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FEB 11 2014

TOWN CLERK  
ACTON

Acton Board of Health

Room 126, Acton Town Hall  
Acton, MA 01720

January 13, 2014

**Members Present:** Michael Kreuze -Chairman, Dr. William Taylor, William McInnis, Joanne Bissetta and Mark Conoby  
Robert Oliveri-Associate with Voting Rights

**Staff Present:** Sheryl Ball-Health Agent  
Weiyuan Sun-Administration

**Other Present:** Bruce Ringwall, Peg Mikkola, David Jarsky and Kalen Jarsky

**Location:** Room 126, Town Hall, Acton, MA 01720

The meeting was called to order at 7:34 P.M.

**Minutes**

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to approve the Board of Health minutes dated November 13, 2013 as amended.

**11 Duggan Road- Variance**

The owner of property located at 11 Duggan Road has requested a variance from 310 CMR 15.284 and 310 CMR 15.405(1)(A) for Remedial Use Approval, Article 11-8.1 and Article 11-8.1.1 to allow for a reduction in distance to foundation and property line to allow for the reconstruction of the malfunctioning onsite wastewater system serving the single family dwelling located at 11 Duggan Road.

**Health Department Findings:**

- 1) The site is constrained by the presence of bedrock ledge from ground surface elevation to 80" below ground surface.
- 2) Estimated seasonal high groundwater at the site was determined to be at an elevation of 34-49" below ground surface
- 3) The house is set well back from the front property line, yet the front yard is characterized by shallow and surface bedrock ledge, leaving a small area in the rear of the structure in which to site the system
- 4) To provide equivalent environmental protection, the applicant has proposed the use of a Jet J-750 wastewater treatment system which will treat the household wastewater to secondary effluent standards of 30/30 BOD5/TSS.
- 5) The applicant proposes to use drip irrigation distribution of the treatment system effluent which will enhance nutrient uptake and reduce potential impacts to groundwater reserves
- 6) Without the requested remedial use approval, which allows for a 2' separation to the ESHGW elevation, the applicant would be required to construct a large retaining wall along the rear property line.
- 7) Without the local upgrade approvals, the system would require retaining walls and would potentially require other approvals to be closer to the building foundation
- 8) To meet the requirements of Article 11, local upgrade approvals would be required to reduce offsets to both the foundation and the property lines, and a retaining wall may also be required.

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board of Health unanimously voted to grant a variance from 310 CMR 15.284, 310 CMR 15.405(1)(A), Article 11-8.1 and 11-8.1.1 for the property located at 11 Duggan Road with the following conditions:

- 1) Until such time that the components are replaced, or the system is connected to a municipal sewer system; the system shall, at all times, in perpetuity, be maintained in compliance with all local and state requirements for this system and the MassDEP Innovative Alternative Technology approval letters for the Perc-Rite Drip Dispersal System and the Jet J-750 Wastewater Treatment system.
- 2) The system shall meet all the requirements and conditions set forth in the "Standard Conditions for Secondary Treatment Units Approved for Remedial Use" effective November 5, 2012.
- 3) A confirmatory deep test hole shall be dug during construction to verify groundwater elevation.
- 4) The system is built in accordance with the above requirements and a plan stamped by Douglas Miller, PE dated 12/3/2013.
- 5) A battery backup for the alarm shall be provided.
- 6) Cleanouts to the manifolds shall be installed.

**Department Status Reports on Public Health and Environmental Programs**

**Central Mass Mosquito Control Project Update-**

The Health Department updated the Board regarding the Town's status with Central Mass. Mosquito Control Project (CMMCP). The CMMCP has submitted steps for residents to take in order to be excluded from spraying, the proposed budget for FY 14 and current meeting dates for 2014 for Board review.

**An additional meeting-**The Health Department requested an additional Board of Health Meeting on January 27, 2014 as multiple requests for variances have been submitted.

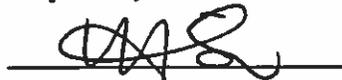
On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board of Health unanimously voted to hold a meeting on January 27, 2014.

**Septic Loan Documents-** The Board signed septic loan documents for 45 Jackson Drive.

**Adjournment**

On a motion made by Dr. Taylor, seconded by Mr. Conoby, the Board voted to adjourn at 8:27P.M.

Respectfully Submitted,



Weiyuan Sun  
Acton Board of Health



Michael Kreuze -Chairman  
Acton Board of Health