

TOWN OF ACTON
91 SEP 10 AM 10:41

ACTON BOARD OF HEALTH

MINUTES JUNE 24, 1991

MEMBERS PRESENT: George Emmons (Chairman)
Joseph Glannon
Marilyn Hotch
Jonathan Bosworth
Doug Miller (Associate)

STAFF PRESENT: Doug Halley (Health Director)
Sheryl Howe

OTHERS PRESENT: George Dufour
Edwin Williams, Jr.
Carmen Spinelli
Fred Wier
Jean Sifleet
William Sifleet
Ross Lilley
Steven Whitney
Robert Dietrich
Sally Dietrich
John Hitz

The meeting opened at 7:35 P.M.

91 HOSMER STREET - SPECIAL PERMIT:

The owners of 91 Hosmer Street seek a special permit for work in an aquifer. The site is located approximately 4,200 feet from the nearest municipal well. The septic is designed to be six (6) feet above groundwater.

On a motion made by Mr. Glannon, seconded by Mr. Bosworth, the Board unanimously voted to grant a special permit for work within an aquifer to 91 Hosmer Street 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 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 a minimum of six (6) foot separation from the bottom of the septic system to groundwater shall be provided.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.

AIRCO - LAWSBROOK ROAD - EXTENSION OF PREVIOUS SPECIAL PERMIT:

Airco previously came before the Board of Health in December of 1990 for a special permit to work in an aquifer. Condition 1 of that special permit required that the replacement tank for acetone storage be installed no later than June 1, 1991. Since that special permit approval Airco has been placed on the State's 21E list and is working with the D.E.P. to resolve the issues in the removal of the acetone tank.

The Health Department recommends that Airco be given an extension to Condition 1 to change the time allotted from June 1, 1991 to September 1, 1991 for the removal of the acetone tank.

On a motion made by Mr. Glannon, seconded by Mr. Bosworth, the Board unanimously voted to grant an extension to Airco, Lawsbrook Road, to amend condition 1 of the special permit granted in December of 1990 to allow the extension from June 1, 1991 to September 1, 1991.

39 PIPER ROAD - VARIANCE:

The owners of the property at 39 Piper Road seek a variance from Acton Rules and Regulation 11-15.1 - Excessive Percolation Rate. The percolation rate was 22 minutes per inch. The proposed system was designed in accordance with Title 5.

On a motion made by Mr. Bosworth, seconded by Mr. Emmons, the Board voted to grant a variance from Acton Rules and Regulations 11-15.1 - Excessive Percolation Rate to 39 Piper Road in accordance with plan designed by J.D. Young dated June 17, 1991.

The vote was three (3) in favor with Mr. Glannon abstaining.

14 MINUTEMAN ROAD - HEARING:

Mr. & Mrs. Sifleet, owners of 14 Minuteman Road, request a hearing before the Board of Health. The Sifleets are in the process of selling their home. The Sifleets hired Dufours Pumping Service who conducted an inspection on April 27, 1991. Dufours certified that the system and field are in proper working order. The prospective buyers consequently hired Acton Concord Septic to conduct an inspection. Acton Concord Septic inspected the system on May 2, 1991. During the inspection, Mr. Williams, co-owner of Acton Concord Septic, noted that the septic tank and "D" box covers were cracked, and the outlet baffle was missing thereby allowing solids to be suspended and enter into the leaching field. Overall Mr. Williams stated that the leaching system had not failed, however, he recommended that the septic tank and "D" box covers be replaced, replacement of the outlet baffle, repair of concrete corrosion with hydraulic cement (Distribution Box), and recommended that a hydrogen peroxide treatment be done.

Mr. and Mrs. Sifleet were not present at the inspection done by Acton Concord Septic. Upon learning of the inspection results done by Acton Concord Septic the Sifleets stated that they telephoned Dufours Pumping Service who returned to the site on May 4, 1991 and reinspected the system. Mr. Dufour noted during the re-inspection that the baffle was missing and was resting on the bottom of the septic tank. Mr. Dufour did not concur with Acton Concord Septic's inspection. Mr. Dufour felt that a hydrogen

peroxide treatment was not necessary. The Sifleets also telephoned Acton Concord Septic on May 4, 1991 and asked them to come out to the site to reinspect the system while it was exposed. The Sifleets asked Mr. Williams why the baffle was lying on the floor of the septic tank after his inspection and Mr. Dufour had noted it in place during his original inspection. Mr. Williams stated that he stood by his previous inspection and felt a re-inspection was not necessary.

The Sifleets have found the situation to be extremely distressful. The prospective buyer has since demanded a \$1,000 credit on the purchase and sale in order to pay for the hydrogen peroxide treatment.

The Sifleets recommend to the Board of Health that Acton Concord Septic's septic system inspector license be revoked.

Mr. Williams stated that he has been in the business of inspecting septic systems for 12 years and has never had any complaints against the company. Mr. Williams was also stated that the septic system had not been pumped in 14 years which could allow for sludge to enter into the "D" Box.

The Board stated that regulations governing these inspections should be implemented expediently. The Board asked Mr. Halley to recommend some proposed regulations in order to be able to regulate the inspectors practices of how inspections are done.

The Board feels at this time that another meeting should be held in order to further discuss these issues. The Board tentatively set July 22 to discuss general issues and August 12 to discuss the specifics of whether or not Acton Concord Septic's license will be revoked.

35 SCHOOL STREET - USE APPROVAL FOR DAY CARE FACILITY AT SOUTH ACTON
CONGREGATIONAL CHURCH:

The South Acton Congregational Church seeks approval from the Board to allow a preschool facility in their church. The church has an existing 900 gallon septic tank with five hundred square feet of leaching. According to Title 5's chart, a church use with a preschool facility of 36 students would closely fit into a camp use flow which would need a daily flow of 510 gallons per day. This type of daily flow requires a leaching facility of 980 square feet. The existing system meets only half of the required amount.

The Health Department cannot recommend approval of a preschool use based on the undersized septic system. Mr. Halley stated that this church will be in line for town sewers but feels that funding will not be available for approximately five (5) years. This area has high groundwater and slow percolating soils. The site is small with steep slopes that lead to wetlands.

Ross Lilly, pastor of the church, stated that the present church use is extremely minimal. Reverend Lilly questioned whether there were any options to the daily flow requirement because he feels that they don't use what the chart indicates. Mr. Halley informed Rev. Lilly that they could try and seek variance approval through the State, however, Mr. Halley stated that more information should be obtained as to actual water flows and that a application fee for the variance would cost \$200.00.

On a motion made by Mr. Glannon, seconded by Mr. Bosworth, the Board unanimously voted to table this request to allow a preschool facility at the South Acton Congregational Church pending further information.

On a motion made by Mr. Glannon, seconded by Mr. Bosworth, the Board unanimously voted to adjourn at 9:45 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on July 8, 1991 at 7:30 P.M.. The following meeting will be held on July 22, 1991 ay 7:30 P.M.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

George Emmons

George Emmons, Chairman