

**Acton Board of Health  
Minutes  
September 22, 2008**



**Members Present:** William Taylor, Chairman; Joanne Bissetta, Vice Chair; William McInnis, Member; Pamela Harting-Barrat, Member; Mark Conoby, Member and Joseph Ianelli, Associate.

**Staff Present:** Doug Halley.

**Others Present:** Doug Wilkins, Steve Graham, Peg Mikkola..

The meeting was called to order at 7:30 p.m.

**Discussion of Oversight Meeting with the Board of Selectmen**

Mr. Taylor reviewed the presentation that was prepared for the oversight meeting with the Selectmen. Members provided suggestions regarding the achievements of the Board and its departments during the past year. The Board agreed that the requested support of the Selectmen for the Community Health Assessment and the Lyme Disease Response strategy was appropriate.

The meeting was recessed at 7:50 in order to meet with the Board of Selectmen.

The meeting was brought back in order at 8:35.

**Quail Ridge – Continuation of Show Cause Hearing**

Doug Wilkins, Town Counsel, reviewed with the Board the proposed agreement between Quail Ridge and the Town. He noted that Quail Ridge has agreed to monthly payments in the amount of \$5,000 commencing upon the signing of the agreement. The total to be paid will be \$55,000 as previously agreed and will cover all issues brought forth during the two Show Cause Hearings.

Quail Ridge would also agree to sign a Notice of Agreement relative to the settlement, in recordable form, to effectively give the Town a lien on the property.

The Board asked Mr. Wilkins if the agreement as written was the best course of action. Mr. Wilkins stated that the agreement had been negotiated completely and provided all that Quail Ridge was willing to agree with. As such he felt signing the agreement was preferable to any other option the Board of Health might consider.

Mr. Conoby moved to continue the Show Cause Hearing to 8:30 P.M. on October 20<sup>th</sup>. Ms. Bissetta seconded. The Board unanimously voted in favor of the motion.

Mr. Conoby moved to authorize the Chairman of the Board of Health to sign an agreement as finalized with the Board of Selectmen. Ms. Bissetta seconded. The Board unanimously voted in favor of the motion.

Mr. McInnis moved to recommend the proposed settlement agreement to the Board of Selectmen. Ms. Bissetta seconded. The Board unanimously voted in favor of the motion.

#### **248 Great Road – Technology Approval and Variances for a Septic System**

Mr. Halley reviewed the plan submitted for the replacement of a septic system at Gould's Plaza, 248 Great Road. The grey water system that services a portion of the uses at the plaza has failed. Current regulations no longer allow the separation of grey water without having all of the same elements and size requirements for the grey water system. Based on those requirements the engineer has proposed to replace both the grey and black water systems and to combine the flows into a new system.

Due to site restrictions the engineer is proposing to use the Innovative/Alternative System, Cultec Contractor C-4 Heavy Duty Chambers, in accordance with their Modified Certification for General Use. By having a smaller footprint less pavement will have to be removed and replaced and more of a setback can be provided from the drainage structures.

As part of the design the Engineer intends convert the existing grey water tank into a recirculation tank for the system. A portion of the effluent from the distribution box will come back to the grey water tank and rejoin the wastewater flow to the septic tank. This configuration will allow more treatment and settling time of the wastewater.

The Engineer is also requesting two variances. The first variance is from Article 16-4.2.10 and would allow the system to reduce the setback from recharge catch basins. The second variance from Article 16-6.2.8 would allow the floor drains within the food service area to be retained.

The Board expressed concern regarding the interaction between the proposed septic system and the existing recharge catch basins. In addition, concern was expressed regarding the potential of hazardous material entering the floor drains and the potential of a surcharge at the greywater tank that could come back to the floor drains.

Mr. McInnis moved to approve the use of the Innovative/Alternative system and the requested variances with the following conditions:

1. 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 C4 Chamber Panels.
2. The septic tank shall be pumped once every two years.
3. The site shall use biodegradable cleaning products and shall submit an annual use report to the Health Department.
4. A polyvinyl barrier shall be placed 5' from the Cultec system along its western side from the pump chamber to the end of the manifold vent.
5. All floor drains shall be screened to prevent solids from discharging into the system.
6. There shall be no storage of hazardous materials or wastes in the vicinity of the floor drains.
7. Back flow prevention shall be provided at the inlet tee for the existing greywater tank to prevent a surcharge of the recirculation from entering into the building.
8. The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Mark Donohoe, PE, dated August 21, 2008.

Ms. Bissetta seconded the motion. The Board unanimously approved the motion.

**81 Windsor Avenue – Technology Approval for a Septic System**

Mr. Halley reviewed the plan submitted for the replacement of a septic system at 81 Windsor Avenue. Due to site restrictions the engineer is proposing to use the Innovative/Alternative System, Cultec Contractor C-4 Heavy Duty Chambers, in accordance with their Modified Certification for General Use. By having a smaller footprint the existing paved drive will not be impacted and the extent of fill required will stay within the bounds of the property.

Mr. McInnis moved to approve the use of the Innovative/Alternative Technology with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by MADEP for the Cultec C4 Chamber Panels.
2. The septic tank shall be pumped once every two years.
3. The system shall be constructed in accordance with the above listed conditions and in accordance with the above listed conditions and in accordance with the plan stamped by John Madeiros, dated August 28, 2008.

Ms. Bissetta seconded the motion. The Board unanimously approved the motion.

**9 Hayward Road – Technology Approval and Upgrade Approval for a Septic System**

Mr. Halley reviewed the plan submitted for the replacement of a septic system at 9 Hayward Road. Due to site restrictions the engineer is proposing to use the Innovative/Alternative System, Cultec Contractor C-4 Heavy Duty Chambers, in accordance with their Modified Certification for General Use. By having a smaller footprint the extent of fill required will stay within the bounds of the property.

In addition, an Upgrade Approval from 310 CMR 15.405 (1)(j) is being requested. The Soil Evaluation found that groundwater is at a much higher elevation than when the original septic system was built. As such the plumbing exiting the house and the inlet and outlet to the existing septic tank are at or just above Estimated Seasonal High Groundwater (ESHG) levels. The plumbing can not be changed without the elimination of water fixtures so a request is made to reduce the setback required from the inlet and outlet of the septic tank and pump chamber to the ESHG.

Mr. McInnis moved to approve the use of the Innovative/Alternative system and the requested variances with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by MADEP for the Cultec C4 Chamber Panels.
2. The septic tank shall be pumped once every two years.
3. All boots or pipe joints shall be sealed with hydraulic cement, or installed with watertight sleeves and the tank shall be certified as watertight.
4. The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Steve Calichman, dated August 1, 2008.

Ms. Harting-Barrat seconded the motion. The Board unanimously approved the motion.

### **59 Great Road – Technology Approval for a Septic System**

Mr. Halley reviewed the plan submitted for the replacement of a septic system at 59 Great Road. Due to site restrictions the engineer is proposing to use the Innovative/Alternative System, Cultec Contractor C-4 Heavy Duty Chambers, in accordance with their Modified Certification for General Use. By having a smaller footprint the impact on adjacent parking areas will be lessened.

Mr. Conoby moved to approve the use of the Innovative/Alternative Technology with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by MADEP for the Cultec C4 Chamber Panels.
2. The septic tank shall be pumped once every two years.
3. The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Mark Donohoe, dated September 9, 2008.

Ms. Harting-Barrat seconded the motion. The Board unanimously approved the motion.

### **70 Seminole Road – Article 11 Variance and Local Upgrade Approval for a Septic System**

Mr. Halley reviewed the plan submitted for the replacement of a septic system at 70 Seminole Road. Due to site restrictions the engineer is requesting an Article 11 variance and a Title 5 Local Upgrade Approval. The variance from Article 11-6.1.1 will reduce the required setback from a wetland to the leaching area. The Local Upgrade Approval as per 310 CMR 15.211 would allow a reduction of the setback from a full foundation and a slab foundation.

Mr. McInnis moved to approve the requested variance from Article 11 and the Local Upgrade Approval with the following conditions:

1. A Polyethylene barrier of at least 40 mil shall be placed 5' from the Septic system to prevent leaching towards the full foundation.
2. The septic tank shall be pumped once every two years.
3. The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Duncan Brown, dated August 8, 2008.

Ms. Harting-Barrat seconded the motion. The Board unanimously approved the motion.

**Emergency Beaver Trapping**

Mr. Halley presented to the Board requests for Emergency Beaver Trapping permits at three different locations; 14 Nash Road, 13 Birch Ridge Road and 22 Cowdrey Lane. In each case Beaver activity in adjacent wetlands has begun impacting the septic systems at each site. Due to the current weather conditions emergency permits for trapping were necessary.

Ms. Harting-Barrat moved to approve Emergency Beaver Trapping Permits for the wetlands adjacent to 14 Nash Road, 13 Birch ridge Road and 22 Cowdrey Lane. Ms. Bissetta seconded. The Board unanimously approved the Emergency Beaver Trapping Permits.

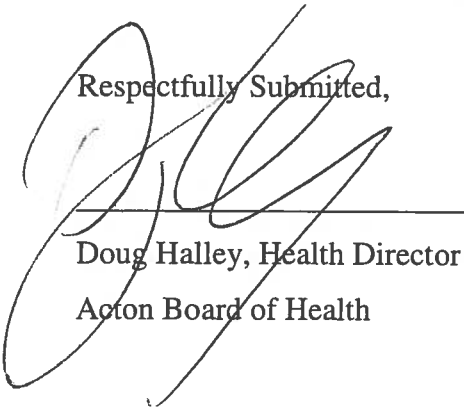
**Minutes**

The Board reviewed the minutes of September 8, 2008 and provided edits. Mr. McInnis moved to accept the minutes as amended. Ms. Harting-Barrat seconded. The Board unanimously approved the acceptance of the minutes.

**Adjournment**

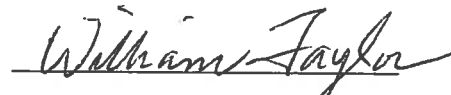
On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to adjourn the meeting at 10:08 p.m.

Respectfully Submitted,




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Doug Halley, Health Director  
Acton Board of Health




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William Taylor, Chairman  
Acton Board of Health