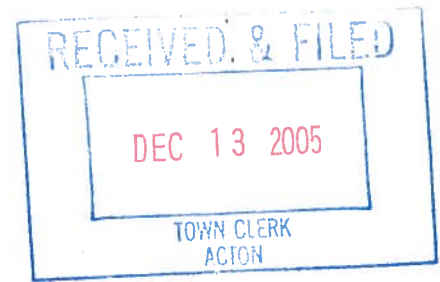


Acton Board of Health
Minutes
August 8, 2005



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

Staff Present: Brent Reagor and Sheryl Ball.

Others Present: Monica Aranguren, Dick Dolan, David Schofield, Mickey Lieto and Kevin Ritchie.

The meeting was called to order at 7:38 p.m.

Monica Aranguren – Massage Practitioner

The Health Department is in receipt of an application for a license to practice massage from Monica Aranguren. Ms. Aranguren has completed all of the necessary documentation and will be working out of her own newly licensed establishment. Ms. Aranguren stated that she currently holds a license that is in good standing through the Town of Chelmsford. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a Massage Practitioner License to Monica Aranguren.

193 School Street - Variance

The Health Department is in receipt of an application for a variance from an Article 11-9.6 variance for a reduction in stone and 310 CMR 15.284 Remedial Use approval with a two foot reduction in groundwater for the property located at 193 School Street. The Health Department has reviewed the plans submitted and finds that the site is very restrictive due to depth of groundwater. The existing system is in failure and the proposed system meets maximum feasible compliance. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board

unanimously voted to grant a variance from Article 11-9.6 and 310 CMR 15.284 to the property located at 193 School Street with the following conditions:

1. The Jet-750 shall, at all times, be in compliance with the most recent MADEP Remedial Use Approval transmittal.
2. The system shall be constructed in accordance with the plan stamped by Steven Calichman, R.S., dated 7/21/2005.

2 Ashwood Road –Variance

The Health Department is in receipt of an application for a variance from Article 11-9.6 for a reduction in the depth of stone and 310 CMR 15.284 for Remedial Use approval for the property located at 2 Ashwood Road. The Health Department has reviewed the plans and finds that the site is limited to high groundwater and without the variance the system would need high retaining walls around most of the system. The system has been designed to meet maximum feasible compliance. On a motion made by Ms. Bissetta, seconded by Mr. Conoby, the Board unanimously voted to grant the variance from Article 11-9.6 and 310 CMR 15.284 to the property located at 2 Ashwood Road with the following conditions:

1. The Jet J-500 shall, at all times, be in compliance with the most recent MADEP Remedial Use Approval transmittal.
2. The system is built in accordance with the above conditions and a plan stamped by Steven Calichman, RS dated 6/29/2005.

46 Windsor Ave. - Variance

The Health Department is in receipt of an application for a variance from 310 CMR 15.405(1)(b) for a reduction in the setback to a foundation wall from a septic tank for the property located at 46 Windsor Ave. The Health Department has reviewed the proposed plans and finds that the system has been designed with maximum feasible compliance due to site restrictions. An effluent tee filter has been proposed to provide compensating environmental factors. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from 310 CMR 15.405(1)(b) to the property located at 46 Windsor Ave. with the following conditions:

1. The system is to be pumped a minimum of once every two years.

2. The system is built in accordance with the above conditions and a plan stamped by Steven Calichman, RS dated 7/10/2005.

299 Central Street – Variance

No action taken. Need abutter notification for property line variance.

416 Central Street - Variance

The Health Department is in receipt of a variance request from Article 11-9.6 for a reduction in the depth of stone and Article 11-7.2 for a reduction in the setback to a wetland for the property located at 416 Central Street. The Health Department has reviewed the proposed plans and finds that the site restricted by severe grading. A two-compartment septic tank has been fitted with an effluent tee filter as a compensating factor. On a motion made by Ms. Bissetta, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from Article 11-7.2 and Article 11-9.6 to the property located at 416 Central Street with the following conditions:

1. The septic tank is pumped a minimum of once every two years.
2. The system is built in accordance with the above condition and a plan stamped by Steven Calichman, RS dated 7/11/2005.

39 Main Street – Variance

The Health Department is in receipt of a variance requested from 310 CMR 15.284 for Remedial Use Approval, 310 CMR 15.405(1)(a) for a reduction in the setback to a property line, 310 CMR 15.405(1)(b) for a reduction in the setback from the system to a foundation wall and Article 11-9.1 for a reduction in the LTAR for the property located at 39 Main Street. The Health Department has reviewed the proposed plans and finds that the site is restricted by high groundwater and no naturally occurring materials. In order to provide maximum feasible compliance the system was designed with an I/A system. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 11-9.1, 310 CMR 15.284, 310 CMR 15.405(1)(a) and 310 CMR 15.405(1)(b) to the property located at 39 Main Street with the following conditions:

1. The J Jet-500 shall, at all times, be in compliance with the most recent MADEP Remedial Use Approval transmittal.

2. The system shall be constructed in accordance with the plan stamped by David Schofield, RS dated 7/1/2005.

73 Charter Road - Variance

The Health Department is in receipt of a variance request from Article 11-9.6 for a reduction in the depth of stone and Article 11-7.2 for a reduction in the setback to a wetland for the property located at 73 Charter Road. The Health Department has reviewed the proposed plans and finds that the site restricted by wetlands on three sides.. A two-compartment septic tank has been fitted with an effluent tee filter as a compensating factor. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 11-7.2 and Article 11-9.6 to the property located at 73 Charter Road with the following conditions:

3. The septic tank is pumped a minimum of once every two years.
4. The system is built in accordance with the above condition and a plan stamped by Kevin Ritchie, PE dated 7/25/2005.

23 Evergreen Road - Variance

The Health Department is in receipt of a variance request from Article 11-9.6 for a reduction in the depth of stone, Article 11-7.2 for a reduction in the setback to a wetland, Article 11-9.1 for a reduction in the LTAR and 310 CMR 15.405(1)(f) for a reduction in the setback to a wetland and 310 CMR 15.284 for Remedial Use for the property located at 23 Evergreen Road. The Health Department has reviewed the proposed plans and finds that the site restricted by utility locations, inground swimming pool, and placement of the house and vegetated wetlands. The system is in complete failure requiring pumping on a weekly basis. The proposed system meets maximum feasible compliance and an I/A system has been proposed to provide compensating environmental factors. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 11-7.2, Article 11-9.6, Article 11-9.1, 310 CMR 15.405(1)(f) and 310 CMR 15.284 for the property located at 23 Evergreen Road with the following conditions:

1. The system shall at all times, in perpetuity, be in compliance with the most recent edition of the MADEP issued Remedial Use Approval letter for the JET J-500 system.
2. The system shall be built in accordance with a plan stamped by Kevin Ritchie, PE dated 8/1/2005.

08-08-05
July 18, 2005

Emergency Beaver Trapping Permit

The Health Department is in receipt of a request for an Emergency Beaver Trapping Permit from Larry Jacobs of 51 Flint Road. Mr. Jacobs and other owners along Flint Road abut large wetlands. The beavers have constructed a series of dams at this point and are causing flooding. Multiple septic systems are threatened along with one driveway. Mr. McInnis stated that the Board has four rationales they use to determine the need for an emergency trapping permit.

These properties meet all of the following rationale:

1. Permission from the land owners to enter onto their property.
2. Licensed trapper has been hired.
3. Clear reason for the request (i.e septic system being flooded).
4. Determination

On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant an Emergency Beaver Trapping Permit for a period of 10 days.


Other

- Mr. Reagor spoke about the meeting with EPA regarding W.R. Grace. Mr. Reagor stated that the Town provided substantial comments to the EPA.
- Mr. Reagor stated that the Board should expect to see Title 5 revisions in the next month with a public hearing scheduled in the fall.

Adjournment

On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to adjourn the meeting at 9:00 p.m.

Respectfully Submitted,



Sheryl Ball, Health Secretary

Acton Board of Health



William McInnis, Chairman

Acton Board of Health