

Town of Concord  
Board of Health

Minutes from the Meeting  
Tuesday, March 20, 2007

PRESENT: David J. Burgess, Chairman  
Ann M. Snow  
John M. Henderson  
Dr. Susanna Bedell

Michael J. Moore, Public Health Administrator  
Karen M. Byrne, Administrative Assistant

OTHERS: Barbara Anthony, LWV, 1024 Main Street, Concord, MA; Judith  
Quanrud, Fin Com, 36 Rollingwood Lane; Sean Fennell, Daedalus  
Projects, 112 South Street, Boston, MA 02111; Tim McGivern, Nitsch  
Engineering, 186 Lincoln Street Boston, MA; Sandy Brock, Nitsch  
Engineering, 186 Lincoln Street, Boston, MA 02111.

**1. REVIEW OF MINUTES & BOARD CALENDAR**

There were no minutes available for review.

The next regular meeting of the Board of Health will be held on April 17, 2007.

**2. PUBLIC HEARING – PRELIMINARY REVIEW ON-SITE SEWAGE DISPOSAL  
SYSTEM**

**The Willard School, 185 Powdermill Road – Request for Review**

The Board met with Sandy Brock, P.E., and Tim McGivern, Nitsch Engineering, Inc., Boston, MA and Sean Fennell, Daedalus Projects, Project Manager for the Willard School, for their clients the Town of Concord School Committee to replace the on-site sewage disposal system serving the Willard School, 185 Old Marlboro Road.

Mr. Moore provided the Board and audience members copies of old plans showing the location of the existing septic system and the design as a frame of reference to the proposed project.

Sandy Brock, P.E., system designer explained that her expectation for this meeting was to bring the Board of Health up to speed regarding the proposed site plan and design for the new Willard School, the proposed septic design, and the proposed plan to either utilize the existing septic system and/or a tight tank during the construction of the new school.

She explained that the tight tank was being requested as a possible option, but would likely not be used. But, because tight-tanks require DEP approval, she wanted to start that process to have the option open as a back up.

Sean Fennell, Building Project Manager for the project said that ideally they wanted to continue to use the existing system during construction and basically work around it. He said that his firm just completed a similar project at the Littleton middle school that went without a hitch. Mr. Fennell said that it is not uncommon to do and that several safeguards are put in place to ensure that it is not damaged. Worse case scenario, a pipe might be broken and it will have to be replaced.

Ms. Brock noted that the proposed school project was slated to begin construction in the spring of 2008. She said it would be best to construct the new septic system and then the new building, but because of coordination of school schedules, final building locations, driveways, bus loops, etc., it was simply not going to be possible and the new school building would be built first.

Following many minutes of discussion, Jack Henderson said that he had no problem with using either scenario because in his opinion neither posed a threat to the public health. He did not see the need to impose a restriction where there wasn't a need. He asked the Public Health Administrator if he had any concerns.

Mr. Moore advised the Board that a plan to connect to the existing system and the tight tank, once it was approved by DEP, could be reviewed and dealt with administratively if variances were not required. However, he felt that this was an opportunity for the Board to look at the much larger issue of wastewater planning as it related to the entire town.

He reminded the Board that the Concord Wastewater Planning Committee strongly urged the Town to link any improvements at the Willard School to the needs of the White Pond area, which was clearly the area in town with the most need for a comprehensive solution. But, because of strong lobbying by the area residents, every suggestion for location of such a system was rejected by the School Committee in 2002 and it "closed the door on a Willard-

White Pond linkage". He urged the Board to carefully consider this opportunity as it reviews this project.

After much discussion, the consensus of the Board was that it agreed that it should not close the door on the possibility of utilizing an area at the Willard School for a possible long term solution.

Mr. Moore suggested that the Board direct the petitioner to provide the following:

1. A system design plan in accordance with Title V of the proposed tight-tank and written maintenance agreement. (For possible use during construction of new system).
2. A system design plan in accordance with Title V of the proposed on-site sewage disposal system for the new school.
3. A Title V compliant plan of an alternative on-site disposal system that would serve both the Willard and the White Pond area.

Sandy Brock said that Mr. Moore had approached her on this subject and that she appreciated his concerns on the matter. However, she said that her task was to design a new septic system for the Willard School, not a regional approach for the White Pond area.

Jack Henderson said he would want to make sure that all scenarios were considered, particularly if the Town was giving up an opportunity to address a larger scale project. However, he repeated his point that he did not have an issue with any of the proposals presented by Ms. Brock from a technical standpoint.

Several Board members concurred. David Burgess asked Mr. Moore if he was suggesting that the Board send a letter to the School Committee inquiring about this. Mr. Moore reiterated that he felt this was an opportunity that could be extremely beneficial to the Town to address future wastewater treatment needs.

Mr. Henderson did not feel that any of the discussions held tonight would preclude a larger system in the future at Willard and did not see that the Board was making a decision that would be prohibitive in the future. However, he said that this was an opportunity worth protecting and with potential on-site disposal issues at other schools and it could be useful for the longer range options. It should definitely be kept on the table.

Ann Snow moved that the Board accept the proposals submitted by Nitsch Engineering for the continued use of the existing on-site disposal system and/or the use of a tight tank during

construction of the new Willard School contingent that plans were reviewed and approved by the Health Division. David Burgess seconded it. All VOTED in favor.

### **3. PUBLIC HEARING – ON-SITE SEWAGE DISPOSAL SYSTEM**

#### **231 Nashoba Road – Request for Local Upgrade Approval from Title V**

The Board heard a request from the Public Health Administrator on behalf of the applicant, JMC Real Estate, Inc., 231 Nashoba Road to construct an addition. Mr. Moore explained that this proposal included building a new home on an existing foundation with an addition to the foundation that would be extended towards the existing septic system components.

The applicant asked the Board to grant two local upgrade approvals in accordance with 310 CMR 15.402 through 15.405:

#### **Local Upgrade Approval**

- **To construct foundation wall 9 feet from the septic tank, instead of 10 feet as required by 310 CMR 15.211(1).**
- **To construct a foundation wall 16 feet away from a leaching field, instead of 20 feet as required by 310 CMR 15.211(1).**

Following a brief discussion, Jack Henderson moved to GRANT the two local upgrade approvals as requested. Ann Snow seconded it. All VOTED in favor.

### **4. SEPTIC BETTERMENTS**

The Board VOTED to authorize septic betterments up to \$20,000 as needed to replace and/or repair the on-site sewage disposal systems at the following properties:

- 103 Alden Road
- 61 Black Duck Road
- 355 Heath's Bridge Road
- 51 Ministerial Drive
- 8 North Branch Road

- 96 Whittemore Street
- 69 Wright Road
- 58 Peter Spring Road

## **5. MISCELLANEOUS REPORTS – Informational Session**

Mr. Moore briefed the Board on three 40B projects that are being proposed for the Town of Concord and that will keep the Health Division very busy with on-site sewage disposal and sewer reviews in the upcoming months. The 3 proposals are:

**Alexan:** Is a 350-unit proposal located on the former ESCO site off of Powdermill Road. All of the housing units will be in Concord, but the project abuts three different communities (Maynard, Acton, Sudbury).

The on-site wastewater treatment will include a mini-package treatment plant operated by the Town of Concord. Since this is a groundwater discharge permit (over 10,000 gpd) which will be reviewed by the Health Division, but permitted by DEP.

**Elm Place:** Is an 8-unit proposal (2-3 bedrooms each) located at 1273 Elm Street heading towards Acton. The on-site sewage disposal for this system will consist of one large septic system to serve each unit and will be permitted by the Health Division.

**Paul Revere Way:** Is a 22-unit proposal (2 or 3 bedroom town houses) located at the Wayside Florist site, 506 Old Bedford Road. The applicant of this project hopes to be able to connect to town- sewer, however, this is unlikely considering the fact that it is inconsistent with the Town's Comprehensive Wastewater Treatment Management Plan.

The meeting adjourned at approximately 9:20 p.m.

Board of Health  
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March 20, 2007

Respectfully submitted by,

Karen M. O'Keefe-Byrne  
Administrative Assistant

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David J. Burgess,

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Chairman, John M. Henderson

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Ann M. Snow

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Dr. Susannah Bedell

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