



Acton Board of Health

Meeting Minutes

November 18, 2019

7:30 P.M.

ROOM 9, TOWN HALL, 472 MAIN STREET

Present:

Members Present: Dr. William Taylor - Chairman, Joanne Bissetta, Michael Kreuze and Mark Conoby. William McInnis was absent.

Associate Members: Dr. Rekha Singh voting for William McInnis and Dr. Thomas Jacoby

Staff Present: Sheryl Ball-Health Director, Weiyuan Sun-Health Administrator

Other Present: Mark Lavallee, Chris Williams, Peggy Mikkola, John Paul Lavery, Heather Woodruff, Christine Brault, Heather Murphy And John Flannery

1. Opening

Chair - Dr. William Taylor opened the meeting at 7:30 P.M.

2. Regular Business

A. Approval of Meeting Minutes

On a motion made by Ms. Bissetta seconded by Mr. Kreuze, the Board unanimously voted to approve the Board of Health minutes dated November 4, 2019 with corrections.

B. Director-Operational Update

Acton Water District notice for ground water contaminant

3. New/Special Business

Variance- 68 Robbins Street

The Health Department received a request from Goldsmith, Prest & Ringwall on behalf of the property owners at 68 Robbins Street for a variance from Article 11-8.1.1: Disposal facilities with less than minimum required disposal area, in Table 1, but greater than 600 square feet shall with less than minimum required to add an additional settling tank of equal or greater size than the primary septic tank. The Acton Board Health regulation request: Utilize a two-compartment tank providing 200 % design flow retention in each chamber, as well as justification the leach field is designed to Title 5 standards and 200 % design flow is provided in both compartments of the septic tank.



On a motion made by Mr. Kreuze, seconded by Ms. Bissetta, the Board of Health voted to approve the variance from Article 11-8.1.1 with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MADEP for the Presby Enviro-Septic System.
2. The septic tank shall be pumped a minimum of once every two years.
3. The system shall be constructed in accordance with the above listed conditions and the plan stamped by Douglas Miller, dated 4/2/2019.

4. Emergency Beaver Trapping Permit-36 & 37 Mohegan and 82 Seminole Road

The Health Department has received a request for a ten day beaver trapping permit for the property located behind 36 & 37 Mohegan and 82 Seminole Road. The Town of Acton owns the wetland behind these properties and seeks to trap beavers that have caused flooding on the property in close proximity to the three septic systems. The Health Department determined that a public health threat exists and recommended that the Board approve a ten day beaver trapping permit, beginning on November 19, 2019. On a motion made by Ms. Bissetta, seconded by Dr. Singh, the Board unanimously voted to approve an emergency beaver trapping permit for the property located behind 36 & 37 Mohegan and 82 Seminole Road for a period of 10 days.

5. Draft Warrant Article for Sewers

The Health Department provided the Board with a copy of the proposed draft for the sewer article that will be presented at the Special Town Meeting on December 10, 2019. The Board discussed granting waivers to those in the proposed district and asked the Health Department to provide literature for a vote at the next meeting pending Town Meeting approval of the sewers. On a motion made by Mr. Conoby, seconded by Joanne Bissetta, the Board unanimously voted to recommend their recommendation of the expansion of the Sewer District.

6. Butler Septic – Complaint

Ms. Williams, owner of the property located at 198 Arlington Street submitted a complaint against Butler Septic to the Health Department stating that she is displeased with the service they provided. Ms. Williams, stated that she hired this company to perform a Title 5 inspection of her property. When she received the report there were inconsistencies that she asked Butler to address to no avail. The inconsistencies consisted of:

1. Page 3 of the report was checked indicating that the D Box was replaced. Ms. Williams stated it wasn't replaced.
2. There were some questions that were unanswered on the report.
3. The inspector was listed as Ryan Boyd and he was not the one that inspected her system
4. She hired Butler Septic but the company name was listed as Ryan Boyd Contracting.
5. The report was not submitted in the required 30 day window to the Health Department and the review fee was not paid.

The Health Department invited Mr. Boyd to this meeting but he did not show. Heather Murphy, Realtor, was in attendance for another matter and stated that this company is known to her and she experienced this companies failure to submit the report to the Health Department for another Acton address. The Board discussed these issues and decided to suspend his license for a period



of 90 days. On a motion made by Mr. Conoby, seconded by Mr. Kreuze, the Board unanimously voted to suspend all licenses issued to Ryan Boyd Contracting aka Butler Septic for a period of 90 days for failure to submit a Title 5 report in 30 days. After the 90 days, Butler will need to schedule a meeting with the Board of Health if they wish to be reinstated.

7. Approval – 51 Hosmer Street

The owners of the property located at 51 Hosmer Street are before the Board seeking permission to do repair work on their existing leach field. A Title 5 inspection was conducted and the inspector noted that the leaching lines were clogged with roots from a nearby tree. The inspector was able to remove the roots for one line but not the others. The Health Department consulted with the DEP and was advised that under Emergency Repair, a clogged distribution line can be cleared. The Board stated that they could clear the clogged lines under the guidelines of an emergency repair.

8. Adjournment

On a motion made by Mr. Conoby, seconded by Mr. Kreuze, the Board unanimously voted to adjourn at 8:54 PM.

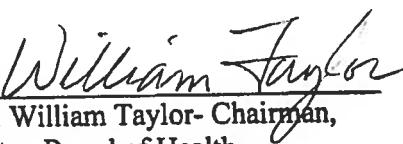
Documents and Exhibits Used During this Meeting;

- Agenda, BOH November 18, 2019
- Minutes, November 4, 2019
- Variance, 68 Robbins Street
- Emergency Beaver Trapping Permits, 36 Mohegan Street, 17 Davis Road & 28 Seminole Road
- Complaint Against Butler Septic, 198 Arlington street

Respectfully Submitted,



Weiyuan Sun
Acton Board of Health



Dr. William Taylor- Chairman,
Acton Board of Health