

**WESTON BOARD OF HEALTH**  
**Meeting Minutes for**  
**Wednesday, April 13, 2022**  
**1:02 PM – 2:38 PM**  
**Zoom Meeting**

Present: Laura Azzam – Chair  
Dr. David Kominz – Member  
Dr. Jennifer Kickham - Member  
Michele Fronk Schuckel MBA, BSN, RN – COVID-19 Response Manager, BOH Public Health Nurse  
Kelly Pawluczzonek, RS, MS - Public Health Director  
Michelle Hubbard – Administrative Assistant, Meeting Minutes

I. Residents' Concerns

Meeting called to order at 1:02 PM. Fatemeh Mojtabai spoke about the ongoing issue at her home at 98 Jericho Road regarding the leaking roof. She thanked the Board for issuing the order letter and stated the roof is not currently leaking, but nothing has been done as far as it being repaired. There were 2 citations, one to fix the roof in 24 hours which is the state mandate, and the other to clean the gutters and she believes they had 30 days to do that. They came last week and cleaned the gutters but did not do anything about the roof. During Kelly's inspection, she had noticed evidence of dampness inside Fatemeh's living room. Fatemeh had spoken with Kelly last week and asked if they would be able to come and do an inspection and Kelly be present when they do come because they had previously been out and said that nothing was wrong. Fatemeh is looking for an update on the situation and would like to ask the Board to implement enforcement action immediately to make the condo association fix it. Kelly stated she sent an email to the directors of Stonegate on April 7 and received no answer. The next plan would be to conduct a reinspection on either April 19 or April 20 to prove that nothing has been done and to prepare for court. She believes she would have to go to Waltham District Court. Kelly would need to find out if she can file on behalf of the Board or if she has to go to Legal Counsel and have them file. Fatemeh expressed her concern that going to court would only delay this further and asked if this could be achieved through legal action. Kelly will speak with Town Council to see if they can send the letter instead.

No other resident concerns unrelated to agenda items.

II. Approval of Minutes from March 10, 2022

Dr. Jennifer Kickham made a motion to approve the minutes from March 10, 2022. Dr. David Kominz seconds the motion. All in favor, the motion is carried.

III. Nomination of Animal Inspector – Karen O’Reilly, Animal Control Officer

Dr. Jennifer Kickham made a motion to approve Karen O’Reilly as the Town of Weston Animal Inspector. Dr. David Kominz seconds the motion. All in favor, the motion is carried.

IV. Information update on Weston Board of Health Local Regulation Chapter VI Sewerage Disposal Systems 2.5 Distance Requirements – No part of the structural components of a leaching facility shall be located within 100-feet of a wetland as defined in M.G.L. Chapter 131 Section 140

There was no information found on where the setback of 100-feet came from. A couple of surrounding towns have setbacks more than the state required 50-feet, but no towns that were looked into have the setback requirement of 100-feet.

V. 120 Rockport – Septic Variance: Continued from Previous Meeting

The owner of 120 Rockport Road is requesting a variance from the Weston Board of Health Local Regulation Chapter VI Sewerage Disposal Systems 2.5 Distance Requirement “No part of the structural components of a leaching facility shall be located within 100-feet of a wetland as defined in M.G.L. Chapter 131 Section 40.” He is requesting to allow the soil absorption system to be approximately 50.7 feet from the wetland. The state requirement is 50-feet from the wetland.

The Board members discussed their concerns in the previous meeting over approving this variance due to it being for new construction.

Dr. Jennifer Kickham made a motion to approve the variance under one of two conditions; it is a 5-bedroom house allowing them to have a garbage grinder, or it is a 7-bedroom house with no garbage grinder. The tank must also be a monolithic tank with an impervious barrier, and the impervious barrier would be subject to Kelly’s approval. Dr. David Kominz seconds the motion. All in favor, the motion is carried.

VI. 38 Chestnut - Septic Variances

Evan Carloni has been hired by the owners of 38 Chestnut Street to replace their existing 4-bedroom septic system. He spoke about the system and the variances they are requesting:

**Regulation:** 310 CMR 15.211 (1) – Variance Requirement: 100’ setback from septic system components to a tributary to a surface water supply.

**Request:** Approval of a 44’ (septic tank), 55’ (pump chamber) and 39’ (SAS) setback to the tributary to a surface water supply.

**Justification:** Due to the site constraints, the features on and surrounding the lot, the septic system components cannot be sited any further than the requested setbacks.

**Regulation:** 310 CMR 15.211 (1) – Variance Requirement: 100’ setback from the SAS to a subsurface drain which discharges to a surface water supply.

**Request:** Approval of a 5’ setback from the SAS to a subsurface drain which discharges to a surface water supply.

**Justification:** An orangeburg line was encountered during soil testing in the middle of the yard where the SAS is being proposed. This line is proposed to be replaced with schedule 40 PVC and rerouted around the proposed field with a minimum distance of 5’ away from the SAS. Site constraints do not allow for further separation. The replacement of the orangeburg pipe with schedule 40 PVC will be an improvement in material for the drain line.

**Regulation:** 310 CMR 15.211 (1) – Variance Requirement: 50’ setback from the septic tank and pump chamber to a subsurface drain which discharges to a surface water supply.

**Request:** Approval of a 14’ (septic tank), and 21’ (pump chamber) setback to the subsurface drain which discharges to a surface water supply.

**Justification:** The septic tank and pump chamber cannot be located further away from the subsurface drain without variance from another section of Title 5.

**Regulation:** 310 CMR 15.212 (1) (b) – Variance Requirement: 4’ separation to the estimated high groundwater (EHGW) table to the bottom of the SAS.

**Request:** Approval of a 2’ separation to the estimated high groundwater table to the bottom of the SAS.

**Justification:** The approval letter issued by MADEP allows for a 2’ reduction in separation from the bottom of the SAS to the estimated high groundwater (EHGW) level table by local upgrade approval. This cannot be granted under local upgrade approval when there is a setback reduction granted through local upgrade approval to a bordering vegetated wetland. A variance is being sought from the 4’ separation down to the 2’ separation because most of the field will be close to the 4’ separation since the offset from the EHGW table is being taken from the highest grade in the front yard, and the front yard slopes down toward the driveway. The variance will allow for a lower retaining wall, and less linear feet of retaining wall. The separation from the EHGW will be an improvement from the existing system which is situated within the groundwater table.

**Local Regulation** -Disposal Systems 2.5 Distance Requirements – No part of the structural components of a leaching facility shall be located within 100-feet of a wetland as defined in M.G.L. Chapter 131 section 40.

**Request** – Approval of 39’ setback from the SAS to bordering vegetated wetland

Dr. Jennifer Kickham made a motion to approve the variances under the following conditions: there is no increase in the footprint of the house, a soil air nitrogen system is used, and a 4-bedroom deed restriction is pulled. Dr. David Kominz seconds the motion. All in favor, the motion is carried.

VII. COVID-19 Report/Update – Including case rates and related data. Vaccination/booster update, test kits, etc. – Michele Fronk Schuckel, MBA, BSN, RN

COVID-19 cases are picking up a little bit in town. From March 20 – April 2, there were 38 confirmed, probable cases which was up from 31 for the previous 2-week period. Because there is so much in-home testing, what is reported to us is expected to be a lower number than actual positive cases in town. Transmission locations continue to be in-home, social interactions or travel, and workplace/school. The 7-day average of percent positivity for the state is 3.42%. There are 262 patients hospitalized for COVID-19 and 12 new, confirmed deaths as of April 11. It is assumed that most of the cases are the BA2 variant. In Massachusetts, 82% of the virus is the BA2 subvariant of Omicron.

COVID-19 Community Levels are a new tool to help communities decide what prevention steps to take based on the latest data. Levels can be low, medium, or high and are determined by looking at hospital beds being used, hospital admissions, and the total number of new COVID-19 cases in an area. Take precautions to protect yourself and others from COVID-19 based on the COVID-19 Community Level in your area. Even though COVID-19 has not been declared endemic instead of a pandemic, we are moving towards that concept. We are seeing a few small, isolated clusters either within institutions and we are working with the school health teams to figure out how to prevent further spread. We are encouraging testing on day 6 to leave strict isolation and requiring masking for 10 days total of isolation after a positive test. Individuals are notifying their own close contacts and are directing people to [www.WestonMA.gov/health](http://www.WestonMA.gov/health). Weston is protecting the workforce for the town with the home antigen testing program, partnering with school nurses and health teams for ongoing education, continuing to pursue vaccination for the unvaccinated, offering boosters to anyone eligible who is interested, and educating toward living with COVID-19 and being prepared such as stocking masks and having home antigen tests on hand.

As of January, the test-to-stay program moved out of the public schools. Many of the preschools are offering the test-to-stay and we have successfully navigated in-school cases and exposures, allowing healthy kids to continue to go to school.

VIII. Director's Monthly Review/Update – Betterment Loan Program, 2 Shared Services Grants

Kelly spoke about the Betterment Loan Program which is a septic loan program where a any homeowner with a failing septic system who makes less than \$150,000 a year can apply for a loan for needed septic repairs. They would have to prove that their system is

in failure and would have to get three quotes. They would then have to come to a Board meeting and we would look at what they presented and we would choose who they would go with. With an approval vote from the Board members, it would then go Town Meeting for approval. It is Article 34 for Town Meeting on May 9, 2022. Kelly is still revising the actual program itself and making changes as she sees fit. The Finance Committee voted unanimously to oppose the article. The Select Board has not decided on this yet.

Dr. Jennifer Kickham made a motion to approve the Betterment Loan Program. Dr. David Kominz seconds the motion. All in favor the motion is carried.

The Great Meadows Public Health Collaborative has voted on a logo for the brand. As far as the Wayland Contact Tracing Shared Services Grant, it looks like we are going to hire two epidemiologists instead of just one epidemiologist and one public health nurse. Laura has signed off on the Food Co Pro software and we will be sending Beth Ann to that training. The high school reached out seeing if the department would be able to take on an intern. That would be 5 days a week, for 5 hours a week, for 2 weeks. We would be looking at May for that to happen, but would still need to reach back out to the school.

We are preparing for a couple of events in town. The WERC group and MRC are going to set up a table at the Earth Day event. We are giving out the yellow trash bags for community members to help pick up trash in their neighborhoods. Kelly spoke about a couple of her ideas for the Earth Day event such as creating QR codes and possibly having tick pickers to give away. We are also working on Celebrate Weston and Spring Fling, as well as the Pup Parade in June. There will be a COVID-19 vaccine clinic tomorrow at the Council on Aging. The clinic is full with about 96 people registered, and both Pfizer and Moderna will be offered. There will most likely be a second clinic to come. The department received a vegetation packed from the Weston Department of Public Works and they intend to selectively apply herbicides around town. This will take place between June 1 and October 13 and will be targeting poison ivy along the sidewalks. They will be using the company Vegetation Control Service Inc. out of Athol, MA. Laura had read from a Weston Invasive Plant Advisory Group meeting last month about invasive plants and they will be publishing something on the Weston website including pictures of the invasive plants and how to get rid of them.

IX. Next Meeting Date

May 11, 2022 at 10:00 AM via Zoom.

X. Adjourn

Dr. Jennifer Kickham motioned to adjourn the meeting. Dr. David Kominz seconds and Laura Azzam adjourned the meeting at 2:38 PM.