

Acton Board of Health

Room 126, Acton Town Hall
Acton, MA 01720

April 27, 2015

Members Present: Michael Kreuze -Chairman, William McInnis and Joanne Bissetta

Staff Present: Sheryl Ball-Health Agent
Weiyuan Sun-Administration

Other Present: Jim Morin, Ralph Rotolante, Grace Ott and Peggy Mikkola

The meeting was called to order at 7:38 p.m.

Minutes

On a motion made by Mr. McInnis, seconded by Ms. Bissetta, the Board unanimously voted to approve the Board of Health minutes dated March 30, 2015 as amended.

Acton Liquors- 100 Powdermill Road

The Health Department received notification that a tobacco sting was conducted on April 12, 2015 which resulted in one violation. An employee of Acton Liquors located at 100 Powdermill Road sold tobacco product(s) to a minor on April 12, 2015.

Mr. Rotolante was present to discuss their actions. Acton Liquors is owned by Regina Rotolante and Mr. Rotolante is the father of owner. Mr. Rotolante indicated that Acton Liquors has been at this location for a long period of time. Mr. Rotolante stated that he is diligent about checking the customers ID as his business is mostly the sale alcohol and the store has never sold to a minor. Mr. Rotolante stated that a woman who he guessed to be about 30 walked into the store and almost at a same time a young girl walked in and walked to the back of the store to the expensive wine section. Mr. Rotolante watched the young girl as well as the older looking woman but was more concerned with the younger woman in the back area. As the older looking woman approached the register Mr. Rotolante was more concerned with cashing her out and going to the back of the store to check on the younger looking woman. Mr. Rotolante stated that they are willing to pay the violation fine however, he felt like the sting was unfairly conducted and questioned if they sting was purposely set up with the two women. The Board would like the health department to reach out to the group conducting the sting and ask if this was a two person sting and if so the Board would waive the tobacco violation fine. On a motion made by Mr. McInnis, seconded by Ms. Bissetta, the Board unanimously voted to void the fine of \$100 for Acton Liquors if the sting was conducted as explained by Mr. Rotolante.

5A Spruce Street- Use of Water Records

The property located 5A Spruce Street is a multi- use, commercial and residential building. The site previously was a café, serving sandwiches, coffee and pastry with 23 seats. The owners would like to increase the restaurant to 50 seats. The current septic system is designed for 1260 gpd and serves the restaurant along with a residential use of 440 gpd leaving 820 gpd available for the proposed restaurant. The proposed restaurant would only open from Wednesday to Sunday dinner only. Due to the fact that the proposed restaurant will only be open limited hours the Health Department obtained existing water flows from a similar restaurant that is open for limited hours (Lelyonnais) and determined that they are currently averaging 485.74 gpd or 971. 48 doubled as required by Title 5 when actual water use records are used. This results in the use of 16.19 gpd per seat. Using 16.19 gpd/seat X 50 proposed seats = 809.56 gpd which is under the available flow of 820 gpd. On a motion made by Ms. Bissetta, seconded

by Mr. McInnis, the Board unanimously voted to approve the increase to 50 seats for a limited hour restaurant for **5A Spruce Street**.


Department Status Reports on Public Health and Environmental Program

- Board of Health Director Retirement- the Board members requested to be part of the hiring process for the new Health Director.
- Land Use Department will move back to Acton Town Hall sometime between June 1, 2015 and June 15, 2015.
- The Health Department is currently conducting an Isolated Residents Connection to Healthy Food Cooking class that will be run for a total of 10 weeks as a result of a grant obtained by the Health Department.

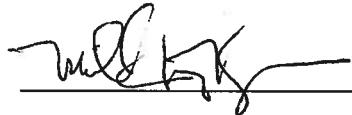
Adjournment

On a motion made by Mr. McInnis, seconded by Ms. Bissetta, the Board voted to adjourn at 8:20P.M.

Respectfully Submitted,



Weiyuan Sun
Acton Board of Health



Michael Kreuze -Chairman
Acton Board of Health