

BOARD OF HEALTH MEETING



MARCH 12, 1990

MEMBERS PRESENT: Joseph Glannon (chairman)

George Emmons

Gerhard Heinrich

Jonathan Bosworth

STAFF PRESENT: Doug Halley (Health Director)

Steven Ward

Sheryl Howe

OTHERS PRESENT: Armand DuFresne

Roland Bartl

Debbie Hledik

Rose Coughlin

Ed Lamb

Michael Rousseau

Frank Kloppenburg

Lawrence J. Pszenny

Charles Reeves

Elsa Reeves

Jim Fenton

The meeting opened at 7:35 P.M.

MINUTES:

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously accepted the minutes of February 12, 1990 following corrections.

MASTER PLAN - ARMAND DUFRESNE & ROLAND BARTL:

Armand DuFresne, member of the Acton Planning Council, and Roland Bartl, Town Planner, came before the Board to answer any questions that the Board may have regarding the Master Plan. The Planning Council feels more time is needed to present the full Master Plan, therefore, only the Master Plan's goals and objectives will be voted on at Town Meeting in April. The Board discussed the legal effects of the Master Plan, the density bonuses and Kelley's Corner's increased development. Mr. Emmons feels that Kelley's Corner should not be allowed to be increased because of the sewer and traffic problems.

MASSAGE REGULATIONS:

The Board discussed the re-writing of the massage regulations. Some Board members feel more information should be gathered by the Health Department and presented to the Board for review. Mr. Heinrich stated that this matter concerning changing the massage regulations has been discussed previously. Patricia Britton and Edward Lamb submitted applications to the Board for their review for massage permits. Edward Lamb who was present at the meeting would like to see the Board change their regulation concerning massage permit holders being allowed to perform massage on the opposite sex. Mr. Lamb stated that he is presently employed by a chiropractor in

Acton and currently performs massage at that facility. He also stated that he would withdraw his application until the Board discussed the re-writing of the regulations further. Mr. Lamb feels that a permit under the current regulations would decrease his business by 50% due to the opposite sex massage exclusion.

The Board discussed amending the massage regulations tonight but after further thought they felt that it would be in the Board's best interest to redo the entire regulation at the same time. The Board decided to table this proposed massage regulation change until March 19, 1990.

BICKFORD'S - 20 NAGOG PARK - HEARING:

Bickford's was present before the Board previously in March of 1989 concerning the lack of sanitary conditions. At that time a cleaning schedule was implemented, however, the violations were corrected only temporarily. A inspection conducted on August 14, 1989 showed improvements. However, in February of 1990, a second comprehensive inspection revealed numerous violations. Mr. Ward feels that based on past and recent inspections, in less than a year's time, Bickford's has been unable to maintain a sanitary environment.

Larry Pszenny, Vice President of Bickford's, stated that he would reinforce the cleaning schedule that was implemented last year. Mr. Pszenny also stated that weekly and monthly checklist sheets have been implemented. Mr. Halley feels that copies of these checklists should be submitted to the Health Department for monthly review. Bickford's has hired an extra person who will be utilized for cleaning purposes.

The Board discussed imposing fines or possibly reducing the operating hours of Bickford's for repeated and serious violations. Bickford's hours currently are Sunday - Thursday, 7:00 A.M. to 11:00 P.M., and Friday and

Saturday, 7:00 A.M. to 2:00 A.M.. Mr. Halley feels that the extended hours on weekends make it difficult for Bickford's to keep the establishment sanitary.

On a motion made by Ms. Hotch, seconded by Mr. Heinrich, the Board unanimously voted to limit the license of Bickford's Restaurant, 20 Nagog Park, to the hours of 7:00 A.M. to 11:00 P.M. starting tonight for one year. This curtailment will be suspended, however, if such a time the Health Department determines that at anytime during this year sanitary conditions are unacceptable this suspension may be revoked..

LOT B-1C WYNDCLIFF DRIVE - WELL VARIANCE:

Mr. Reeves, owner of the property located at Lot B-1C Wyndcliff Drive seeks a variance for an installation of a well. This proposed well will be placed in a public water supplied district. The public water line is located on Main Street, which this lot has frontage on, however, to tie into the public water line will require 775 feet to reach this property which has access from Wyndcliff Drive. Wyndcliff Drive was built prior to the installation of the water line on Main Street and all existing homes have a well. The cost of connecting to the public water will be approximately \$40,000 greater than the cost of drilling a well. Mr. Halley recommends that the Board grant this well variance with the condition that all rules and regulations for wells be adhered to and if public water should become available on Wyndcliff Drive then the well shall be abandoned and hook-up to public water shall be made.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to grant a variance from Board of Health regulation 9.6.4 to allow installation of a private well located on Lot B-1C Wyndcliff Drive with the following condition:

1. That the well comply with all Board of Health Regulations and Title 5.

ACTON FUNERAL HOME - 470 MASS. AVE.:

Acton Funeral Home seeks a clarification as to whether its 1982 variance applies to the proposed casket displaying room. The variance's that were granted previously were for the size of the leaching system and the distance to the foundation wall. Since the proposed addition will not increase the discharge to the septic system, Mr. Halley feels that the variance that was granted in 1982 is still appropriate. The current system is well maintained and pumped every six months. The proposed addition will be 30 X 30 and will only be utilized to display caskets.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to continue the variances issued previously on March 22, 1982 to Acton Funeral Home, 470 Mass. Ave., for the distance of a septic tank to a foundation wall and for the minimum size of a leaching system.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to adjourn at 10:05 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on March 26, 1990 in Room 121 of the Town Hall at 7:30 P.M. The following meeting will be held on April 9, 1990 in Room 126 of the Town Hall at 7:30 P.M.

Respectfully Submitted,

Sheryle Howe

Sheryle Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman