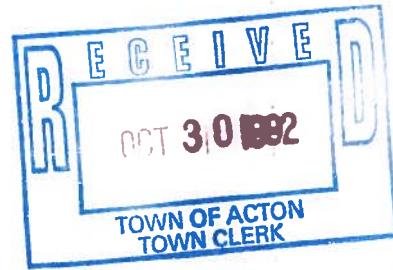


ACTON BOARD OF HEALTH

MINUTES

JUNE 22, 1992



MEMBERS PRESENT: Jonathan Bosworth (Chairman)

Cordelia Alfaro

James Barbato

Mark Conoby

Bill McInnis

Peter Vaillancourt (Associate)

STAFF PRESENT: Doug Halley (Health Director)

Sheryl Ball

OTHERS PRESENT: Bart Wendell

Joe Glannon

Harry Donahue

Ken Goldberg

Thomas Royer

Richard Quilling

The meeting opened at 7:33 P.M.

MILL CORNER:

Mr. Harry Donahue, of Acton Survey & Engineering, presented a letter and supporting information to the Board to address the Board's concerns as expressed at the Board's previous meeting on June 8, 1992. Mr. Donahue on behalf of the property owners seek a variance from Acton regulation 11-15.1 to allow an application rate of 1.58 square feet of leaching area per gallon of design flow. Mr. Donahue stated that the designed system which is proposed for the development can provide at least the same degree of environmental protection as required by Acton and State regulations using an application rate of 1.58 square feet per gallon instead of the Acton regulation of 2.0 square feet per gallon due to the nature of the design of the proposed system which utilizes a system of prefabricated leaching galleries and by requiring a series of additional requirements as outlined in his letter of June 16, 1992. Mr. Donahue stated that the use of the gallery system with the attendant advantage of increased side wall capacity and decreased tendency towards bottom clogging when coupled with the additional requirements of individual septic tanks and flow equalization due to the size and nature of the system should provide the same degree of environmental protection in his professional opinion. There was then a discussion about the possibility that a portion of the land from this development and the excess capacity of the existing leaching system could be donated to the Town for possible construction of a sewage treatment plant. The board briefly discussed the desirability of this proposal.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to grant a variance from regulation 11-15.1 to Lunn & Sweeney Corporation on behalf of property owners of Mill Corner Subdivision pursuant to the project proposal plans submitted to the Town of Acton and the special project permit application subject to the following conditions:

1. Each dwelling unit shall have an individual 1,000 gallon septic tank.
2. Individual tanks at each dwelling unit shall be pumped on an annual basis.
3. The existing settling tanks will be inspected annually and pumped as required with an inspection report submitted to the Board of Health.
4. Prior to the issuance of a sewer connection permit or occupancy permit for the first unit of this development, the Town will be granted, through its Board of Selectmen, the right and option, at its sole discretion, to construct a treatment plant on site and utilize the excess capacity of the existing leaching field and all right, title or interest necessary or incident to the performance, use or maintenance of a treatment plant and system.
5. Water usage into the complex will be monitored and records of water usage will be submitted to the Board of Health every six months.
6. The development shall not exceed 98 bedrooms at any time.
7. The Condominium agreement will be structured to cover the expense of replacing the septic system in 15 years.
8. All other applicable laws and regulations shall be met.

IRRIGATION WELL VARIANCES - 35 & 48 STONEYMEADE WAY:

The owners of 35 & 48 Stoneymeade Way seek variances from regulation 9-6.4 to allow the installation of irrigation wells, in a public water supply area. The Board briefly discussed the impact that these wells have on groundwater supply.

The Board felt a separate approval was necessary for each address.

On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from regulation 9-6.4 to 35 Stoneymeade Way to allow the installation of a private well, for irrigation purposes, in a public water supply area with the following conditions:

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

4. Any 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 Health Department.
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 10,00 gallons per day.
8. This well shall be used only for irrigation purposes for 35 Stoneymeade Way.
9. If a 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 Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from regulation 9-6.4 to 48 Stoneymeade Way to allow the installation of a private well, for irrigation purposes, in a public water supply area with the following conditions:

1. The proposed well must be a bedrock well with a minimum depth of fifty (50) feet.
2. A chemical and bacterial analysis pursuant to 310 CMR 22, et seq shall be conducted prior to the initial operation of the well and every three (3) years thereafter with a report submitted to the Board of Health.

3. If any of the parameters of the test results are greater than 50% of the allowed state drinking water limit requirements, the owner of the property shall immediately cease use of the well or implement a treatment program to remove the identified contaminants.
4. Any 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 Health Department.
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 10,00 gallons per day.
8. This well shall be used only for irrigation purposes for 48 Stoneymeade Way.
9. If a 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.

15 TICONDEROGA ROAD - VARIANCE:

Mr. Thomas Spuller, owner of 15 Ticonderoga Road, seeks a variance from regulation 11-14.1 which would allow the use and retention of an existing 1,000 gallon septic tank for the existing five bedroom home. The septic system presently consists of a 1,000 gallon tank and a 1,118 square foot leaching system. The permit issued in 1967 was for a four bedroom home. The house actually has five bedrooms. Under the current regulations the leaching system is more than adequate, however, the tank does not meet the 1,250 gallon minimum.

The Health Department recommends approval of this variance with the condition that the septic tank be pumped annually.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to grant a variance from regulation 11-14.1 to 15 Ticonderoga Road with the following condition:

1. That the septic system be pumped annually.

REVIEW FOR SELECTMEN'S OVERSIGHT MEETING:

The Board discussed their agenda for the Selectmen's meeting on June 23, 1992. The Board reviewed a document entitled "Desirability of Sanitary Sewers in Acton", which Mr. McInnis created and would like to present to the Selectmen. The Board also reviewed an outline by Mr. Halley.

On a motion made by Mr. McInnis, seconded by Ms. Alfaro, the Board unanimously voted to adjourn at 9:31 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on July 13, 1992 at 7:30 P.M. The following meeting will be held on July 27, 1992.

Respectfully Submitted,

Sheryl Ball

Signed and Approved,

Jonathan S. Bosworth
Jonathan Bosworth, Chairman