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SEP 18

Acton Board of Health

Room 126, Acton Town Hall, Acton MA 01720

November 19, 2012

TOWN CLERK, ACTON

Members Present: Mark Conoby-Chairman, William McInnis, Dr. William Taylor,
Joanne Bissetta, Michael Kreuze.
Robert Oliveri- Associate with Voting Rights

Staff Present: Sheryl Ball-Acting Director, Evan Carloni-Public Health Inspector and
Weiyuan Sun-Administration

Other Present: Stephen Sears, Allan E Mason, Kathleen Mason, Mark Donohoe, Peggy
Mikkola, Chuck Stevenson, Claire Henneberry, Mark Scheier, Suzan
Bonneau, Licy Jen, Tina Grosowsky, D J Wilson and Jackie Doane

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

27 Hartland Way-Completion on the Chillers

The remedial work to address the chiller noise at 27 Hartland Way has been completed and the Sound Level Measurements have been reduced to be 15 over ambient. Mr. Scheier submitted a copy of the Sound Level Measurement report by Acentech and also sent a copy of the report to Ms. Nevola. Ms. Nevola indicated that she is confident that the chiller noise will be quieter in the summer however, would like the option to revisit again if the noise level becomes a problem in future when fans will be running at full capacity. The Board stated that they would close this hearing, however, if there are concerns in the future, they like any other complaint, will be investigated.

On a motion made by Ms. Bissetta, second by Mr. Taylor, the Board unanimously voted to close the hearing and completion on the chillers for the property located at 27 Hartland Way.

400 Central St.- Variance

The property located at 400 Central St is requesting a variance from Article 11-6.1.1 for a reduction in the setback from the wetland (75' required – 56' proposed).to allow for the repair of the failing cesspool. The Health Department has reviewed the proposal plan and recommends approval with following conditions:

1. The septic tank shall be pumped a minimum of once every two years.
2. The system shall be constructed in accordance with the above listed conditions and a plan stamped by Daniel Wolfe, PE, date 11/1/2012

On a motion made by Ms. Bissetta, second by Mr. Kreuze, the Board voted to grant a variance to the property located at 400 Central St. with above conditions.

30 Main St. - Variance

The property located at 30 Main St is requesting a variance from the following regulations to allow for the repair of the onsite wastewater system:

310 CMR 15.212(1)(a): The minimum vertical separation distance for the bottom of the soil absorption system above the high groundwater shall be five feet in soils with a percolation rate of two minutes or less.

310 CMR 15.284 Remedial Use- The purpose of approval for remedial use is to allow for the repaired approval of an alternative system that is likely to improve conditions at a particular facility or facilities currently served by a failed, failing or nonconforming system.

Article 11-6.1.1 No sewage disposal system with a capacity of less than 2,000 gallons per day shall be constructed within 75 feet of any wetland (50' proposed)(Any land area or surface area defined by the Massachusetts Wetland Protection Act. MGL Ch 131 S 40 and/or the Town of Acton Wetland Protection Bylaw).

The system has been placed on the property in the most suitable area with respect to surface elevations, wetland, high groundwater, impervious material and drainage issues. The Health Department has reviewed the plans and finds the following:

1. This property is located in both Groundwater protection District Zone 3 & 4 and proposed system will be located in both zones.
2. A proposed retaining wall has been proposed at the front edge of the SAS. The applicant has stated that raising the system to 5' above groundwater would make that entrance to the service bay difficult and dangerous for travel within that area.
3. The sieve analysis identified 49.6 percent gravel which would warrant a percolation rate of 5mpi which would require a 4.25' offset to groundwater.
4. This SAS will be located 50' from the wetlands.

The Health Department has reviewed the proposal plan and recommends approval with following conditions:

1. The septic tank shall be pumped a minimum of once every two years.
2. The offset to groundwater should be no less than 4.25' as defined under Article 16-6 Figure 1.
3. The system shall, at all time be maintained in compliance with the most recent Remedial use approval issued by the MADEP for the CULTEC Contactor C-4 HD Heavy Duty) Chambers.
4. The System shall be constructed in accordance with the above listed conditions, and a plan stamped by Mark Donohoe, PE date 11/16/2012

On a motion made by Ms. Bissetta , second by Mr.Taylor, the Board voted to grant a variance to the property located at 30 Main St. with above conditions.

Board of Health Rules and Regulations - Amendments

The Board opened the hearing. The legal ads were posted in the October 18 and 25th, 2012 edition of Acton Beacon. The Board previously adopted new regulations since the adoption of the existing Board of Health Rules and Regulations in 1979. There have been no changes to the regulations but Mr. Halley asked the Board to adopt the regulations in their entirety. On a motion made by Mr. McInnis, second by Mr. Kreuze, the Board voted to adopt the now complete set of the Board of Health Rules and Regulations.

Proposed Tobacco Regulations Changes

Members of the Tobacco-Free Partnership were present to discuss proposed changes to the Tobacco Regulations. It was stated that the existing regulations need to be updated to include new tobacco products on the market. These products include fruit flavored blunt wraps and electronic cigarettes just to name a few. Ms. Grosowski stated that these appear to be marketed towards the younger customer. New amended regulations are in place in some towns and it was recommended that Acton adopt them. The Board asked the Tobacco Free Partnership to send them to us for review.

Acton, Concord and Carlisle Regional Accessibility Plan

Ms. Ball indicated that Mr. Halley would like board numbers to review the Acton, Concord and Carlisle Regional Accessibility Plan and provide any comments to Mr. Halley.

Evan Carloni- Public Health Inspector

The Health Department requested the Board of Health appoint Evan Carloni as a Board of Health agent. Evan Carloni has been selected to replace Isabel Roberts as a Health Department Inspector.

On a motion made by Mr. Taylor, second by Mr. McInnis, the Board voted to appoint Evan Carloni as a Board of Health agent.

On a motion made by Ms. Bissetta, second by Mr. McInnis, the Board voted to appoint Mr. Carloni for a full time of Public Health Inspector position in Health Department.

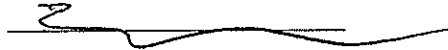
Adjournment

On a motion made by Mr. Taylor and seconded by Mr. McInnis, the Board unanimously voted to adjourn the meeting at 9:03pm.

Respectfully Submitted,



Weiyuan Sun, Administrator
Acton Board of Health



Mark Conoby-Chairman
Acton Board of Health