



AGENDA

BOARD OF HEALTH 4/30/90

- 7:30 P.M. REVIEW MINUTES
- 7:45 P.M. SWIMMING POOL - LIFEGUARD POLICY
- 8:15 P.M. 303 CENTRAL STREET - VARIANCE 11-15.9
- 8:45 P.M. 2 THOREAU ROAD - VARIANCE FOR SEPTIC TANK SIZE
- 9:15 P.M. 10 QUARRY ROAD - SPECIAL PERMIT FOR WORK IN AQUIFER
- 9:45 P.M. LOT A NEWTOWN ROAD - SPECIAL PERMIT

ACTON BOARD OF HEALTH

MINUTES OF MEETING

APRIL 30, 1990

MEMBERS PRESENT: Joseph Glannon (Chairman)

George Emmons

Gerhard Heinrich

Jonathan Bosworth

STAFF PRESENT: Doug Halley (Health Director)

Steven Ward

Sheryl Howe

OTHERS PRESENT: Kimberly Powers

Betsy D'Arcy

Parmelee Eastman

Joan Slyut

Kathleen O'Connell

Allan Goodwin

Hamilton Realty Co., Inc.

Lynne Farrell/Briarbrook Village Condo

James Shope/Village of Nagog Woods

Jenifer Daly Cohen/ Minuteman Ridge

Pamela E. Farrill/Minuteman Ridge

Anne Ford/Acton Property Management

Cindy Sorensen/Brook Run Condominiums

Parker Street Trust

Linda Potter/Patriots Hill

Anita Rogers

Gorden Priest

Dexter Loring

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the minutes of April 9, 1990.

LIFEGUARD POLICY FOR SEMI-PUBLIC AND PUBLIC SWIMMING POOLS:

During the last pool season the Board adopted a lifeguard policy. The Health Department experienced some difficulties with a minority of the pools throughout last year's swimming season. The Health Department feels that this policy should be amended to make it more enforceable. Mr. Ward, Health Officer, has found that some of the policies are too difficult for the Health Department to enforce. Prior to the '89 pool season the Health Department made amendments to the policy for easier enforceability.

Many representatives from the semi-public and public swimming pools in Acton were present at the meeting to work with the Board on the amendment of the policy. Some of the representatives from the pools stated that the requirement of a lifeguard would be a great financial burden. The Health Department feels that with a lifeguard present at all times the chemical quality of the pool would be better. The majority of the representatives felt that the Health Department should give them a chance to operate without a lifeguard. They also feel that the Health Department should enforce the policy and if problems occur then fine's should be issued. The Health Department recommended that if two violations occur then a lifeguard

would then become mandatory for this swimming pool season.

The Board discussed whether a lack of lifeguards might create a public health hazard. Mr. Emmons stated that he would only be in favor of mandatory lifeguards.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted that the Health Department draft a swimming pool regulation requiring lifeguards to be placed before the Board of Health for possible adoption to become effective as of January 1, 1991.

On motion made by Mr. Heinrich, seconded by Mr. Bosworth, the Board unanimously voted to adopt the changes in the lifeguard policy to read as follows: Mr. Emmons abstained.

## 6.5 BOARD OF HEALTH LIFEGUARD POLICY

### 6.5.1 Purpose

A. The purpose of this policy is to protect the public health and safety by setting forth the conditions by which pools (Public & Semi-Public) can operate with and without lifeguards:

### 6.5.2 Requirements for Lifeguards

A. Unless otherwise noted in this policy, the Board of Health requires that lifeguards be present at all times when pools are in operation, to ensure that swimmer safety and water quality are maintained.

B. Unless otherwise noted in this policy, it is expected that the lifeguard at every pool shall be responsible for testing the quality of the water and the adherence with all Board of Health requirements and conditions, as well as swimmer safety.

### 6.5.3 Exception to Lifeguard Requirements

- A. Any pool that meets the following conditions shall be entitled to operate without a lifeguard being present.
  1. Prior to opening a pool the operator or owner shall post a sign at the pool stating the potential liability of operating without a lifeguard and the understanding that the Board recommends that a lifeguard be present at all times of operation.
  2. Any pool operating without a lifeguard must designate a contact and alternative person who is given the power to close the pool or to hire a lifeguard and to be responsible for maintaining water quality and adherence to the Board of Health's rules and regulations. The name of the contact and alternative person as well as regular and emergency phone numbers of that contact and alternative person shall be posted on a sign at the pool prior to the opening of a pool.
  3. All children under sixteen (16) years of age must be accompanied by an adult swimmer sixteen (16) years of age or older.
  4. No individuals are permitted to swim alone. At a minimum, two swimmers must be in the pool enclosure at the same time, with at least one being an adult.
  5. Every pool operating without a lifeguard will present to the Board of Health a list of on-call lifeguards that are contracted to provide on-call service during weekends and special events.

6. Any pool operator who is planning to hold a special event within a pool enclosure, at which there is a reasonable expectation of ten (10) or more people being present, must notify the Health Department during regular business hours at least twenty-four (24) hours in advance with specifications as to the start and end times of the event and name of the lifeguard who will be present.

#### 6.5.4 Penalties

- A. Any violation of this policy shall subject the operator to a fine of \$50.00 to be paid prior to the reopening of the pool.
- B. Any ~~subsequent~~ violation shall cause the suspension of a pool license for a period of one week, a fine of \$100.00 to be paid prior to the reopening of the pool. The operator shall also be required to appear at a meeting before the Board of Health.
- C. Any two (2) separate violations will require that the pool maintain a lifeguard at all times during operation.

#### 2 THOREAU ROAD - VARIANCE FOR SEPTIC TANK SIZE:

The owners of the property located at 2 Thoreau Road seek to add a bedroom. The existing septic tank is 900 gallons and a 1000 gallon tank is required. The owners seek a variance to allow the use of the existing septic tank which was recently inspected and found to be in good working order. The Health Department recommends allowing the owners to use their existing 900 gallon with the requirement that their leaching field be expanded to meet a total of 900 square feet. The owners have agreed to install the expansion of the leaching system.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to grant a variance from 11-14.1, Table 1, to 2 Thoreau Road with the following conditions:

1. A plan showing 900 square feet of total leaching area be submitted to the Health Department.
2. That the occupancy permit for the fourth bedroom shall not be granted until the septic system is enlarged.
3. The septic tank shall be pumped every 18 months with a receipt of such given to the Health Department.

303 CENTRAL STREET - VARIANCE TO 11-15.9; MINIMUM AMOUNT OF STONE:

The existing septic system located at 303 Central Street is in failure. The groundwater at the site is five (5) feet below the surface. The lot size is long and narrow and under 10,000 square feet which makes it difficult to install a septic system in any area other than the proposed location. The owners seek a variance from Acton Rules and Regulations 11-15.9 to allow the use of 6" of gravel rather than the required 12". Due to the elevation of the groundwater a 25' removal would be required if the required 12" of gravel were to be placed. The 25' removal would also require excavating on abutting lots in three different locations. Allowing only

6" of stone below the system would require only 10' removal which is possible without extending the removal into other lots.

The Health Department recommends approval of this variance because the soils are less than 2 minutes per inch and the storage within the system is limited due to this fast percolation. The system is also proposed to be pressure dosed which would spread effluent over more area.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to grant a variance to Acton Rules and Regulations 11-15.9 for 303 Central Street so that the use of 6" of gravel below the invert of the distribution pipe can be used.

10 QUARRY ROAD - SPECIAL PERMIT FOR WORK IN AN AQUIFER:

The owners of the property located at 10 Quarry Road seek a special permit for work in an aquifer. The owner wishes to remove an existing below ground oil storage tank to above ground. The existing below ground tank does not comply with the Hazardous Materials Storage Permit. The owner has proposed to build an above ground storage vault that will be capable of containing 110% of the oil tank. The property is located in Zone 3 of the Town's aquifer. The Board questioned what type of shape the tank would be in after being removed from the ground. The representative of the owner, Dexter Loring, stated that the tank would be pressure tested and inspected visually. Mr. Loring also stated that the State has recommended that the tank be painted a light beige and if any leak were to occur in the future the paint would become discolored and a leak could easily be detected before it happened.

The Health Department recommended granting this variance.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to grant this special permit for work in an aquifer to 10 Quarry Road with the following conditions:

1. Soil samples and at a minimum one groundwater sample shall be taken in the area of the existing tanks after their removal. Copies of the results of the analysis of the samples shall be given to the Board of Health thirty days after they're taken. Any tank removal shall be permitted by the Fire Department. Any remediation on site shall have approval by the Board of Health prior to its start.
2. All storage tanks on site shall fully conform with the Hazardous Material Storage Bylaw.
3. Prior to granting an occupancy permit for the proposed storage vault the entire site must be in compliance with the Hazardous Material Storage Bylaw.

LOT A NEWTOWN ROAD - SPECIAL PERMIT FOR WORK IN AN AQUIFER:

The owners of the property located at Lot A Newtown Road (abutting 176 Newtown Road) seek a special permit for work in an aquifer. The proposed lot is almost two (2) acres in size and groundwater is at five (5) feet. The proposed lot will need a well because there is no public water line in that area. The lot is in Zone 2 of the aquifer.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to grant this special permit for work in an aquifer to Lot A Newtown Road as outlined on plan dated December 15, 1989 by Acton Survey & Engineering with the following conditions:

1. No underground fuel storage tanks shall be permitted on the site.
2. Septic tank shall be pumped a minimum of once every two years.
3. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.

4. The sewage disposal system for the proposed buildings at this site shall be approved by Acton Board of Health staff.
5. Leaching facility shall be designed and installed with pressure dosing of the system, said pressure dosing to be designed in accordance with State Environmental Code.
6. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
7. Floor drains are not permitted.

On a motion made by Mr. Emmons, seconded by Mr. Glannon, the Board unanimously voted to adjourn at 9:55 P.M.

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NEXT MEETING:

The next regularly scheduled meeting will be held on May 14, 1990 in Room 46 of the Town Hall at 7:30 P.M. The following meeting will be held on May 21, 1990 in Room 126 of the Town Hall.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman