

**From:** [Doug Halley](#)  
**To:** [Roland Bartl](#); [Tom Tidman](#); [Justin Snair](#)  
**Subject:** RE: 57 Robbins St/Beacon Ct  
**Date:** Tuesday, January 04, 2011 4:57:26 PM

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Michelle Kirkpatrick did contact the Health Department regarding the statements in the last paragraph. At the time I met with Tom and quickly reviewed the handwritten non-accepted minutes for the Conservation Meeting. That quick review did not provide enough information to indicate that any action was required by the Board of Health. If the minutes have been written and accepted we would be happy to review them again to see if there is any evidence that a violation of the health regulations exist.

During the course of soil investigations for the placement of the septic system the Health Department observed the general conditions of the site adjacent to the soil tests and the underlying soils in that area. At that time the Department did not observe any conditions that required follow up by the Board. Please note that the areas beyond the location of the soil tests were not inspected at that time, as no concerns had been raised or were evident. A concern was raised by Ms. Kilpatrick in one area at that time and the Health Department investigated and found that the object of concern appeared to be an abandoned and turned over laundry pole.

The Board of Health is in agreement with the condition approved by the Conservation Commission requiring that all paint cans and dumped material be removed from the site in accordance with local, state and federal requirements. At this point there is no evidence that a discharge of hazardous materials has occurred. Should evidence come to light of a discharge the Health Department will take appropriate action. A wastewater disposal permit has been issued for this development. The permit gives the Health Department the right to enter and inspect during construction. At that time the Health Department will look for any additional areas of concern and will take appropriate actions related to any concern that is identified.

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**From:** Roland Bartl  
**Sent:** Tuesday, January 04, 2011 3:14 PM  
**To:** Tom Tidman; Doug Halley; Justin Snair  
**Subject:** FW: 57 Robbins St/Beacon Ct

Can you fill me in on this before the Planning Board's subdivisioin hearing tonight?

Roland Bartl, AICP  
Planning Director  
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Acton, MA 01720  
(978) 264-9636

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**From:** kilpatrick\_6@verizon.net [mailto:kilpatrick\_6@verizon.net]  
**Sent:** Tuesday, January 04, 2011 3:09 PM  
**To:** Roland Bartl  
**Subject:** 57 Robbins St/Beacon Ct

Hi Roland,  
I have reviewed the info listed on the Docushare system for the meeting tonight (1/4/11.)

Just wondering if the developer submitted a "corrected" version for the Division of Fisheries & Wildlife letter - Natural Heritage and Endangered Species Program (NHESP) Dec. 1, 2010 Letter ? During the Conservation Commission Meeting, it was discovered that the numbers on the letter were incorrect. It is written that 1.33 acres are protected from development by a deed restriction, however, the developer said that 1.33 should be in the limit of work. The Conservation Commission said they would not give their approval without a corrected letter from the state. Has that been submitted?

Also, have you spoken to Doug Halley about the area of the property that was discovered by the ConsCom as a possible dumping area, containing possible lead paint cans among many other metal objects? The ConsCom was "alarmed" by the items out there and has made it a requirement that the builder has to remove the objects. How does this have to be handled? How does the waste have to be disposed of safely? Should soil samples be taken to check for contamination? Should other areas of the property be looked at to see if there is dumping or hazardous waste?

Thank you,  
Michelle Kilpatrick