

ACTON BOARD OF HEALTH

MINUTES APRIL 22, 1991

RECEIVED & FILED

DATE June 14, 1991

Catherine Bellin
TOWN CLERK, ACTON

MEMBERS PRESENT: George Emmons (Chairman)

Joseph Glannon

Gerhard Heinrich

Doug Miller (Associate)

STAFF PRESENT: Doug Halley (Health Director)

Sheryl Howe

OTHERS PRESENT: David Wagner

Ken Greeno

Bill Hurd

Cortni Frecha

Michael Phillips

The meeting opened at 7:40 P.M.

METABOLIC SOLUTIONS - 33 NAGOG PARK - HAZARDOUS MATERIAL PERMIT:

Dr. David Wagner, represents Metabolic Solutions, seeks a hazardous materials control permit. Metabolic Solutions stores five materials which

are considered extremely hazardous and total approximately 1.75 gallons. The five materials are Benzene, Nitric Acid, Nitrobenzene, Phosphoric Acid and Sulfuric Acid. All extremely hazardous chemicals are stored in a thirty (30) gallon cabinet designed for flammable materials which is capable of containing a spill if one should occur.

Metabolic Solutions provides the biomedical research community with the technology needed to use stable isotope tracers in clinical research. The types of materials that are analyzed are blood, urine, tissue samples and breath samples. Once samples are tested they are either disposed of in a hazardous waste container or shipped back to sender in D.O.T. approved containers.

On a motion made by Mr. Glannon, seconded by Mr. Heinrich, the board unanimously voted to grant a hazardous material control permit to Metabolic Solutions, 33 Nagog Park with the following conditions:

1. All invoices for hazardous materials received or disposed should be submitted to this office.
2. Extremely hazardous materials (Benzene, Nitric Acid, Nitrobenzene, Phosphoric Acid and Sulfuric Acid) should be placed on bottom shelf of fire cabinet below bottom door lip. This should allow for 110% containment.
3. Emergency procedures, should a spill occur, need to be posted where these hazardous materials are stored.
4. No hazardous materials can be disposed in sinks.

100 HIGH STREET - VARIANCE FOR EXCESSIVE PERCOLATION RATE:

The owners of the property at 100 High Street seek a variance for an excessively slow percolation rate. The existing system needs to be repaired and the percolation rate was 26 minutes per inch. Groundwater was found at 10 feet and the system will be deep with ventilation pipes. Acton Regulation 11-15.1 does not allow septic systems to be built above a 20 minute per inch percolation rate.

The Board briefly questioned this Acton regulation because the State standards are 30 minutes per inch. Mr. Glannon would like to examine this regulation at the May 22, 1991 meeting.

On a motion made by Mr. Glannon, seconded by Mr. Heinrich, the Board unanimously voted to grant this variance from Acton regulation 11-15.1 to allow a percolation rate of 26 minutes to 100 High Street in accordance with the plans submitted by A.B.C. Cesspool dated April 10, 1991.

GREENO TREE COMPANY - HAZARDOUS MATERIAL CONTROL PERMIT:

Greeno Tree Company seeks a hazardous material control permit. The Health Department conducted an inspection and found the establishment to be in a sanitary and environmentally sound condition. Greeno is considered to be a Very Small Quantity Storer of hazardous waste. All waste oil was once removed from the site by a licensed disposer of hazardous waste and it is now reused in the chainsaws for bar-chain oil. Greeno reuses all waste oil in the chainsaws, so D.E.P. has stated that Greeno is no longer considered a generator of hazardous waste. The Board questioned the recycling of the waste oil. The Board feels that the waste oil would be sprayed throughout areas where the

chainsaws are cutting which could cause potential contamination in the ground. Mr. Greeno indicated to the Board that he would cease the recycling of the waste oil for barchain oil and have the waste oil hauled off the premises by a licensed hazardous waste hauler.

Greeno stores two fifty-five gallon drums of oil which are surrounded by a containment dike capable of containing 110% of the largest volume should a spill occur. Mr. Greeno, owner of the company, educates all employees as to what to do should a spill occur.

On a motion made by Mr. Heinrich, seconded by Mr. Glannon, the Board unanimously voted to grant a Hazardous Materials Control Permit to Greeno, Building 5, Knox Trail with the following conditions:

1. All drums containing hazardous waste must be clearly labeled on their exterior as hazardous waste drums. These labels must indicate what type of wastes are within the drums and the type of hazard associated with that waste.
2. Emergency procedures, should a spill occur, needs to be posted on the wall where the waste oil is stored.
3. Speedy Dry or its equivalent must be placed in the garage in an area easily accessible to all employees.
4. Used oil on site shall not be recycled as bar-chain oil.

5 SPRUCE STREET - CHANGE OF USE FROM RETAIL TO COFFEE SHOP:

Michael Phillips and Cortni Frecha would like to have an over the counter coffee shop located at 5 Spruce Street. A change of usage is the major concern in allowing this over the counter coffee shop. The Health

Department questioned the possible impacts the coffee shop would have on the septic system. The existing leaching field is 1,008 square feet and was installed in 1975. The design for the building was for four (4) bedrooms and for 3,700 square feet of retail. The proposed coffee shop will only utilize approximately 1,850 square feet and the remaining 1,850 square feet is to be unoccupied basement area which is used primarily for storage. Based on Title V a 625 square foot leaching field could accommodate the bedrooms and coffee shop, however, Acton regulations require 1,250 square feet in keeping with the two square feet requirement. The applicant proposed a take-out counter for coffee service only and no seating will be provided. No food, other than coffee, will be prepared on site. The applicant completely understands the definition of food preparation. The sale of coffee will be a secondary purpose to the everyday retail sales.

The Board stated to the owner of the property that approval would be subject to the understanding by the applicants that future expansion might not be granted based on the existing septic system size.

On a motion made by Mr. Heinrich, seconded by Mr. Glannon, the Board unanimously voted to allow the use of an over the counter coffee shop at 5 Spruce Street as outlined in the memo dated April 17, 1991 with the following condition:


1. Only coffee & tea be prepared on site with no other food preparations.

On a motion made by Mr. Glannon, seconded by Mr. Heinrich, the Board unanimously voted to adjourn at 9:20 P.M.


NEXT MEETING:

The next regularly scheduled meeting will be held on May 6, 1991 at 7:30 P.M. in room 126 of the Town Hall. The following meeting will be held on May 20, 1991.

Respectfully Submitted,


Sheryl Howe, Secretary

Signed and Approved,


George Emmons, Chairman