

Acton Board of Health

March 30, 2009

Members Present: Joanne Bissetta, Chairman, Pam Harting-Barrat, Vice Chairman, William McInnis, Member, Philip Alvarez, Member and William Taylor, Member, and Mark Conoby, Member.

Staff Present: Doug Halley, Public Health Director, Justin Snair, Environmental Health Agent and Isabel Roberts.

Others Present: Peggy Mikkola, League of Woman Voters.
Gwen Hotaling, 12 Tuttle Dr
Thomas Hotaling, 12 Tuttle Dr
Matthew Hotaling, 12 Tuttle Dr

The meeting was called to order at 7:36pm

Minutes

On a motion made by Ms. Harting-Barrat, seconded by Mr. McInnis, the Board unanimously voted to approve the Board of Health minutes dated March 9, 2009 as amended.

93 Great Rd - Variance

The Health Department has received a request for a variance from Acton Board of Health, Rules and Regulations, (1) Article 16-4.2.10 which states "all leaching areas within an aquifer zone shall be set back 100' from any recharge, retention, detention or surface drainage area." (2) Article 16-6.2.5 – it shall be in compliance with 16-6 Figure 1. Protection Zone 3, 10 minutes per inch. 4' Groundwater Separation for Bottom of Septic Systems in Aquifer Zones. (3) 310 CMR 15.287(7) – Approval of Remedial Use of Alternative Septic System 2' per Presby Remedial Use Approval III(1)(A), for the property located at 93 Great Rd., allowing for the repair of the onsite wastewater system which services the Bagels Plus restaurant only. It was noted that the retention

area is upgradient from the system. The Board asked if the system could be located anywhere else on the lot, possibly at the front of the building? Doug informed the board that the location of the proposed system is the only feasible location at the site due to substantial impervious area and existing contours. On a motion made by Mr. McInnis, seconded by Ms. Harting-Barat, the Board unanimously voted to grant a variance from Acton Board of Health Rules and Regulations, Article 16-4.2.10, Article 16-6.2.5 and 310 CMR 15.287(7), with the conditions expressed as:

1. The septic tank will be pumped a minimum of once every year.
2. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by the MADEP for the Presby Enviro Septic Leaching System.
3. The system shall be constructed in accordance with the above listed conditions, and a plan stamped by Joseph March, P.E., dated 3/24/2009.

12 Tuttle Drive – I/A Use Approval; Article 11-8.1.1, 310 CMR 15.212 (1), 310 CMR 15.211 (1)

The Health Department has received a request for (1) general use approval from 310 CMR 15.288(4) for use of Presby Enviro-Septic Leaching System in accordance with Modified Certification for General Use issued by MA DEP dated February 15, 2008, as well as (2) a variance from, Article 11-8.1.1 a reduction of the required minimum required disposal area. The Presby Enviro-Septic Leaching System requires that systems be no less than 60% of a conventional disposal system. Due to the site restrictions the lot is limited to 412.5 sf giving a 34% reduction, also a 2000 gal. dual compartment tank and pump chamber have been provided for additional settling. (3) 310 CMR 15.212 (1) a reduction (required 4') of the separation from bottom of SAS and ESHGW. Modified Certification for Remedial Use issued by MA DEP dated February 15, 2008 for Presby Enviro-Septic Leaching System allows for a reduction to 3'. (4) 310 CMR 15.212(1) a reduction of setback between SAS and foundation wall and a reduction of separation from toe of fill slope to property line. Due to the size and slope restriction found on-site, placement of the proposed SAS is limited to the area proposed. A 40 mil poly barrier will be required between the SAS and foundation.

The Board suggested using the existing location for the new system, but the test holes done at the front of the property reported a lack of natural materials. It was noted that the site is at maximum possible feasible compliance.

On a motion made by Ms. Harting-Barrat, seconded by Mr. McInnis, the Board unanimously voted to approve the request for general use approval from 310 CMR 15.288(4) and a variance from Article 11-8.1.1, 310 CMR 15.212 (1), 310 CMR 15.211 (1) at the property located at 12 Tuttle Dr, with the following conditions:

- 1 The system shall, at all times, be maintained in compliance with the most recent Modified Certification for Remedial Use issued by the MADEP for Presby Enviro-Septic Leaching System.
- 2 The septic tank shall be pumped once every two years.
- 3 The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Russ Wilson, dated 03/26/2009.
- 4 The effluent tee filter will be cleaned in accordance with its most recent MADEP approval letter.

Lot 1 # 17 Washington Drive – I/A Use Approval

The Health Department has received a request for general use approval from 310 CMR 15.288 (4) for use of Cultec Contractor C-4 Heavy Duty Chambers in accordance with Modified Certification for General Use issued by MA DEP dated July 19, 2007, for the property located at 17 Washington Dr. The Health Department has reviewed the submitted plan and finds that use of the Cultec C-4 Chambers would require limited grading changes and likely improve existing conditions at the site. The Board questioned whether this application is new construction or existing. It was noted that this is new construction and had previously been permitted. On a motion made by Mr. Conoby, seconded by Ms. Harting-Barrat, the Board unanimously voted to approve a request for general use approval from 310 CMR 15.288(4) to the property located at Lot 1 #17 Washington Dr, with the following conditions:

- 1 The system shall, at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by the MADEP for the Cultec C4 Chamber Panels.
- 5 The septic tank shall be pumped once every two years.

- 6 The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Steve Calichman, dated 3/16/09.

6 Mohegan Drive – I/A Use Approval

The Health Department has received a request for general use approval from 310 CMR 15.288 (4) for use of Cultec Contractor C-4 Heavy Duty Chambers in accordance with Modified Certification for General Use issued by MA DEP dated July 19, 2007, for the property located at 6 Mohegan Dr. The Health Department has reviewed the submitted plan and finds that use of the Cultec C-4 Chambers would require limited grading changes and likely improve existing conditions at the site. On a motion made by Dr. Taylor, seconded by Ms. Bissetta, the Board unanimously voted to approve a request for general use approval from 310 CMR 15.288(4) to the property located at 6 Mohegan Dr, with the following conditions:

- 1 The system shall, at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by the MADEP for the Cultec C4 Chamber Panels.
- 2 The septic tank shall be pumped once every two years.
- 3 The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Russ Wilson, dated 3/19/09.

208 Parker St – Extension of a title 5 waiver

The Health Department has received a request from the owner of 208 Parker St, Tricia Gervasi, for an extension of a title 5 waiver under 310 CMR 15.301(4)(b) for the property located at 208 Parker Street. On a motion made by Mr. Conoby, seconded by Ms. Harting-Barratt, the Board unanimously voted to approve the waiver extension with the following conditions:

1. The property located at 208 Parker Street shall connect to the Town of Acton Middle Fort Pond Brook Sanitary Sewer System within 120 days from the date of this letter.
2. The on-site sewage disposal system shall be serviced as necessary and an enforcement letter from the Acton Board of Health or the Massachusetts Department of Environmental Protection may shorten this waiver period, should the system endanger the public health or the environment.

3. The waiver, along with these conditions, shall be communicated in writing to the purchaser and any other subsequent owners until the property at 208 Parker Street is connected to the Town of Acton Middle Fort Pond Brook Sanitary Sewer System.
4. The owner shall confirm that the house is unoccupied or if it is occupied or becomes occupied the Health Department will be given permission to confirm that the system doesn't pose an environmental threat.

Healthy Communities Grant

Doug Halley, on behalf of Sheryl Ball, presented the Board with information about the Healthy Communities Grant of \$15,000 funded through the Northwest Suburban Health Alliance. This is a planning grant designed to be a town wide implementation of a Healthy Community concept. The planning process is expected to take 18 months due to the need for outreach to all groups and committees, along with all Acton residents seeking their input. Upon completion of our plan we have the possibility of receiving additional funds, last years amount was 25,000, so that we may begin implementation of the plan.

Onsite Wastewater System Policy

The Health Dpt. presented the Board with a copy of the Onsite Wastewater System policy. The Board suggested that all I/A Use Approval for new construction, continue to be presented to the Board for approval. Another suggestion made was that the Health Department present the Board with an annual review. On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to approve the Onsite Wastewater System policy as amended.

Adjournment

On a motion made by Ms. Harting-Barrat, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 9:07PM.

Respectfully Submitted,



Isabel Roberts, Health Secretary
Acton Board of Health



Joanne Bissetta, Chairman
Acton Board of Health