

Acton Board of Health

July 18, 2011

Members Present: Mark Conoby, Chairman, Joanne Bissetta and Michael Kreuze.

Staff Present: Doug Halley, Health Director and Isabel Roberts

Others Present: Peggy Mikkola

The meeting was called to order at 7:38 p.m.

On a motion made by Ms. Bissetta, seconded by Mr. Kreuze, the Board unanimously voted to approve the Board of Health Minutes dated May 16, 2011.

W.R.Grace Moratorium

The Board of Health discussed the correspondence from the Environmental Protection Agency dated July 11, 2011 and the 15 questions prepared for the E.P.A and W.R.Grace.

A number of key issues were discussed, such as, from a science based technique, can we identify what has been effected by the plume and what properties should not have irrigation wells or the permission to dig an irrigation well. By taking away a person's property rights creates a huge liability for the Town of Acton. The Board also pointed out that the Water District has their wells in the plume and has never been asked to make changes.

The Board expressed concerns about the impact that the wells would have on contamination and how these questions have never been answered, despite the Boards requests for EPA to attend the Board of Health meetings.

One of the Board's main concerns is that EPA and W.R.Grace are asking the Town of Acton to prohibit activity by town residents without impact or recourse for liability and rights.

The Board wants to continue to work with the EPA appropriately. No decision was made by the Board to enforce a moratorium at this point in time.

This matter is to be continued to next Board of Health meeting in order to discuss an informal

timeline.

583-586 Massachusetts Ave – Change in Use

The Health Department has received a request from Paul McMahon to lease the space located at 583-585 Mass. Ave. The space is approximately 1000 square foot and shares a septic system with an existing boutique. This space would continue as primarily retail, with no seats proposed. The Health Department records indicate, the septic system was designed for 220 GPD. The owner of the property provided water records that show a daily use of 67 gallons, however, Title 5 requires that we double actual usage, totaling 134 GPD.

Paul McMahon has requested to sell the following:

1. Hard ice-cream using approximately 10 gallons of water per day.
2. Prepackaged retail candy.
3. Dipped fruit or pops. A chocolate warming unit that requires very little maintenance.

The Health Department recommends approval to sell chocolates and ice cream and occasional dipped fruit with the following conditions:

1. There shall be no seats
2. Water records shall be submitted to the Health Department every 6 months. The Board grants the Health Director the authority to take whatever action necessary to ensure compliance.
3. The owner/landlord of the property shall submit a letter to the Health Department stating his/her approval of this use.

The Board commented that an additional condition should state that “the applicant shall comply with all other applicable rules and regulations”.

On a motion made by Ms. Bissetta, seconded by Mr. Kreuze, the Board unanimously voted to approve the change in use at 583-585 Mass Ave, with conditions as noted.

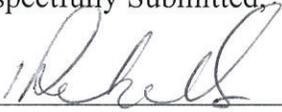
32 Stoneymeade Way – Deed Restriction release

The Board signed the deed restriction release for 32 Stoneymeade Way.

Adjournment

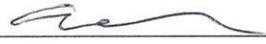
On a motion made by Mr. Kreuze, seconded by Ms. Bissetta, the Board unanimously voted to adjourn at 8:48 PM.

Respectfully Submitted,



Isabel Roberts, Health Secretary

Acton Board of Health



Mark Conoby, Chairman

Acton Board of Health

**Town of Acton
Board of Health**

Meeting Agenda

July 18, 2011
Acton Memorial Library
7:30 p.m. – 9:00 p.m.

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7:30

W.R.Grace – Moratorium

8:00

583-585 Mass Ave – Board approval

8:15

32 Stoneymeade Way – Deed Restriction removal

Minutes