

ACTON BOARD OF HEALTH

MEETING 10/30/89

MEMBERS PRESENT: Joseph Glannon (Chairman)

George Emmons

Gerhard Heinrich

Marilyn Hotch

Jonathan Bosworth

STAFF PRESENT: Doug Halley (Health Director)

Steven Ward

Alan Perry

Sheryl Howe

OTHERS PRESENT: John Tohline

Kay Tohline

Ann Lattuca

Susan Milnes

Ray Gallant

Jack Dunphy

The meeting opened at 7:38 P.M.

MINUTES:

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the minutes of September 11, 1989. On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to accept the minutes of September 25, 1989. On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the minutes of October 2, 1989.

34 QUABOAG ROAD - SPECIAL PERMIT:

The owners of the property located at 34 Quaboag Road seek a special permit for work in the aquifer. The proposed repair is located on the edge of the aquifer in Zone 3. The perc rate was 2 minutes per inch.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board voted to approve a special permit for work in the aquifer for the property located at 34 Quaboag 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 two years.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
4. The sewage disposal system for the proposed buildings at this site shall be approved by Acton Board of Health staff.
5. Leaching facility shall be designed and installed with pressure dosing to be designed in accordance with State Environmental Code.
6. Floor cleaning procedures for the buildings 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.

15 OLDE SURREY - VARIANCE:

The owners of the property located at 15 Olde Surrey Drive seek a variance for breakout requirements from Title 5, 310 CMR 15.15. During a recent inspection of the septic system the owners of the property were notified that their leaching system had failed. The steep slopes on the property require a variance from breakout requirements. The proposed system has been designed with a clay barrier which is acceptable to the Health Department.

On a motion made by Mr. Emmons, seconded by Ms. Hotch the Board unanimously voted to approve this variance request from Title 5, 310 CMR 15.15 pertaining to breakout regulations as follows:

"That the design include a clay barrier that extends four (4) feet below the proposed bottom of the bed elevation and slightly above the pea stone elevation."

14 STOW STREET - HEARING:

At the request of counsel for Susan Milnes, a tenant at 14 Stow Street, Steve Ward inspected the premises at 14 Stow Street, and noted a number of housing code violations. In several bedrooms of the house (which was built before the current code requirements were adopted) the ceiling height (6'9") is below the code requirements of seven feet. In addition, a variety of other violations, including chipped paint, a plumbing problem and others were noted.

As to the ceiling height problem, the owner, Ann Lattuca, requested a variance from the seven foot requirement. Mr. Ward recommended that the variance be granted, due to the minimal difference in height and the fact

that the building predates the code. On a motion made by Ms. Hotch, seconded by Mr. Emmons, the Board unanimously voted to grant a variance for the premises at 14 Stow Street to allow the floor to ceiling height in the bedrooms to be 6'9".

There was some confusion as to when the remaining code violations should be corrected, due to a pending eviction proceeding between the landlord and the tenant. Although their attorneys had worked out an agreement under which these violations would be addressed after Ms. Milnes left the apartment, Mr. Ward had informed Ms. Lattuca that the violations had to be corrected immediately. At the hearing Ms. Lattuca assured the board that the remaining violations would be corrected within one week, with the exception of the bathroom faucet, which will be corrected as soon as she can get a plumber to come in. Mr. Ward requested that Ms. Lattuca submit a letter to the Health Department indicating that a plumber will be hired and the faucet corrected. Ms. Lattuca agreed to do so.

8 BAXTER ROAD - SPECIAL PERMIT AND VARIANCE:

During a recent inspection of the septic system located at 8 Baxter Road the leaching pit was found to be completely full and in failure. The owners of the property have hired Jack Dunphy of Acton Survey & Engineering to design a new system. Mr. Dunphy has proposed two (2) leaching pits and he also requests a variance to use the existing 900 gallon septic tank. The septic tank was found to be in good condition. The Health Department recommends allowing the use of the 900 gallon septic tank instead of the requires 1,000. Mr. Dunphy has proposed that the original leaching pit be pumped and left to rest with the intent that after it rejuvenates then it could be used again. This property is located in Zone 2 of the aquifer protection area.

In the past when there are leaching pits the Board has not required pressure dosing of the system

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to grant a variance, to 8 Baxter Road, from the Acton Regulations 11-14.1 regarding tank size to allow the use of the existing 900 gallons septic tank.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to grant a special permit to 8 Baxter Road for work in an aquifer 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 buildings at this site shall be approved by Acton Board of Health staff.
5. Floor cleaning procedures for the building shall use only nontoxic and biodegradable cleaning compounds.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.

421 GREAT ROAD - VILLAGE ARMS - VARIANCE:

The system located at 421 Great Road has shown signs of failure, and the Board of Health has become aware of these through numerous anonymous complaints. The Health Department is extremely concerned with this particular system because this repair will be the second reconstruction of the system. The previous system was constructed at approximately 1/2' to one foot above groundwater. Mr. Dunphy of Acton Survey & Engineering has

proposed the new system to be seven tenths of a foot above groundwater. Mr. Dunphy designed the proposed system this way because it is extremely difficult to build a subsurface septic system on this lot. The wetlands in the back of the property, underground utility lines, the size of the lots, and the locations of the other septic tanks for the other property dwellings make reconstruction extremely difficult. Mr. Halley proposed a long range solution for this property which is, that the sum of \$15,000 a year be put into a reconstruction fund at a bank, with all withdrawals needing Board of Health approval, and all interest being retained, for the purpose of establishing enough funds to build a sewage treatment plant. Mr. Halley also feels that this property should be declared an emergency. The use of aeration chambers was also discussed. Mr. Dunphy stated that he telephoned two businesses in order to check the availability of these chambers and was told that they were available on special order and would take some time before they could be purchased. The Board also discussed that even with the use of these chambers the depth to groundwater would still not be the required four (4) feet.

The Board also discussed the possibility of tying into Woodvale Treatment Plant or Nagog Treatment Plant. Woodvale has possibilities for enlargement and Nagog is already over capacity.

The Board feels at this time that Mr. Dunphy should resubmit a plan which takes all of the Board members concerns into consideration. The Board would like to see all possible alternatives before the final decision is made.

On a motion made by Ms. Hotch, seconded by Mr. Emmons, the board voted to table this until further information is obtained by Mr. Dunphy. The vote was three (3) in favor and one (1) against with Mr. Heinrich casting the

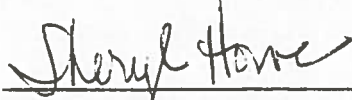
descenting vote.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to adjourn at 11:00 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on November 27, 1989 in Room 126 of the Town Hall at 7:30 P.M.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Sheryl Howe", written over a horizontal line.

Sheryl Howe, Secretary

Signed and Approved,

A handwritten signature in cursive script, reading "Joseph Glannon", written over a horizontal line.

Joseph Glannon, Chairman