



Acton Board of Health

Meeting Minutes
November 4, 2019
7:30 P.M.

ROOM 9, TOWN HALL, 472 MAIN STREET

Present:

Members Present: Dr. William Taylor-Chairman, Joanne Bissetta, Michael Kreuze, Bill McInnis and Mark Conoby

Associate Members: Dr. Rekha Singh and Dr. Thomas Jacoby

Staff Present: Sheryl Ball-Health Director, Weiyuan Sun-Health Administrator

Other Present: Jack Maloney, Mark Regan, Dolan Geneau and Peggy Mikkola

1. Opening

Chair - Dr. William Taylor opened the meeting at 7:30 P.M.

2. Regular Business

A. Approval of Meeting Minutes

On a motion made by Mr. McInnis seconded by Mr. Kreuze, the Board unanimously voted to approve the Board of Health minutes dated September 9, 2019 with corrections.

On a motion made by Mr. Kreuze seconded by Mr. McInnis, the Board unanimously voted to approve the Board of Health minutes dated September 23, 2019 with corrections.

On a motion made by Ms. Bissetta seconded by Mr. Conoby, the Board unanimously voted to approve the Board of Health minutes dated October 7, 2019 with corrections.

On a motion made by Mr. McInnis seconded by Mr. Kreuze, the Board unanimously voted to approve the Board of Health minutes dated October 16, 2019 with corrections.

B. Director-Operational Update

None



3. New/Special Business

Variance- 19 Nashoba Road

The Health Department received a request from Jack Maloney, Ducharme & Dillis on behalf of the property owners at 19 Nashoba Road for a variance from Article 11-6.1.1(reduction to wetlands), 310 CMR 15.212(1) (reduction from separation to the bottom of the SAS and 310 CMR 15.405(1)(i) to allow for the use of a sieve analysis and 310 CMR 15.405(1)(j)separation of septic tank outlet. The Board stated that their policy is to grant the setback distance with the addition of nitrogen reduction technology as identified in their policy. Mr. Maloney stated that the proposed setback meets T5 but not Acton Rules and Regulations and would cause a financial hardship to the owners. The Board asked if the wetlands were delineated and if another test hole could be conducted to reduce the size of the SAS to help locate the system farther from the wetland. Mr. Maloney stated that the wetlands were marked and the system can't be smaller. The Board then stated that there are multiple variances that impact the environment and that nitrogen reduction should be added.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board of Health voted to approve the variances to 310 CMR 15.212(1) and 310 CMR 15.405(1)(i) and (1)(j) as approved by the Health Department with the following conditions:

1. The addition of Nitrogen Reduction Technology must be added and reviewed by the Health Department
2. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MADEP for the Presby Enviro-Septic System.
3. The septic tank shall be pumped a minimum of once every two years.
4. The system shall be constructed in accordance with the above listed conditions and the plan stamped by Brandon Ducharme, dated 9/12/2019.

The Board voted 4-0 with 1 Abstention

Hazardous Material Permit Application- Acton Car Wash – 105 Great Road

The Health Department received a request for a Hazardous Materials Control Application from Acton Car Wash located at 105 Great Road, Acton, MA. Ms. Ball explained that the car wash runs on a closed loop system on a cycle basis.

On a motion made by Mr. McInnis, seconded by Ms. Bissetta, the Board unanimously voted to grant a Hazardous Materials Permit in categories of “ 4: “Hazardous Materials User,” 9: “Hazardous Materials Storer Small Industry,” and 12: “Hazardous Waste Storer Small Industry.” to Acton Car Wash, 105 Great Road with the following conditions:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.



3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored or used.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
20. All residues produced by the Hazardous Materials or Wastes shall be certified as nonhazardous by D.E.P. certified lab prior to disposal.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments.
27. All releases into the ambient air shall meet all existing and proposed E.P.A. requirements.

West Acton Sewer Project – Paul Campbell Update

Mr. Paul Campbell, Town of Engineering Department updated Board in regards to the proposed West Acton sewer project. Mr. Campbell stated that the sewer project will be done in two phases: Phase 1 will be construction of force main sewer connecting the Gates school property to the existing sewer in Kelley's Corner via Spruce Street and Mass Ave. The construction will begin by March 2020 and completed by July 2020 to meet the needs of school construction



project. Phase 2 will connect the remaining areas of West Acton to the sewer system via the Phase 2 force main. This Phase 2 will be under construction from March 2021 through November 2022. The users will pay the betterment fee within 30 years and this can also be transferred to the future home owner. The Board stated they are concerned with cost, future and current capacity and whether or not the Town intends to apply for more capacity in the future. The board also would like to have a list as how many properties has septic system replacements in the proposed district. The Board thanked Mr. Campbell for the update.

The Board took a poll and are in favor of support of this proposal but asked to see a draft of the warrant article to formally vote for support. The Health Department will obtain the draft and scheduled for the next Board meeting.

4. Adjournment

On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:54 PM.

Documents and Exhibits Used During this Meeting;

- Memo From Evan Carloni, Septic Repair Variance request- 19 Nashoba Road
- Memo From Memo From Evan Carloni, Hazards Materials Control Permit application, MSDS sheets, Car wash -105 Great Road
- Memo From Memo From Paul Campbell, Special Town Meeting , Sewer Enterprise Fund and West Acton sewer project.
- Meeting Minutes, September 9, 2019, September 23, 2019, October 7, 2019 and October 16, 2019

Respectfully Submitted,

Weiyuan Sun
Acton Board of Health

Dr. William Taylor- Chairman,
Acton Board of Health