

TOWN OF ACTON

BOARD OF HEALTH MEETING
AUGUST 12, 1986

Present: Chairman Daniel Costello, Richard Stephens, George Emmons, Eleanor Voorhies

Staff Present: Steven Calichman, Edward Wirtanen, Deborah Robertson, Carol Holley

The meeting began at 7:38 p.m.

The minutes of the previous meeting were reviewed and corrected. Mr. Stephens moved that the minutes be accepted as corrected. Mr. Emmons seconded. Mr. Costello, Mr. Emmons, Mr. Stephens voted to accept. Ms Voorhies abstained.

7:50 p.m. Review of Correspondence. Arrival of Marion Donahue, staff.

Regarding the correspondence from Mobil Oil, a discussion was held regarding sinks for washing hands and the definition of "convenient" restrooms. Mr. Stephens inquired regarding floor drains, and Mr. Wirtanen explained the setup in that establishment.

8:05 p.m. Septage Management Program. Mr. Costello leaves to attend Board of Selectmen meeting.

Mr. Emmons asked how the Board should start. Mr. Stephens suggested that the Board start by discussing what they wanted to do, stating that everything must be consistent with the 20 year plan.

Mr. Emmons reviewed the exchange of correspondence between the Board of Health and Town Counsel, summarizing what he felt were the questions posed and the answers given regarding legal bases for the authority to pursue a pumping program. In Mr. Emmons' opinion, Attorney Callaghan stated that the validity of Acton's regulations, in light of state laws and regulations, were not in doubt. Regarding the stipulation of having property owners furnish the Board of Health with septic system plans, Mr. Emmons read Attorney Callaghan's letter to state that it could be done, but Attorney Callaghan wondered why it needed to be done. He also mentioned fines, and the fact that this should be a non-criminal matter. Regarding recovery of expenses in the case of Board of Health forcing repairs and/or maintenance, Mr. Emmons read Attorney Callaghan's letter to state he did not know how this could best be done. Mr. Emmons felt that, by not mentioning recovery of anything but costs of pumping, Mr. Callaghan stated that he thought the Town could not.

Mr. Stephens stated that, based on a 2-year time frame for pumping, at those intervals the Board send out a "friendly reminder", and estimated that over 90% of the people contacted would probably pump with no more urging than that. Regarding the other, small population that won't pump, perhaps they could be ignored for the moment, pending development of enforcement procedures. If the system in question has already failed we have enforcement procedures now. Then, there is also the category of people who do not pump, but the system persists in working.

Mr Calichman added that if the people who do not pump try to put their home on the market, they will have problems. Real Estate agents and the mortgagee banks are very aware of septage issues these days.

Mr. Stephens suggested that the resale problem issue could be inserted into a follow-up reminder letter to people who don't pump on the first notice. He stated that the biggest problem in the septage management issue is how to construct the data base.

Mr. Calichman stated that a data base is needed so that the Health Department cannot be accused of being arbitrary in enforcement of the 2-year pumping regulation.

An extensive review of the draft septage management program created by Mr. Costello ensued. Mr. Stephens went into a detailed discussion with the other Board members present regarding the information to be included in the data base, and how easy it would be for staff to acquire and input that information. It was felt that map and parcel numbers should be included, as cross-reference. Mr. Calichman felt that the assessor's information was a good way of keeping property ownership data up-to-date.

Mr. Emmons suggested that the data base also indicate the type of structure - single family home, condo, apartment, commercial, industry, etc. I think the use of the structure should be indicated. Mr. Calichman stated that information on the type of system - septic tank, cesspool, leach field, trenches, etc. should be noted. Mr. Stephens asked about units of measure for size. Mr. Calichman stated that tanks and cesspools are in gallons, fields are in area - square feet. Mr. Calichman suggested that interceptor trench presence should be indicated. Mr. Emmons asked about including proximity to wetlands, etc.

8:35 Mr. Costello returns.

Mr. Costello asked about underground storage tanks being included on the data base. He expressed concern about the cost and manpower analysis of computerizing all these data, for if the Health Department cannot get funding for the project, all the planning effort will have been futile. Mr. Stephens initially suggested about 5 minutes for input on each property. Mr. Costello felt that was too small an estimate, considering the cross referencing with Assessor data, etc. Mr. Stephens felt that one neighborhood, the size of Indian Village, could be done in a week. Mr. Emmons felt that going one neighborhood at a time would be a good way to start.

Mr. Costello estimated cost of the data base project to be \$50,000 to \$70,000.

Mr. Stephens stated that every two weeks to a month, the computer could print out a list of properties that had gone past the two-year mark. The 2,000 systems a year we are talking about will generate 40 letters a week, maximum without taking into consideration the people who pump without prompting.

A discussion followed on how to best obtain pump slip information, whether from the driver, the property owner, etc. Mr. Costello suggested a multi-part form - one part for Board of Health, one part for owner, one part for pumper, and, if necessary, one part for Greater Lawrence.

Returning to the issues of letters to be generated, Mr. Stephens suggested that information regarding the system in question could be included in the letter.

Mr. Costello remarked that a most important part of this operation was having someone review all pump slips. Mr. Stephens stated that problems go to the Health Director to be dealt with. Problems, and actions thereon, need to go into the data base also.

9:05 p.m. Charlotte Sagoff arrives.

Mr. Stephens stated that too many details at the outset will cause delay in implementation of the whole system. He asked what the percentage of pump slips indicating problems was. Mr. Costello estimated that, in the first year, 50-60% of pump slips submitted will indicate problems. Mr. Calichman disagreed with that number.

Mr. Stephens stated that he could create the file in two hours, ready for input. He felt that if the Health Department bought the computer hardware outright, it would cost \$2,500 to \$5,000, plus the cost of DataBase II software. The most activity the system will see will be the initial input of the data.

The question of inputting water usage in the data base, and how best to determine water usage, was discussed. Mr. Stephens stated that it looked like 40 different fields to be filled in on the data base.

Mr. Costello reiterated that the Health Department has no commitment from anyone of funds or staff to operate the data base project. Mr. Emmons felt that partial implementation could provide information on cost, and would further lend credibility to any estimates. Mr. Stephens stated that the system would be incomplete for a while. He felt that adding water usage data would complicate matters.

Mr. Costello suggested using the Nursing Service computer on an interim basis in order to start the input process. Mr. Calichman reminded the Board that, in a projected two years, Nursing and Health offices should both be in Town Hall and computer sharing will then be easier. Mr. Stephens felt it would be appropriate to simply load milk cartons full of files and carry them to the Merriam building for computer input. Mr. Costello reminded Mr. Stephens that more than just street files were involved in the data gathering.

The discussion of the computerization was left to go into executive session prior to meeting with Mr. Bruce Stamski regarding 138 Great Road. Mr. Costello moved to go into executive session, Mrs. Sagoff seconded, and the motion was unanimously carried.

At 10:22 Mrs. Sagoff moved to go out of Executive Session. The motion was seconded and unanimously carried. Mr. Stamski came in to make his presentation.

138 Great Road - Moran Leasing. Mr. Stamski stated that the property in question happened to be in the Ice House Pond Well Buffer Zone. There is now a small building on the lot. Mr. Stamski also described abutting property.

Mr. Stamski attempted to describe the current septic system, which is of questionable type and location. He stated that the area was not a wetland. Mr. Stephens asked if the leaching system were 4 feet above groundwater. Mr. Stamski stated the elevation of the system was above the 100 year floodplain, but in fact not 4 feet above groundwater level - he was discussing the proposed, not the present system.

Mr. Stamski stated that what the owner would like to do on the site is to increase the size of the building and increase the size of the parking lot to accomodate the increased building size. He wished to construct a small, 2-story office building and a 600 square foot leaching system. A variance from Acton Board of Health regulations regarding minimum area of leaching systems would be needed. The system would meet Title 5, and in fact does give over 2 square feet/gallon leaching area. Upon query by Mr. Calichman, Mr. Stamski stated the perc rate was 12 minutes/inch. Mr. Stamski further stated that it was possible to maintain allowable distances from the flood plain by constructing the 600 square foot system. He went on to explain the grading involved.

Mr. Stephens stated that the Lycott Study recommended keeping 100 feet away from a flood plain, and it looked like this plan called for more like 50 feet.

Mr. Stamski stated that if weeping of groundwater were an issue, he could see the vailidity of keeping 100 feet from a wetland, but groundwater does not break out in a flood plain area. We feel that this building would be useful but not overly big for the site. Over 56% of the site is still green area. We also feel that this building could certainly be served by the proposed leaching field.

Mr. Calichman asked about expansion area.

Mr. Stamski stated that an expansion area would require filling in the flood plain area. Mr. Calichman asked if Mr. Stamski had applied to the Board of Appeals. Mr. Stamski stated he had, but did not have a hearing date yet. Mr. Stamski further stated that if the system were a trench system, there was room for a system twice the size of Title 5 standards, with room for expansion area..

Mr. Stephens stated that the last time Mr. Stamski was before the Board the Board was concerned because the property was in a red zone according to the Lycott Map. In the meantime, we have asked the Board of Selectmen and the Groundwater Committee if they were interested in protecting the area, and they have replied that they are.

Mr. Stamski rebutted that the potential well location would be on the other side of the pond. He added that, if he could, he would like to see the trench system go in on the site.

Mr. Stephens asked if there were anything more on the protection issue, which was the real issue before the Board, that Mr. Stamski would like to add.

Mr. Stamski asked about monitoring wells and whether or not there was a systematic approach to monitoring, and what sort of testing would be necessary.

Mrs. Sagoff stated that in view of the many issues involved, she wished to take the matter under advisement, and so moved. Mr. Stephens seconded the motion.

Mr. Stamski interjected that he had other meetings coming up, and wished to have a time frame. Mrs. Sagoff stated that the Board of Health needed to discuss this issue with Selectmen and Groundwater Protection Coordination Committee.

Mr. Stephens stated that the Board needed time to address the issues. He asked if there was any further discussion.

The vote to take the matter under advisement was: Mr. Costello abstaining, all others in favor.

Mr. Costello stated that the Board of Selectmen were pleased with the 20 Year Plan submitted to them. The Selectmen wished the Board of Health to be present at their meeting when they formally adopt the 20 Year Plan, which meeting is scheduled on August 26th. Returning to septic management, let me get back to a couple of basic questions. Are you now going to take some time and outline things for the Board to consider?

Mr. Stephens stated we need to figure out how much this thing will cost and then ask the Board of Selectmen to put their money where their mouths are.

Mr. Calichman stated that he had been told the Selectmen wanted something to review by September 1. Mr. Emmons stated that a staff estimate must be realistic so that we can't have too many holes poked in it.

Mr. Stephens asked, how much information are we willing to have the system start up with? 2/3 of the files will be blank, based on the records I have reviewed.

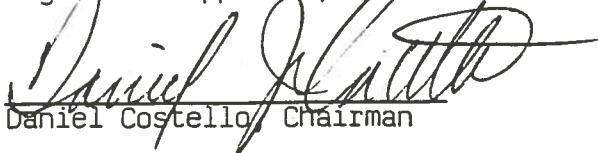
Mr. Costello asked if the Board were meeting on August 27.

At 11:10 the Board went back into Executive Session, and adjourned a few minutes later.

Respectfully submitted,


Carol Holley, Sec'y

Signed and Approved,


Daniel Costello, Chairman