



## **Acton Board of Health**

Meeting Minutes

October 18, 2022

7:30 PM.

VIRTUAL PARTICIPANTS VIA ZOOM

### **Present:**

Virtual Members Present: Mark Conoby, William McInnis, Dr. William Taylor and Dr. Thomas Jacoby. Michael Kreuze was not present.

Virtual Associate Members Present: Dr. Rekha Singh voting for absent Michael Kreuze

Virtual Staff Present: Sheryl Ball-Health Director, Matthew Dow and Felix Garcia

Others Present: Josh Lariscy, Alissa Nicol, Rachel Wulsin, Martin Pitwood, Marion Richardson, Erich Kronenwett, Margaret Kern, Don Hoban, Sheetal Suchdoe, Marcy and Don, Vanesa Fucioni and Michael Schulze and many other concerned abutters/residents.

### **1. Opening**

Chair – Mark Conoby opened the meeting at 7:32 P.M. A script was read that was provided by the Town stating why the meetings are virtual during this pandemic and this emergency meeting of the Board of Health was called to order.

### **2. Regular Business**

#### **Health Director Update**

Ms. Ball indicated that the Town received another 12,000 home antigen kits for distribution and if anyone would like some they are available at Town Hall or the Council on Aging.

Ms. Ball also stated that the Polystyrene Ban will be going into effect on January 1, 2023 and there is a provision in the bylaw that states that either the BOH or the Health Agent can grant an extension for up to 6 months. Ms. Ball asked the Board if they would like to receive those requests or if staff could grant them based on a determined need. The Board stated that those decisions can be made by staff with the understanding that there has to be an extenuating circumstance for the business for this to be granted. Ms. Ball thanked the Board.

Ms. Ball also reminded the Board that Household Hazardous Waste Day would be conducted on Tuesday, October 25, 2022 from 4-7 PM at 14 Forest Road, Acton. This event is for Acton residents only.

Ms. Ball also stated that the public hearing for proposed changes to Article 11 has been scheduled for Tuesday, November 15<sup>th</sup>. Ms. Ball also stated that Mr. York, DPW Director will be present at the meeting to give a sewer update.



Mr. McInnis questioned staff as to the organizational structure of the Nursing Service, asking if we still have the Professional Advisory Committee that reports to the Board as he mentioned he saw and ad looking for members of the Nursing Advisory Committee. Ms. Ball indicated that she would like into this and report back.

### **Nursing – Jill Salamon, RN - Update**

Ms. Salamon stated that Acton has a total of 37 confirmed cases since the beginning of October and as a reminder this total does not include any home tests which are not reportable. The school district has had a total of seventy-four reported cases since September which do include home tests that families are reporting to the school nurse. The school is also encouraging students to receive the new bivalent booster shot if eligible. Ms. Salamon also stated that Emerson is seeing COVID cases but some cases are asymptomatic and picked up on at admission. Emerson currently has three people that are hospitalized that are no longer in COVID isolation but are hospitalized for other reasons.

Life Care of Acton has one positive resident who is off of isolation but in the last few weeks has seen eight positive residents. Life Care is also conducting outbreak testing twice a week for all staff and residents. In addition, at least ½ of their residents have received the bivalent booster. The Inn at Robins Brook has had 36 positive residents and nine staff test positive recently and has implemented COVID safety protocols including, no outside vendors, no programming and has closed the dining room. They have also asked family not to visit temporarily. In addition, on November 4, 2022 they will be holding a booster clinic sponsored by West Acton Pharmacy.

Ms. Salamon updated the Board on updates from the Massachusetts Department of Public Health. Ms. Salamon stated that Flu clinics have already happened but if anyone is still in need of a shot, please contact Acton Nursing.

### **Emergency Beaver Trapping Permit – 7 Brookside Circle**

Ms. Ball stated that an application has been received for an emergency beaver trapping permit due to beaver activity with flooding occurring on 7 Brookside Circle which is also impacting 10 Brookside Circle. The Health Department conducted an inspection of this area along with the Conservation Agent and has confirmed that in accordance with the Rules and Regulations that a threat to Human Health and Safety by beaver or muskrat-caused flooding of a residential septic system.

Unfortunately, it was also determined that this site is not a candidate for alternative solutions other than trapping due to the location of the beaver activity and the surface waters of the water bodies. All impoundments are level and in order to use alternative methods (i.e. pipes installed into the dam) the flooded area needs to be higher in one location rather than level to help with water flow.

Ms. Ball recommends the Board of Health approve a 10 day emergency permit, beginning on Wednesday, October 19, 2022, giving the licensed trapper and its agent the right to use restricted traps and breach the dams or dikes subject to the conditions of the Conservation Commission.



In addition, the department would recommend that the Board a 10- day extension if needed

On a motion made by Dr. Taylor, seconded by Mr. McInnis, the Board unanimously granted an emergency beaver trapping permit to the property located at 7 Brookside Circle effective on October 19, 2022 for a period of 10 days giving the licensed trapper and its agent the right to use restricted traps and breach the dams or dikes subject to the conditions of the Conservation Commission. In addition, the Board also approved a 10-day extension if needed.

The Chair took roll call and all were in favor.

### **Hazardous Materials Control Permit – 100 Discovery Way – Bluewave Solar**

Ms. Ball stated that the Health Division is in receipt of a Hazardous Materials Control Permit application from BWC Coles Brook, LLC dba BlueWave– 100 Discovery Way, Acton, MA. The applicant is proposing an energy storage facility which will be located on the southern portion of this parcel for Board of Health review and approval. The applicant is proposing to store the batteries in a total of two thousand twenty-six square feet of area. The Health Division has been reviewing this application along with other Town staff and have previously met with the applicant prior to bringing this before the Board. Mr. Josh Lariscy was present on behalf of BlueWave to discuss the proposed application. Mr. Lariscy stated that he has been working with Town staff to address concerns brought up by staff over the last month and stated that some of the concerns that were detailed included secondary containment, fire safety, SDS's for all chemicals utilized and adding the Acton Water District to the contact list. Mr. Lariscy also spoke about the proposed set up of the batteries, chemicals they contain, transformers and fire suppression, thermal runaway, remote monitoring of the system and emergency response plans. The Board questioned the applicant on the following:

1. Are concrete separation walls in between the battery modules proposed?
2. Are the liquid electrolytes flammable?
3. In the event of a fire, how will suppression system work?
4. In the event of a fire, how will the flooded cells with the liquid electrolyte be contained?
5. How long will it take to flood each cell and is there a way to prevent water from spilling over?
6. Safety barriers shall be in place to prevent vehicles from entering storage area.
7. How will gases be vented?
8. Fire and Health Department training will be required
9. Decommissioning plan shall be required and approved by the Health Division.
10. Sound study shall be conducted
11. Site contact lists of all qualified technicians
12. Comprehensive Emergency Response plan
13. Physical barriers to prevent accidents shall be required
14. Independent field evaluation shall be required to certify compliance with safety codes.
15. Plans for site remote monitoring and for second means of egress shall be submitted to Health Division.



Mr. Lariscy stated that there are not separation concrete walls between the battery modules and stated that liquid electrolytes are not flammable and would evaporate rather than combust. Mr. Lariscy stated that the suppression system is called StatX and would be an automatic response if a fire were to occur. He also stated it would take about 8 minutes to fill a cell with water and the containers may spill over. If that were to happen, emergency response would immediately be called to the scene to minimize potential spread. Mr. Lariscy stated that he would respond to all Board concerns.

There were many abutters/residents that raised concerns over this proposed project and expressed concern with this project being close to a residential neighborhood, explosion risks including potential toxins, smoke, potential evacuation and spread of fire, technician response time, how long it will take to get the system de-energized, noise and asked about other locations of similar systems that experienced fire incidents. All speakers opposed this project.

Mr. Lariscy stated that he will provide data to other projects and their closeness to residential neighborhoods, response time could be up to 1 hour and it would depend on the scenario in order to answer how long it would take to deenergize the system. Mr. Lariscy also spoke about the potential scenario of a fire including evacuation areas and different scenarios if a fire were to occur that may include blowing hinges off containers and potential clean up being needed by a licensed professional if hazardous materials are spilled.

The Board asked Mr. Lariscy to respond to all concerns raised and submit that response to staff.

On a motion made by Mr. McNnis, seconded by Dr. Jacoby, the Board voted to continue this application until the applicant has time to respond to all concerns raised this evening.

The Chair took roll call and all were in favor.

#### **Minutes – September 20, 2022**

On a motion made by Mr. McNnis, seconded by Dr. Jacoby, the Board voted to accept the minutes of September 20, 2022 as amended. The Chair took roll call and all were in favor.

#### **Next Meeting**

The next BOH meeting is scheduled for November 15, 2022.

#### **4. Adjournment**

On a motion made by Dr. Jacoby, seconded by Dr. Taylor, the Board unanimously voted to adjourn at 9:54 PM. The Chair took roll call and all were in favor.

#### **Documents and Exhibits Used During this Meeting;**

- Town of Acton script for boards and committees opening meeting
- Board of Health agenda
- Beaver Trapping Permit Application, map and BOH recommendation – 7 Brookside



- 100 Discovery Way, Hazardous materials application, emergency response plan and BOH recommendations.
- Minutes from 9-20-22

Respectfully Submitted,

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Sheryl Ball  
Acton Board of Health

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Mark Conoby, Chair  
Acton Board of Health