

**BOARD OF HEALTH**  
**TOWN HALL**  
**334 MAIN STREET**  
**THURSDAY, FEBRUARY 5, 2015**  
**7:30 P.M.**

**PRESENT:**

**RONALD MAJDALANY, CHAIRMAN**

**CLAUDIA RYAN**

**MICHAEL LANOUE**

**JAYNE SMITH – HEALTH AGENT**

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

1. **APPROVAL OF MINUTES:**

A. Minutes of January 6, 2015

**MOTION:** Claudia Ryan to approve

**SECOND:** Michael Lanoue

**VOTE:** 3-0

2. **APPEAL TO ZBA:**

A. Appeal by Lynn Hutchinson to the Zoning Board of Appeals on the Building Commissioner's December 12, 2014 denial of a forest cutting plan for property located at 263 Long Pond Road. (Discussion/Vote)

Ron Majdalany recused himself.

Lynn Hutchinson, the applicant, noted she would like to ask for a continuance as her attorney could not be present. Jayne noted that the public hearing application is forwarded to multiple boards and the Zoning Board meeting is next Tuesday, February 10, 2015 so if the Board of Health continues it then they will lose their opportunity to make a recommendation to the ZBA prior to the meeting. Claudia noted that it really doesn't have any health issues.

Brian Schwab and Lynn Hutchinson said they applied for a forestry plan and it was approved by the State. Brian said the property was filled with invasive species and trees which he cut out. He said this is in regard to the 400 foot overlay district and Ed May, the Building Inspector/Zoning Officer is telling them they can't cut a blade of grass. We want to have a path for cross country skiing, etc. Lynn said the mediation plan called for them to control invasive plants and Ed May's order said they were not allowed to cut anything in that area. It had to be clarified so they could do the invasive management. That is why they appealed the last time.

Jayne said that Ed May is asserting that the Forest Cutting Plan would violate two sections of the bylaw and the order. The overlay district is 400' around the water supply. The Board of Health's role in this is to choose whether or not to make a recommendation on the appeal. It could have health implications if it is done incorrectly, as it is a public water supply. The role of the Board

of Health is a general one. Jayne noted that the Board of Health needs to review it and make a general recommendation. The ZBA will make their final decision.

**MOTION:** Michael Lanoue that the Board of Health pass on a request to the ZBA that when they make their final recommendation that they take into consideration what positive or negative impacts the proposed activity would have on the public water supply.

**SECOND:** Claudia Ryan – (stepped down as chair)

**VOTE:** 2-0

3, **NEW BUSINESS:**

A. Berkshire South's request to pay \$100.00 blanket fee for the vendors at the Taste of Community Event on March 5, 2015. (Discussion/Vote). John Parker of Berkshire South was present to explain. John explained that this is the 5<sup>th</sup> annual event and goes from 6:30 p.m. to 8:30 p.m. He said they invite local business to come and share samples of their products. This consists of restaurants, wine sellers, breweries and caterers. Tickets are sold for it and it is a fund raiser for the community center. Up until last year, we had asked the exhibitors to apply and pay for a temporary food permit if they don't have a caterer's license. Last year Mark suggested that we propose to the board to pay a blanket fee to cover the permits which was approved. We paid \$100 last year and the applications were made by the individual businesses that had to obtain permits.

**MOTION:** Claudia that we approve the blanket fee of \$100.00 to cover the event called "Taste of the Berkshires" at Berkshire South on March 5, 2015.

**SECOND:** Michael Lanoue

**VOTE:** 3-0

Jayne noted that looking at the structure in the past of the Health Agent; he drafted an agent's report. She just asked if they were happy with that level of information and should she continue with the same process? Jayne also noted that she would be meeting with Mark on the weekend to review information. Ron noted that we will have a number of these permits for recommendation to the Board of Selectmen or ZBA and he would like her to review the application and note any health issues and bring them to the Board's attention at a meeting. Jayne said she is moving ahead with her certifications.

The next meeting is March 5, 2015 at 7:30 p.m.

The meeting adjourned at 7:58 p.m.

Respectfully submitted,



Carolyn Wichmann  
Secretary