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TOWN CLERK
ACTON

Acton Board of Health
Minutes

January 22, 2007

Members Present: William McInnis, Chairman, Dr. Bill Taylor, Pam Harting-Barrat,
Member. Joanne Bissetta, Phil Alvarez, Associate

Staff Present: Doug Halley, Health Director and Sheryl Ball, Health Secretary.

Others Present: Tom Peterman, Peg Mikkola (League Representative), John Wnukowski,
Stephanie Lombardi, Sam Cohen, George Keramaris and John Keramaris,
Dave Barrat.

The meeting was called to order at 7:33 p.m.

Minutes

On a motion made by Dr. Harting-Barrat, seconded by Ms. Bissetta, the Board unanimously voted to approve the minutes of December 11, 2006 with corrections.

On a motion made by Dr. Harting-Barrat, seconded by Dr. Taylor, the Board unanimously voted to approve the minutes of January 8, 2007 with corrections.

Discussion – Design Review Committee

Mr. Tom Peterman was before the Board to explain what the Design Review Committee is working on. The Selectmen appointed this committee to explore setting up a design advisory process for commercial site plans in Acton. Mr. Peterman presented the Board with a summary of what they have been working on based on the growing concerns regarding commercial

development. The Committee has developed draft design review guidelines that they would like feedback on. These guidelines only apply to new commercial properties. This committee will act as an aide to the selectmen and property developer. Mr. McInnis asked Mr. Peterman what they would like from the Board. Mr. Peterman stated that the committee is looking for comments on the draft guidelines. Phil Alvarez asked if the committee will address modern buildings. Mr. Peterman stated that they stopped short of requirements but do have a general sense of what the town likes and want to make development conducive with what already exists in the town. Pam asked if there was any sense of developers coming in to do smart growth. Mr. Peterman stated that the committee has looked at breaking buildings into smaller units to better encourage pedestrian traffic. Phil Alvarez stated that he would like to see traffic slowed down by making curvy roads to slow traffic down and encourage pedestrian traffic. Mr. McInnis asked about the septic system at Brookside Shops and was told that they have a small underground treatment plant. Mr. McInnis stated that he would like to see the Design Review Committee incorporate this idea for the larger commercial building similar to Brookside shops. It was stated that the committee purpose was not to focus on use but more to adopt just guidelines. Mr. Peterman asked the Board of Health to generate a letter of support and to come up with concrete suggestions. The Board asked what the time frame is. Mr. Peterman stated that the final draft will go before the Selectmen in a couple of weeks.

Board of Selectmen Oversight Committee

The Board of Health recessed to attend the Board of Selectmen meeting.

Back from recess at 8:39 PM

Hearing – 14 Strawberry Hill Road –Apt. 20B

Mr. McInnis stated that since Mr. Alvarez was not present at the first hearing he will not be voting on this matter.

Mr. McInnis stated that this is a continuation of an appeal by the tenants of 14 Strawberry Hill Road, Apt. 20B from the meeting dated December 11, 1006. Mr. Wnukowski, tenant, has stated that he has additional documentation regarding the mold issues to bring before the Board of

Health. Mr. Wnukowski has brought Sam Cohen from Envirotest to answer the Board's questions. Mr. McInnis asked Mr. Cohen if there were any standards for mold because the Board is not aware of any with either the Environmental Protection Agency (EPA) or Department of Public Health (DPH). Mr. Cohen stated that there are no standards, however, there are industry standards and the results are clearly positive or negative. Mr. McInnis stated the DPH speaks to dampness not mold. The issue with mold that Mr. Wnukowski had was due to a leak under the sink in the apartment which resulted in mold. Mr. Cohen stated that mold will grow with over 50% of humidity and noted significant mold in the unit. Mr. Cohen stated that this is an obvious problem and questioned why it hadn't been repaired. Mr. Cohen stated that mold should be removed by a professional. Mr. Cohen stated that he conducts his tests with thermo imaging devices. Mr. McInnis stated that the health departments report dated in September did not show visible mold. Mr. Keramaris, owner of the property stated that the sill on the outside is filled with mold and that mold can be grown at any time by spilling a beer and leaving it to grow mold. Mr. Cohen stated that the mold is growing on sheetrock which mold loves. Mr. Cohen recommends that the mold be removed by replacing the wall board. Ms. Lombardi wants the wall taken down and fixed. Mr. Alvarez asked Mr. Cohen what is he comparing the risk to and what are there adverse health problems being experienced. Mr. Wnukowski stated that he throws up and gets a lot of headaches and Ms. Lombardi is getting migraines. Mr. Wnukowski stated that he doesn't deserve to live in mold. Dr. Taylor stated that the symptoms from mold are typically respiratory problems and their symptoms are not typically mold related problems. Ms. Lombardi stated that her bronchial passages are affected. Mr. McInnis asked the Board if they were comfortable in deliberating at this point. Dr. Harting-Barrat asked if an ozonator was brought in. Mr. Cohen stated that he does not recommend that kind of testing when people are living in the units as the chemicals can be harsh. Dr. Harting-Barrat stated that since there are no standards she spoke with a risk assessor with the EPA who informed her that if someone is susceptible to mold they should have a doctor conduct allergy testing. Dr. Harting-Barrat stated that this Board has no jurisdiction and cannot help you as there are no standards to refer this to and no Board jurisdiction due to any EPA or State standards. The Board cannot create bylaws where there are no standards. Dr. Taylor looked at the relationship to mold and health effects and stated that 5% of the people who have an affect to mold are typically people who have an underlying allergy and that exposure may or may not be

related to health effects. Ms. Bissetta stated that having a lack of standards is holding her back from granting this appeal. Mr. McInnis stated that it is difficult when fellow residents come before the Board and the Board has to deny their appeal but without standards our hands are tied. Mr. McInnis stated that the Board can accept the envirotest report as true and we can accept the health department report as true also as the Health Department did not see visible signs of mold upon re-inspection.

Mr. Keramaris thanked the Board of Health for their research and professionalism .

On a motion made by Dr. Harting-Barrat, seconded by Dr. Taylor, the Board unanimously voted to upholding the last inspection made by the Health Department and denies the appeal filed by Mr. Wnukowski. Mr. Alvarez abstained as he was not present for the initial hearing.

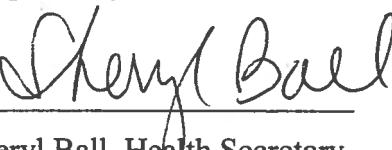
Other –

Dog Feces – Mr. Halley stated that a resident has sent numerous e-mails to this department with concerns about dog feces. Mr. Halley indicated that he has thanked the gentleman for his e-mails and also indicated that we have received adequate information on the subject.

Adjournment

On a motion made by Ms. Bissetta, seconded by Dr. Harting-Barrat, the Board unanimously voted to adjourn the Board of Health meeting at 9:26 P.M.

Respectfully Submitted,



Sheryl Ball

Sheryl Ball, Health Secretary
Acton Board of Health



William McInnis

Chairman
Acton Board of Health