

TOWN OF ACTON  
BOARD OF HEALTH MEETING

July 1, 1986

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C. Belbin  
asst TOWN CLERK, ACTON

Present: Dan Costello, Richard Stephens, Charlotte Sagoff, Associate Member Dick Oakley. Staff: Steve Calichman, Ed Wirtanen, Marion Donahue, Denise Lukacz, Carol Holley.

The meeting began at 7:45 p.m.

The Board reviewed the minutes of the June 24 meeting.

8:09 Mr. Stephens moved that the minutes of the 6/24 meeting be accepted as amended. Mrs. Sagoff seconded. The motion passed with a unanimous vote.

8:10 Meadowbrook Condominiums

Mr. Costello stated that as he understood it, Meadowbrook is an apartment complex to be converted into condominiums. This project is served by several private wells. There is public water supply on the street (Great Road). The question has been raised as to whether or not the Board of Health should, or has the authority to, demand that Meadowbrook tie into the public water supply and abandon their private water supply. Mr. Stephens asked how many units there were, and also asked what would be involved in switching to public water supply. Would separate meters be required for each condo unit?

Steve Calichman replied that tying into public water supply is not mandatory. In some cases, if great expense is involved, the private supply is allowed to be kept. Anyone tying into Route 2A water main has to pay the Nagog developers as reimbursement for their costs in the original installation of the water main. Mr. Calichman also brought up the question of whether one government agency, the Board of Health, could strongarm private parties for the benefit of another agency (Water District).

Mrs. Donahue interjected that there were 54 units in Meadowbrook.

Mr. Stephens calculated expenses for public water tie-in at approximately \$10,000.00.

Mr. Costello remembered that the Board had prevented the installation of an X-ray machine at Health Stop in order to protect the Meadowbrook wellfield.

Mr. Calichman said that the apartments had submitted appropriate water samples to DEQE.

As to the condominium conversion, it was suggested by Board of health that a whole range of tests be run for Board of Health review. Whether or not the Board of Selectmen followed up on this suggestion is unknown. Mr. Costello brought up the point that we do not know if the tests are being made.

Mr. Stephens questioned whether 30 driven points were a legitimate well, a standard approach to water supply. It also appeared to Mr. Stephens that condo associations are less responsive than individual apartment complex owners to Board of Health requests, and therefore he suggested that they tie into the public system. He also mentioned the option of drilling deeper wells.

Mr. Wirtanen stated that according to his files no specific tests have been requested as of this time.

Mr. Stephens stated that his own prejudice was that driven points, 30 foot wells, are vulnerable. A drilled well into ground water, he believed, is a safer water supply because less susceptible.

Mr. Costello stated that he felt the Board should at least wait for the analysis of the water supply from the wells before trying to make a decision.

Mr. Oakley queried as to the life span of 30 foot wells.

Mr. Calichman stated that these wells had been refurbished and that an additional well had been put in, without Board of Health knowledge. Meadowbrook had since acquired a permit and the process was worked backwards. Mr. Costello asked what was clogging the wells. Mr. Calichman presumes iron.

Mrs. Donahue stated that Morrell did samples and ran a whole spectrum of tests. Chris de Rosa, the owner of Meadowbrook, also called in a consultant. The consultant recommended further items to be tested, and an extremely detailed report is forthcoming. Results of tests per query by Oakley were very good.

Mr. Calichman was aware the Board of Health has changed its stance regarding functioning existing wells. Mr. Costello was also aware of this. Mr. Stephens felt that precedent indicated tie in with public water supply. Mr. Calichman felt no action should be taken until test results could be reviewed. It was also felt that the Water District should be consulted to see if they could handle the demand, and the Town Counsel consulted regarding the legal ramifications of the Board of Health making decisions that favor the Water District.

Mrs. Sagoff stated that if Meadowbrook were to remain apartments and the water would not change, then why change it because it is to become condos? Mr. Stephens stated that it was in the condominium conversion bylaw.

Mr. Stephens stated that at this point, if something were to go wrong with the water supply, we would have difficulty finding someone to deal with. You would have 54 units with possibly 54 different owners and 5-10 wells, and who owns what? We would need a legal/contractual arrangement binding all owners.. Also, in a 5 million dollar deal with this condo conversion, the \$10,000 to hook into public water did not sound like a lot of money.

Mrs. Donohue wondered how many units were to stay rental units, and Mr. Calichman stated that that situation would render things even worse.

Mr. Costello asked Mr. Calichman to find out what was happening from an organization standpoint. Is there to be a condo association with whom the Board would deal?

Mr. Stephnes made a motion to direct the owner of Meadowbrook that the conversion provisions would include conversion to public water supply.

Mrs. Sagoff wished to amend the motion to make it subject to further exploration.

Mr. Oakley expressed concern about possible legal problems.

Mr. Stephens expressed a belief that if a letter of intent is issued, a full discussion will follow. At the suggestion of Mrs. Sagoff, in view of the present trends toward litigation, she felt that Meadowbrook should be given a chance to present a report. Mr. Oakley also felt it would be beneficial not to back the owner against a wall.

Vote on Mr. Stephens's motion: Stephens aye, Sagoff nay.

Mrs. Sagoff moved to take the issue under advisement awaiting further facts.

The vote was unanimous in favor of Mrs. Sagoff's motion.

8:22: Kelley's Corner

Mr. Costello stated that the Board should discuss Kelley's Corner, then decide the agenda for next Tuesdays meeting. A letter to the Board of Health, with copies to the Board of Selectmen re changing the meeting to a public hearing was discussed. Mr. Costello felt that the Selectmen should be asked to be in charge of the minute taking, as their facilities were superior to those of the Board of Health. Mr. Costello stated that he would ask Town Manager Murphy for Selectmen transcription of the meeting. Mr. Calichman felt that requesting such services of the Selectmen could worsen the Board of Health public relations problem with the Selectmen. Mr. Costello said he would approach the matter by asking what the best method of preserving the minutes would be, in order to minimize any public relations impact.

Mr. Oakley asked if the past history of Board of Health minutes revealed a problem in keeping the records up, to which he was given an overwhelmingly positive response.

Mr. Stephens stated that the Board of Health was not in the business of giving public hearings, and that to his knowledge it had not been done in at least four years.

After some discussion, it was agreed that Mr. Costello would approach Mr. Murphy with a request for stenographic assistance.

8:50 Review of List of Known Sewage Problems at Kelley's Corner.

Mr. Costello proposed a discussion of the main four issues at Kelley's Corner before deciding on a format for the meeting on the 8th. What options are available to fix the problems? Within or without Code?

Mr. Calichman started with a review of Meineke Muffler. There is a letter on file agreeing that a new system be put in. After some discussion, it was determined that the deadline for the new system installation at Meineke is in 19 days. Mr. Calichman was asked by Mr. Costello to send a strong reminder letter to the owner of Meineke. There was a discussion of whether or not the Meineke plan needed variances. Mr. Calichman stated that the plan was designed before the variance procedure had been implemented. Mrs. Sagoff stated that if Mr. Yetman, owner of Meineke, did not complete his new system before the impending deadline, he would have to start over and go through the variance procedure. The Board reviewed the plan for the Meineke system, and Mr. Costello reminded them that occupancy is very low, and in all probability the system would meet State Code. Mr. Calichman estimated the cost of the proposed system to be in the high teens.

Mr. Costello stated the need to formulate a policy for Kelley's Corner, given the fact that it will be a minimum of five years before any kind of sewage treatment plant is done.

Mr. Calichman stated that he had sent a letter to DEQE as to their policy for repaired pending construction of a treatment plant, had followed up with telephone calls, and had received no reply. He suggested that perhaps the Citizens Coalition attempt to contact DEQE with the same request.

Mr. Stephens asked if the groundwater were stagnant or running. Mr. Calichman replied that it runs downhill to beyond Foster and Foster. It was

concluded that Kelley's Corner is the bottom of a bowl.

#### SUNOCO

During high ground water, toilets don't work, sometimes overflow. Testing indicated ledge at 7', 3 1/2', 5 1/2', 5'. Perc 33 plus minutes per inch.

Costello asked what is the next action?

Calichman stated that this is a transient problem, it goes away when the water goes down.

Mrs. Sagoff asked what the legal, proper, correct action would be.

Mr. Calichman stated that the water that runs out isn't sewage, it is the water from around the concrete pad. There is a concern about gasoline, but no previous concern about sewage.

Mr. Costello asked if there were sufficient data to get property owners to act.

Mr. Calichman mentioned an interceptor trench in the right place would let the Sunoco subsurface system work. Scofield Brothers were to be researching possibility of a trench.

Mr. Costello asked if this were the time for a stage two letter.

Mr. Calichman stated that one of the reasons things were moving slowly was because of all the discussions over the treatment plant. One easy solution for Sunoco would be to write a letter, give them 14 days to fix it, and then take them to Court.

#### MACDONALDS

Mr. Calichman stated that they are pumping excessivley. Peroxide treatment worked for a little over a year.

Mr. Costello stated that all restaurants that do deep frying should pay strict attention about grease in their systems. Mrs. Donahue suggested high volume restroom usage as a further problem.

The only current activity is pumping. They are very interested in a package treatment plant.

Mr. Stephens asked if there were any area that would support such a plant.

Mr. Calichman replied probably yes, awaiting results of samples.

Mr. Costello stated a need to change reporting requirements, to develop new forms for more information on what is causing system problems.

Mr. Calichman reported that MacDonald's would cooperate if a major repair is deemed necessary.

#### FINAST

Recent major peroxide treatment to both leaching fields. Too early to tell if treatment was effective. When asked by Mr. Costello, Mr. Calichman stated that the owner decided treatment was prudent because percolation in the field was slowing down. He also stated that the owner was embarking on a water saving campaign.

Mr. Costello asked what the problem was with the system. Mr. Calichman replied it was slowing down of the field, hyoraulic outbreaks, and problems with the pumps. Mr. Costello requested a full litany on Finast.

Mr. Costello asked about Acton Medical. No problems there.

#### YANKEE VILLAGE

Has treatment plant discharging to underground leach area. No problems so far; if it doesn't work sampling will show it.

#### PLYWOOD RANCH, QUILL & PRESS, ETC.

No problems. Exxon station was recently rebuilt, new system there.

#### KMART

No problems since the restaurant was taken out 3-4 years ago. Assumed it was a grease problem.

No problems with the office buildings next to the EXXON station.

#### RJ GREY JUNIOR HIGH

System rebuilt in the early 70's. problems when cooling water from refrigeration system was hooked in. Flow was shifted to Blanchard Auditorium system They hopefully will alternate between the systems, which is considered a good and common practice.

Mr. Calichman was asked to contact Mr. Kessler re the school department's study on their septic systems.

#### ACTON TIRE

Had work done on their pumps recently. No other problems known.

Mr. Costello asked if the school systems could be rebuilt according to Code. No real data currently available from school records on these systems. Mr. Calichman stated he would review systems for schools and Finast, and Kmart for discrepancies from Code.

#### REDSTONE

Calichman stated that the system was set up strangely, with two tanks flowing into a field in the middle. It cannot be rebuilt according to Code. Even with a treatment plant, they would still have the problem of discharge. The Redstone system According to Mr. Calichman, the Redstone system works 8 to 9 months out of the year. There is a ledge problem. There is no reserve area. Per query by Mr. Costello, Mr. Calichman stated that a system for Redstone cannot be built on that property according to Code, nor can a system be built that would work at all.

A lengthy discussion and search through maps of the area surrounding the Redstone complex ensued. It was found that the only possible place that a system for the Redstone complex could be constructed would be under the parking lot in front of the Plywood Ranch building. There might also be some possibility of hooking into the Yankee Village plant, but this entailed cost factors and a possible unwillingness on the part of Yankee Village.

Respectfully Submitted,

  
Carol Holley, Sec'y

Signed and approved

  
Daniel Costello  
Chairman