



ACTON BOARD OF HEALTH

MEETING 9/25/89

MEMBERS PRESENT: Joseph Glannon (Chairman)
George Emmons
Gerhard Heinrich
Marilyn Hotch
Jonathan Bosworth (Associate)

STAFF PRESENT: Doug Halley (Health Director)
Steven Ward
Sheryl Howe

OTHERS PRESENT: Mr. Sawyer
Attorney David Barratt
Arlene Isaac
Tony Coglienna

The meeting opened at 7:35 P.M.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the minutes of August 28, 1989.

13 DURKEE ROAD - SECOND HEARING:

The Sawyers are returning to the Board because on August 28, 1989 the Board unanimously decided to continue the hearing concerning the Sawyer's illegal septic system until this meeting. This would enable the Sawyer's to speak with Brad Leach, R.S. concerning the repair of their septic system before the Board made their final decision. The Sawyers were unable to obtain Brad Leach's services until Wednesday of last week, therefore giving the Sawyers only a few days to work out a solution. In 1986 the Sawyer's went to the State and obtained a variance for an excessive perc rate. The State approved this variance with the condition that the leaching system be 1,600 square feet. Mr. Leach has proposed that the Sawyers build 1000 square feet of leaching area and then add the remaining 600 square feet of leaching at the time of change of ownership or if the system were to fail. Attorney Barratt feels that this type of alternative action would alleviate the financial constraints placed on the Sawyer's at the present time. Mr. Halley feels that water use readings could then be checked to determine whether the system is stressed before the final decision is made as to whether the additional 600 square feet of leaching should be added immediately. Also, a yearly inspection of the "D" Box, tank and system should be done and if the inspection were to reveal a failure of the system then the additional 600 square feet of leaching should be added at this time.

On a motion made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to accept the conceptual design of the septic system located at 13 Durkee Road with the following conditions:

1. That a perc test be performed before installation of any additional septic system.
2. That a 1000 square feet leaching area be started prior to May 1, 1990 and completed with deliberate speed.
3. That a 600 square feet leaching area be added when either the property is sold or by five (5) years from this date or upon signs of imminent failure of the existing system, whichever occurs first.
4. That after completion of the system, it shall be inspected by a licensed inspector yearly, which would include the septic tank and "D" Box, with the intent that the inspection be used to detect imminent malfunction of system, until the full 1600 square foot system is in place.
5. Memorandum of this decision be recorded and cross referenced in the registry of deeds.

GIOVANNI'S - HEARING - Nagog Mall - Rt 2A

The Health Department has requested that the Board of Health review the last four (4) comprehensive inspection reports of Giovanni's restaurant located at the Nagog Mall. These reports indicate repeated violations. Mr. Ward feels that the past history of Giovanni's raises a concern about reoccurring unsanitary conditions. He also indicated that some type of assurance needs to be obtained that appropriate sanitation standards will be met regularly.

Giovanni's owner and manager were present at the hearing and have indicated that the violations have or are presently being brought into compliance. The Health Department is concerned with the long term sanitary procedures of the restaurant. Giovanni's is willing to work with Mr. Ward and they

have also drawn up a clean up procedure in order for the kitchen to run more efficiently and in a sanitary manner. The Board has asked to have any future inspection reports forwarded. If any future inspection reveals the same violations that are presently before the Board then the Board will consider further measures at that time.

HAZARDOUS MATERIALS CONTROL BYLAW - DRAFT

The Board discussed changes in the Hazardous Material Bylaw. Changes were made which were agreeable to all Board members. Some parts of the Bylaw were discussed in depth and it was decided to table these corrections until a future meeting.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to adjourn at 10:25 P.M.

NEXT MEETING

The next regularly scheduled meeting will be held on October 16, 1989, at 7:30 P.M. in Room 126 of the Town Hall. The following meeting will be held on October 30, 1989, at 7:30 P.M. in Room 126 of the Town Hall.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman