

RECEIVED & FILED
DATE July 3, 1989
Barbara Brown
CLERK, ACTON

BOARD OF HEALTH
MINUTES OF MEETING
MAY 22, 1989

MEMBERS PRESENT: George Emmons (chairman)
Joseph Glannon
Gerhard Heinrich

STAFF PRESENT: Doug Halley (Health Director)
Deborah J. Halko
Sheryl Howe

OTHERS PRESENT: Sharon Priest
Mrs. Priest
Anne & Steve Ford
Linda Ray Inman
Joan Slyua
John Syiak
David S. White
Jim Hartz

The meeting opened at 7:45 P.M.

5-7 TECH PARK - ROY SMITH

Tech Park is the proposed area for construction of a new post office. All the buildings are in Zone 4 but the construction for the septic system and discharge for drainage are located in Zone 2. The drainage basin (existing & previously approved by the Board) is designed to handle the run off from the site. The estimated septic system effluent for the proposed use will be over 2,000 gpd so therefore, under Title 5 will require a dosing system. The question was raised as to why the septic system had to be designed in Zone 2 and it was decided that the soils were better in Zone 2 than in Zone 4. Discussion ensued as to whether M.D.C. gas traps should be required.

Mr. Halley stated that the Board had received applications for special permits for projects in this location previously. The Board at that time approved both the construction of septic systems and drainage recharge with the usual conditions.

On a motion made by Mr. Heinrich, seconded by Mr. Glannon, the Board unanimously granted this special permit to 5-7 Tech Park 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 year.
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. Floor cleaning procedures for the building shall use only nontoxic and biodegradable cleaning compounds.
7. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
8. Floor drains are not permitted.
9. That all proposed catch basins shall be equipped with M.D.C. gas traps as specified by the Town Engineer.

HAZARDOUS MATERIAL STORAGE PERMIT - GORDON PRIEST - 10 QUARRY ROAD

Ms. Sharon Priest, representing Mr. Priest at 10 Quarry Road, seeks a Hazardous Material Storage Permit. One of the Health Department's concerns was the present underground waste storage tank. This tank was placed underground in 1971. The tank is not presently being used but discussion ensued as to whether or not the applicants would be willing to raise the tank above ground or not use the tank at all. Ms. Priest stated that she thought Mr. Priest would be willing to raise the tank to above the ground. Ms. Priest also stated that there was antifreeze, windshield wiper fluid, and motor oil on the premises. It was decided to table this until June 12, 1989 at 9:00 P.M. so the Health Department could go out and inspect the premises to clarify some questions as to the amounts of hazardous waste that are actually stored.

SPECIAL PERMIT FOR WORK IN THE AQUIFER - 93 WILLOW STREET

Mr. Jens Moller seeks a Special Permit for repair work in the Aquifer for his property at 93 Willow Street. Mr. Halley stated his report and Mr. Emmons thanked Mr. Halley for a clear and concise report. Mr. Halley stated that he felt this special permit should be granted with the usual conditions.

On a motion made by Mr. Glannon, seconded by Mr. Heinrich, this special permit for work in the aquifer at 93 Willow Street was unanimously approved 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. Floor cleaning procedures for the building shall use only nontoxic and biodegradable cleaning compounds.
7. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.
8. Floor drains are not permitted.

LIFEGUARD VARIANCES

The Board discussed various alternatives as to whether or not a lifeguard should be required at Public and Semi-Public pools. A question arose as to whether a lifeguard waiving variance was possible using Acton's rules and regulations. The Board determined that an amendment to the Acton rules and regulations was necessary.

The Board unanimously approved an amendment to the Board of Health regulations for the minimum standards for swimming pools which includes the following:

6.5 Lifeguards

6.5.1 Purpose

- A. The purpose of this regulation 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 regulation, 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 regulation, it is expected that the lifeguard at every pool shall be responsible for testing the quality of water and the adherence with all Board of Health requirements and conditions, as well as swimmer safety.

6.5.3 Waiver of Lifeguard Requirements

- A. Any pool that meets the following conditions shall receive a waiver from the Board of Health's lifeguard requirements.
 1. Prior to opening a pool the operator or owner shall submit a letter to the Board of Health stating their knowledge of 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 an 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 the alternative person as well as regular and emergency phone numbers of that contact person and the alternative person shall be submitted to the Health Department prior to opening of a pool.
3. All children under sixteen (16) years of age must be accompanied by an adult swimmer over sixteen (16) years of age.
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. Sign in and Sign out sheets shall be maintained showing the time when every person entered the pool enclosure and when every person left. A copy of this record shall be submitted to the Board of Health for each month within fifteen days from the end of every month that the pool is in operation.
6. 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.
7. Any time a pool has ten (10) people within a pool enclosure, a lifeguard shall be called and no other people shall be allowed inside the enclosure until the lifeguard reports for duty.

8. 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.
- 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.

Some representatives from affected pools were present at the meeting. These representatives were asked how they felt about the Board imposing these conditions. Parker's crossing felt that they should not be required to have a lifeguard present on weekends. Others felt that these conditions were acceptable.

On a motion made by Mr. Heinrich, seconded by Mr. Glannon, the Board unanimously approved this amendment for Lifeguard policies to Acton's rules and regulations.

On a motion to reconsider made by Mr. Glannon, seconded by Mr. Heinrich, the Board unanimously voted to reconsider. A motion was then unanimously moved to change 6.5.3 from - Waiver to Lifeguard Requirements to - Exception to Lifeguard Requirement. Also, 6.5.3 A from - Any pool that meets the following conditions shall receive a waiver from the Board of Health's lifeguard requirements to - Any pool that meets the following conditions shall be entitled to operate without a lifeguard being present.

NEXT MEETING:

The next regularly scheduled meeting will be held on June 12, 1989 at 7:30 P.M. in Room 126 of the Town Hall. The following meeting will be held on June 26, 1989 at 7:30 P.M. in Room 126 of the Town Hall.

On a motion made by Mr. Glannon, seconded by Mr. Emmons, the Board unanimously moved to adjourn at 10:20 P.M.

Respectfully Submitted,

Sheryl Howe
Sheryl Howe, Secretary

Signed and Approved,

George Emmons
George Emmons, Chairman