



ACTON BOARD OF HEALTH

MINUTES OF MEETING

NOVEMBER 5, 1990

MEMBERS PRESENT: George Emmons (Chairman)

Gerhard Heinrich

Marilyn Hotch

Jonathan Bosworth

STAFF PRESENT: Doug Halley (Health Director)

Sheryl Howe

OTHERS PRESENT: Jim Dunn

Mark Donahoe

Scott Green

64 CHARTER ROAD - VARIANCE:

The owners of the property located at 64 Charter Road seek a variance from Acton Rules and Regulations 11-15.1 for a percolation rate above 20 minutes per inch. The percolation rate at this site was 28 minutes per inch. The existing system has failed and the proposed location for reconstruction is the only available space. The proposed system has been designed three times greater than required to accommodate the slow percolation rate.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance from Acton rules and regulations, 11-15.1 - Excessive percolation rate to 64 Charter Road with the condition that the proposed septic system be built in accordance with the plan prepared by Acton Survey & Engineering dated 10/19/90.

17 MOHAWK DRIVE - VARIANCE:

The owners of the property located at 17 Mohawk Drive seek a variance to Acton rules and regulations 11-12.2 - setback from wetlands. The existing septic system is currently 45 feet from the wetlands. The current regulations require a 75' foot setback. The proposed system is designed to be 50' from the wetlands due to limited lot size and existing catch basins which also require a setback. This variance will also have to be approved by the Conservation Commission by filing a request for a determination.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance from 11-12.2-setbacks to wetlands to 17 Mohawk Drive with the following condition:

1. A request for a determination will be filed with the Conservation Commission.

11 OLDE SURREY - VARIANCE:

The owners of the property located at 11 Olde Surrey seek a variance from State Regulations, 310 CMR 15.12 - side slope requirement for construction in fill. The existing septic system has failed. Due to the steep slopes and the need to keep the system four feet to groundwater, breakout regulations cannot be met. A clay barrier will be installed and 10' removal of soils around the system.

On a motion made by Mr. Heinrich, seconded by Ms. Hotch, the Board unanimously voted to grant a variance from State regulations 310 CMR 15.12 to 11 Olde Surrey with the condition that the system be built in accordance with the plan stamped by Brad Leach, dated 10/12/90 and in accordance with D.E.P. policy 87-1.

DRUMMER FARMS - 75-81 Drummer Road & 67-73 Drummer Road - Variances & Special Permit:

The owners of the property at 75-81 Drummer Road & 67-73 Drummer Road seek a variance from 11-15.1 and 11-14 and a special permit for work in an aquifer. The proposed system will be approximately 3,000 feet from the nearest well, six feet to groundwater and the percolation rates were two minutes per inch. The existing septic tanks at both properties are 1,500 gallons with the requirement for a flow of 880 gallons per day being a 1,760 gallon septic tank. Drummer Farms feels that this 260 gallon shortfall is minimal and therefore requests a variance. The Health Department recommends that the septic tank be inspected and pumped yearly. In addition, the trench system has been designed at a ratio of 1.3 square feet per gallon so a variance is needed from 11-15.1.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance from Acton Regulations 11-15.1 and 11-14 to 67-73 Drummer Farms and 75-81 Drummer Farms with the following condition:

1. That the septic tank be pumped annually with a copy of the inspection report being submitted to the Health Department for its review.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a special permit for work in the aquifer to 67-73 Drummer Farms and 75-81 Drummer Farms with the following conditions:

1. No underground fuel storage tanks shall be permitted on the site.
2. Septic tank shall be pumped a minimum of once every year.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
4. The sewage disposal system for the existing building at this site shall be approved by Acton Board of Health staff.
5. Leaching facility shall be designed and installed with pressure dosing of the system, said pressure dosing to be designed in accordance with State Environmental Code or the lowest leaching area shall be six feet above the highest groundwater level.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.

256 MAIN STREET - McDONALD'S - VARIANCE:

McDonald's seeks a variance from Acton Regulations 11-15.1 and Title V, 310 CMR 15.14 (Figure I) for reconstruction of the sewage disposal system. The proposed design is unable to meet breakout requirements due to the low depth to groundwater and a sharp drop in grade. A clay barrier has been proposed in keeping with D.E.P.'s policy 87-1. The proposed system was designed at 1.3 square feet per gallon therefore requiring a variance to 11-15.1. The proposed system will be pressure dosed. The Health Department recommends the installation of low flow water devices. The primary business at McDonald's is for take-out services with 54 seats available.

On a motion made by Ms. Hotch, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance from Title V, 310 CMR 15.14 (Figure I) and Acton Rules and Regulations 11-15.1 to McDonalds, 256 Main Street, Acton in accordance with plans submitted by Dunn Engineering on October 15, 1990 and revised on October 29, 1990.

566 MASS. AVE. - VARIANCE & SPECIAL PERMIT:

The owners of 566 Mass. Ave., seek a variance to Title 5, 310 CMR 15.03 (1)(2) for the setback to property lines and cellar wall and Acton Rules and Regulation 11-15.1 - minimum leaching. This system is also located in the aquifer, therefore requiring a special permit. The proposed system due to lot constraints and having a design flow of 2,500 gallons per day is unable to meet setback requirements. The design also falls short of the required square footage of leaching. The proposed leaching meets Title 5

regulations, however, it does not meet Acton regulations. The proposed system will be six feet to groundwater. The Health Department recommends granting this variance with the condition that the septic system and grease trap be pumped annually and the grease trap inspected quarterly.

On a motion made by Ms. Hotch, seconded by Mr. Heinrich. the Board unanimously voted to grant a special permit for work in an aquifer to 566 Mass. Ave. with the following conditions:

1. No underground fuel storage tanks shall be permitted on the site.
2. Septic tank and grease trap shall be pumped a minimum of once every year.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
4. The sewage disposal system for the existing building at this site shall be approved by Acton Board of Health staff.
5. Leaching facility shall be designed and installed with pressure dosing of the system, said pressure dosing to be designed in accordance with State Environmental Code or the lowest leaching area shall be six feet above the highest groundwater level.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.
8. Grease trap shall be inspected quarterly by a licensed septic system.
9. Low flow water devices shall be installed.

On a motion made by Ms. Hotch, seconded by Mr. Heinrich, the Board unanimously voted to grant a variance from 310 CMR 15.03 Distances (1)(2) for the setback to property line and cellar wall and Acton Rules and Regulations 11-15.1 to 566 Mass. Ave.

647 MASS. AVE. - VARIANCES:

The proposed lot is a ten acre site in which the owner wishes to make four house lots with subsurface sewage disposal system. The owner seeks a variance from Acton Rules and Regulation 11-15.1 for excessive percolation rates. Out of the ten percolation tests performed nine of the rates were between 20 mpi and 30 mpi and seven were between 25 mpi and 30 mpi. The Health Department recommends approval of these lots when the lots are oversized and additional capacity is provided in the leaching system. The engineer of the plans has proposed for over excavation along with an extensive interceptor, therefore, the Health Department feels that this will be adequate to compensate for the slow percolation rates.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance to Acton Rules and Regulation 11-15.1 to Scott Green, 647 Mass. Ave., Lots 1-4 in accordance with the plans submitted by Joseph Henry & Associates for Lot 1 on October 31, 1990, Lot 2 on October 31, 1990, Lot 3 on October 31, 1990 and Lot 4 on November 1, 1990 and all elements of the letter submitted by Joseph Henry & Associates on October 23, 1990 shall be adhered to.

157 GREAT ROAD - SPECIAL PERMIT:

The owners of the lot located at 157 Great Road seek a special permit for work in the aquifer. The proposed use of the building will be for retail. The percolation rate is 2 minutes per inch and the nearest well is approximately 2,000 feet. The septic system has been designed with pressure dosing of the system. The existing underground storage tank will be removed in accordance with the Fire Department.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to grant a special permit for work in an aquifer to 157 Great Road with the following conditions.

1. No underground fuel storage tanks shall be permitted on the site.
2. Septic tank shall be pumped a minimum of once every year.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
4. The sewage disposal system for the proposed building at this site shall be approved by Acton Board of Health staff.
5. Leaching facility shall be designed and installed with pressure dosing of the system, said pressure dosing to be designed in accordance with State Environmental Code.
6. Floor cleaning procedures for the building shall use only nontoxic and biodegradable cleaning compounds.
7. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
8. Floor drains are not permitted.

9. The U.G. Gas pump, storage tank and filler pipe shown on a plan drawn by Acton Survey & Engineering and dated 7/24/90 shall be removed in accordance with procedures as set forth by the Acton Fire Chief.
10. The proposed detention basin shall be clay lined in any area at or below elevation 140.000. Such clay liner shall meet the approval of the Health Director.
11. All catch basins on site shall have M.D.C. gas traps.
12. The outlet pipe of the detention basin shall have an oil boom staked & placed around it so that all discharge water passes through it.

3 FRASER DRIVE - SPECIAL PERMIT:

The owners of the property at 3 Fraser Drive seek a special permit for work in an aquifer. The percolation rate is 2 minutes per inch. The owners would like to add on to the existing house and upgrade the cesspool at the same time.

On a motion made by Ms. Hotch, seconded by Mr. Heinrich, the Board unanimously voted to grant a special permit for work in an aquifer to 3 Fraser Drive with the following conditions:

1. No underground fuel storage tanks shall be permitted on the site.
2. Septic tank shall be pumped a minimum of once every two years.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
4. The sewage disposal system for the existing home at this site shall be approved by Acton Board of Health staff.

5. Leaching facility shall be designed and installed with pressure dosing of the system, said pressure dosing to be designed in accordance with State Environmental Code or the lowest leaching elevation shall be a minimum of six feet above groundwater.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.

On a motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to adjourn at 9:15 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on November 26, 1990 at 7:30 P.M. and the following meeting will be held on December 3, 1990.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

George Emmons

George Emmons, Chairman