

MINUTES

ACTON BOARD OF HEALTH



JULY 27, 1992

MEMBERS PRESENT: Jonathan Bosworth (Chairman)

Cordelia Alfaro

Mark Conoby

Bill McInnis

Ira Grossman (Associate)

STAFF PRESENT: Doug Halley (Health Director)

Sheryl Ball

OTHERS PRESENT: Greg Geary

Bill Love

Robert Snyder

The meeting opened at 7:35 P.M.

IRRIGATION WELL VARIANCE - 27 STONEYMEADE WAY:

The owner of 27 Stoneymeade Way has requested a variance from Acton regulation 9-6.4 to install an irrigation well in a public water supply area. The proposed well would be closer than 100 feet to a septic system. The Health Department feels a leaching system closer than 100 feet could have an environmental impact on the well if contamination were to reach it. The Board stated that it is imperative that the well be at least 100 feet to any septic system. The Board would also need to grant a variance from State regulation 310 CMR 15.03 (7) Distances (1)(2).

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to deny the variance request from 310 CMR 15.03 (7) - Distances (1)(2) to allow the installation of an irrigation well within 100 feet of all surrounding septic systems.

On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from 9-6.4 to allow the installation of an irrigation well with the final plans being submitted to the Health Department and that the well be, at a minimum, 100 feet from all abutting septic systems and with the following conditions:

1. The proposed well must be a bedrock well, with a minimum depth of fifty (50) feet.
2. Prior to the initial operation of the well, and every three years thereafter, a chemical and bacterial analysis, pursuant to 310 CMR 22, et seq. shall be conducted, with a report submitted to the Board.

3. If any parameters of the test results are greater than 50% of the allowed state drinking water requirements, the owner of the property shall immediately cease use of the well and implement a treatment program to remove the identified contaminants.
4. The underground water sprinkler system shall have all water lines installed at a minimum of ten (10) feet from the septic system and all sprinkler heads a minimum of twenty (20) feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Board of Health.
5. There shall be no cross connections with any public water supply.
6. All wells or well borings shall be registered with the D.E.M. and the town.
7. At no point shall the withdrawal rate exceed 10,000 gallons per day.
8. This well shall be used only for irrigation purposes for 27 Stoneymeade Way.
9. If the irrigation well is not used in a time period of one year it shall be properly closed and sealed as required by the Acton Health Department.
10. All appropriate setbacks and Town regulations shall be imposed.

IRRIGATION WELL VARIANCES FOR LOTS 36A, 43A & 40B STONEYMEADE WAY:

Northwest Structures, owner of lots 36A, 43A and 40B Stoneymeade Way seek irrigation well variances in a public water supply area. All proposed wells have met all applicable laws and regulations.

On a motion made by Ms. Alfaro, seconded by Mr. McInnis, the Board unanimously voted to grant a variance from Acton regulation 9-6.4 to install an irrigation well at Lot 36A Stoneymeade Way with the following conditions:

1. The proposed well must be a bedrock well, with a minimum depth of fifty (50) feet.
2. Prior to the initial operation of the well, and every three years thereafter, a chemical and bacterial analysis, pursuant to 310 CMR 22, et seq. shall be conducted, with a report submitted to the Board.
3. If any parameters of the test results are greater than 50% of the allowed state drinking water requirements, the owner of the property shall immediately cease use of the well and implement a treatment program to remove the identified contaminants.
4. The underground water sprinkler system shall have all water lines installed at a minimum of ten (10) feet from the septic system and all sprinkler heads a minimum of twenty (20) feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Board of Health.
5. There shall be no cross connections with any public water supply.
6. All wells or well borings shall be registered with the D.E.M. and the town.
7. At no point shall the withdrawal rate exceed 10,000 gallons per day.
8. This well shall be used only for irrigation purposes for Lot 36A Stoneymeade Way.

9. If the irrigation well is not used in a time period of one year it shall be properly closed and sealed as required by the Acton Health Department.
10. All appropriate setbacks and Town regulations shall be imposed.

On a motion made by Ms. Alfaro, seconded by Mr. McInnis, the Board unanimously voted to grant a variance from Acton regulation 9-6.4 to install an irrigation well at Lot 43A Stoneymeade Way with the following conditions:

1. The proposed well must be a bedrock well, with a minimum depth of fifty (50) feet.
2. Prior to the initial operation of the well, and every three years thereafter, a chemical and bacterial analysis, pursuant to 310 CMR 22, et seq. shall be conducted, with a report submitted to the Board.
3. If any parameters of the test results are greater than 50% of the allowed state drinking water requirements, the owner of the property shall immediately cease use of the well and implement a treatment program to remove the identified contaminants.
4. The underground water sprinkler system shall have all water lines installed at a minimum of ten (10) feet from the septic system and all sprinkler heads a minimum of twenty (20) feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Board of Health.
5. There shall be no cross connections with any public water supply.

6. All wells or well borings shall be registered with the D.E.M. and the town.
7. At no point shall the withdrawal rate exceed 10,000 gallons per day.
8. This well shall be used only for irrigation purposes for Lot 43A Stoneymeade Way.
9. If the irrigation well is not used in a time period of one year it shall be properly closed and sealed as required by the Acton Health Department.
10. All appropriate setbacks and Town regulations shall be imposed.

On a motion made by Ms. Alfaro, seconded by Mr. McInnis, the Board unanimously voted to grant a variance from Acton regulation 9-6.4 to install an irrigation well at Lot 40B Stoneymeade Way with the following conditions:

1. The proposed well must be a bedrock well, with a minimum depth of fifty (50) feet.
2. Prior to the initial operation of the well, and every three years thereafter, a chemical and bacterial analysis, pursuant to 310 CMR 22, et seq. shall be conducted, with a report submitted to the Board.
3. If any parameters of the test results are greater than 50% of the allowed state drinking water requirements, the owner of the property shall immediately cease use of the well and implement a treatment program to remove the identified contaminants.

4. The underground water sprinkler system shall have all water lines installed at a minimum of ten (10) feet from the septic system and all sprinkler heads a minimum of twenty (20) feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Board of Health.
5. There shall be no cross connections with any public water supply.
6. All wells or well borings shall be registered with the D.E.M. and the town.
7. At no point shall the withdrawal rate exceed 10,000 gallons per day.
8. This well shall be used only for irrigation purposes for Lot 40B Stoneymeade Way.
9. If the irrigation well is not used in a time period of one year it shall be properly closed and sealed as required by the Acton Health Department.
10. All appropriate setbacks and Town regulations shall be imposed.

59 WASHINGTON DRIVE - VARIANCE:

The Health Department has received a variance request to allow the expansion of an existing use without increasing the size of leaching area located at 59 Washington Drive. The existing four (4) bedroom home had a new 1000 gallon tank and 945 square feet of leaching installed in 1991. The buyer of this house would like to increase the bedrooms to five (5). Title 5 regulations require a 1000 gallon tank and 763 square feet of leaching.

The Health Department recommends approval of this variance request with the condition that a 1000 gallon tank be added for extra storage capacity. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from Acton regulation 11-15.1 to 59 Washington Drive to upgrade the house to five bedrooms with the condition that an additional 1,000 gallon septic tank be added.

LAMBDA PHYSIK - HAZARDOUS MATERIALS STORAGE PERMIT APPLICATION:

Lambda Physik requests a hazardous materials storage permit for their facility located at 289 Great Road. Lambda Physik presented the Board with information that was requested at the Board's May 18, 1992 meeting. The Board questioned representatives from Lambda and all concerns were addressed. Lambda Physik presented the Board with a detailed emergency response plan. Lambda has hired Duralectra of Natick to remove and clean laser parts. The Board asked representatives of Lambda to make a note to employees regarding the danger of wearing contact lenses around the laser machines.

On a motion made by Mr. McInnis, seconded by Ms. Alfaro, the Board unanimously voted to grant Lambda Physik, 289 Great Road, a hazardous materials control permit application with the following conditions:

1. All residue produced by the laser shall be analyzed within the laser (flourine, neon, xenon, krypton, and argon) shall be analyzed by a D.E.P. approved testing lab. The results shall be submitted to the Board of Health for its review.

2. If, in the opinion of the Board, this materials is deemed hazardous, Lambda Physik shall be required to cease scraping this residue into the laboratory sink.
3. The 55 gallon waste drum container shall be placed in an accessible area that is clean and free of clutter.
4. The waste drum container shall have secondary containment which is at a minimum 110% greater than the stored material.
5. A fire extinguisher with an extinguishing agent as recommended on the Materials Safety Data Sheets shall be placed in the laser work area.
6. All Material Safety Data sheets shall be stored in the office, on site, and shall be made available to all employees upon request and on a regular basis.
7. A contingency plan, should any spill occur, shall be submitted to the Board of Health for its review and approval.
8. Solvent resistant gloves, goggles and boots, in addition to soap and water, shall be made available to all employees at all times in any hazardous material storage or use area.
9. Gas cylinders shall not be rolled, even for short distances. They shall be moved about by a suitable hand truck.

LOT 3 & 7A KENNEDY ESTATES - VARIANCE:

Authentic Homes, owner of Lots 3 & 7A Kennedy Estates, seeks a variance from Acton Regulation 11-15.1 and consideration to allow the use of 11-15.10. Both lots had a percolation rate of 2 minutes per inch and will provide 816 square feet of leaching.

On a motion made by Mr. McInnis, seconded by Ms. Alfaro, the Board unanimously voted to grant a variance from Acton Regulation 11-15.1 to Lots 3 & 7A Kennedy Estates as designed and that all other applicable laws and regulations be met.

LOT 1 KENNEDY ESTATES - VARIANCE:

Authentic Homes, owner of Lot 1 Kennedy Estates seeks a variance from Acton regulations 11-15.1 for a percolation rate above 20 minutes per inch. Soil tests conducted on May 19, 1992 found a rate to be 27.7 minutes per inch. In order to compensate for the high percolation rate a 2,000 gallon septic tank will be installed and the leaching system will be 1/3 larger than Title 5 requirements.

On a motion made by Ms. Alfaro, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from Acton Regulation 11-15.1 to Lot 1 Kennedy Estates with the condition that the system be built in accordance with a plan designed by Stamski & McNary dated July 13, 1992.

3 TUTTLE DRIVE - VARIANCE REQUEST:

Mr. Douglas Adams, of 3 Tuttle Drive, seeks a variance from State regulation 310 CMR 15.03 (7) Distances (1)(2) and 310 CMR 15.14 Figure 1 for reconstruction of his septic system. The existing system is a state of failure. The proposed system which is in approximately the same location as the existing system will be only 24' from the wetlands. The system has been designed in accordance with D.E.P. policy #87-1. The proposal is consistent with Board decisions. Final approval of this variance will need to come from the State.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to grant a variance to State regulation 310 CMR 15.03(7) Distances(1)(2) and 310 CMR 15.14 Figure 1 with the condition that the septic system be built in accordance with a plan designed by Eric Durling dated July 20, 1992 and that all other applicable laws and regulations be met.

On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to adjourn at 8:59 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on August 17, 1992 at 7:30 P.M. in the Town Hall. The following meeting will be held on August 31, 1992.

Respectfully Submitted,

Sheryl Ball

Signed and Approved,

Jonathan Bosworth

Jonathan Bosworth, Chairman