

BOARD OF HEALTH MEETING



FEBRUARY 26, 1990

MEMBERS PRESENT: Joseph Glannon (Chairman)

George Emmons

Marilyn Hotch

Jonathan Bosworth

STAFF PRESENT: Doug Halley

Sheryl Howe

OTHERS PRESENT: John Adey

Sandy Pozerycki

John Pozerycki

Julia Stevens

Sandra Grierson

Al Barthe

Sanford Hickey

The meeting opened at 7:45 P.M.

MINUTES:

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the minutes of January 22, 1990 were unanimously accepted following corrections.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the minutes of January 29, 1990 were unanimously accepted following corrections.

18 CHADWICK STREET - TABLED VARIANCE REQUEST:

On February 12, 1990 the Board unanimously voted to table the owners request for a variance for the minimum size of a leaching system and for the use of a barrier to meet breakout conditions until February 26, 1990. The Board felt that an increase in the leaching size could be achieved by re-designing the proposed plan.

A new plan was presented to the Board on February 26, 1990 with an increase in square footage from 430 sq. ft. to 870 sq. ft.. The minimum size of leaching is 800 square feet. The only variance necessary with the proposed re-design is from 310 CMR 15.12 - Breakout Requirements.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to grant this variance from 310 CMR 15.12 regarding breakout requirements, subject to the installation of a clay barrier as per D.E.P. policies with the condition that the plan meets all other aspects of Title 5 and all Acton rules and regulations. This variance will be submitted to the D.E.P. for final approval.

VILLAGE ARMS - DISCUSSION OF AGREEMENT:

Mr. Halley presented to the Board the proposed changes made by Attorney Louis Levine concerning the agreement between Village Arms and the Board of Health.

On a motion made by Ms. Hotch, seconded by Mr. Emmons, the Board unanimously voted that with respect to the provisions of the proposed agreement between the Board and Village Arms, that have been rejected by Mr. Bellantoni, the Board would respond as follows:

1. The Board's position regarding condition #1 of the agreement sent to Mr. Louis Levine on February 2, 1990, is that the Board would agree to a declaration that the agreement shall not, in any manner, means or form, be deemed or construed to be an admission of any criminal violations but would insist that it be agreed that there are facts sufficient to support a civil complaint.
2. Prior to the signing of the agreement the Board will require that a Design Certification be submitted and will continue court action until the Certification has been received and approved.
3. The Board's position regarding condition #8 of the aforesaid agreement, is that the Board believes Village Arms to be sufficiently covered in Mr. Bellantoni's revision of the agreement regarding unforeseen circumstances which may cause non-adherence to the stipulated time sequences. Given that language the Board believes that a requirement for a civil fine of \$50.00 upon violations of the schedules contained in the agreement is not unreasonable and would insist that this provision be maintained in the agreement.

NURSING SERVICE:

Julia Stevens, Nursing Supervisor, came before the Board of Health to discuss

trends that the Nursing Service will face in the future. The Board has been asked to give their recommendation concerning the existence vs. non-existence of the Nursing Service. The Board discussed inviting in other services to come before the Board to discuss any options that they have considered concerning their own services. The Board asked Mr. Halley to gather information concerning keeping vs. not keeping the Nursing Service and with that information creating an outline to be presented to the Board.

The Board would also like to see graphs detailing the trends for the past five (5) years of the Nursing Service. This information should detail every aspect of the Nursing Service. Once this information is gathered and researched thoroughly the Board will state their recommendation of the future of the Nursing Service.

The Board also discussed the finding of a replacement for Ms. Stevens. Don Johnson, Town Manager, feels that the Board should be involved in the interviewing of candidates. The Board feels that Mr. Johnson and Mr. Halley should narrow down the list of perspective candidates to approximately three and then bring those candidates to the Board for an interview process.

Ms. Stevens questioned the Board regarding when the Nursing Service budget will be approved. This budget needs to be approved by the Board before Town Meeting.

R.G. TRUCKING - HAZARDOUS MATERIALS STORAGE PERMIT:

Sandra Grierson, president of R.G. Trucking seeks a hazardous material storage permit for her business located on Knox Trail in Acton. The business is presently a wood chipping operation and a trash removal service. The only hazardous material presently stored on site is used motor oil. This oil is stored in 55 gallon drums and disposed of by Zecco Oil. R.G. Trucking also makes wood chips out of used wood which they use for fuel, groundcover (landscaping), and a bulking agent for Sewage Treatment Plants.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to grant this Hazardous Material Storage Permit to R.G. Trucking located at building 5 Knox Trail with the following conditions:

1. Emergency equipment (Speedy dry or its equivalent) shall be provided, labeled clearly and placed near the hazardous materials storage area.
2. Floor drains are not permitted on site.
3. Clean-up directions shall be displayed in clear view and should be posted detailing the emergency procedures when a spill occurs.

292 SCHOOL STREET - BOARD OF HEALTH RULING ON SEPTIC SYSTEM:

The owners of the property at 292 School Street seek a Board of Health ruling regarding their existing septic system. The house located at 292 School was recently destroyed by a fire. The Building Department issued a demolition permit approximately two weeks ago. The home will be reconstructed to model the existing home. Therefore, there will be no changes in the structure whatsoever and the water usage will be the same. The existing septic system was recently inspected and found to be working adequately. The system is currently below the Acton Board of Health standards, however, considering the financial hardship that the owners face

and that there will be no changes in the structure or the use of the property Mr. Halley feels that this ruling should be granted to allow the use of the existing system.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to find that the existing septic system is adequate for the proposed restoration of the home located at 292 School Street because the original occupants will continue the same use of the building and the building will be reconstructed to the same size and dimension as before. The Board feels that this ruling is adequate as long as the system is pumped annually.

WATER DEPARTMENT - AQUIFER PROTECTION PERMIT:

The water department seeks a special permit for work in an aquifer for the proposed Kennedy pumping station. This pumping station is located in Zone 1 of the aquifer. The Board stated that this would also need a Hazardous Material Storage Permit for Chlorine.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to grant this special permit for work in the aquifer to Acton Water District for the construction of the Kennedy Pumping Station with the following conditions:

1. No underground fuel storage tanks shall be permitted on the site.
2. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw and this permit shall be obtained prior to occupancy of the building.
3. Floor cleaning procedures for the buildings shall use only nontoxic and biodegradable cleaning compounds.

4. Any future need for a sewage disposal system on site will require a new special permit for that use.
5. Floor drains are not permitted.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to adjourn at 10:00 P.M.

NEXT MEETING:

The next regularly scheduled meeting is scheduled for March 12, 1990 at 7:30 P.M. in Room 126 of the Town Hall. The following meeting will be held on March 26, 1990 in Room 121 of the Town Hall.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman