

TOWN OF ACTON  
93 MAR 30 AM 9: 29

ACTON BOARD OF HEALTH

MINUTES

DECEMBER 7, 1992

MEMBERS PRESENT: Bill McInnis (Chairman)  
Cordelia Alfaro  
James Barbato  
Jonathan Bosworth  
Mark Conoby  
Peter Vaillancourt (Associate)

STAFF PRESENT: Doug Halley (Health Director)  
Sheryl Ball

OTHERS PRESENT: Kimberly Groff  
Scott McMillan  
David Palmer  
Renee Robins  
Brad Botkin  
George Kennedy  
Wally Casper

Bob Sundberg

Marc Berman

Harriet Kodis

MINUTES:

On a motion made by Mr. Barbato, seconded by Mr. Bosworth, the Board unanimously voted to accept the minutes of November 23, 1992 following corrections.

LIST, INC. - HAZARDOUS MATERIALS CONTROL PERMIT APPLICATION:

List, Inc. is a new company that is planning to move their location from Hyde Park to LedgeRock Way in Acton. Shipping, receiving, storage and testing of hazardous materials may occur at this facility. Small quantities of hazardous materials will be handled at this site. List, Inc. does not know what types of materials they will be asked to test until the sample is actually provided to them. List, Inc. has provided a summary of materials that have been tested over the last six months at their Hyde Park facility. The Health Department feels that List, Inc. should be required to provide an update of materials that they plan to accept. The Board is also concerned with containment of the stored materials. The Health Department recommends that List, Inc. make a containment area utilizing the whole floor space at the facility.

List, Inc. has met with the D.E.P. and has applied for all necessary permits with them.

On a motion made by Mr. Conoby, seconded by Mr. Bosworth, the Board unanimously voted to grant a hazardous materials control permit to List, Inc., 3 Ledgerock Way, with the following conditions:

1. All hazardous materials and wastes shall be stored in a containment area capable of storing 110% of the largest stored material.
2. All materials safety data sheets shall be stored on site, and shall be made available to all employees upon request and reviewed with all employees on a regular basis.
3. A contingency plan, including emergency contact telephone numbers (Telephone numbers of the owner, operator, etc.), and a sketch showing clearly all hazardous materials locations, shall be submitted by List, Inc. and updated annually, to the Board of Health, Fire Department, Police Department and Civil Defense.
4. Emergency procedures and local emergency response telephone numbers (Health, Fire, Police), should a spill occur, shall be posted in clear view of all employees wherever hazardous materials or wastes are used or stored.
5. All hazardous wastes shall be disposed of by a licensed, approved D.E.P. hauler or be recycled on site.
6. Copies of all invoices or manifests, for any hazardous materials or wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All hazardous materials or waste containers shall be labelled and, when appropriate, dated when filling first began.

8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a hazardous materials spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. This permit shall be reviewed 120 days after issuance of permit to the applicant to determine additional compliance with the bylaw.
11. Protective gloves, goggles and boots, in addition to soap and water, shall be made available to all employees, at all times, in any hazardous materials storage or use area.
12. The Board of Health shall receive notification, on a quarterly basis of the types and quantities of hazardous materials stored or used.
13. The applicant shall, on an annual basis, submit to the Board of Health, verification on D.E.P.'s classification of this facility as a generator or non-generator.

90 MAIN STREET - VARIANCE:

The owners are present from 90 Main Street at the request of the Board from a previous meeting of November 23, 1992. The owners have requested a waiver of a condition of a variance that was granted on October 5, 1992. The owners stated to the Board that compliance with the variance would cause financial hardship.

An addition to the home has been discussed and the Board stated that the new addition must meet all necessary setbacks.

Ms. Renee Robins, co-owner of 90 Main Street stated to the Board that she has had discussions with the state regarding setbacks from the septic tank to the edge of the deck and was told that placing footings close to the septic tank was of no concern to them. Ms. Robins also stated that following the previous variance conditions would cause undue financial hardship.

On a motion made by Mr. Barbato, seconded by Mr. Conoby, the Board unanimously voted to revise and approve a variance to 90 Main Street with modified conditions as follows:

1. The proposed footings for the new addition shall not be closer than 5' from the septic tank or field.
2. The proposed addition shall not be a bedroom nor shall it be constructed in a manner that it could be represented as a potential bedroom.
3. Any footings or pier supports within 10' of the septic tank must be extended down to an elevation equal or greater than the bottom elevation of the septic tank.

**TOBACCO BYLAW:**

Mr. McInnis presented to the Board a draft of the proposed bylaw which included revisions regarding the concerns that were discussed at the public hearing on November 30, 1992.

The Board discussed the proposed changes and decided to incorporate the comments into the bylaw for presentation to the Selectmen on January 5, 1993.

On a motion made by Ms. Alfaro, seconded by Mr. Barbato, the Board unanimously voted to adjourn at 9:33 P.M.

**NEXT MEETING:**

The next regularly scheduled meeting was scheduled for December 21, 1992 but due to a small agenda was cancelled until January 11, 1993.

The next meeting will be held on January 25, 1993.

Respectfully Submitted,

Sheryl Ball

Sheryl Ball  
Health Secretary

Wm. McInnis

William McInnis  
Chairman