

Acton Board of Health

Minutes

October 16, 2006

Members Present: William McInnis, Chairman, William Taylor, Vice Chairman, Pam Harting-Barrat and Joanne Bissetta, Members, Phil Alvarez (voting for open Board position).

Staff Present: Brent Reagor and Sheryl Ball.

Others Present: Scott Hayes, Debra Simes, Peggy Mikkola, Betsy Purcell and Uday Hegde

The meeting was called to order at 7:30 p.m.

Minutes

On a motion made by Ms. Bissetta, seconded by Dr. Harting-Barrat, the Board unanimously voted to accept the minutes of October 2, 2006 as amended.

Variance – 49 Taylor Road

The Health Department is in receipt of an application for a variance from 310 CMR 15.284 for a Remedial Use Approval for a reduction in the depth to groundwater utilizing a Presby Enviro-Septic and 310 CMR 15.405(1)(b) for a reduction in the setback from the leaching field to the crawlspace for the barn located at 49 Taylor Road. The existing septic system is in failure. Scott Hayes, design engineer was present to discuss this property. Mr. Hayes explained where the existing failed septic system is located. The site is limited due to the existence of ledge. The Health Department recommends approval of this request as additional environmental compensation has been met due to the placement of a 1' clay barrier and two (2) septic tanks which meets article 11-8. Mr. Reagor explained the Remedial Use approval process. Mr. McInnis asked about the quality of effluent and the removal of nitrates with the Presby system.

Mr. Reagor stated that it does not remove nitrates, however, the quality of effluent is better than traditional septic systems. The plan as designed meets all other applicable rules and regulations and the Health Department recommends approval of this request. On a motion made by Ms. Bissetta, seconded by Mr. Alvarez, the Board unanimously voted to grant a variance from 310 CMR 15.284 and 310 CMR 15.405(1)(b) to the property located at 49 Taylor Road with the following conditions:

1. The system shall be governed, in perpetuity, by the most recent version of the MADEP Remedial Use Approval issued for the Presby Enviro-Septic.
2. The septic tanks shall be pumped a minimum of once every two years.
3. The system is constructed in accordance with a plan stamped by Scott Hayes, PE, dated 10/5/2006.

Variance – 17 Marian Road

The Health Department is in receipt of a request for a variance from Article 9-2.5 for a reduction in the setback from a septic system to a well for the new property located at 17 Marian Road.

This request was previously approved by the Board of Health on October 2, 2006 but the approval was conditioned on a closed loop system. It was determined that the proposed ground source well will be an open-loop system and relies on a submersible pump to move water from the well to the basement for the heat/air conditioning exchange to occur. In light of this development the Health Department would like the Board to review the variance request again. Mr. Reagor gave a brief overview of the last meeting. The applicants are proposing to utilize a ground source heat pump well. It was stated the groundwater has consistent 52 degree temperatures and the proposed system utilizes that water in the ground which then enters an open-loop system, enters into a standing column located in the basement where the heat exchange takes place and then the cooler water is re-circulated back into the ground. Mr. Hegde re-iterated that they have already hooked up to the Town Water and will not be using this well for their drinking water. Mr. Hegde is utilizing the ground source heat pump to minimize energy usage as he is building a Leed (Energy Star) house. Mr. McInnis asked about the 100 foot radius of the well that enters onto the abutter's property. This issue would restrict the neighbor's property at the time that a replacement septic system is needed. The Board stated that they are not comfortable with placing a restriction on the abutting property and decided that since this is a

ground source well and not one used for drinking water or irrigation that Article 9 does not apply and the Board will vote to issue no finding. The placement of wells are located 100 feet from the septic system for health reasons only and ground source heat pumps wells are not a health risk. Ms. Simes asked if there was any other ground source wells in Acton. It was stated that there are some but all of them met the 100' setback and did not require a variance. Ms. Simes also asked about radon issues. It was stated that this system actually circulates the water and radon is not soluble in water. The Board will be looking at re-writing Article 9 in the future and it was stated that when this is done, a section could be added to address the ground source heat wells. The Health Department recommends approval of this request.

On a motion made by Mr. Alvarez, seconded by Dr. Harting-Barrat, the Board unanimously voted that the requirements for horizontal setbacks for a well from an onsite wastewater system set forth in Article 9 are not applicable to the proposed well installation at 17 Marian Road, as that well is intended to serve as a component of a non-contact heat source pump system with the following conditions:

1. The well shall be restricted to only servicing the ground source heat pump system for the single family dwelling at 17 Marian Road.
2. If, at any time in the future, the house is no longer serviced by the ground source heat pump, the well shall be decommissioned in accordance with applicable local and state regulations.
3. No irrigation system shall be installed, which is not serviced by the Acton Water District.
4. Well water is not withdrawn from the well other than to return to the well as part of the ground source heat pump loop.

Goals

The Board discussed the goals for the upcoming year and decided to revisit them at the future meeting. Mr. McInnis asked the Board to think about additional goals they would like to address.

Other

- Huron Road – Dr. Harting-Barrat expressed concern with the non functioning septic system and asked how long they have to fix the system after a failed Title 5. Mr. Reagor explained they have two years from the date of failure. Dr. Harting-Barrat also expressed

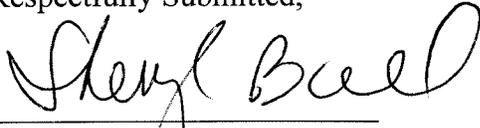
concern with the vehicle storage at that site. Mr. Reagor stated that the Building Department is currently looking into the situation.

- Dr. Harting-Barrat also stated a property on Algonquin Road has dug a trench from their property to the street. Mr. Reagor stated that the Health Department would look into this.
- It was also asked why there is a puddle of water at the new Colonial Acres site. It was stated that it is due to drainage and the Engineering Department is working on it.

Adjournment

On a motion made by Dr. Harting-Barrat, seconded by Dr. Taylor, the Board unanimously voted to adjourn the Board of Health meeting at 9:40 P.M.

Respectfully Submitted,



Sheryl Ball, Health Secretary

Acton Board of Health



William McInnis, Chairman
Acton Board of Health