

BOARD OF HEALTH
TOWN HALL
334 MAIN STREET
THURSDAY OCTOBER 3, 2013
7:30 P.M.

PRESENT: RONALD MAJDALANY, CHAIRMAN
CLAUDIA RYAN
MICHAEL LANOUE

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

1. APPROVAL OF MINUTES:

A. Minutes of September 5, 2013

MOTION: Claudia Ryan to approve.

SECOND: Michael Lanoue

VOTE: 3-0

2. SPECIAL PERMIT:

A. Special permit #820-13 for Thomas and June Lovett for the two family use of a single lot at 383 North Plain Road, Housatonic in accordance with Sections 3.1.4 A (2), 8.1 and 10.4 of the Great Barrington Zoning Bylaw. (Recommendation to the Board of Selectmen). Mark Caiola and Diego Gutierrez were present to explain the project. It was noted that the plan is to make the dwelling into a two unit dwelling. The property is on Town Water and on a septic system. Mark advised after a Title 5 inspection was done it was decided a few repairs and an upgrade has to be done to the system to bring it into compliance.

(1) Put risers on the tank bringing the inlet and outlet up to grade.

(2) Put an outlet filter on the tank.

(3) Replace the Distribution Box.

(4) Add 4-6 infiltrator chambers to handle additional flows.

It will then be brought up to current Title 5 standards to accommodate the additional flows.

MOTION: Ms. Ryan to forward a favorable recommendation to the Board of Selectmen based on the conditions of Title 5.

SECOND: Michael Lanoue

VOTE: 3-0

3. VARIANCE REQUEST:

A. Variance Request for 434B Stockbridge Road for a variance to the Great Barrington Board of Health Well Regulations, Section B (1). (Discussion/Vote) Mark Reynolds was present from Kelly, Granger and Parsons to explain the request. He noted the building was originally in common ownership with the house behind it. Mr. Stark purchased the property at 434B but he was not deeded use of the current water supply from the property in the rear. There is no town water and now he is forced to get his own Well. Mr. Stark wants a traditional dug well. A licensed Well Driller has to do the work. He has hired Joe Wilkinson to do the work, but he is not a licensed Well Driller. The variance is necessary to allow Joe Wilkinson to do the work. Mark noted the rest is in compliance with our current regulations. Mark noted that it still needs

to meet the water quality and quantity standards prior to the issuance of a water supply certificate.

MOTION: Ms. Ryan to grant the variance.

SECOND: Michael Lanoue

VOTE: 3-0

4. **BODY ART ESTABLISHMENTS APPLICATION:**

A. Robert Gibbs, South County Tattoo for a Transfer of ownership at 115 Gas House Lane, Great Barrington, MA (Discussion/Vote) Mr. Gibbs noted that he purchased the business from Vincent Romano. There are no changes and the layout will be the same. It is just a change of ownership.

5. **BODY ART PRACTITIONER APPLICATIONS:**

- A. Robert Gibbs
- B. Gabriel M. Bell
- C. Keith Monyahan

After discussion, the following motion was made:

MOTION: Ms. Ryan to approve the establishment transfer of ownership and accept the three applications for tattoo artists.

SECOND: Michael Lanoue

VOTE: 3-0

6. **HEALTH AGENT REPORT:**

Mark said he received a second complaint about Harmony Hill keeping horses in a paddock that is muddy. He spoke to them about not having the animals there when it is wet.

It was noted that there have been 90 temporary food permits issued since January 1. Title 5 and Perc activity has increased. Mark also advised that the 2014 renewals will be mailed out soon.

7. **UNFINISHED BUSINESS:**

A. Plastic Bag Ban Update – Mark said the Town Manger asked him to write up a waiver form to allow the Town of grant a waiver on the plastic bags if you can meet the compostability standards. An application was produced and the Board of Selectmen is reviewing it. The ban will go into effect on January 1, 2014. Mark advised that outreach education meetings will be held to inform the businesses of the regulation.

8. **NEW BUSINESS:**

A. Beach Testing 2013 – the lab slips have been submitted to the Department of Public Health.

B. BCBOHA Contacts/Training – the contacts have been updated.

C. Sharps/Kiosk – A sharps kiosk was purchased. It is located in Mark's office. The Town isn't collecting sharps currently. The plan is to sell the sharps containers for a fee which would cover the cost of disposal. Mark said they are working with Fairview Hospital on finding a location.

D. 2013 DPH Camp Reporting – The reports have been sent to the Department of Public Health for the year.

E. Cumberland Farms – Tobacco Sale to Minor – They were caught by the FDA selling tobacco to a minor. The Town doesn't need to take any action on this, just informative at this time.

F. 2013 Flu Clinics/Dates and Locations – the first clinic was at Town Hall. Approximately 65 people attended. The second one was Thursday, October 3 at the Housatonic Community Center and about 23 people came to that one. The next one will be at the Monument Valley Middle School on October 10, 2013 from 3:00 p.m. to 7:00 p.m. There may be an additional one at the Fire Station.

G. Authorization to appoint Marie Ryan and Linda Coons as Burial Agents –

MOTION: Ms. Ryan to appoint Marie Ryan and Linda Coons as Burial Agents.

SECOND: Michael Lanoue

VOTE: 3-0

Mark updated the board on the Crowell's at 208 South Street. A complaint was received because of trash and hoarding at the property. He advised an inspection is scheduled for October 15, 2013. The daughter put an advertisement on the internet saying the Town of Great Barrington is going to condemn the house. They are trying to get it up to code and he is trying to work with them on it.

9. **EXECUTIVE SESSION:**

A. Litigation Strategy (GL c30, Sec. 219a) – the board will go into executive session to discuss strategy with respect to litigation and will not reconvene in public session.

7:55 P.M.

MOTION: Claudia Ryan to adjourn.

SECOND: Michael Lanoue

VOTE: 3-0

MOTION: Claudia Ryan to go into Executive Session to discuss litigation strategy and not to reconvene into open session.

SECOND: Michael Lanoue

VOTE: 3-0

Respectfully submitted,



Carolyn Wichmann
Secretary

