

ACTON BOARD OF HEALTH

AUGUST 26, 1991

MINUTES



**MEMBERS PRESENTS:** Jonathan Bosworth (Chairman)  
Gerhard Heinrich  
George Emmons

**STAFF PRESENT:** Doug Halley (Health Director)  
Rose Erdozaincy  
Sheryl Howe

**OTHERS PRESENT:** Martha Morrison  
Edwin Williams, Jr.  
Jean Sifleet  
Regina McCarthy  
Derek Wylie  
Frank Diaz  
Richard A. Fredette  
Thomas E. Sanvel  
Lucy Saia

The meeting opened at 7:34 P.M.

MINUTES:

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the minutes of July 22, 1991.

HEARING - ACTON CONCORD SEPTIC VS SIFLEETS:

Ms. Sifleet is before the Board to again discuss the possible revocation of Acton Concord Septic's inspector license and to have the Board adopt a policy on septic system inspections. Ms. Sifleet briefly discussed the results of the court hearing stating that she had won the settlement.

Ms. Sifleet also summarized the inspections that were done by Acton Concord Septic and Dufours many months ago. Ms. Sifleet hired Dufours to inspect her septic system. Dufours certified the system to be functioning properly. Mr. Jackman hired Acton Concord Septic to do an inspection as a prospective owner of the Sifleets home. Ms. Sifleet was not present for the inspection done by Acton Concord Septic. Mr. Williams, co-owner of Acton Concord Septic, stated that he notified all pertinent parties before he conducted the inspection and the only person who witnessed the inspection was Mr. Jackman. Mr. Jackman wrote a letter to the Board stating exactly what he witnessed during the inspection process.

Mr. Heinrich stated that it is not the Board's intent to check out business practices, however, it is the Board's practice to make sure the inspection is done in an appropriate manner.

The Board discussed guidelines that should be adopted for inspecting the septic system.

The Board concluded this hearing by stating that to pass septic system inspection regulations will take a long time with many involved discussions. Ms. Sifleet stated that she would like to be present during all future discussions. The Board agreed to notify her when the septic system inspection regulations are on the agenda.

SANVEL - HEARING:

Sanvel is present before the Board to discuss the use of "trapped" or "crushed" stone in the construction of septic systems. The Health Department requested that this type of stone not be used in septic systems because of the fine powder which covers the stones. Sanvel has previously brought the stone to the D.E.P. to seek their approval for use of this stone. The stone passed a T11-70 test analysis. The D.E.P. granted approval to use this type of stone in the construction of septic systems. The Health Department feels that if this stone were to be utilized then an analysis of the stone should be done annually. Sanvel stated that they would have no problem testing the stone annually if this requirement was imposed on all Stone company's.

The Board stated that if the stone meets State requirements then either "trapped" or "crushed" stone should be allowed to be used in septic systems as long as it meets testing requirements.

173 MAIN STREET - VARIANCES:

The owners of the property located at 173 Main Street seek variances for a reconstruction of the septic system. Three variances from Acton regulations 11-15.1, 11-17.2, and 11-9 are needed along with three variances from Title 5 regulations 310 CMR 15.03 (1)(4), 15.13 (8) and 15.02 (17). Gina McCarthy who designed this proposed reconstruction feels the area that the system is designed in is the best location possible. The lot is extremely difficult to work with due to high groundwater, slopes and a limited size lot. The Health Department recommends approval of these variances. The variances needed from Title 5 regulations will need final approval from the State.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to grant variances from Acton regulations 11-15.1, 11-17.2 and 11-9 and also State Regulations 310 CMR 15.03 (1)(4), 15.13 (8) and 15.02 (17) to 173 Main Street for a reconstruction of a septic system as designed by Regina McCarthy on July 8, 1991 and revised on July 23, 1991.

ACTON PUBLIC HEALTH NURSING SERVICE - RECONSIDERATION POLICY AND  
NEW LICENSING FEES FOR OFFICE OF CHILDREN:

Ms. Saia, presented the Board with the reconsideration policy for their review. The Board has previously reviewed the policy and has made corrections.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the reconsideration policy as submitted to the Board on August 26, 1991.

Ms. Saia also presented new licensing fees from the Office of Children for the Board's review and adoption. The Office of Children raised the licensing fees effective May 1, 1991. The Board has an option of raising the fees. Mr. Halley and Ms. Saia have presented these new fees to Roy Wetherbee, Town Treasurer and John Murray and Don Johnson and all feel that the fees should be raised.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to raise the fees as per the Executive Office of Human Services, Office of Children effective April 30, 1991 as follows:

Group Day Care

Regular (1-39)	\$200.00
Regular (40+)	\$300.00
Provisional (1-39)	\$150.00
Provisional (40+)	\$250.00
Limited School-Age	\$50.00
Capacity Change	\$50.00

School Age Child Care

Regular (1-26)	\$200.00
Regular (27+)	\$300.00
Provisional	\$150.00
Capacity Change	\$50.00

11 COWDREY LANE - VARIANCE:

Mr. Pink, owner of 11 Cowdrey Lane, seeks a variance to allow the reconstruction of a septic system in soils over 20 minutes per inch. The leaching facility is designed to provide for 1,460 square feet of leaching.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to grant a variance to 11 Cowdrey Lane for the reconstruction of a septic system in soils over 20 minutes per inch in accordance with the plan submitted by Defalco Engineering dated August 6, 1991.

226 MAIN STREET - VARIANCE:

The owners of the property located at 226 Main Street seek a variance to allow the reconstruction of a septic system in soils with a percolation rate over 30 minutes per inch. This variance will also need approval from the State.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to grant a variance to State regulations 310 CMR 15.03 to 226 Main Street for reconstruction of the septic system in accordance with plan designed by Environmental Improvement Resources dated August 1, 1991.

LOT 33 STONEYMEADE WAY - VARIANCE:

Mr. Bellantoni, representative of Lot 33 Stoneymeade seeks a variance from Acton regulations 9-6.4 to allow the installation of a irrigation well.

The property is in Zone 4 of the aquifer and groundwater was found at seven (7) feet. The Health Department recommends that the proposed irrigation well be a bedrock well.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to grant the variance to allow the installation of a bedrock well which will be used for irrigation purposes at Lot 33 Stoneymeade Way with the following conditions:

1. The proposed well must be a bedrock well.
2. A chemical and bacterial analysis shall be conducted yearly with a report submitted to the Board of Health.
3. Any test results that are greater than 50% of the allowed state requirements shall cause immediate cessation of the well or the implementation of a filtering program to remove the identified contaminants.
4. Any underground water sprinkler system shall have all water lines installed at a minimum of twenty feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Health Department.
5. There shall be no cross-connections with any public water supply line.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to adjourn at 9:55 P.M.

NEXT MEETING:

The next regularly scheduled meeting is scheduled for September 16, 1991 at 7:30 P.M. in Room 126 of the Town Hall. The following meeting is scheduled for September 30, 1991.

Respectfully Submitted,

Sheryl Howe

Signed and Approved,

Jonathan Bosworth  
Jonathan Bosworth, Chairman