

ACTON BOARD OF HEALTH

MINUTES OF MEETING 3/19/90



MEMBERS PRESENT: Joseph Glannon (Chairman)

George Emmons

Gerhard Heinrich

Marilyn Hotch

Jonathan Bosworth

STAFF PRESENT: Doug Halley (Health Director)

Steve Ward

Sheryl Howe

OTHERS PRESENT: Ed Lamb

Pat Britton

Debbie Hledik

Linda Duvel

Lou Chauvin

Chris Noble

Chuck Floyd

Manon Rodrigue

MASSAGE REGULATIONS:

The Board continued discussion in an attempt to resolve the issues pertaining to the amending of the massage regulations. The Board discussed which of the massage regulations were of the Board of Health's concern. The Board discussed portions of the massage regulations which address mostly moral issues rather than Health issues and questioned whether the Town's people as a whole should be involved in regulating those issues. In the giving of a massage the Health aspects involved are the applying of creams, sanitary conditions of the work table and surrounding area, clean linens, and general hygiene.

The applicants, Pat Britton and Ed Lamb, present for their massage permits questioned whether the Board would discuss the amending of the cross sexual regulation. The Board also discussed whether or not they should adopt a regulation for the giving of massages at private homes. The Board debated both sides of on-site massage given in private homes. The Board discussed the qualifications of being a masseuse and compared their training to that of a physical therapist, doctor and a nurse who are allowed to enter private homes. Mr. Heinrich feels the training of doctors, nurses, physical therapist, is much more extensive than that of a masseuse, and the massages focus on specific physical problems that are based on medical diagnosis.

The Board worked with the proposed regulations that were presented by Mr. Halley. The Board discussed changes, however, time limited the Board to continue work on the proposed regulations. The Board discussed continuing work on the regulations to April 23, 1990.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to table the amendments of the massage regulations to April 23, 1990.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board voted to repeal regulations 13-3.15 and 13-3.16 regarding the prohibition of cross gender massage. Mr. Heinrich stated that he would vote in favor strictly because he fails to see its relevance as a Health regulation. Moreover, the decision is not based on any moral considerations which should be made by the Town as a whole. Following discussion the motion passed unanimously.

The applicants, Pat Britton and Edward Lamb are before the Board for the second time asking the Board to consider their applications at this time. Mr. Halley stated that the Health Department has no concerns regarding Pat Britton's and Edward Lamb's massage permit applications. The Health Department recommends granting these licenses.

On a motion made by Mr. Emmons, seconded by Mr. Bosworth, the Board unanimously voted to grant these massage practitioner licenses to Edward Lamb and Pat Britton for work in a licensed establishment.

**ACTON CONGREGATIONAL CHURCH - 12 CONCORD ROAD - VARIANCES:**

Stamski & McNary are present to represent the Acton Congregational Church who seek variances from Title 5, Section 15.02 (22) - Reserve Area, Section 15.03 (7) - Distances, Section 15.05 - Grease Traps, and from Acton rules and regulations 11-7.2 - Reserve Area, 11-12 - Minimum Distance and 11-15 (1) Leaching Facilities Minimum Requirements. The present system is under stress and the church is on limited water usage until variances are obtained from the State and the Board. The church has installed low flow

water devices to help control the amount of water used per day. The proposed leaching system is to be expanded and dosing of the system will be added. The lot constraints make it extremely difficult to put in the system in accordance with existing regulations. A floor drain from the building will be connected to a drain line and drain into a proposed leaching pit. The leaching pit will be located downgradient from the leaching fields and will not affect the septic system. An interior grease trap has been proposed because lack of area makes it impossible to install an exterior grease trap. The Board questioned whether a valve could be placed to prevent backflow from entering the church because the church basement is within the groundwater table.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously approved to grant to Acton Congregational Church, 12 Concord Road variances from Title 5, Sections 15.02 (22) Reserve Area, Section 15.03 (7) Distances, Section 15.05 Grease Traps, and Acton Rules and Regulations Section 11-7-2 Reserve Area, Section 11-12 Minimum Distance, and Section 11-15 (1) Leaching Facilities Minimum Requirements for a proposed repair to the Sewage Disposal System for the plan designed by Stamski & McNary #SM-938 with the following conditions:

1. All aspects of Title 5 and Acton Rules and Regulations shall apply.
2. Septic tanks shall be pumped a minimum of once every year.
3. All aspects of this repair shall be approved by the Health Department.

This variance will also have to be approved by the State for the Title 5 variances.

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

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman