



## **Acton Board of Health**

Meeting Minutes

September 3, 2024

7:30 PM.

Hybrid Meeting Room 9 Acton Town Hall and via Zoom

### **Present:**

Members Present: Mark Conoby – Chairman and William McInnis

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

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

Others Present: Alissa Nicol – Select Board Liaison, Evan Carloni – Innovative Septic Design

Others Present Virtually: Nathalie Daniel – Rapscallion

### **1. Opening**

Chairman – Mark Conoby opened the meeting at 7:33 P.M. 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**

Mr. Dow informed the Board that the next Household Hazardous Waste is Tuesday September 24, 2024 from 4:00 – 6:30 PM at the DPW Building, 14 Forest Road, Acton.

Mr. Dow also informed the Board that they held a second round of interviews for the Public Health Inspector job on the afternoon of September 3, 2024. Things have been progressing well.

#### **Nursing Service Update**

Mr. Dow informed the Board that over the last month the Nursing Service treated 29 COVID cases, 1 Norovirus case, and 1 Campylobacteria case.

#### **Health and Family Services Director Update**

Mrs. Funaiole updated the Board about wanting to get information out to the public about how to protect yourself against mosquitoes and EEE. She also let the Board know Mellissa Ellis the



Public Health Nurse has started her position in the Town and she is getting acclimated to her role.

Mrs. Funaiole also updated the Board that the Health and Human Services Department had 2 team meetings in August. Marianne Broxton came to 30 Sudbury to present the multi dimensions and aspects of poverty. The activity was geared towards coming up with the values for the Health and Humans Services Department and create cohesiveness across all of the Divisions. She continued that September is Senior Center month and she would like to promote the Town's Senior Center.

### **3. New / Special Business**

#### **106 Hosmer Street – Local Upgrade Approval & Local Regulations Requests from Article 11; Section 11-6.1.1 and Article 16; Section 16-4.2.11**

Evan Carloni of Innovative Septic Design designed the septic system for 106 Hosmer Street. He was requesting a local upgrade approval and local regulation requests from Article 11 and Article 16.

The Health Division recommends the approval of the following requested local upgrade approval and variances:

##### **310 CMR 15.405 (1) (b)**

Requirement: 20 Ft. setback from leaching facility to cellar wall.

Request: Approval of 15 Ft. setback from leaching facility to cellar wall.

##### **Article 11; Section 11-6.1.1**

Requirement: 75 Ft. setback from septic tank and pump chamber to wetlands.

Request: Approval of 37 Ft. from septic tank to wetlands and 36 Ft. from pump chamber to wetlands.

##### **Article 16; Section 16-4.2.11**

Requirement: 100 Ft. setback from leaching facility to wetlands in aquifer protection zone 3.

Request: Approval of 89 Ft. from leaching facility to wetlands.

On a motion made Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to approve the local upgrade approval and variances from the local regulations.

#### **117 Central Street, Dover Heights; Letter to DEP**



A lengthy discussion ensued regarding the septic system failure at 117 Central Street. It was noted that the DEP had endorsed a repair plan exempt from denitrification. However, Board regulations necessitate further action beyond the DEP's requirements. After deliberation, it was agreed that a letter confirming the requirement of a recirculating sand filter or equivalent alternative technology for compliance under DEP regulation 310 CMR would be provided.

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to authorize the Health Director to send a letter to DEP on their behalf.

### **Rapscallion Update**

Nathalie Daniel from Rapscallion discussed compliance with seating capacity regulations. The establishment's recorded water usage was calculated, reiterating that observed flow exceeded the system's permitted threshold, thereby necessitating adherence to existing seating capacity under current permits. Compliance and remedial strategies were examined, with intentions to explore feasible alternatives within the framework of regulations. Further examination of the situation was postponed for a follow-up meeting in two weeks.

### **Minutes – August 6, 2024**

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to accept the minutes with corrections of August 6, 2024. The Chair took roll call and all were in favor. Dr. Singh abstained.

### **Adjournment**

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to adjourn at 9:04 P.M. The Chair took roll call and all were in favor.

### **Next Meeting**

The next Board of Health meeting will be on Tuesday October 1, 2024

### **Documents and Exhibits Used During this Meeting;**

- Town of Acton script for boards and committees opening meeting
- Board of Health agenda
- 106 Hosmer Street Septic Plan with HD recommendations
- Letter to DEP regarding 117 Central Street
- Rapscallion Letter to BOH
- Board of Health meeting minutes from 8/6/24



Respectfully Submitted,

Matthew R. Dow  
Matthew Dow  
Environmental Health Director

  
Mark Conoby, Chairman  
Acton Board of Health