



Acton Board of Health – Minutes

February 23, 2004

Acton Memorial Library Meeting Room

Board Members Present: William McInnis, Chairman, Robert Oliveri and Roxanne Hunt, Cathy Block, Rita Dolan and Joanne Bissetta, Associates.

Staff Present: Doug Halley, Health Director, Brent Reagor, Health Agent & Sheryl Ball, Secretary.

Others: Michael Thiem, Michael Bahtarian, Mark Burrell, Esq., Ginger Hobson, Craig Forester, Aaron Bikofsky, Esq., Jim Barnes, Denise Theodores, David Arnold, Dana Clark, Laura Jacobs, Laura Cronin, Neil Cronin, Charles Weeks, Bridget Nedzi, Doug Wilkins, Esq.

The meeting was called to order at 7:43 p.m.

Lot 12D Jackson Drive

The Health Department is in receipt of a request from the owners of Lot 12D Jackson Drive for a variance to Article 9-6.4 to allow the installation of a private drinking water supply well in an area where the public water supply is accessible and available for connection. The well installation would be to accommodate the construction of a new house. The house has been constructed and building permits were signed off on. The remaining items to be completed in the house need water available and the project has been delayed since December due to this problem. The Health Department has reviewed the request and stated that the installation cost of a 1.5" water service from Jackson Drive would be approximately \$30,000 and the installation of a private drinking water well would be approximately \$7,000. These costs are an estimate from the applicant's engineer. The abutting home was built with a water line that is not an adequate size to service both homes. The owner of the lot, Dr. Michael Thiem, stated that they were not informed about the Town's water line not being available. Dr. Thiem anticipated that the cost to hook up to Town water would be approximately six (6) times more than drilling a private well. Mr. Reagor explained that the \$30,000 cost to hookup to Town water was figured on an average mean and as

Dr. Thiim pointed out a driveway would need to be cut and there is a potential of huge boulders and ledge given what they have seen so far. Dr. Thiim stated that forcing them to hook up to Town water would be a financial hardship to them. Dr. Thiim stated that he would test the well to ensure that the well is in compliance. Dr. Thiim stated that they have approached the bank and do not have the funding available to them to pay the cost to hookup to the Town water as it was not known that town water was not available when they sought financing. The Board stated that in the past they have issued variances based on Manifest Injustice if the difference in cost is 10% of the structure.

On a motion made by Ms. Hunt, seconded by Mr. Oliveri, the Board unanimously voted to grant a variance from Article 9-6.4 to allow the applicant to install a private bedrock well to the property located at Lot 12D Jackson Drive with the following conditions:

1. The private well shall be tested once per year, and shall be required to be in compliance with all EPA Primary Drinking Water Standards. If, at any time, the drinking water available at the taps within the dwelling is deemed to be non-potable, an immediate connection to the public water supply will be required.
2. A permit application shall be filed for the drinking water supply well and it shall be registered with DCR prior to granting of the building permit.
3. The applicant shall submit a letter to the Health Department stating the financial hardship of hooking up to the Town water supply and also that funding can not be obtained for the increased cost of the hookup to Town water.

Show Cause Hearing – Rex Lumber

See Court Reporter Minutes

30 Great Road – Design Interpretation

The owners of the property located at 30 Great Road are seeking a design interpretation to allow for the exclusion of an external grease trap. The septic system has been redesigned to accommodate a new food service and seating and the design did not include an external grease trap. The owners of the establishment have assured the Board that they will not have a grill on site. It is the owners intention to serve pizza and pre-made sandwiches. There will also be an Autofry machine which is a self contained unit that does not allow grease to enter into the plumbing. An internal grease trap will be installed as a safeguard. On a motion made by Mr.

Oliveri, seconded by Ms. Hunt, the Board unanimously voted to allow the system to not have an external system to Acton Indoor Sports, 30 Great Road with the following conditions:

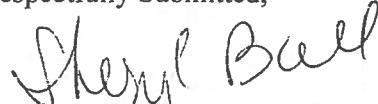
1. There shall be no grill on site at any time at Acton Indoor Sports.
2. The internal grease trap shall be inspected by a qualified contractor quarterly and a report shall be given to the Health Department.
3. The on site septic system shall be pumped once per year in accordance with Acton Board of Health Regulations – Article 5. Should excessive amounts of grease be found in the septic tank, the owner shall agree to immediately install an external grease trap.
4. There shall be no change in use for this food service establishment without approval from the Board of Health.
5. Acton Indoor Sports shall submit a copy of their menu to the Health Department for approval.

Other Business

- Article 13 – Massage Practitioners: The Board asked Mr. Reagor to develop a checklist for sign off by the Health Agent. Approval from the Board of Health will no longer be needed unless all check list items can not be met.
- The Board discussed TB and other medical testing requirements.

On a motion made by Ms. Hunt, seconded by Mr. Oliveri, the Board unanimously voted to adjourn at 11:49 PM

Respectfully Submitted,



Sheryl Ball, Secretary
Acton Board of Health



William McInnis, Chairman
Acton Board of Health