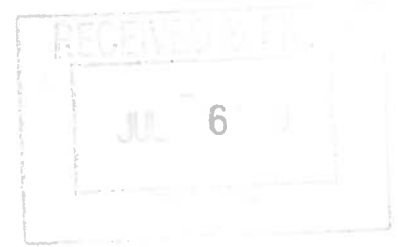


**Acton Board of Health**  
**October 6, 2008**



Members Present: William Taylor, Chairman, Joanne Bissetta, Vice Chairman, Mark Conoby, Member, William McInnis, Member and Joseph Iannelli.

Staff Present: Sheryl Ball, Health Agent and Isabel Roberts.

Others Present:

The meeting was called to order at 7:33pm

**Minutes**

On a motion made by Ms.Bissetta, seconded by Mr.Conoby, the Board unanimously voted to approve the Board of Health minutes dated September 22, 2008 as amended.

**VARIANCE – 81 Windsor Ave**

The Health Department has received a request for a variance from 310 CMR 15.211(1) for a reduction in the required 15ft downhill slope to 10ft, for the property located at 81 Windsor Ave. The Health Department has reviewed the submitted plan and finds that the site is restrictive due to the driveway and abutters property. The applicant has provided a 40 mil poly barrier for added environmental compensation. The Board discussed the decreased downhill slope and in order to meet the required slope would have resulted in the applicants digging up the driveway.

On a motion made by Mr.McInnis, seconded by Mr.Conoby, the Board unanimously voted to grant a variance from 310 CMR 15.211 to the property located at 81 Windsor Ave, with the following conditions:

1. The septic tank shall be pumped at a minimum of once every two years.
2. The system shall be constructed in accordance with the above listed conditions and a plan stamped by John Medeiros, R.S., dated 9/27/2008.

### I/A Approval – 80 Hammond

The Health Department has received a request for a Acton Board of Health I/A Technology Use/Cultec Contactor Field Drain C-4, to allow for the repair of a failed on site sewerage disposal system for the property located at 80 Hammond St. The Health Department has reviewed the submitted plans and finds that the site could benefit with the use of the I/A Technology.

Mr.McInnis questioned whether the well would be abandoned per DCR regulations. The Board asked if this was new construction or a repair due to the notation of the house being razed. It was stated that this was designed as a repair and a notation will be placed on the actual permit that the system be installed prior to the house being razed. On a motion made by Ms.Bissetta, seconded by Mr. McInnis, the Board unanimously voted to grant remedial use approval for Cultec contactor C-4 to the property located at 80 Hammond St with the following conditions:

1. The septic tank shall be pumped at a minimum of once every two years.
2. The system shall be constructed in accordance with the above listed conditions and a plan stamped by Joseph March, P.E., dated 9/8/2008
3. The system shall, at all times, be maintained in compliance with the most recent Modified Certification for general use issued by the MADEP for the Cultec C-4 chamber panels.

### VARIANCE – 89 Newtown Rd

The Health Department has received a request for a variance from CMR 15.211 for a reduction in the distance from the SAS to the wetlands, article 11-6.1.1 for a reduction in the distance from the SAS to the wetlands and article 11-8.1.1 for a reduction in the minimum size of the SAS, for the property located at 89 Newtown Rd. The Health Department has reviewed the submitted plan and finds that the site is restrictive due to the lot size and the bordering wetlands. The applicant has provided a 40mil poly barrier for added environmental compensation and an additional settling tank of greater size than the septic. The Board expressed concerns regarding the quality of the plan that was submitted. It was determined that the plan is adequate, however, a note will be placed on the plan, showing the back area of the lot is unsuitable due to no back property lines being shown and potential ledge outcroppings. On a motion made by Mr.Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from 310 CMR

15.211, article 11-6.1.1 and article 11-8.1.1 to the property located at 89 Newtown Rd with the following conditions:

1. The septic tank shall be pumped at a minimum of once every two years.
2. The additional settling tank of equal or greater size than the primary tank (existing 1000) will be installed.
3. The system shall be constructed in accordance with the above listed conditions and a plan stamped by Steve Calichman, R.S., to be submitted to the Health Department.
4. The Health Department must determine that the proposed location and size of the soil absorption system is an area that shall meet maximum feasible compliance as alternative locations have been determined unfeasible.

#### I/A Technology – 34 Spruce St

The Health Department has received a request for a Acton Board of Health I/A Technology Use/Cultec Contactor Field Drain C-4 to allow for the repair of a failed on site sewerage disposal system for the property located at 34 Spruce St. The Health Department has reviewed the submitted plan and finds that the site could benefit with the use of the I/A Technology. The Board noted that the plan states that the system will be pumped annually. It was noted that the pumping will only be required once every two years. On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to grant remedial use approval for Cultec contactor C-4 to the property located at 34 Spruce Street with the following conditions:

1. The septic tank shall be pumped at a minimum of once every two years.
2. The system shall, at all times, be maintained in compliance with the most recent Modified Certification for general use issued by the MADEP for the Cultec C-4 chamber panels.
3. The system shall be constructed in accordance with the above listed conditions and a plan stamped by Steve Calichnam, R.S., to be submitted.

#### EMERGENCY REPAIR – 381 Central Street

Mr. Nichols, contractor for the property located at 381 Central St has requested permission for the remedial work on the septic system. It was discovered during an inspection by Mr. Nichols, that whenever the pump for the septic system is activated a surcharge was exceeded the capacity of


the d-box. Mr.Nichols stated that two of the three lines of the septic system are clogged by tree roots and were unable to except the pump surcharge. Mr.Nichols is proposing to the replace the three pipes servicing the trenches. It was also noted that a row of evergreens parallel to the septic system were contributing to the problem. Mr.Nichols proposes to dig a 4ft trench between the septic system and the row of trees with a 4ft plastic barrier placed into the trench. The Board discussed the proposed work and questioned whether it met the conditions of an emergency repair. It was noted that the applicant did not request this as an emergency repair.


1. Prior to starting the proposed repair work the Health Department shall inspect the clogged pipes to determine root encroachment.
2. Only pipes shown to be clogged by roots shall be replaced.
3. Upon completion of the replacement, a Title 5 inspection shall be conducted by a licensed inspector.

**Adjournment**

On a motion made by Mr. McInnis, seconded by Ms. Bissetta, the Board unanimously voted to adjourn at 8:41PM.

Respectfully Submitted,

  
\_\_\_\_\_  
Isabel Prokopovich, Health Secretary  
Acton Board of Health

  
\_\_\_\_\_  
William Taylor, Chairman  
Acton Board of Health