

Acton Board of Health – Minutes
March 10, 2003
Room 126, Town Hall

Board Members Present: William McInnis, Chairman, Mark Conoby, Roxanne Hunt and Robert Matusow.

Staff Present: Doug Halley, Health Director and Sheryl Ball, Secretary

Others: Lisa DiTaranto, Heather Connor, Kevin Sweeney, Ian Rubin, Joe March, Fred Givens and Lisa Pecora-Ryan.

The meeting was called to order at 7:36 p.m.

Massage Practitioner License – Heather Connor:

Ms. Heather Connor has submitted an application for a Massage Practitioner License from the Board of Health. Ms. Connor will be working at Moodz Day Spa in Acton which is currently a licensed Massage Establishment. Ms. Connor has submitted her application, three letters of reference, diploma and a negative TB test. Based on the information submitted the Health Department recommends approval of this request. The Board asked Ms. Connor if she has been licensed in other towns. Ms. Connor stated that the last license she held was in the Town of Andover. On a motion made by Dr. Matusow, seconded by Ms. Hunt, the Board unanimously voted to grant Heather Connor a Massage Practitioner License.

Special Permit – Colonial Acres – Summer Street

Colonial Acres is seeking a Special Permit from the Board of Health for work within the aquifer. The proposed design is a 9,900 gallon per day shared leaching system with individual septic tanks. The system also consists of two bioclime systems that will require quarterly monitoring. The Board stated that the shed that contains the chemicals will need 110% secondary containment. Mr. Conoby suggested that alarms be placed on the heating system and the pump chamber. Mr. Conoby also suggested that the condominium association master deed should have a clause that allows access onto all properties for maintenance and construction of the septic system and reserve area. Mr. McInnis asked about the existing well at 127 Summer Street that is within 150' of the septic system. Mr. Rubin stated that the well is not in use. It was stated that this well would need to be abandoned prior to construction. Mr. Rubin was told to ask the owners to officially close the well or redesign the plan to meet the 150' required setback. On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to grant a Special Permit for work within the aquifer to Colonial Acres, Summer Street, with the following conditions:

1. The subdivision shall be organized as a single family detached condominium development with each condominium on its own EUA. The condominium association shall own the wastewater treatment facility and collection system and shall be ultimately responsible for the proper operation and maintenance of the system.
2. The collection system, including the individual septic tanks shall be under a maintenance contract at all times. This contract shall provide for the pumping of each of the individual septic tanks a minimum of once every two years. The length of this contract shall be not less than one year.

3. No garbage grinders are allowed. This shall be recorded in the condo by-laws and on the master deed.
4. A detail drawing of the sewer manhole structures at the beginning and end of the sleeve over the force main shall be provided with the plans.
5. Prior to the issuance of a Certificate of Compliance, a clear water test of the treatment and disposal facilities must be performed in the presence of:
 - An agent of the Acton Board of Health
 - The Design Engineer
 - A representative of Aquapoint
 - The wastewater treatment plant operator
6. One upgradient monitoring well is installed and monitored yearly for nitrates along with the three downgradient wells. The reports of this monitoring shall be submitted to the Board of Health once per year.
7. A wastewater maintenance and repair plan shall be established and in place prior to issuance of any occupancy permits along with a financial plan approved by the Acton Health Department. The fund shall be under the control of the Association and shall be equal to 10% of the cost of replacement of the wastewater system. Only wastewater management and maintenance expenses shall be expended from the fund. Each year the fund shall be increased by 5% of the cost of replacing the wastewater system until such a time that replacement cost has been reached.
8. The plan shall be subject to Health Department approval.
9. The existing well at 127 Summer Street shall be abandoned or the plan shall be redesigned to meet the 150' setback.

Variance Request – 234 Main Street

Ms. Pecora-Ryan of 234 Main Street has resubmitted a request to the Board of Health for a variance to allow an above ground swimming pool to be within three feet of her septic system. This request has come before the Board previously and was denied. Ms. Pecora-Ryan submitted her request to the D.E.P. In the opinion of the DEP it was stated that the variance could be granted with conditions. The Health Department recommends approval of this request with conditions. On a motion made by Dr. Matusow, seconded by Ms. Hunt, the Board unanimously voted to grant a variance from 310 CMR 15.211 to 234 Main Street to allow an above ground swimming pool to be closer than the 10' required setback with the following conditions:

1. The pool shall be located in such a manner so that it will not impair access to or the proper operation of any system component.
2. The setback distance between the pool and leach field should be maximized as much as possible but definitely not within the defined area of the leach field and in no case closer than three (3) feet.
3. The leaching field shall be accurately located prior to construction, marked and protected prior to construction so that construction of the pool will not damage or disturb it. Care shall be taken to avoid any heavy equipment passing over or being stored on top of the system.
4. Any discharge from the pool filter shall be directed away from the leach field.
5. In the event of a septic system failure the property owner shall take immediate action to connect to the sewer system in no case more than thirty (30) days.

Special Permit & Variance Request – Palmer Kennels – 346 Great Road

The owner of 346 Great Road, Palmer Kennels, is requesting a special permit for work within the aquifer and also a variance from Article 16-6.2.8 to allow for floor drains in the new kennel. This request is a continuation of February 24, 2003. Mr. March explained that the Board's suggestions have been incorporated into a revised plan which is before the Board this evening. A dual compartment septic tank has been added with a hair interceptor to collect any animal hair. The Board stated that they would like to see floor drain screen covers to also help eliminate hair from entering the system. On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to grant a special permit for work within the aquifer and a variance from Acton Board of Health Rules and Regulations, Article 16-6.2.8 to Palmer Kennels, 346 Great Road with the following conditions:

1. All soaps, cleaners, pet products and chemicals used on the premises shall be biodegradable and approved by the Health Department.
2. All soaps, cleaners, pet products and chemicals shall be stored in an area with appropriate spill containment equal to 110% containment of the largest amount approved by the Health Department.
3. The floor drains shall be approved by the Health Department as part of the Building Permit review process.
4. An animal waste management plan shall be approved by the Health Department prior to the issuance of the Certificate of Compliance.
5. Emergency shutoff valve or other means of effluent control should be provided subject to Health Department Approval.
6. Three monitoring wells, two downgradient and one upgradient of the septic system shall be installed during construction. These wells shall be monitored annually for nitrates with the results submitted to the Acton Health Department.
7. The facility will be subject to an annual inspection by an Agent of the Acton Board of Health to insure compliance with this special permit and all applicable local and state regulations.
8. Any change of use for this facility shall require resubmittal to the Board of Health for approval.
9. Emergency floor drains covers shall be installed and comply with all applicable rules and regulations.
10. Applicant must send a letter to the Acton Health Department agreeing to these terms.

Other

- The Board discussed the Mosquito Control Program. Mr. Halley stated that the Central Mass Mosquito Control Program will be coming to the Board's April 14, 2003 meeting to discuss this year's program.

Adjournment

On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to adjourn the meeting at 9:05 p.m.

Respectfully Submitted,

Sheryl Ball
Sheryl Ball, Secretary
Acton Board of Health

William McInnis

William McInnis, Chairman
Acton Board of Health