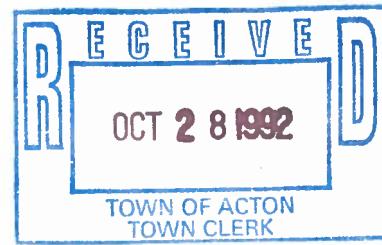


ACTON BOARD OF HEALTH



MINUTES

AUGUST 31, 1992

MEMBERS PRESENT: Jonathan Bosworth (Chairman)

Cordelia Alfaro

James Barbato

Mark Conoby

Bill McInnis

Peter Vaillancourt (Associate)

STAFF PRESENT: Doug Halley (Health Director)

Sheryl Ball

OTHERS PRESENT: Paul Kelleher

Robert Guba

Harriet Kodis

Brad Krevor

Michael Speciner

Radia Peruman

Marc G. Berman

Deanie Lamsauer Zeitlin

Edward Sweda

Daniel Wolfe

Keith Moreno

Linda Moreno

The meeting opened at 7:30 P.M.

**MINUTES:**

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to accept the minutes of April 13, 1992 following corrections.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to accept the minutes of May 18, 1992 following corrections.

On a motion made by Mr. Conoby, seconded by Ms. Alfaro, the Board unanimously voted to accept the minutes of June 8, 1992 following corrections.

On a motion made by Mr. Conoby, seconded by Mr. Barbato, the Board unanimously voted to accept the minutes of July 13, 1992 following corrections.

On a motion made by Mr. McInnis, seconded by Ms. Alfaro, the Board unanimously voted to accept the minutes of August 17, 1992 following corrections.

VOTE CHAIRMAN:

On a motion made by Mr. Bosworth, seconded by Mr. Barbato, the Board voted to nominate Mr. McInnis as the Chairman. All voted in favor with Mr. McInnis abstaining.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board voted to nominate Mr. Barbato as Vice Chairman. All voted in favor with Mr. Barbato abstaining.

EJECTOR PUMPS:

Paul Kelleher, plumbing inspector for the town, seeks the Board's approval to allow the use of ejector pumps in the Town of Acton. The use of an ejector pump also has to be approved by the State in accordance with Title 5 requirements. The Board has historically not allowed ejector pumps to be used for toilets. The Board previously reasoned that ejector pumps act as grinders and that premature failure of the septic system could occur. The Health Department stated that more information should be presented in order for the Board to make a decision regarding the potential future use of ejector pumps. The Health Department also stated that they would research area towns and try to obtain a copy of D.E.P.'s policy regarding the use of ejector pumps.

HARRIET KODIS - PRESENTATION REGARDING SMOKING IN ACTON:

Harriet Kodis a local Acton resident and advocate for the town to create 100% smoke-free restaurants and businesses stated her feelings regarding

public smoking to the Board. Ms. Kodis stated to the Board her concerns regarding secondary smoke and the effects of air quality that cigarette smoke causes. Ms. Kodis feels that the youth in Acton might think twice about smoking if Acton were to implement a 100% smoking ban in public facilities in Acton.

Ms. Kodis will gather some more information regarding what other Town's have done and submit it to the Board as soon as possible.

Mr. Edward Sweda stated to the Board that he would be willing to help the Health Department with anything that might be needed regarding the smoking bylaw.

**PROPOSED SMOKING BYLAW:**

The Board briefly reviewed the first page of the smoking bylaw and made some minor corrections. The Board would like to review the proposed bylaw a future meeting. The Board suggested forming a committee in order to work together on the proposed bylaw which would then be presented to the full Board for their review and comments.

**LOT I-1B WYNDCLIFF DRIVE - VARIANCE REQUEST:**

Dan Wolfe, representative of David E. Ross Associates, and on behalf of the owner, Keith Moreno, requests a variance for Lot I-1b Wyndcliff Drive. The proposed septic system does not meet Title 5's breakout requirements 310 CMR 15.03 (7). A clay barrier has been proposed to alleviate any environmental impacts which may be caused if this variance is granted. Two areas on the lot have been tested, one for the primary and one for the

reserve area. The proposed primary area is in need of the variance and the reserve area meets all appropriate regulations. The Health Department recommended reversing these two areas so a variance is not needed for initial construction. The owner does not want to build in the reserve area first because of the trees he would have to cut down and the cost of the fill for that area. The owner has also spent numerous hours looking for better alternative areas which he has been unable to do. The Board's major concerns with this lot is that the same degree of environmental impact be met and what is the manifest injustice to the owner. Mr. Wolfe stated that he will present a letter to the Board addressing these concerns for their review at the next meeting. Mr. Wolfe also stated that he would gather documents that he has received from the State in regards to granting variances of this type. The Board agreed to postpone this variance request until the next meeting in order for some time to review these documents.

ACTION CONCORD SEPTIC - HAZARDOUS MATERIALS PERMIT APPLICATION:

Action Concord Septic seeks a hazardous materials storage permit for their facility located at Building 4 Knox Trail. The primary forms of hazardous materials stored here are sulfuric acid, hydrogen peroxide, used motor oil and antifreeze. The Health Department conducted an inspection which revealed that secondary containment needs to be built around all the hazardous materials stored in the garage area. All hazardous materials stored at the site are recycled or used when treating area septic systems. Action Concord Septic is considered to be a Small Quantity Non-Generator.

On a motion made by Mr. Barbato, seconded by Mr. Conoby, the Board unanimously voted to grant a hazardous materials storage permit to Acton Concord Septic, Building 4, Knox Trail, Acton, with the following conditions:

1. All hazardous materials and wastes shall have secondary containment which is at a minimum 110% greater than the stored material.
2. All material safety data sheets shall be stored in the office, 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 phone numbers, should any spill occur, shall be submitted by Acton Concord Septic, and updated annually, to the Board of Health.
4. Emergency procedures, 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 materials containers shall be labelled.
6. All unlabelled drums shall be removed by a licensed hazardous waste handler within thirty days after approval of this permit.
7. Copies of all invoices and manifests, for any hazardous materials or wastes, received or disposed, shall be submitted to the Board of Health annually.
8. All waste oil drums shall be labeled and dated when filling first began.
9. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a hazardous materials spill.

10. Acid resistant 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.

On a motion made by Mr. Conoby, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 10:52 P.M.

NEXT MEETING:

The next regularly scheduled meeting will be held on September 14, 1992 at 7:30 P.M. in Room 126 of the Town Hall. The following meeting will be held on October 5, 1992.

Respectfully Submitted,

Sherry Ball

Signed and Approved,

Jonathan Bosworth

Jonathan Bosworth, Chairman