



Acton Board of Health

Meeting Minutes

July 29, 2025

7:30 PM.

Hybrid Meeting COA Building 30 Sudbury Rd and via Zoom

Present:

Members Present: Mark Conoby – Chairman and William McInnis

Virtual Members Present: Dr. William Taylor and Dr. Rekha Singh

Staff Present: Penelope Funaiole – Health and Human Services Director,
Matthew Dow – Environmental Health Director

Others Present: Pat McTiernan – Acton Exchange and Jon Petersen

Others Present Virtually: Paul Kirchner – Stamski & McNary

1. Opening

Chairman – Mark Conoby opened the meeting at 7:32 PM. A script was read that was provided by the Town and this meeting of the Board of Health was called to order.

2. Regular Business

Environmental Health Director Update

Matthew Dow, Environmental Health Director, provided several updates to the Board. He reported that Dover Heights at 117 Central Street had submitted approved plans for an Amphidrome innovative alternative treatment system. They provided hard copies that afternoon and were planning to pick up their permit the following week to begin work. When questioned about the Amphidrome system, Mr. Dow explained it was approved by the state for smaller systems under 10,000 gallons per day, though this system would be for nearly 15,000 gallons per day. The state approved it because innovative alternative systems aren't typically made for systems that large. The system provides nitrogen reduction.

Regarding Gould's Plaza, Mr. Dow reported he had reached out to the engineer that day. They had submitted revisions after Land Tech's review. Title 5 inspections had been conducted at all the systems on the property, with three receiving conditional passes needing distribution boxes, three passing, and one failing. The failing system would be addressed, and they would be applying for a WP-56 permit with the state for a tight tank for the salon.



Mr. Dow also reported that the Household Hazardous Waste Day on June 21st was successful, serving over 200 cars. A date was already set for 2026 - Saturday, May 16th. The Health Division continued to be busy with NARA weekly testing, soil testing, camp and pool inspections, numerous complaint inspections, and housing issues.

Board members inquired about the status of NARA Beach testing, and Mr. Dow reported the most recent test showed 18 (standard is 235 for closure), which was well within safe limits.

Health and Family Services Director Update

Penny Funaiole, Health and Human Services Director reported on the community needs assessment project that was underway. The department had contracted with the same consultant conducting the equity audit to maximize outreach efforts. They had presented to the Select board about the project's execution and were developing questions for upcoming listening sessions, focus groups, and one-on-one interviews.

The assessment was focusing on non-medical causes for health-related issues, social determinants, and access to care. Behavioral health would also be included, connecting to the opioid settlement work being done. The department had used an intern to collect data on medical providers in the region, finding that Lahey Clinic has 59 doctors but a year and a half wait time for new primary care patients. They were compiling this information to share with the public to help families find available medical care.

Penny also reported they had conducted a death record search related to deaths of despair (opioid overdoses, substance use-related deaths, and suicides) and would be doing a birth record search soon. They were also working on updating the tobacco bylaw based on state recommendations, which would be presented to the Board in the next two months.

Monthly housing clinics continued to fill up, providing valuable services to residents. The director mentioned they had six candidates who were master's level public health students looking for a year-long practicum to help coordinate and manage the community needs assessment.

Any Board Members Future Agenda Items

Board members discussed future agenda items including having the Mosquito Control District appear at an upcoming meeting. It was confirmed they would be scheduled for either the August or September meeting. The board also requested to have Gould's Plaza on the agenda for the next meeting or a subsequent one to ensure follow-up.

3. New/Special Business

979 Main Street: Waiver Request / Variance



Paul Kirchner from Stamski & McNary Engineering presented the waiver request for 979 Main Street via Zoom. The request concerned the required offset from a septic system to a well. The septic tank was 88 feet from the well and the soil absorption system was 121 feet, while regulations required 300 feet under Article 16.

Mr. Kirchner addressed several items from the previous meeting, including:

1. High water alarm in the pump chamber - He confirmed it was wired separately from the pump and had a full day of storage available above the high-water alarm.
2. Well depth - The service contractor (Skillings and Sons) estimated the well was approximately 120 feet deep, with the pump at 100 feet below the surface.
3. Property ownership - Mr. Kirchner reported the property owner had passed away in the fall, and the estate was working on settling the property ownership. The property consists of one building on two parcels.

Board members identified several issues that needed resolution:

1. Water supply status - The Board noted that since the facility had a permit for 45 employees, it would be classified as a public water supply requiring DEP registration and permitting. Mr. Kirchner indicated they would need to determine whether to register the well as a public water supply or limit occupancy to under 25 employees.
2. Property configuration - The Board indicated that if the properties remained under separate ownership, there would need to be a condition that the property couldn't be subdivided or sold separately, and each owner would be severally liable for maintenance and repair of the system.
3. Treatment system - Given the proximity to a drinking water supply, the Board indicated that a recirculating sand filter technology would be required to ensure higher quality effluent.

Mr. Kirchner reported that the existing septic system was in hydraulic failure and had likely been failing for about 25 years. The property was a machine shop with no hazardous materials discharged to the system and no floor drains.

Motion: Mr. McInnis moved to continue the 979 Main Street waiver request to the August 12, 2025 meeting. Dr. Singh seconded the motion. The Chair took roll call and all were in favor.

Rapscallion Update and Orders

Matthew Dow reported on his inspection of Rapscallion conducted the previous Friday at approximately 12:30-1:00 PM. He observed 60 seats outdoors and 54 seats indoors. He spoke with the owner who had the approved seating plans and confirmed that when the patio was full, certain indoor sections would be closed off.



The Board considered this progress in the right direction and acknowledged the owner was making a conscious effort to follow the plan provided to the Board. Board members suggested that Rapscallion make it clearer which sections were closed when the patio was open by using signage. Mr. Dow agreed to speak with the owner about implementing a clear system to indicate closed sections.

No formal action was taken as the Board considered this an update showing progress toward compliance.

Minutes – June 10, 2025

Dr. Taylor moved to approve the June 10, 2025 minutes with corrections. Dr. Singh seconded the motion. The Chair took roll call and all were in favor.

Consent Items

No discussion occurred for this agenda item.

Adjournment

On a motion made by Mr. McInnis, seconded by Dr. Singh, the Board unanimously voted to adjourn at 8:34 PM. The Chair took roll call and all were in favor.

Next Meeting

The next Board of Health meeting will be on Tuesday August 12, 2025.

Documents and Exhibits Used During this Meeting;

- Town of Acton script for Boards and Committees opening meeting
- Board of Health agenda
- 979 Main St SDS
- 979 Main St BOH Rev Letter Packet
- Letter to Board 979 Main St
- Compliance Plan Rapscallion
- Rapscallion Indoor Seating Map
- Rapscallion Outdoor Seating Map
- Board of Health meeting minutes from 6/10/2025

Respectfully Submitted,

Matthew R. Dow

Matthew Dow
Environmental Health Director

Mark Conoby

Mark Conoby, Chairman
Acton Board of Health