

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

PRESENT: RONALD MAJDALANY, CHAIRMAN
CLAUDIA RYAN
FREDERICK CONFORTI

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

1. **APPROVAL OF MINUTES:**

A. **Minutes of the July 5, 2012 Meeting.**

MOTION: Ms. Ryan to approve.

SECOND: Dr. Majdalany (Stepped down as Chairman)

VOTE: 2-0

2. **SPECIAL PERMIT:**

A. Special permit #798-12 – Stephen Bennett to consider a new residence, septic, well and associated site work within the Water Quality Protection Overlay District, at a parcel on Long Pond Road identified as Lot 11A on Assessor’s Map 34. (Recommendation to the Board of Selectmen). Foresight Land Services was present to explain the project. It was explained that a new four bedroom house is proposed to be built and they are proposing a subsurface sewerage disposal system and well for the property. A Special Permit had to be filed because it is within the Water Quality Protection District of Round Pond. It was noted that the Conservation Commission has approved the plan as well as the Planning Board. All the setbacks are met except they are within that district. It is outside the buffer zone of the pond. Mark advised that they are before the Board because of a zoning requirement. The well and septic applications will be submitted at a later date. They will need to return if they require a well variance as indicated on the plan.

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

SECOND: Dr. Conforti

VOTE: 3-0

B. Special Permit # 799-12 Adam Zieminski d/b/a Café Adam for a restaurant at Jenifer House Commons, 420 Stockbridge Road, Great Barrington, MA. (Recommendation to the Board of Selectmen). Harry Pisila, Architect, was present to explain the project. He noted they are moving Café Adam from 325 Stockbridge Road across the street to 420 Stockbridge Rd., Building 6. He said no site work will be done except for ramps and decks. The footprint of the building is not being expanded. Outdoor seating is planned. The goal is for 110 seats which is the maximum capacity for this space. The kitchen will have two trench drains because the concrete slab already exists and may not be pitched adequately to drain. It is just for wet mopping, etc. There will be a grease trap on the dish washer and a three bay sink.

There will be two hand wash stations located on either side of the food prep area. This property is on town water and town sewer. They will meet the code for handicapped bathrooms. The applicant will return to the Board of Health with kitchen plans at a later date.

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

SECOND: Dr. Conforti

VOTE: 3-0

C. Special Permit # 800-12 for Cumberland Farms,, Inc/VHS Realty, Inc. to modify existing Special Permits 583-99 and 603-00 to develop 11 parking spaces with associated landscaping and site improvements at 148 Main Street and to make exterior changes to existing structures at 140 Main Street in accordance with Sections 9.6 and 10.4 of the Great Barrington Zoning Bylaw. (Recommendation to the Board of Selectmen)

Attorney Susan Smith was present to explain the project. She explained when they initially acquired the gas station and store they were allowed 8 parking spaces at the pumps. They then acquired the property at 148 Main Street and submitted an application to move the parking spaces away from the pumps. The Board of Selectmen denied the special permit. The current request is to move the 8 spaces and add 4 more. The property will be reconfigured and there will be one curb cut. The Planning Board approved the version of the parking lot. There will be exterior color changes to the building.

MOTION: Ms. Ryan to forward a favorable recommendation for Cumberland Farms to do the parking changes and to modify the existing structure.

SECOND: Dr. Conforti

VOTE: 3-0

3. **REQUEST FOR VARIANCE:**

A. Hosta Hill/Abraham Hunrichs for production of acidified foods. Scheduled process reports for review. Mark advised that he contacted the State on the production of the Tempeh, Kimchi and Sauerkraut that Abraham wants to sell at the Farmer's Market. The products are fermented vegetables. Abraham said he will be using the Nutritional Center for his production. The State requested that he have his products go through the scheduled process formula at Cornell. Mark said he has the reports and this spells out how to produce, package, label and store the products safely. The second part of their request was that he obtains approval by the Board of Health. Because Tempeh is a low acid food – the primary safeguard is that it has to be frozen and sold frozen. It is labeled to “keep frozen”. Mark said he will inspect his facility for retail sales.

MOTION: Ms. Ryan to approve the scheduled process regulations from Cornell for the procedures to manufacture Tempeah, Kimchi and Sauerkraut.

SECOND: Dr. Conforti

VOTE: 3-0

4. **HEALTH AGENT REPORT:**

Mark submitted the Health Agent Report for July 2012. There were 70 food inspections for the month. (A copy of the report is with these minutes).

5. **NEW BUSINESS:**

A. FY 13 PHN Contract/Berkshire Public Health Alliance

Mark noted it was undecided at the last meeting if we should go with the Berkshire Health Alliance or the Visiting Nurse. He advised that the Berkshire Public Health Alliance was approximately \$800.00 less than the Berkshire VNA contract proposal. He made a recommendation to the Town Manager that he accept that one. There was no lapse in service.

B. Restaurant Fines – Mark explained that people who were working at various restaurants are now gone and a lot of gaps have been found in employee certifications. The restaurants that have been fined are the restaurants that have been notified about getting their employees certified in serve safe, anti choking and allergy awareness and haven't followed through with getting their employees certified.

C. Change September meeting date. After discussion, it was decided to leave the next meeting date September 6, 2012.

6. **OLD BUSINESS:**

A. Beach Testing update – Mark advised the lake tests have been good. There have been no issues since spring/early summer.

B. Updated Tobacco Regulations – Draft for Review. Mark advised that Jim Wiluz from the Tri-Town Board of Health would like to meet with the Board of discuss updates on the current tobacco regulations. Mark said he would review the draft and include this at a later meeting. It was noted that if changes are adopted, a public hearing will have to be advertised.

There being no further business, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Carolyn Wichmann
Secretary