximate septic locations, for the primary and reserve areas for both house lots. A preliminary plan must show all lot conditions, ledge, flood plains, these conditions are not concerns on this plan. The next step for the applicant is site plan review with the Planning Board. The only comment from staff is that they should do test holes in the areas for the proposed stormwater structures. If the Definitive plan is approved, staff would still need to review and approve/permit the detailed septic designs for each septic system.

**SG: Motion for general approval for Silver Leaf Homes Preliminary Subdivision at 81 west Plain St, for plans dated received November 15, 2019, with the condition for test holes to be drilled in stormwater basin areas. Second AS vote all in favor 4-0**

**8:40 p.m. Local Limited Food Retail Regulation update and next steps, Local Subdivision Regulations review by outside consultant**

These food regulations have been reviewed by Town Counsel with a few comments and those were incorporated. These regulations will allow the BOH to inspect these small retail establishments that are selling prepackaged foods that are not potentially hazardous.

State and federal food codes were updated and did not include Limited Retail Food Establishments. We have had these businesses permitted by Wayland for many years and we want to have a permit to allow us the ability to inspect the facility. The next step in the process is to advertise the Public Hearing for 2 weeks in the paper.

**8:45 p.m. Update from Susan Green on plastic bottle ban initiative by WHS students**

SG: I met with the Wayland High School green team; they want to write a warrant article for town meeting to eliminate the sale of single use plastic water bottles. SG: I inquired as to the reason for the ban and they had no reply. Their Team advisor said Lincoln Sudbury HS has done this. SG said she encouraged the group to ask about Lincoln Sudbury results and other communities, what is the rationale? She encouraged them to proceed, but suggested to try a pilot plan at the WHS and see how that works to experience the process. A question came up as to why just water and not sports drinks? They showed several bags of single use water bottles that had been collected around the school in just a few days. I asked them to think of the situation of going to buy a slice of pizza, and not being able to buy a bottle of water, I want them to think about the implications/complications of this type of ban.

AS: single use is a plastic- environment issue. SG: Single use water bottles are mostly a behavior change, people can carry personal water bottle. I am hoping they will work at the school level and see how it goes there.

JS: What is the status of the polystyrene and plastic bags? JJ: We have gotten a few calls since the ban, but at this point all identified businesses in town have complied with the ban. When we receive a complaint about non-compliance we go out and talk to them or call, we have had success and businesses have corrected the issues.

**8:50 p.m. General Business - Approve bills, approve minutes of October 21, 2019**

**Minutes of October 21, 2019- minor edits. SG: Motion to approve the minutes of October 21, 2019 as amended. Vote 3-0 all in favor, AS will abstain, was not in attendance.**

The Director's report was reviewed.

Staff assisted the Food Inspector advising and inspecting for the lettuce recall.

The new tobacco law will have flavor restrictions- strengthening state and local enforcement. Flavored products will eventually be banned to adult smoke shops for onsite use. Vaping devices can be sold, but not allowed for flavored products. JJ will be participating on a Webinar on Thursday 12/12/19 explaining more about the law/regulation and the rollout. There was a question regarding the Big Box stores that would sell in bulk to smaller retailers. The current ban will be ending soon; the webinar is going to review the rollout of the new regulations. AS: do you report compliance to the State? JJ: we do not, the Police department does the stings, I expect they would report their results. However, the state is inquiring about compliance checks that have been done locally and requesting reporting (providing forms).

JS: What are the School protocols for smoking or vaping in the schools? JJ: I had met with Jason V., Director of Youth and Family Services and the School Superintendent. The Youth Officer is sometimes involved with issues that arise as well as teachers and the principal. I had discussed the importance of this with the Superintendent, he said they have discussed these issues with principals (principals discuss/handle situations with teachers as they arise). There are protocols that are to be followed for anyone caught vaping. Education is provided through Y & FS.

AS: The current School Physician has resigned, and a new school physician is needed. Do we have any vacancy issues? JJ: The School Physician primarily writes standing orders, which are currently in place. The School Committee appoints the school physician. We are aware that HR will be working on a job description(which currently does not exist). AS: I am willing to work as an interim position. You may share this with front office, I am not sure about the requirement for Liability Insurance; would they offer Temporary indemnity? JJ: the current M.D. may not drop off immediately, she had expressed that she will continue to support the Town until we find new M.D. There is an additional issue that the position does not have a job description, so the HR office will be working on that issue as well. SG: I have a friend who is pediatric M.D., she is possibly interested but she is in the process of a job transfer.

Town email - is everyone using town email? If not, let me know so I can get you in touch with IT to get passwords set up.

JJ: In the River's edge memo to ZBA- are we including, the fact that the BOH issues the WWTP permit for operation? We have legal oversight to review and comment on the Wastewater Permit process since we are a permitting authority. There is also, through MGL, broad oversight/jurisdiction from Local Board's of Health.

Meeting dates for January and February - January 13<sup>th</sup> and Feb 10<sup>th</sup>.

Dr. Soslow will be taking out papers for another term on the Board. Susan will also take out papers, but she may be traveling out of the country for periods of time.

**9:30 SG: motion to adjourn second JS: all in favor**

**Respectfully submitted  
Patti White  
Department Assistant  
120919minutes  
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