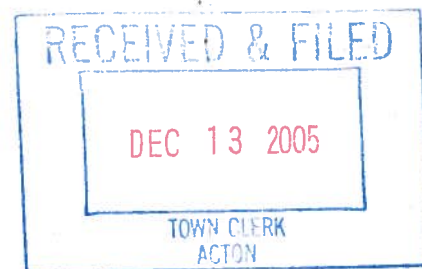


**Acton Board of Health**  
**Minutes**  
**July 18, 2005**



Members Present: William McInnis, Chairman, Mark Conoby, Vice Chairman, Joanne Bissetta, Member, & Robert Oliveri, Member, Pam Harting-Barrat, Associate Member and Rita Dolan, Associate.

Staff Present: Doug Halley and Sheryl Ball.

Others Present: Tim McGivern, Phil Alvarez and Ryan Bettez

The meeting was called to order at 7:35 p.m.

**Minutes**

On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board of Health unanimously voted to approve minutes of June 6, 2005 with corrections.

**3 Lilac Court - Variance**

The Health Department is in receipt of an application for a variance from an Article 11-7.2 for a reduction in the required setback to wetlands for the property located at 3 Lilac Court. The Health Department has reviewed the plans submitted and finds that the site is very restrictive due to size and wetlands. 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 11-7.2 to the property located at 3 Lilac Court with the following conditions:

1. The system is to be pumped at least once every two years.
2. The system is built in accordance with a plan stamped by Steven Calichman, RS dated 6/1/2005.

**144 Great Road –Variance**

The Health Department is in receipt of an application for a variance from Article 16-6.2.7 for a reduction in the required setback to a flood plain for the property located at 144 Great Road. The Health Department has reviewed the plans and finds that the existing system is within 25' of the flood plain and the new system is proposed to be 62'. Additionally, the bottom of the system has been designed at an elevation above the flood plain. On a motion made by Mr. Oliveri, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 16-6.2.7 to the property located at 144 Great Road with the following conditions:

1. The system is 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 6/30/2005.

**12 Elm Street - Variance**

The Health Department is in receipt of an application for a variance from Article 16-4.2.10 for a reduction in the setback to a wetland for the property located at 12 Elm Street. The Health Department has reviewed the proposed plans and finds that the system has been designed with maximum feasible compliance. Mr. Halley stated that the existing cesspool drains into a leaching trench that is in groundwater. On a motion made by Mr. Oliveri, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from Article 16-4.2.10 to the property located at 12 Elm Street with the following conditions:

1. A two compartment tank fitted with an MADEP approved effluent tee filter is installed in lieu of the proposed single compartment septic tank.
2. The system is pumped a minimum of once every two years.
3. The system is built in accordance with the above conditions and a plan stamped by Joseph March, PE dated 7/7/2005.

**7 Samuel Parlin Drive - Variance**

Mark Conoby recused himself. The Health Department is in receipt of an application for variance from Article 11-9.1 for a reduction in the LTAR and 310 CMR 15.405(1)(b) for a reduction in the required setback to a foundation wall to the property located at 7 Samuel Parlin Drive. The Health Department has reviewed the proposed plans and finds that the site is

restricted by severe slopes and has been designed to meet maximum feasible compliance. Mr. McInnis asked why the system was designed in an area that was so tight that a compliant system could not be designed. Mr. Halley stated that the severe slopes at the rear of the house make it impossible to design a system and the existing septic system was left in place with the hopes of reconnecting to it in the future. On a motion made by Ms. Bissetta, seconded by Mr. Oliveri, the Board unanimously voted to grant a variance from Article 11-9.1 and 310 CMR 15.405(1)(b) to the property located at 7 Samuel Parlin Drive with the following conditions:

1. The system is to be pumped at least once every two years.
2. The system is built in accordance with a plan stamped by Ted Doucette, PE dated 6/6/2005.

#### **4 Patrick Henry Circle - Variance**

The Health Department is in receipt of a variance request from Article 11-9.1 for a reduction in the LTAR for the property located at 4 Patrick Henry Circle. The Health Department has reviewed the proposed plans and finds that the site restricted by severe slopes and high groundwater. On a motion made by Mr. Oliveri, seconded by Ms. Bissetta, the Board unanimously voted to grant a variance from Article 11-9.1 to the property located at 4 Patrick Henry Circle with the following conditions:

1. A dual compartment septic tank fitted with an effluent tee filter be substituted for the proposed single compartment septic tank.
2. The septic tank is pumped a minimum of once every two years.
3. The system is built in accordance with the above conditions and a plan stamped by Mark Donohoe, PE dated 7/12/2005.

#### **Irrigation Wells – Administrative Hold**

Mr. Halley stated that if the Board wishes they need to continue the Administrative Hold on Irrigation wells. The Board questioned how long the hold should be continued to as it is still unclear what further remedial actions will be taken. Mr. McInnis stated that we should continue the hold until December of this year. After discussion by the Board, it was decided that the hold should be continued until the end of the year. On a motion made by Mr. Conoby, seconded by

Ms. Bissetta, the Board unanimously voted to continue the Administrative Hold on Irrigation Wells from June 25, 2005 – December 31, 2005.

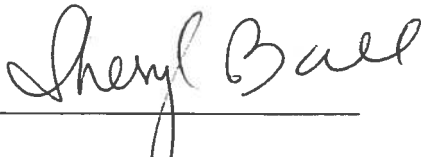
**Other**

- Mr. McInnis stated that he would like Mr. Halley to seek Jim Okun's opinion on the proposed remediation of the WR Grace plume. Mr. Halley stated that a press release will be released tomorrow outlining the Town's, Water Departments and ACES' opinion regarding the EPA report.
- Mr. Alvarez was present in the audience to observe the Board as he is thinking about volunteering for the Board.
- Mr. McInnis stated that the Board typically votes for officers at that first meeting in July but suggested that the Board wait to vote at the end of the year when pending issues will be resolved. The Board was in agreement with this suggestion.
- Mr. McInnis questioned the status of the Rex Lumber litigation. Dr. Harting-Barrat stated that the community should be aware of the cost of this litigation including staff hours and legal costs.

**Adjournment**

On a motion made by Mr. Oliveri, seconded by Mr. Conoby, the Board unanimously voted to adjourn the meeting at 8:50 p.m.

Respectfully Submitted,



Sheryl Ball, Health Secretary

Acton Board of Health



William McInnis, Chairman

Acton Board of Health