

RECEIVED & FILED  
DATE *Feb. 8, 1994*

*Barbara Brown*  
for TOWN CLERK, ACTON

ACTON BOARD OF HEALTH

MINUTES

MAY 3, 1993

MEMBERS PRESENT: William McInnis (Chairman)

Cordelia Alfaro

James Barbato

Jonathan Bosworth

Mark Conoby

Ira Grossman (Associate)

STAFF PRESENT: Doug Halley (Health Director)

Rose Erdozaincy

OTHERS PRESENT: James Fenton

Chris Couch

Eddie Hill

Marge Matson

Dick Dolan

Jim Thompson

Patrick Forsyth

John Crew

Peter Parent

Peter Kavanagh

Jean Lane

Bob Young

The meeting opened at 7:35 P.M.

NEW BUSINESS:

The tobacco bylaw was discussed. The bylaw was adopted at Town Meeting on April 27, 1993. On a motion made by Mr. Barbato, seconded by Ms. Alfaro, the Board unanimously voted to designate Mr. Halley to issue tobacco sales permits. The Board was presented a sample copy of the proposed tobacco sales permit and made some minor adjustments. The Board also mentioned their concern regarding the bowling alley. The Board asked that the Health Department contact Mr. Sundberg so that he may be present at a future meeting to discuss possible variances.

MINUTES:

On a motion made by Mr. Conoby, seconded by Ms. Alfaro, the Board unanimously voted to accept the minutes of March 22, 1993 following corrections.

LOT 5 BREEZY POINT - WELL VARIANCE:

Ms. Edie Hill, owner of Lot 5 Breezy Point Road seeks a variance from Acton regulations 9-6.4 to allow the installation of a private drinking water well in an area where Town water is available. Ms. Hill has stated that the cost of tying into Town Water would be approximately \$12,000 to \$15,000 because ledge would have to be blasted and Breezy Point Road would need to be dug up. A private well would cost approximately \$3,500 to \$4,500. Ms. Hill stated that the cost of Town Water would be a financial hardship. The Board has in the past granted variances similar to this site due to financial hardship.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to grant a variance from Acton regulation 9-6.4 to Lot 5 Breezy Point Road with the following conditions:

1. The well shall be registered with the D.E.M. and all coordinates shall be registered with the Health Department.
2. A bacterial analysis shall be conducted annually and a chemical analysis shall be conducted every three years with a report of the results of those analysis' submitted to the Board of Health.

3. Any test results greater than 50% of the allowed state and federal requirements shall be retested within thirty (30) days. Any test that exceeds state standards shall cause the immediate implementation of a filtering program to remove the identified contaminants, the re-drilling of a new well or the connection into the public water supply system.

**188 MAIN STREET - HEARING REGARDING INSPECTION OF SEPTIC SYSTEM:**

The Health Department received a complaint from Mr. James Thompson, owner of 188 Main Street, regarding the inspection of his septic system by E.A. Comeau. E.A. Comeau submitted an inspection report to Mr. Thompson indicating that the existing septic system was in failure. Mr. Thompson then hired A.B.C. Cesspool who conducted a second inspection who noted similar observations as E.A. Comeau, however, they felt that the system was functioning properly. E.A. Comeau was not present at the hearing. The Board stated that E.A. Comeau should be present for discussion.

Mr. Thompson stated that he would like E.A. Comeau's inspection report removed from his file. The Board stated that this report could not be

removed, however, if E.A. Comeau wished to modify his report then he could do so. Mr. Halley suggested that an office hearing should be held with E.A. Comeau to see if he wishes to modify his report or another hearing should be scheduled with the Board in order to determine a resolution.

**LOT 15 PRESCOTT ROAD - VARIANCE:**

LandTech Consultants, representing Kavanagh Homes, seeks a variance from State regulations 310 CMR 15.03 (7) for construction of a septic system for a new home that cannot meet breakout requirements. A clay barrier has been proposed which would eliminate any environmental impacts that may occur. All abutters have been notified of this variance request. The Health Department recommends granting this variance and stated that the D.E.P. routinely grants these variances also.

On a motion made by Mr. Bosworth, seconded by Mr. Barbato, the Board unanimously voted to grant a variance from 310 CMR 15.03 (7) to Lot 15 Prescott Road with the condition that the system be built in accordance with the plan submitted by Landtech Consultants dated March 10, 1993.

**RABIES POLICY:**

The Health Department presented the Board with a policy regarding the rabies epidemic. This policy has already been presented to Don Johnson, Town Manager. The Board stated that Mr. McInnis would draft a letter to the Board of Selectmen stating their involvement and acceptance of the policy.

On a motion made by Mr. Barbato, seconded by Mr. Bosworth, the Board unanimously voted to have Mr. McInnis draft a letter to the Board of Selectmen regarding the acceptance of the Rabies Policy.

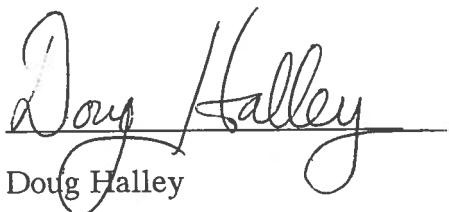
On a motion made by Mr. Bosworth, seconded by Mr. Barbato, the Board unanimously voted to adjourn at 10:00 P.M.

**NEXT MEETING:**

The next regularly scheduled meeting will be held on May 10, 1993 in Room 126 of the Town Hall. This meeting will be to discuss the status of the Acton Public Health Nursing Service.

The following meeting will be held on May 24, 1993 in Room 126 of the Town Hall.

Respectfully Submitted

A handwritten signature in cursive script that reads "Doug Halley". The signature is written in black ink and is positioned above a horizontal line.

Doug Halley

Health Director

A handwritten signature in cursive script that reads "Wm. McInnis". The signature is written in black ink and is positioned above a horizontal line.

William McInnis

Chairman