

BOARD OF HEALTH
TOWN HALL
334 MAIN STREET
THURSDAY, JANUARY 5, 2012
7:30 P.M.

PRESENT: RONALD MAJDALANY, CHAIRMAN
CLAUDIA RYAN

The meeting was called to order at 7:30 p.m.

1. **APPROVAL OF MINUTES:**

A. Minutes of the December 8, 2011 Meeting.

MOTION: Ms. Ryan to approve.

SECOND: Dr. Majdalany (Stepped down as Chairman)

VOTE: 2-0

2. **VARIANCE REQUEST:**

A. John L. Hobart, 1097 Main Street for a Request for Well Variance to setbacks in accordance with the Great Barrington Board of Health Well Regulations.

(Discussion/Vote). Mr. Brent White from White Engineering was present to explain the Variance request. He noted that the lot is less than 60' wide which makes it impossible for the well to be placed within the 30' setback to the property lines. Mr. White requested that the well be placed at an equal distance of 29.84' from each side property line. Mr. White also noted that Mr. Hobart does not want to be a customer of Housatonic Water Company. After discussion, Dr. Majdalany said that he does not see a reason to grant the variance as public water is available.

MOTION: Ms. Ryan to deny the variance request.

SECOND: Dr. Majdalany (Stepped down as Chairman)

VOTE: 2-0

3. **SPECIAL PERMIT:**

A. Recommendation to the Board of Selectmen for Special Permit # 794-11 submitted by Mark Firth and Bettina Schwartz to operate a restaurant at 178 Main Street, Great Barrington in accordance with Sections 3.1.4, c. (21), 9.6 and 10.4 of the Great Barrington Zoning Bylaws. (Discussion/Vote) Gaetan Lachance was present to explain the Special Permit. He noted that the property is in the B2 District. They are adding a handicapped ramp. The kitchen is planned to be in the garage structure and a free standing cooler is planned to be put in the back of the building. The restaurant is proposed to have 88 seats. The property is on Town water and sewer.

MOTION: Ms. Ryan to forward a favorable recommendation to the Board of Selectmen.

SECOND: Dr. Majdalany (Stepped down as Chairman)

VOTE: 2-0

4. **HEALTH AGENT REPORT:**

A. Mark advised that all the restaurant inspections were completed by the end 2011. A copy of the report is attached to these minutes.

5. **OLD BUSINESS:**

A. Getty Mart Tobacco Fine. Mark advised that he located the name of the clerk who sold the tobacco product to an under aged individual. The fine was issued to the clerk and it was paid.

6. **NEW BUSINESS:**

A. 37 Lake Buel Road – septic issue. Mark said he resolved the issue with the homeowner and their attorney.

B. Year End Report of the Board of Health. Mark submitted to the Board members the Report of the Great Barrington Board of Health to be included in the annual Town Report. (A copy is attached to these minutes).

C. Late Fees Collected to Date. Mark noted the Board collected approximately \$450.00 in late fees for applications submitted after December 1, 2011.

Mark advised the Board that there were two more tobacco violations. One was at Aberdales in Housatonic and the other one was at O'Connells on Stockbridge Road. More information will be available at the next meeting.

There being no further business, the meeting adjourned at 7:50 p.m.

Respectfully submitted,



Carolyn Wichmann
Secretary