

ACTON BOARD OF HEALTH

MINUTES

FEBRUARY 24, 1992

MEMBERS PRESENT: Jonathan Bosworth (Chairman)
Cordelia Alfaro
James Barbato
Mark Conoby
Ira Grossman (Associate)
Bill McInnis (~~Associate~~)

STAFF PRESENT: Doug Halley (Health Director)
Rose Erdozaincy

OTHERS PRESENT: Kostas Asprogiannis
Jack Dunphy



MINUTES:

On a motion made by Mr. Conoby, seconded by Mr. Bosworth, the Board unanimously voted to accept the amended minutes of February 10, 1992.

12 THOREAU ROAD - VARIANCE:

The owners of the property located at 12 Thoreau Road seek a variance from Title 5's breakout regulation - 310 CMR 15.15 Figure I (illustration C).

The lot is restricted with high groundwater and close lot lines. Strict application would cause the owners manifest injustice and the proposed plan has shown that the same degree of environmental protection can be achieved.

An impervious clay barrier has been proposed to ensure environmental protection. Mr. Grossman expressed his concern with the 2% slope not indicated in contours on the plan.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to grant a variance from 310 CMR 15.15 Figure I (illustration C) to 12 Thoreau Road with the following conditions:

1. The installation of an impervious clay barrier.
2. System be built in accordance with plan submitted & stamped by Brad Leach, dated February 18, 1992.
3. The applicant shall comply with all other applicable laws and regulations for the system.

INTERNATIONAL COLLISION - HAZARDOUS MATERIALS PERMIT APPLICATION:

International Collision located at 21 Keefe Road seeks a hazardous materials control permit. The primary form of business at this site is automotive repair. Paints, paint thinners, waste oil, and antifreezes are the main hazardous materials stored on this site. This site is considered

a Small Quantity Hazardous Materials Generator. The Health Department conducted an inspection and noted that no floor drains existed in the working and storage areas. The first floor of the building is equipped with a retaining barrier capable of holding 110% if a hazardous materials spill were to occur, however, the second floor of the building where most of the paints are stored needs to have a barrier installed. An outside storage area with three 55 gallon drums of hazardous materials is also present at this site. The drums are stored on concrete and the operation of removing the wastes appeared to be sloppy. The Health Department informed the owner that these drums will need to be placed on a concrete slab engulfed by a concrete barrier and shield from the elements.

On a motion made by Mr. Barbato, seconded by Ms. Alfaro, the Board unanimously voted to grant a hazardous materials control permit to International Collision, 21 Keefe Road, with the following conditions:

1. All drums & containers storing hazardous materials must be properly labeled.
2. Protective equipment including coveralls, solvent resistant gloves, goggles & boots, in addition to soap & water, shall be made available to all employees who may come in contact with these materials or enter any hazardous material storage or use areas.
3. Where sanding or grinding takes place and during cleanup, employees must use air filtering respirators. The Board recommends fit testing of protective respiratory equipment, and the maintenance of operational logs.

4. Secondary containment, 110% of material stored, shall be constructed in the second floor storage area.
5. Emergency procedures, should a spill occur, shall be posted in full view of all employees.
6. Any corroded drums on site shall be removed immediately by a licensed hazardous materials hauler.
7. A "No smoking" sign shall be placed in the hazardous materials storage area. The facility shall also comply with all relevant Acton Fire Department regulations, to be followed up by an on site inspection by the Fire Department.
8. The outside storage drums shall be shielded from the elements, placed on a concrete slab, and placed within secondary containment, capable of containing 110% of the largest volume. This area is to be secured with appropriate fencing (non-climable, four (4) feet high).
9. A contingency plan showing emergency contact numbers (Health, D.E.P., Police, Fire, etc.) that should be notified if a spill of hazardous materials or wastes occurs shall be provided.
10. A comprehensive and up to date plan, designating where hazardous materials & wastes are stored shall be submitted to the Health & Fire Departments within thirty (30) days.
11. Emergency spill response kits such as speedy dry or its equivalent shall be maintained in the hazardous storage work areas.
12. Copies of all shipping manifests and all hazardous waste reporting forms for any hazardous materials or wastes, received or disposed of, shall be submitted annually to the Board of Health.

PIZZA EXPRESS - 251 MAIN STREET - VARIANCE - SEATING REQUEST:

The owner of Pizza Express, 251 Main Street, requests a variance from the Board to allow seating for 40 people. Paper products will be used at the site. The Board previously granted a "take out" restaurant at this location. The Board did not allow seating at that time because more information regarding water flows and percolation rates were unknown.

Acton Survey and Engineering has attested that the percolation rate is 2-3 minutes per inch. The actual water flows at this site are 1,120 gallons per day which are below the previous expectations of 1,500 gallons. The actual water flows meet Title 5 requirements but do not meet Acton regulations. The Health Department believes that additional capacity is available but seating for 40 seats may over use the system.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to grant a variance from Acton Regulations 11-15.1 to allow twenty-four (24) seats at Pizza Express, 251 Main Street with the following conditions:

1. Maximum of twenty-four seats.
2. Paper service only.
3. Water readings shall be submitted to the Health Department every six (6) months.
4. Floor plan indicating seating arrangement shall be submitted to the Health Department.
5. The water usage flow is not to exceed 1,500 gallons per day.

OTHER BUSINESS:

The Board briefly discussed the W.R. Grace packet of information. Cost recovery alternatives were discussed, which are presently being explored by Palmer & Dodge.

The Board also discussed Nuclear Metals, Inc., and Mr. McInnis suggested that the Acton Water District test the drinking water for Uranium.

On a motion made by Ms. Alfaro, seconded by Mr. Conoby, the Board unanimously voted to adjourn at 9:25 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on March 23, 1992 at 7:30 P.M. The following meeting will be held on April 13, 1992. The meeting scheduled for March 16, 1992 was cancelled.

Respectfully Submitted,

Sheryl Ball

Signed and Approved,

Jonathan Bosworth

Jonathan Bosworth, Chairman