



Acton Board of Health

Meeting Minutes

August 2, 2022

7:30 PM.

VIRTUAL PARTICIPANTS VIA ZOOM

Present:

Virtual Members Present: William McInnis, Dr. William Taylor, Dr. Thomas Jacoby, Mark Conoby and Michael Kreuze.

Virtual Associate Members Present: Dr. Rekha Singh

Virtual Staff Present: Sheryl Ball-Health Director, Matthew Dow and Felix Garcia

Others Present: Himaja Nagireddy, Select Board liaison, Mary Lynn Miller, Molly Obendorf and Alek Chongris

1. Opening

Chair – William McInnis opened the meeting at 7:34 P.M. A script was read that was provided by the Town stating why the meetings are virtual during this pandemic and this emergency meeting of the Board of Health was called to order.

2. Regular Business

Health Director Update

Ms. Ball stated that as of August 2, 2022 the State of Massachusetts has fully vaccinated 5,430,583 residents for COVID-19. The State is also asking doctors offices and Boards of Health to push our residents to get boosted. Ms. Ball also mentioned that there is a new vaccine available called Novavax that is currently FDA approved for those that are 18+. The Board asked about the efficacy of this vaccine and Ms. Ball stated that it is too soon to know that information but will update the Board once available. Mr. Kreuze reinforced the need for our residents to be boosted and mentioned that both Moderna and Pfizer expect to update their formulas to help with BA.5.

The Board also asked staff to reach out to the schools to see what their plan is for COVID prevention when school returns in the fall and to work with the schools to assist them.

Nursing – Update

Ms. York was not able to attend tonight and Ms. Ball presented the Board with this update. Ms. Ball stated that Life Care of Acton has not had a positive case since July 8 and Benchmark Senior living at Robbins Brook since July 22nd. Ms. Ball further stated that when cases are occurring at these facilities they are doing a good job following Massachusetts Department of Public Health (MDPH) guidelines and they are not seeing an outbreak within the facility. Acton currently is running between low teens and 20's for known positive cases in the last few weeks



and Acton is currently identified as medium risk by the CDC. Ms. Ball also stated that there is no new MDPH guidance.

Board of Health - Reorganization

Mr. McInnis stated it is time for the Board to reorganize which has been delayed due to COVID. All Board members commended Mr. McInnis for leading this Board through the pandemic and expressed how great of a job he did. Mr. McInnis stated that Mr. Conoby is currently Vice Chairman and he should move to Chair. Mr. McInnis recommended Mr. Kreuze or Dr. Taylor due to their time on the Board for Vice Chair. Mr. Kreuze stated that he cannot commit to this at this time but Dr. Taylor agreed to be Vice Chairman but when the term is up he does not wish to be Chairman. The Board agreed to this and will address who shall be chair once the term is up. On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to move Mr. McInnis to member, promote Mr. Conoby to chair and appoint Dr. Taylor as vice chair effective at the next BOH meeting. The Chair took roll call and all were in favor.

The Board again thanked Mr. McInnis for his leadership through the pandemic.

Variance Request – 6 Stow Road

The Health Division is in receipt of a request for a variance from Acton Board of Health Rules and Regulations, Article 16-4.2.11 to allow for a reduction in the setback from the leaching area to the wetlands from 100' to 82' to the property located at 6 Stow Road. The property is located mostly in Zone 3 with some of the property bordering Zone 4, however, the SAS is mostly in Zone 3. The Board of Health has created a policy that allows the Health Division to approve this variance request in office provided that nitrogen removal technology be added. There is a precedence requiring this for other properties in Acton seeking this type of variance to provide further protection to the wetlands. Ms. Obendorf, Stamski and McNary, representing the homeowners stated that the new proposed system is environmentally better than the previous system and added that this technology would cause a \$7500 increase to the homeowners. Ms. Obendorf also stated that the wetlands are across the street. The Board stated that while this proposed plan is an improvement there is nothing unique about this property that differentiates it from other properties that added nitrogen reduction technologies. The Board also brought up that Conservation Commission likes to see nitrogen reduction technology as well. On a motion made by Mr. Conoby, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from Acton Board of Health Rules and Regulations Article 16-4.2.11 to allow for a reduction in the setback from the SAS to the wetlands with the following conditions:

1. Prior to permit, the septic plan shall be revised to include nitrogen reduction technology.
2. The system shall be constructed in accordance with the listed conditions and the plan stamped by a professional engineer.
3. The septic system shall be pumped once every two years.
4. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MADEP for the Presby Enviro Wastewater Treatment Systems.



The Chair took roll call and all were in favor.

Variance Request- 56 Strawberry Hill Road

The Health Division is in receipt of a variance request from Acton Board of Health Rules and Regulations Article 11-5.1 to allow for deep test hole testing for an upgrade to the septic system located at 56 Strawberry Hill Road to be done in the month of July. The property is located in Zone 3 and has proposed an addition to increase the bedroom count from 3- 4. Acton Board of Health Rules and Regulations, Article 11-5.1 states that deep tests hole for determining high groundwater within aquifer zones 1, 2 and 3 are not allowed from June-October for new construction. It should also be noted that we allow this testing year- round for existing homes. The Health Division would recommend this request since groundwater is looked at differently now vs when this article was written and today's standards require soil evaluators to look at mottles or redoximorphic features rather than water in the hole. These redoximorphic features are predominant in the soils in both dry and wet seasons and can be easily distinguished by the soil evaluator. We recommend that the Board approve this request retroactive to July 27, 2022 when the soil testing is scheduled to be done.

On a motion made by Dr. Jacoby, seconded by Mr. Conoby, the Board voted to grant a variance from Acton Board of Health Rules and Regulations Article 11-5.1 to allow for deep test hole testing for an upgrade to the septic system located at 56 Strawberry Hill Road to be done in the month of July.

The Chair took roll call and all were in favor.

The Board asked staff to update the regulation and bring back to the Board for discussion and eventually public hearing.

Minutes – June 7, 2022

On a motion made by Dr. Jacoby, seconded by Dr. Taylor, the Board voted to accept the minutes of June 7, 2022 as amended. The Chair took roll call and all were in favor.

Next Meeting

The next BOH meeting is scheduled for August 19, 2022.

4. Adjournment

On a motion made by Mr. Kreuze, seconded by Dr. Taylor, the Board unanimously voted to adjourn at 8:32 PM. The Chair took roll call and all were in favor.

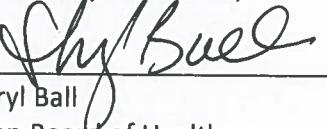
Documents and Exhibits Used During this Meeting;

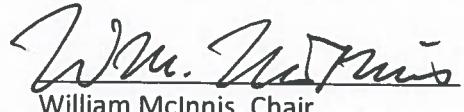
- Town of Acton script for boards and committees opening meeting
- Board of Health agenda
- 56 Strawberry Hill Road, variance request and staff recommendations



- 6 Stow Street, variance request, septic plan and staff recommendations
- Minutes from 6-7-22

Respectfully Submitted,


Sheryl Ball
Acton Board of Health


William McInnis, Chair
Acton Board of Health