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Acton Board of Health

Room 126, Acton Town Hall  
Acton, MA 01720

February 24, 2014

**Members Present:** Michael Kreuze –Chairman and Dr. William Taylor.  
Robert Oliveri-Associate with Voting Rights for absent other members.

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

**Other Present:** Piotr Chadzynski, Ben Ewing, Jennifer Campbell

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

The meeting was called to order at 7:40 P.M.

**Minutes**

On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board unanimously voted to approve the Board of Health minutes dated February 10, 2014 as amended.

**10 Robinwood Road-Appeal**

Mr. Piotr Chadzynski, the owner of property located at 10 Robinwood Road has requested an appeal to the order letter sent by the Health Department with the Board of Health stating that his case does not fall under the definition of a "Rooming House" in regards to 105 CMR 410.000 – State Sanitary Code, Chapter II.

Mr. Chadzynski indicated the order was in error and must be rescinded. The Board listened to Mr. Chadzynski's concerns and helped him understand the procedures after a complaint is made to the Health Department. The Health Department is required to conduct an inspection upon tenant request. Mr. Chadzynski was disappointed that he was not contacted prior to the inspection; however, the Health Department informed him that this is not a requirement. Mr. Chadzynski stated that his property is not a "Rooming House" or "Rooming Unit". The Health Department stated that the letter sent to Mr. Chadzynski as well as other Town Departments was not meant to be an order letter and suggested that the word "order" be changed to "encouraged". Mr. Carloni sent this letter as he was concerned that this was not an approved rooming house or apartment. In addition, Mr. Chadzynski was unsatisfied with the housing inspection conducted by Mr. Evan Carloni, Health Agent. He then provided a complaint document to the Board during the meeting. The Board directed Mr. Chadzynski to meet with Doug Halley, Health Director regarding this additional complaint. On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board of Health unanimously voted to remove the word "ordered" and change to "encouraged" in the certified mail letter dated January 28, 2014.

**366 Central Street- Idylwilde Farm-Variance**

The owner of property located at 364 Central, Idylwilde Farms has requested a variance from Article 16-6.2.7 to allow the system to be less than 100' from the flood plain for the repair of the onsite wastewater system. The Health Department has reviewed the proposed plans and finds the following:

- The bottom of the soil absorption system will be located higher than the flood plain.
- The SAS will be located 48' from the flood plain.

On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board of Health unanimously voted to grant a variance from Article 16-6.2.7 to the property located at 366 Central Street with the following conditions:

1. The septic tank shall be pumped a minimum of once every two years.
2. Must install effluent tee filter.
3. The system shall, at all the times, be maintained in compliance with the most recent Remedial Use Approval issue by the MADEP for the CULTEC Contactor C-4 HD (Heavy Duty) Chambers.
4. The system shall be constructed in accordance with the above listed conditions, and a plan stamped by George Dimakarakos, PE dated 12/3/2013.

#### **148 Willow Street- Variance**

The owner of property located at 148 Willow Street has requested a variance from Article 16-6.2.5 for a reduction in groundwater offset from the required 6' with percolation rates of 2 mpi or less to 5' to allow the repair of the onsite wastewater system. The Health Department has reviewed the proposed plans and finds the following:

- The area in the front of the house is not suitable as it is below Willow Street with extensive amounts of fill. Shallow depths to groundwater were found and the system would be elevated about the existing ground surface.

On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board of Health unanimously voted to grant a variance from Article 16-6.2.5 to the property located at 148 Willow Street with the following conditions:

1. The septic tank shall be pumped a minimum of once every two years.
2. A effluent tee filter is required.
3. The system shall, at all the times, be maintained in compliance with the most recent Remedial Use Approval issue by the MADEP for the CULTEC Contactor C-4 HD( Heavy Duty) Chambers.
4. The system shall be constructed in accordance with the above listed conditions, and a plan stamped by Mark Donohoe, PE dated 2/6/2014.

#### **Farmer's Market- Fee Appeal**

Ms. Jennifer Campbell, the organizer of Acton Boxborough Farmer's Market attended the meeting and requested that the Board of Health approve a new classification of fees exclusively for the Farmer's Market. Ms. Campbell indicated that many newer, small startup vendors would like to take this opportunity to simply try and test out customers for their newly established business and avoid doing so due to the Board of Health permitting fees. Most vendors do not make profit during the Farmers Market season. The Board's current temporary food permit fee is \$45.00/per event and \$70.00/per season. The Health Department has reviewed this request and recommends the following new classification of fees for Farmer's Market:

One time permit - \$25

Seasonal Permit - \$50

These fees are based on actual time the Health Department spends in both the issuance and inspections needed for these permits as well as comparing other town's costs for this event in their community.

On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board of Health unanimously voted to approve a new classification of fees for the Acton Boxborough Farmers Market as follows:

One Time Permit fee for \$25.00

Seasonal Permit fee for \$50.00

This will also be submitted to the Board of Selectmen for their consideration and approval.

**Adjournment**

On a motion made by Mr. Oliveri, seconded by Dr. Taylor, the Board unanimously voted to adjourn at 8:26P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'W. Sun', written over a horizontal line.

**Weiyuan Sun**  
**Acton Board of Health**

A handwritten signature in black ink, appearing to be 'Michael Kreuze', written over a horizontal line.

**Michael Kreuze -Chairman**  
**Acton Board of Health**