

ACTON BOARD OF HEALTH

JANUARY 25, 1993

MINUTES

MEMBERS PRESENT: Bill McInnis (Chairman)

James Barbato

Jonathan Bosworth

Mark Conoby

STAFF PRESENT: Doug Halley (Health Director)

Rose Erdozaincy

OTHERS PRESENT: Lisa Wolf

Herb Chellis

Tom Bergin

William Gannery

Peter Conant

Jack McLaughlin

MINUTES:

On a motion made by Mr. Barbato, seconded by Jonathan Bosworth, the Board unanimously voted to adopt the minutes of November 30, 1992 following corrections.

OLD BUSINESS:

The Board questioned the status of sewage ejector pumps. Mr. Halley informed the Board that additional information needs to be gathered from Mr. Kelleher.

The Board was also looking for an update on Lucy Saia's replacement. Mr. Halley stated that the Town is presently looking for an interim substitute until a long term solution can be reached by the Board of Selectmen. The Health Department is asking for substitutes from Sudbury, Nashoba and Emerson Hospital.

Potential wildlife with rabies was discussed. Mr. Halley stated that we are presently using a currier service to transport suspected animal heads to the State Laboratory for testing. This service has a slight financial strain on the Health Departments budget.

BERGIN ASSOCIATES - HEARING:

A single abutter of Bergin Associates located at 5 Eastern Road, has made a complaint to the Health Department regarding the storage of sewage in tank trucks at this site and also potential odors. The Health Department cannot detect any odors at this site but was not present during the transfer of septage. The tanks have lids and vents which can be closed to minimize any potential odor.

The Health Department stated that a permit from the Board's aquifer regulation may be required for this type of use. The Board also discussed the requirements of the Hazardous Material Control Bylaw but decided that it did not apply to transfer and storage of septage. The Board concluded that a special permit for work in an aquifer was required.

The Board is concerned with potential groundwater contamination and any physical contact problems. The Board feels that safeguards regarding this type of storage need to be addressed. The Board feels that containment areas should be utilized and possibly the use of lime for odor control.

The Board asked Mr. Bergin to submit a proposal which shall include development of a contingency plan which addresses spillage and loss of material on site, development of an odor control plan, establishing an area for slack lime storage to be used in the event of any spills, and to propose a bermed area which shall be capable of storing a minimum of 1,000 cubic feet of material.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to table this hearing until February 22, 1993 or sooner in order for Mr. Bergin to submit additional information to the Board at their request.

CMA ARCHITECTS - PETER CONANT - QUARRY ROAD DEVELOPMENT:

Mr. Conant was previously present at an earlier meeting to discuss a preliminary proposal regarding an affordable housing subdivision located at Quarry Road. Mr. Conant has presented the Board with a proposed septic plan for a thirty (30) unit development of affordable homes located at Quarry Road. Soil testing of the lot allows for a maximum of thirty (30) homes under Title 5 regulations. Mr. Conant stated that they will be unable to meet Acton regulations and maintain thirty (30) affordable homes. The Board stated that a formal variance request will need to be presented at a future Board meeting.

Mr. Conant stated that he would submit a letter to the Board of Health asking for their interpretation regarding the master plan. The number of proposed homes was reduced from 45 to 30 homes at three (3) bedrooms X 110 gallons per day per bedroom which falls below the maximum of 10,000 gallon per day in an aquifer zone.

The Board stated to Mr. Conant that any proposal submitted should include justification of hardship and any mitigating measures and/or compensation that they are willing to provide.

SWIMMING POOL FINES:

Ms. Erdozaincy made a presentation to the Board regarding semi-public and public pool openings. Opening and routine pool inspections are conducted by Rose Erdozaincy, Health Officer, periodically throughout the swimming season. All pool operators are required to submit an application and fee prior to opening their pool for the season. Opening inspections are also conducted prior to opening. During the opening inspection operators are given a list of violations which need to be corrected prior to opening. Re-inspections are then conducted to ensure compliance with corrected violations. Ms. Erdozaincy has found that operators are requesting a second re-inspection without ever correcting the initial violations. Ms. Erdozaincy meets with any operator interested to discuss regulations and what she expects from the pool operators. All pool operators are given a copy of the State regulations.

Ms. Erdozaincy feels that motivation to correct these violations is not present by the operators. Ms. Erdozaincy suggests to the Board that a fine be implemented for recurring violations.

The Board concurred with Ms. Erdozaincy's assessment but felt a re-inspection fee was more appropriate than establishing a new fine. On a motion made by Mr. Barbato, seconded by Mr. Bosworth, the Board unanimously voted to recommend a \$40.00 re-inspection fee for each subsequent inspection beyond the initial inspection plus one re-inspection, to the Board of Selectmen for their implementation.

**KMART - 252 MAIN STREET - HAZARDOUS MATERIAL PERMIT APPLICATION:**

KMart seeks a hazardous materials control permit for their automotive repair garage located at 252 Main Street. The primary hazardous materials stored on site are motor oil, antifreeze, cleaning solvents and batteries. The Health Department briefly stated how the hazardous materials are stored in the automotive repair garage. The Board questioned whether or not KMart has additional hazardous materials which are sold in the retail store. The Board asked the Health Department to conduct an additional inspection which includes the retail store to determine what hazardous materials are stored.

PLANS AND OBJECTIVES OF 1993:

The Board asked the Health Department to come up with a list of ten (10) objectives that the Board should address in 1993.

The meeting adjourned at 10:30 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on February 8, 1993 at 7:30 P.M. in Room 126 of the Town Hall. The following meeting will be held on February 22, 1993 at 7:30 P.M.

Respectfully Submitted,

Sheryl Ball

Sheryl Ball  
Health Secretary

Wm. McInnis

William McInnis  
Chairman