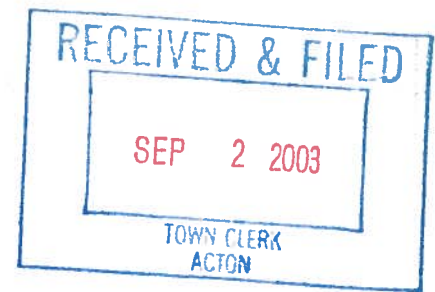


Acton Board of Health – Minutes
March 24, 2003
Room 126, Town Hall



Board Members Present: William McInnis, Chairman, Mark Conoby and Roxanne Hunt

Staff Present: Doug Halley, Health Director, Brent Reagor, Health Agent & Sheryl Ball, Secretary

Others: Sam Nablo, Debbie Listerick, Lisa DiTaranto, Carol Holley, Marian Evans, Mary Michelman, Steve Anderson, Pat Scanlon, Dick Dolan and Bob Johnson.

The meeting was called to order at 7:45 p.m.

Minutes

On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to accept the minutes with corrections dated February 24, 2003.

On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to accept the minutes with corrections dated March 10, 2003.

WR Grace – Scope of Work

See Court Reporter Minutes of March 24, 2003.

Scanlon Associates - Mercury Regulations

Mr. Pat Scanlon was present before the Board tonight to discuss the implementation of Mercury Regulations in the Town of Acton. This proposed regulation would ban the disposal of mercury containing items in the municipal waste stream. Mr. Scanlon is currently the coordinator of a Mercury Recovery program in 69 communities in which Acton participates. This program allows communities to collect mercury containing items which are then picked up by Clean Harbors and disposed of as a hazardous waste. Mr. Scanlon stated that through the recovery program approximately 1700 lbs of mercury have been recovered. If the Board of Health were to implement this regulation banning mercury in the municipal waste stream, Mr. Scanlon suggested that flyers be passed out to contractors along with building permits and a mass mailing could be done to educate all contractors, plumbers, and electricians regarding the regulation. Mr. McInnis stated that he would discuss this issue with Mr. Halley.

Variance Request – 7 Brookside Circle

The Health Department has received a request for an Article 16 variance request for 7 Brookside Circle. Due to the elevation of the lot, location of house and the proximity of Fort Pond Brook the proposed system cannot meet Article 16-6.2.7 setbacks to a bordering vegetative water source. The proposed system is required to be 100' away from the wetlands. The proposal shows the septic tank and pump chamber 78' away from the wetlands and the leaching area is 51.4' from the wetland. A notice of intent will also need to be filed with the Conservation Department. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to grant a

variance from Article 16-6.2.7 and that the system be built in accordance with the plans submitted and stamped by Steven Calichman, R.S. dated 3/17/2003.

Variance Request– 48-70 Spruce Street

The owner of the property located at 48-70 Spruce Street seeks a variance from Acton Board of Health rules and regulations Article 11-9.1 and 11-9.4 for the proposed septic system at this address. Due to the fact that the proposed system is under the parking lot at this apartment complex parking for the tenants will be impossible during installation. The proposal is to begin construction during April school vacation so the tenants can park at nearby Gates School while it is closed.

On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to grant a Variance from Article 11-9.1 & 11-9.4 to the property located at 48-70 Spruce Street with the following conditions:

1. The septic tanks are brought into compliance with 310 CMR 15.223 unless the current tanks are determined, by the Department, to not be a possible cause of the system failure.
2. Effluent filters are installed in the outlet tee of each septic tank.
3. All septic tank and pump chamber covers shall be brought to final grade with cast iron manhole frames and covers.
4. The system shall be pumped once per year.
5. The system is built in accordance with plans stamped by Philip Pattison, PE to be submitted to the Health Department for approval.

Public Hearing – Article 16 – Word Change

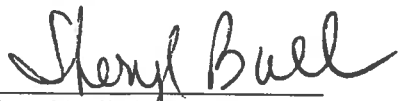
In April of 1997, Annual Town Meeting, Article 32-2 changed the Zoning Bylaw, Article 4.3.2.2 to reflect new pumping data obtained by Dufresne-Henry concerning the Conant Well Field. This pumping data delineated a new Zone 2 boundary line that is more inclusive of the surrounding area. Acton Board of Health rules and regulations Article 16-2.5 needs to be re-worded to reflect this change. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to accept the wording change to Article 16.2.5 as follows:

16.2.5 “This permit area shall be the Well Protection Area (Zone 1), the Recharge Protection Area (Zone 2), and the Aquifer Protection Area (Zone 3) as defined in the “Groundwater Protection District Map of the Town of Acton, January 1989,” contained in the Goldberg, Zoino and Associates’ “Final Report-Aquifer Protection Areas, Town of Acton, Massachusetts, “ January 1989 and any updates to that map as adopted by the Acton Board of Health, Acton Planning Department, Acton Board of Selectmen, Annual Town Meeting and/or Special Town Meeting.”


Adjournment

On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to adjourn the meeting at 9:30 p.m.

Respectfully Submitted,



 Sheryl Ball, Secretary
 Acton Board of Health



 William McInnis, Chairman
 Acton Board of Health