



## Acton Board of Health

Meeting Minutes  
September 9, 2019  
7:30 P.M.

ROOM 9 , TOWN HALL, 472 MAIN STREET

### **Present:**

Members Present: Dr. William Taylor-Chairman, Michael Kreuze, William McInnis and Mark Conoby

Associate Members: Dr. Thomas Jacoby and Dr. Rekha Singh

Staff Present: Sheryl Ball-Health Director, Weiyuan Sun-Health Administrator

Other Present: Steven Ventresca, J D Head, John Blute, Derrick Chin, Peggy Mikkola, and Mary Brolin

Absent: Joanne Bissetta

### **1. Opening**

Chair - Dr. William Taylor opened the meeting at 7:31 P.M.

### **2. Regular Business**

#### Approval of Meeting Minutes

On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board unanimously voted to approve the Board of Health minutes dated August 12, 2019 with corrections.

#### A. Director-Operational Update

- Ms. Ball informed the Board that in coordination with the Central Massachusetts Mosquito Control Project the Acton Boxborough Schools and the Town owned Recreational fields and playgrounds are scheduled to be sprayed on Thursday September 12, 2019 due to the EEE threat.
- Ms. Ball informed the Board that 2019 Fall Household Hazardous Waste Day held on September 7, 2019 had 254 cars. There were no lines and the residents appreciated us holding this event.
- Ms. Ball informed the Board that Public Hearing for Article 18, Regulations Concerning Tobacco Use and Distribution will be held on 7:30 PM, September 23, 2019 at Acton Memorial Library. The public hearing notice has been mailed out to all vendors a month ago and Ms. Ball will follow up with an email notification.



- WR Grace: Ms. Ball stated that the plume of contaminants at the Grace site has moved and questioned whether the Board should update documentation to address the 500' administrative hold on issuing any wells within that setback. The Board asked to schedule this item for a future agenda.

### 3. **New/Special Business**

#### A. Insulet- Conditions of Approval/Discussion of Pump Test-100 Nagog Park

The Health Department placed this item on the agenda but received notification that they are not ready to come before the Board. Ms. Ball gave the Board a quick update as to the status. Currently, the Health Department's consultant has sent Insulet a list of needed items to address concerns and we are awaiting that feedback. Once it has been received it will be scheduled for a future agenda.

#### B. AB School- Variance Request for septic System Upgrade – Preliminary Discussion Only

The Health Department is in receipt of a request for a variance from 310 CMR 15.416. Steven Ventresca from Nitsch Engineering, representing the Schools, to use a reduced design flow of five gallons per day (GPD) by utilizing comparative school water records instead of the Title design flow requirement of 8 gpd to construct a new "twin" school located at 75 Spruce Street.

Mr. Ventresca stated that soil testing has been completed, witnessed by the Town and a proposed septic plan has been drawn. Mr. Ventresca presented water meter reading for three new elementary schools in nearby towns with average water usage showing less than 3 gpd per a student and is proposing to utilize that number doubled per Title 5. Mr. Ventresca has submitted the BRP WP 60 application to the DEP and is seeking the Board's approval to utilize the 5 gpd per student number that roughly totals a flow of 6700 gpd.

Nitsch Engineering presented a proposed septic system with a design flow of 5 gpm incorporating the requested new construction variance. Mr. Ventresca stated the reason for the variance is to minimize the impact to landscaping and parking at the site, reduce system cost and to avoid MEPA review. The Board asked whether a compliant system can be installed at the site. Nitsch Engineering stated it could and presented a plan showing a Title 5 compliant system.

The Board reviewed the new similar facility water records and the existing water records for the existing Acton schools. The current facilities had an average usage of 4.3, 4.3 and 5.93 gpd/person for the past three years. Doubling the actual water use is consistent with the 8-10 gpd/person DEP design basis. The Schools are proposing, with a variance, a design flow of 6,700 gpd. The proposed new school without a variance, 8 gpm, would have a design flow of 10,608 gpd.



The Board discussed at length why the 8 gpd number is not being used and how the applicant can provide an equivalent degree of environmental protection. Mr. Ventresca stated that designing to 8 gpd would require grading changes that could impact landscaping and parking. Also, if 8 gpd is used the permitted flow will be over 10,000 gpd which then triggers MEPA review and filings and DEP permitting. Mr. Ventresca felt that the 8 gpd is too large with the current water saving technology available and based on the three new facilities data that was presented. Mr. Ventresca indicated that DEP had granted this type variance before and would provide details to the Department. The Board discussed the Title 5 requirements for granting a variance for new construction. Title 5 requires that this variance accommodate an overriding community interest, provide at least equivalent environmental protection, demonstrate that the design flow will be substantially different at the facility due to water conservation or other factors, and the system design accounts for pollutant loadings and greater concentrations from reduced flows. The Board requested that the applicant provide documentation to satisfy all of these requirements as required for approval of the variance. The Board emphasized that if a variance is granted the code states that equal environmental protection be met and required that the system be designed for the 8 gpd compliant plan to provide that protection. It was stated that a conference call, including, the DEP, Health Division and Nitsch Engineering, would be set up to confirm that DEP would allow for a permit at 5 gpd but a design at 8 gpd. Mr. Ventresca indicated they will redesign the system and submit to the Health Department for review and placement on the next available Board meeting.

#### **4. Adjournment**

On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board unanimously voted to adjourn at 8:45 PM.

#### **Documents and Exhibits Used During this Meeting;**

- Minutes, August 12, 2019
- Memo From Sheryl Ball , Conditions of Approval/ discussion of Pump Test, Insulet Corporation, 100 Nagog Park
- AB School, variance Request for Septic system Upgrade
- Meeting Minutes, August 12, 2019
- Douglas & Gates School, Septic Design Plan, Arrowsteet Architecture & Design, Nitsch Engineering, August 8, 2019



Respectfully Submitted,

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Weyuan Sun  
Acton Board of Health

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Dr. William Taylor-Chairman,  
Acton Board of Health