

ACTON BOARD OF HEALTH
MINUTES OF MEETING
DECEMBER 1, 1987



Board members present were Charlotte Sagoff, Daniel Costello, Chairman, Richard Oakley, and associate member Campbell Amos.

Guests present were Joanne Hasse, LWV, James Fenton, Oscar Kress and Digital representative.

Staff present were Doug Halley, Director and Carol Holley, clerk.

The meeting opened at 7:35 p.m.

Mr. Emmons moved to accept the executive session minutes of November 27, Mrs. Sagoff seconded. Mr. Oakley abstained as he had been absent and all others voted in favor. Mr. Emmons then moved to accept the Minutes of the meeting of November 10 as corrected. Mrs. Sagoff seconded. Mr. Oakley abstained; all others voted in favor.

7:37 p.m. Arrival of Mr. Stephens.

7:40 p.m. Review of correspondence. The draft Groundwater Discharge Permit for Acorn Park was noted. Mr. Costello stated that total nitrate limits, to his knowledge, was 5 mg. Mrs. Sagoff asked if Acton could make standards that were tougher than EPA's. Mr. Costello noted that the location of the wells should be approved by the Health Director as well. All submissions to DEQE on this matter should be provided to the Health Director. The Board of Health should also be notified. Mr. Costello noted that there is no condition that this treatment plant would be operated by a licensed individual.

Mr. Costello asked about the permit for Nagog Woods. Mr. Halley noted that two weeks previous he had met with Kim McCoy of DEQE, and a moratorium on hookups had been declared. Mr. Halley related that the figures for flow calculations were being juggled by Nagog Park. Many new facilities that have been hooking up to the treatment plant were not originally in the sewerage district.

Regarding potential animal regulations, Mr. Emmons requested that UMass Amherst be contacted regarding proper acreage per pig. The background of Mr. Fenton's piggery application was explained by Mr. Halley.

Mr. Stephens read correspondence from Mr. Fenton, noting that the letter was actually a request for an opinion. Any permit that must come from the Board of Health must be extremely restrictive.

Mr. Costello stated that it might be wise not to encourage the applicant to incur additional expenses to develop this site as a piggery. Mr. Stephens noted a permit would not be drafted this evening.

8:00 p.m. David Moulton, request for variance, Puritan Road. This variance would be for new construction at the intersection of Robert Road and Puritan Road. The perc rate was over 20 minutes per inch at the highest rate. The other perc rate was noted at 6 minutes per inch. Mr. Stephens noted that an interceptor trench had already been installed. The interceptor has gone through one high groundwater season to demonstrate that the groundwater could be lowered. Mr. Costello noted that DEQE recognizes the process of artificially lowering groundwater to achieve four feet over maximum groundwater for septic design. Permission to hook into the street drain has already been granted by another Town department. Mr. Costello noted that if the Town drainage system is full, the water will back into the septic system. Details of the plan were discussed by the Board and Mr. Halley.

Mr. Halley recommended that the Board adopt a regulation regarding interceptor trenches and adopt a definition of maximum groundwater. Mr. Costello noted that interceptor installation for repair systems was one thing, but for new construction it was another matter. Mr. Costello noted that no percolation tests were performed in the expansion area. Mr. Oakley asked about distance between the leaching area and the interceptor. Mr. Halley related that per Title 5, 25 feet is required and 28 feet are provided. Mr. Halley recommended approval of this variance because there was a precedent on Horseshoe Drive. Mr. Stephens noted that if the variance were passed, another perc test in the expansion area would have to be performed and the leaching area should be increased by 30% and groundwater levels should be monitored. Mr. Emmons drew a parallel between this area and Faulkner Hill. Mr. Halley stated that this design does legally meet all regulations. Mr. Stephens noted that he did not think this system could be safe, and moved to take the matter under advisement pending further testing and evaluation as to whether or not this design is good practice from a sewage disposal point of view. Mr. Costello wished to have assurances that the flow would be away from the property and into the storm drain at all times, and in all conditions. Mr. Costello wanted a hydrogeologist to design this type of system. Mr. Oakley seconded the motion to take the matter under advisement and all voted in favor.

8:25 p.m. Mrs. Sagoff noted that she will be going away and expressed regrets at leaving the Board and thanks for the 5 years of trouble. She noted that she is still chair of the Health Effects Subcommittee. Mr. Costello stated that Mrs. Sagoff should be retained as an honorary member of the Board of Health in order to continue working as Chair of the Health Effects Subcommittee. Mr. Emmons so moved, Mr. Oakley seconded, and all voted in favor.

8:30 p.m. James Fenton. Request for Special Permit for piggery in an aquifer protection area.

Mr. Costello remarked about wetlands and the 100 foot buffer zone around wetlands. Mr. Halley noted that this leaves about 4 acres of dry land. Mr. Fenton stated that his attorney advised him that he was grandfathered for a piggery because he had applied for this permit in 1985 and had received no official response from the Board on this matter. He stated that he should get this license by default. Mr. Costello stated he did not consider the original letter to be an application. Mr. Stephens stated that one of the the concerns in this area will be with the aquifer. A current application for a special permit would have to be dealt with. It was further noted that the temporary aquifer protection regulations predated the letter of 1985. Mr. Stephens noted that this issue concerns groundwater more than animal husbandry regulations. Mr. Emmons stated that manure can damage an aquifer. Mr. Fenton countered that there were animals in this area up until 8-10 years ago. Mrs. Sagoff noted that aquifer protection standards came into effect at about that time.

Mr. Costello stated that there is less than 3 acres not in wetlands or buffer area. Mr. Emmons asked if any buildings were to be constructed, and asked about roadways. Mr. Emmons will definitely be looking for groundwater protection provisions in the special permit and the Board of Health will have to look into this. The pigs will be kept in some kind of enclosure on the high side of the property only.

Mr. Costello noted that the Board is not encouraging the applicant to invest money, but time and thought. Mr. Stephens moved to take this matter under advisement. Mrs. Sagoff seconded. Mr. Fenton requested written feedback, and Mr. Costello replied that it would be forthcoming. Mr. Stephens noted that at this point the special permit would be denied for lack of information. Mr. Emmons noted that, personally, he would want to see monitoring wells with a quarterly sampling for water quality and total enclosure of all waste products, including soiled bedding, for the pigs. All voted in favor of taking this matter under advisement, with the applicant to receive written reply.

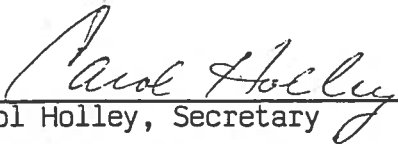
9:01 p.m. Mr. Halley noted that the special permit was to be amended for a Knox Trail property to allow for installation of showers in a building. It was stated by Mr. Kress that this building was to be leased by Digital and the lunch hour joggers need to shower after lunch break. The special permit now states that no floor drains are allowed. Mr. Costello stated that this is not a matter of a floor drain, to his knowledge. Mr. Kress clarified that this would be the same sort of showers used in residential bathrooms. This was deemed a plumbing fixture, not a floor drain. Two showers in the men's restroom and two showers in the women's restroom are to be installed. This site was also slated for a cafeteria for food warming and service but not preparation. The Board determined that no amendments to the special permit would be required.

9:07 p.m. Animal regulations for aquifer areas were reviewed by their author, George Emmons.

9:17 p.m. Groundwater Protection Coordinating Committee meetings were related by Mr. Emmons. The activities of intern Amelia Hurst were described. Two zones are being considered at this point. The limits of Zone 1 are based upon geology. The entire Town would become a watershed. The recharge zone surrounding the well includes the one year travel time boundary suggested by Lycott. The other area will be the aquifer protection zone. Mr. Stephens noted that the Board of Health will need an overlay that maintains the one-year travel time boundary as the area where there will be zero discharge. Definitions and zones were discussed and debated by the Board and Mr. Halley. The recharge area will not be the area of zero discharge which, per Mr. Stephens, is a mistake. Mr. Emmons asked if the Board of Health wished to do their own aquifer protection area overlay. Mr. Halley noted that special permitting authority will be granted to the Board of Health, and stated that the one-year travel time is not being used as a standard, but the 180 day pumping standard used by the State is considered appropriate. Mr. Costello suggested that the Intern acquire New Hampshire's groundwater discharge regulations.

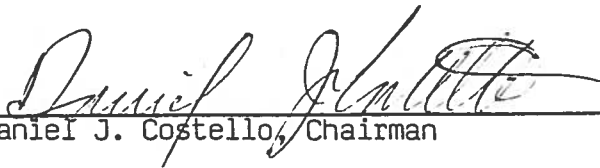
9:42 p.m. Meeting adjourned by unanimous vote.

Respectfully submitted,



Carol Holley, Secretary

Signed and approved,



Daniel J. Costello, Chairman

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