

RECEIVED & FILED

DATE Sept 29, 1987

Barton Brown
TOWN CLERK, ACTON

ACTON BOARD OF HEALTH
MINUTES OF MEETING
AUGUST 18, 1987

Board members present: Daniel Costello, Charlotte Sagoff, George Emmons, Richard Oakley, Associate Member Campbell Amos

Staff present: Doug Halley, Director, Carol Holley, Secretary

Other parties: Frank Panetta, Installer; Mr. DeCosta, property owner; FJ Ratta, Installer; Gary Budiansky, property owner; Fred DeFeo, engineer, Paul Silman, Trustee of Redstone Condominiums with approximately a dozen condominium owners; Brown & Gallagher, developers, representatives from Perkins Engineering

The meeting opened at 7:31 p.m. with a review of the minutes of the previous meeting. Mr. Costello arrived during this review.

Mrs. Sagoff moved to require that the Jerinic variance granted at the previous meeting be recorded at the Middlesex South District Registry of Deeds. Mr. Oakley seconded. All voted in favor except Mr. Emmons, who abstained because he had not been present at the previous meeting.

Mr. Oakley moved to accept the minutes of the previous meeting as amended. Mrs. Sagoff seconded. Mr. Emmons abstained, all others voted in favor.

7:38 p.m. Request for variances to Title 5, 1 Ashwood Road.

Mr. Panetta, the installer, distributed photographs to emphasize the reasons why the original, approved repair design had to be abandoned. The original design would have produced a mound in the front yard that would have been objectionable. He stated that the new repair design would incorporate excavation of the present failed system, installation of gravel and the construction of an interceptor drain and a leaching system composed of trenches. The variances requested were discussed in detail. It was found that the design was forty square feet short of code in terms of leaching area. Mr. Panetta stated that the interceptor drain would be filled with stone and would contain a perforated plastic pipe. Mr. Panetta noted that the original leaching system for this site had lasted 15 years. Mr. Costello suggested certain amendments to the excavation, recommending that the excavation go down into the parent soil and then slope the parent soil away from the interceptor drain. Mr. Costello asked about the effectiveness of the interceptor drain, and how staff planned to monitor its effectiveness. It was noted that the current failed system is a leach bed, not trenches.

After more lengthy discussion, Mr. Emmons moved to grant the variances requested as follows:

1. 105 CMR 15.03(7) Distances. 18 feet to drain line instead of 25.
2. 105 CMR 15.02(13) Volume of Sanitary sewage. 400 square feet of leaching area instead of 440.

3. 105 CMR 15.14(2) Groundwater. Interceptor trench installed to lower water table.

4. 105 CMR 15.14(3) Trenches. Spacing between trenches less than twice the depth of the trench.

5. 105 CMR 15.02(17) Construction in fill. Old system to be removed and new system to be built in fill.

6. Acton Regulation 11-10, Groundwater (see above #3)

7. Acton Regulation 11-12.1, Spacing (see above, #3 and #4)

Mr. Oakley seconded. Messrs. Costello, Emmons and Oakely voted in favor, Mrs. Sagoff abstained. It was noted that periodic monitoring of a pipe to be installed near the interceptor trench for both water levels and bacterial content will be required.

8:22 p.m. 10 Mohawk Drive, Request for Variances to Acton Code.

Mr. Ratta presented Mr. Budiansky's repair plan. This variance deals with distance between trenches. The plan indicates 6 feet from sidewall to sidewall instead of 12 feet. This repair is for trenches constructed in fill. There are no variances to Title 5 required. Mrs. Sagoff moved to grant the variances requested for 6 feet instead of 12 feet between trenches. Mr. Oakley seconded. All voted in favor.

8:30 Request for Special Permit, Septic Repair, 201 Central St.

After very brief discussion, Mr. Emmons moved to grant the special permit, subject to the following conditions:

1. No underground fuel storage tanks permitted on the site.
2. The septic tank will be pumped once every two years.
3. The site will fully conform to the Town of Acton Hazardous Material Control Bylaw.
4. The sewage disposal system for this site is to be approved by Board of Health staff.
5. Leaching facility to be designed with pressure dosing, said pressure dosing system to be designed in compliance with State Code.

Mrs. Sagoff seconded, all voted in favor.

8:35 Harvard Court, Request for Variance and Declaration of Emergency for repair.

This variance request is for reserve area. No reserve area is provided on the plan. Mr. Costello was reluctant to grant a declaration of an emergency because of the problems that could result from lack of a reserve area should this system be installed and then disapproved by the State. Mrs. Sagoff moved to direct Mr. Halley to order Mr. Murphy, the property owner, to pump the system when necessary to avoid breakout. Mr. Halley interjected that this may be difficult considering the pending closure of Greater Lawrence Sanitary District to Acton septage haulers. Mr. Emmons seconded the motion. Mr. Oakley voted against, all others voted in favor.

Mrs. Sagoff then moved to grant the variance for reserve area. Mr. Emmons seconded. All voted in favor.

8:49 p.m. Redstone Condominiums. Fred DeFeo et als

Mr. DeFeo related that he and Mr. Halley had gone out to dig additional holes for the possibilities of an interceptor trench. Water was found right under the blacktop. Mr. Ratta was called and his truck came and pumped the hole out. There was no breakout. Then an attempt was made to locate the small area between the leaching fields. Septage was hit, then water. They pumped off the septage, which was floating above, and hit very clear water. They pumped down the septage in the leaching area but the water level could not be brought down. They then went out to the parking lot behind the D'Agostine and Levine building and hit ledge at 4 feet, no water, then ledge at 4 and 1/2 feet and no water. They felt that there was something wrong, because the water was too clean. It appears that they are using more water than they should at Redstone. Water usage appears to be metered at about 73 gallons per day per person. The Water District has not found a leak, but they have not pressure tested the pipe. Mr. DeFeo stated that pressure testing will have to be done. Mr. DeFeo also noted that, at this time, no one knew where the water pipes were. Mr. Ratta had expressed willingness to try to find the water main with sounders. The Condominium has received a quote from Perry, a plumber, for installation of one gallon toilets at \$250 each. The Condominium owners have committed themselves to installing these devices. Mr. DeFeo emphasized that they have to try to find out where this clean water is coming from. Mr. DeFeo felt that it was not a spring.

Mr. Emmons asked if a water pipe from the school could be a cause. Mr. DeFeo felt not. Mr. DeFeo also noted that the clear water did not seem to mix with the septage. The issue, per DeFeo, is what is to be done in the meantime. Feedback to Redstone from the Selectmen has been positive regarding Kelley's Corner tying into the proposed sewer system. Mr. DeFeo suggested appointment of a septic watchdog from the condominium residents to keep the flow under control. The manholes will be uncovered and the system will be pumped at first signs of breakout. The proposal as outlined by DeFeo includes:

1. Installation of low-flow toilets.
2. Finding out the cause of the water problem.
3. Nomination of a contact person for the Board of Health to notify when pumping is required.

Mrs. Sagoff noted that the majority of Redstone inhabitants, prior to this evening's meeting, had not expressed a great deal of interest in this situation. Mr. DeFeo noted that the Board of Health had been most patient. Mr. Oakley asked if this clear water could be tested for fluoride to determine if it is Water District water.

Mrs. Sagoff moved to accept items 1, 2 and 3 of the Redstone/DeFeo proposal. Mr. Emmons seconded. Mr. Costello asked how long this person was to monitor. Mr. DeFeo stated that this would continue until the source of the water was found, or the problem was otherwise solved. Mr. Costello abstained, all others voted in favor.

9:07 p.m. Stonymeade Farm. Preliminary Discussion of treatment plant for cluster housing.

Mark Gallagher noted that it is much easier to monitor a cluster on a treatment plant than individual on-site systems, and the final effluent is much cleaner. Mr. Costello asked about total Nitrogen in the effluent. Mr. Nesmith of Perkins Engineering stated that this would be an RBC process having the capacity to nitrify, but no capacity at this point for denitrification. Total Nitrogen would not be reduced, but the total demand would be lowered.

The Sudbury permit for a development, it was noted, is requiring drinking-water quality of effluent due to proximity to public water supply. It is in an aquifer recharge area. Mr. Costello stated that the Acton Board of Health will have total Nitrogen requirements and Nitrogen removal will be required. Mr. Costello stated that the main concern of the Board of Health will probably be Nitrogen. Mr. Nesmith related the advantages to the developers for this proposal, stating the amount of wetlands involved, the amount of open space that could be retained, etc. If traditional on-site systems were required, the design of this development rest on perc rates and would be less elegant. Mr. Brown noted that only about one-third of the land will have homes on it. The proposed leaching areas for the plant have been tested and witnessed by both Board of Health staff and DEQE personnel. Both percs and groundwater testing have been done.

Upon query by the Board, the gentlemen stated that their purpose in this appearance was to answer any questions regarding their design. Mr. Costello asked if the Board of Health was being asked to move to support this concept. Mrs. Sagoff expressed a desire to wait until DEQE had decided on the Sudbury development. She was told that a draft discharge permit had already been issued for this development. Mr. Costello related that Acton has been a leader in the concept of package treatment plants, originally as a repair method for the old failed aeration chamber systems. Mr. Costello stated that a motion to support this concept could be in order.

Mr. Oakely moved that the Board of Health accept the concept of this use of a package treatment plant. Mr. Emmons seconded. All voted in favor.

Mr. Brown expressed cooperative spirit. Mr. Gallagher reiterated that DEQE has already issued the draft discharge permit for the Sudbury project. Mr. Costello noted that Board of Health criteria will be more stringent than DEQE. Mr. Nesmith noted that Acton will receive copies of all DEQE material. Mr. Amos asked about management of the plant. Mr. Gallagher explained the homeowner's association that will be set up, their fees and advance payments, etc. It was noted that a licensed operator will be at the plant daily and the operations will be reviewed monthly by an engineering firm. Messrs Brown and Gallagher also stated that there will be a standing contract with a licensed septage hauler in case of emergency situations. After further conversation, this group left.

9:55 p.m. Correspondence from Julia Stevens was reviewed.

Mrs. Sagoff moved to increase nursery school fees to \$100. Mr. Oakley seconded. All voted in favor. Staff was requested to publish this increase in the Beacon. Regarding fees for temporary permits, it was felt that the \$100 should be charged for the 6 months permit and then the license, assuming it could be granted as a two-year license, would be extended for another 18 months with no further fees. Mr. Oakley moved to adopt this policy, Mr. Emmons seconded, all voted in favor.

Mrs. Sagoff moved to accept Mrs. Stevens's recommendation as outlined in a memorandum regarding licensing of after-school day cares located in a presently licensed day care facility, to charge \$50.00 for those located in an already licensed facility and \$100.00 for those located in facilities not yet licensed. Mr. Emmons seconded, and all voted in favor.

The Board unanimously approved Mrs. Stevens's request to participate in a long-term treatment task force project.

10:02 p.m. Review of Printout, initial findings of SEA on Kelley's Corner.

Mr. Costello asked for SEA's definition of "failure". He noted that his definition of "failure" is that a bed no longer operates so that it is leaching into the ground. Also, this study has to distinguish between a repair and a rehabilitation attempt. There also has to be some record with indication of repeated treatments and methods, and records of failure based on age, type of system, use of system, soils and groundwater. In the facilities plan that was prepared, it clearly indicates that all the old systems will probably fail in time. Mr. Costello asked Mr. Halley to write a comprehensive review of the Kelley's Corner figures.

Mr. Costello recommended adopting language and drafting a regulation regarding septic inspections. PE's, RS's, and licensed installers could be considered appropriate septic inspectors.

Mr. Costello related that there is a national seminar on on-site systems and desired Mr. Halley attend. Mr. Halley noted that the Town does not approve out-of-state meetings. Mr. Costello also noted that the MAHB meeting in Hyannis was upcoming. It was determined that this is scheduled for the same weekend as Acton's Hazardous Waste Day. Mr. Halley felt he was needed for Hazardous Waste Day, while Mr. Costello felt the MHAB meeting would be more productive use of his time and that alternative staffing of Hazardous Waste Day would be possible, especially as this is a multi-Town effort.

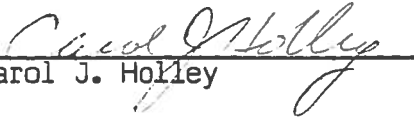
A memo on the draft policy on determination of need for hazardous waste facility siting was discussed.

Mr. Halley presented the resumes of those individuals to whom he had offered Sanitarian positions. He noted that he was having difficulty with their salary requests. Levels of Town salaries were briefly discussed.

10:32 p.m. Mrs. Sagoff moved to adjourn. The next meeting was set for Tuesday, September 8, to regain the 2nd/4th rhythm. Mr. Emmons seconded the motion to adjourn. All in favor.

Meeting adjourned.

Respectfully submitted,


Carol J. Holley

Signed and approved,


Daniel Costello, Chairman

0433Z