

ACTON BOARD OF HEALTH



MINUTES

JANUARY 13, 1992

**MEMBERS PRESENT:** Jonathan Bosworth (Chairman)  
George Emmons  
Cordelia Alfaro  
James Barbato  
Mark Conoby  
Bill McInnis (Associate)  
Ira Grossman (Associate)  
Ed Calamai (Associate)

**STAFF PRESENT:** Rose Erdozaincy  
Sheryl Howe

**OTHERS PRESENT:** Cortni Frecha  
Michael Phillips  
Brian W. Bramall

**MINUTES:**

On a motion made by Mr. Emmons, seconded by Mr. Barbato, the Board unanimously voted to accept the minutes of October 21, 1991.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to accept the minutes of December 9, 1991.

**28 STONEYMEADE WAY - IRRIGATION WELL VARIANCE:**

The Piantedosi's, owners of 28 Stoneymeade Way, seek a variance from Acton regulations 9-6.4 to allow the installation of a private irrigation well in a public water supply area. The property is in Zone 4 of the aquifer and groundwater was found to be at six (6) feet. The Health Department recommends granting this variance with the condition that the well be treated as if it is a potable water source.

On a motion made by Mr. Emmons, seconded by Ms. Alfaro, the Board unanimously voted to grant a variance from Acton regulations 9-6.4 to the Piantedosi's, 28 Stoneymeade Way with the following conditions:

1. The proposed well must be a bedrock well with a minimum depth of fifty (50) feet.
2. A chemical and bacterial analysis pursuant to 310 CMR 22, et seq shall be conducted annually with a report submitted to the Board of Health.
3. Any parameters of the test results that are greater than 50% of the allowed state drinking water limit requirements shall cause immediate cessation of the well or the implementation of a treatment program to remove the identified contaminants.

4. Any underground water sprinkler system shall have all water lines installed at a minimum of ten feet from the septic system and all sprinkler heads a minimum of twenty feet from the septic system. Prior to installation a plan showing the proposed location of the underground water sprinkler system shall be submitted to the Health Department.
5. There shall be no cross-connections with any public water supply line.
6. Any well shall be registered with the D.E.M. and the Town.
7. At no point shall the withdrawal rate exceed 10,000 gallons per day.
8. This well shall be used only for irrigation purposes for 28 Stoneymeade Way.
9. If the irrigation well is not used in a time period of one year it shall be properly closed and sealed as required by the Acton Health Department.
10. All appropriate setbacks and Town regulations shall be imposed.

305 CENTRAL STREET - VARIANCE:

Mr. Philip Murphy, owner of 305 Central Street, seeks a variance from Title 5 for the reconstruction of his septic system. The variances required are from 310 CMR 15.02 (17): Construction in Fill (ten feet removal required - only five feet removal provided) and 15.03 (7): Distances (1)(2) (ten feet set back to property line required - only eight feet provided). The Health Department reviewed the proposed design and has found that the enforcement of these regulations would cause manifest injustice to the homeowners. No other location on the lot was found to be suitable.

On a motion made by Mr. Barbato, seconded by Mr. Emmons, the Board unanimously voted to grant variances from 310 CMR 15.02 (17) and 15.03 (7): Distances (1)(2) to Philip Murphy, 305 Central Street, with the condition that the septic system be built in accordance with a plan stamped by Brad Leach dated December 16, 1991.

5B SPRUCE STREET - PHILLIPS COFFEE EMPORIUM - VARIANCE TO ALLOW SEATING:

The Health Department has received a request from Mr. Phillips, owner of Phillips Coffee Emporium located at 5 Spruce Street to allow seating for four (4). The Health Department feels that in order to further consider this variance more information will need to be provided.

Mr. Phillips has stated that the seating will be used primarily for a waiting station. Mr. Phillips is proposing to have one table with four seats.

Mr. Phillips originally stated at a previous meeting that the facility would be 1,850 square feet, however, he stated that the facility is actually only 450 square feet.

The Board asked Mr. Phillips to obtain more information regarding the existing water flows to the septic system and to submit a detailed floor plan that shows the exact square footage of the establishment.

PLYWOOD RANCH - 305 MAIN STREET - HAZARDOUS MATERIALS PERMIT:

Plywood Ranch seeks a hazardous materials storage permit for their establishment located at 305 Main Street. Plywood Ranch's primary business

is retailer of home improvement items. The major hazardous materials stored here are driveway sealers, oil, stains, adhesives, thinners, pesticides and paints. All hazardous materials except for the driveway sealer is stored on the retail shelves. The driveway sealer is stored in the back area storage room. During the Health Department's inspection it was noted that the sealant is stored close to the opening for the garage door and a floor drain was noted in the vicinity of the sealant. The Health Department recommends that the floor drain be sealed and that the area where the sealant is stored be capable of containing 110% should a spill occur.

The Board questioned Mr. Bramall, representative of Plywood Ranch, on whether or not education regarding the handling of hazardous materials is provided to all employees. Mr. Bramall stated that there is no training presently but he would look into it for the future.

On a motion made by Mr. Conoby, seconded by Mr. Emmons, the Board unanimously voted to grant a hazardous materials storage permit to Plywood Ranch with the following conditions:

1. The floor drain in the back room storage area shall be sealed.
2. A containment area shall be constructed for the driveway sealant and other chemicals stored not used for retail purposes, and shall be able to hold 110% of the largest total volume stored on site.
3. Speedy Dry or its equivalent shall be placed in the storage area along with any other material necessary to clean-up accidental spills.
4. Protective equipment including, but not limited to, aprons, gloves, and/or eye protection shall be available for all employees that would be involved in containing a hazardous materials spill.

5. All Material Safety Data Sheets shall be maintained for all chemicals and hazardous materials stored on the premises and shall be made available for inspection by all on-site employees. Board of Health, Fire, Police.
6. Information and directions explaining the clean-up activities should a materials spill occur, shall be posted in full view for all employees.
7. A Hazardous Materials Contingency Plan shall be submitted to the Health Department within 30 days. This plan shall include a notification process in the event of any spill.

**OTHER BUSINESS:**

The Board discussed looking into regulating cigarette vending machines. The Board asked the Health Department to check with other Town's to see if they had adopted any regulations regarding this matter.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to adjourn at 9:34 P.M.

Respectfully Submitted,

Sheryl Howe

Signed and Approved,

Jonathan Bosworth  
Jonathan Bosworth, Chairman