

Acton Board of Health

August 15, 2016

Members Present: Joanne Bissetta -Acting Chairman, Dr. William Taylor, William McInnis and Mark Conoby

Staff Present: Evan Carloni- Agent, Board of Health
Weiyuan Sun-Administration

Other Present: Michael Daaboul, Muhammad Kham, Ricando Trindade, Kaite Green, George Sammet and Dianne Sammet

Location: Room 9, 472 Main St, Acton, MA 01720

The meeting was called to order at 7:31 p.m.

Minutes

On a motion made by Dr. Taylor McInnis, seconded by Mr. McInnis, the Board unanimously voted to approve the Board of Health minutes dated April 11, 2016 as amended.

On a motion made by Dr. Taylor, seconded by Mr. McInnis, the Board unanimously voted to approve the Board of Health minutes dated August 15, 2016 as amended.

Tobacco Violation – South Acton Mobil

The Board of Health received notification from The Massachusetts Tobacco Cessation and Prevention Program (MTCP) that an employee of South Acton Mobil sold tobacco products to a minor on May 19, 2016. Mr. Michael Daaboul, the manager of South Acton Mobil stated that the employee Mr. Muhammad Kham made a mistake and did not check the customer's photographic identification before selling the tobacco product. Mr. Muhammad Kham apologized for his mistake. Mr. Daaboul pointed that he will take this violation very seriously and will reinforce training to all of his employees. In addition, the store will provide a cash register that requires ID's to be scanned to allow purchase of tobacco. Mr. Daaboul asked that our tobacco Compliance Officer provide training to his employees. Mr. Daabou and Mr. Kham both paid the fines of one hundred dollars each.

Tobacco Violation - Acton Convenience

The Board of Health received notification from The Massachusetts Tobacco Cessation and Prevention Program (MTCP) that an employee of Acton Convenience sold tobacco to a minor on May 19, 2016. Mr. Ricando Trindade, the manager of Acton Convenience, stated that he was not sure what happened. After this happened, this employee disappeared and no longer works at Acton Convenience Store. Mr. Trindade stated that he will take this violation as a serious matter and will reinforce the training given to his employees, ensuring that they will check photographic identification to avoid this from happening again. Mr. Trindade would like to receive any available training programs possible as well. The company of Acton Convenience paid the fines of two hundred dollars.

Hearing-7 Spencer Road

The Health Department is in receipt of a request for a hearing relating to the violation at 7 Spencer Road. On July 19, 2016, the Health Department received compliant request for an inspection by the abutter, Mr. Douglas Edwards, owner of 9 Spencer Road. Mr. Edwards also hired Foresite Engineering to survey and stake his property lines. During the inspection, evidence

was found that the leaching area for 7 Spencer Road was located on 9 Spencer Road's Property. An order letter to conduct a Title 5 was sent by certified mail to 7 Spencer Road with notification of receipt dated July 12, 2016. The Health Department received a request for a hearing from 7 Spencer Road with notification of receipt dated July 12, 2016. On August 1, 2016, the Health Department received a failing Title 5 for the Property located at 7 Spencer Road; and it confirmed that the leaching field for 7 Spencer Road is located on the property of 9 Spence Road. The Board reviewed the Health Department's recommendation as well as Mr. Sammet request for guidance in regards to timeline and how to approach his situation. The Board discussed the ownership of the land in question, and Mr. Sammet expressed his intention to have a new system designed and installed on his property. The board indicated that according to 310 CMR 15.305 (1)- if a system is failing to protect public health, safety, welfare or the environment as set forth in 310CMR 15.303 (1), the owner or operator shall upgrade the system within two years. It was recommended that if breakout is to occur before the septic system is replaced, Mr. Sammet shall have the septic system pumped immediately to mitigate the breakout. In addition, the board requested that the system designer work closely with the Health and Conservation Departments.

Variance – 22 Paul Revere Road

The Health Department is in receipt of a request by ABC Cesspool on behalf of 22 Paul Revere Street for a variance from 310 CMR 15.221 (7); the top of all system components, including the septic tank, distribution box, pump chamber, dosing chamber and soil adsorption system shall be installed no more than 36" below finished grade to allow 48" of cover blow finished grade.

On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to approve a variance from 310 CMR 15.221 (7) as allowed by 310 CMR 15.405 (1)(b) for the septic system design at 22 Paul Revere with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MADEP for the CULTEC Drain Filed.
2. The septic tank shall be pumped a minimum of once every two years.
3. Field shall be adequately vented.
4. All components under more than 36 inches of cover shall be designed for H-20 loading.

Department Status Reports on Public Health and Environmental Program

The Board numbers requested a sympathy card and followers for the Mr. Kreuzer family.

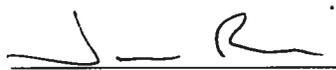
Adjournment

On a motion made by Mr. McInnis and seconded by Mr. Taylor, the Board unanimously voted to adjourn the meeting at 8:47p.m.

Respectfully Submitted,



Weiyuan Sun, Administrator
Acton Board of Health



Joanne Bissetta, Acting Chairman
Acton Board of Health