

**BOARD OF HEALTH MEETING MINUTES
GREAT BARRINGTON FIRE STATION MEETING ROOM
37 STATE ROAD, GREAT BARRINGTON, MA
THURSDAY, APRIL 14, 2016
7:00 P.M.**

PRESENT:

CLAUDIA RYAN, CHAIR
MICHAEL LANOUE, VICE CHAIR
PETER STANTON, MEMBER
JAYNE SMITH – HEALTH AGENT

1. CALL TO ORDER

2. APPROVAL OF MINUTES:

A. Minutes of March 10, 2016

MOTION: Michael Lanoue to approve the March 10, 2016 Minutes.
SECOND: Peter Stanton
VOTE: 3-0 (Claudia Stepped down as Chair) PASSED

3. SPECIAL PERMIT RECOMMENDATIONS

A. Application of TOPA Enterprises, LLC, 546 Main Street, Great Barrington, MA, for a two Year extension of the period to exercise Special Permits 741-07, A and B, Special Permit 742-07, and Special Permit 743-07, for the permitted project at 546 Main Street, Great Barrington, MA, in accordance with Section 10.4 of the Great Barrington Zoning Bylaw. Jayne explained that this was approved in the 2007 and 2008 time period and because of the down turn in the economy it was never started. They are requesting a continuance. The property is on the corner of Mahaiwe Street. The property would be on Town water and sewer. They have an area for solid waste. Their plans for the town houses looked sufficient.

MOTION: Michael Lanoue to recommend approval of the extension.
SECOND: Peter Stanton
VOTE: 3-0 (Claudia Stepped down as Chair) PASSED

4. NEW BUSINESS:

A. Permitting of Nail Salons (Local Regulation), Tanning Facilities (104 CMR 123) and Funeral Directors (MGL c 112, §83 and MGL c 114, § 49). Jayne explained the awareness of the BOH responsibility to regulate the Tanning and Funeral Directors came about when reviewing the new application forms for online permitting. She presented an “Application to Provide Regulated Services” to the board noting Tanning Salons, Nail Salons and Funeral Directors. Local Regulations require the Board /Department to regulate only Nail Salons where manicuring is their primary business. Copies of a letter, regulations and inspection form were hand delivered to each establishment. For Tanning Salons 105 CMR 123 requires that no tanning facility should be operating without a Board of Health permit and it also requires the health board to inspect it twice a year. The letters state that the paperwork be submitted by April 15. The fee for tanning salons, and nail salons is \$100 and funeral director is \$50.00.

- B. **Well Regulation – consideration of whether to add “Licensed Surveyor” to the list of professionals who can stamp plans.** Jayne advised that on page 4 of the Well regulations it says the application for a Well Construction Permit shall be accompanied by an extended plot plan, produced by a Civil Sanitary Engineer or a Registered Sanitation which will show distances less than 200 feet from the proposed well site to various sources of contamination. Jayne noted that civil engineers were expensive and there are no Registered Sanitarians with private practices in the area. Research on other Towns revealed that Tri-Town Health allows a Professional Surveyor to produce the plot plan. We currently have two applicants that are trying to find the correct licensed professional. The board authorized Jayne to consider applications that have plot/well location plans stamped by a “Licensed Surveyor. Jayne noted that there are other revisions to the Private Well Regulations that are worth taking another look at.

5. **OLD BUSINESS**

- A. **Update on ATC Limited Indoor Air Quality Study Report for 11, 13, and 15 Bernard Gibbons Drive.** Jayne said she received an e-mail from Barbara Heaphy noting what has been done up to April 8, 2016 and the report from the Industrial Hygienist which was forwarded to the board. Jayne questioned if the time of year affects the results. The industrial hygienist said the numbers he gave did take into account that it was February when the test was taken. In our request we asked that the samples be taken from behind the walls and it wasn't done. It is unclear why.

Mark Seigers, Attorney for Unit 11 occupant - He noted that they cleaned the apartments before the environmental hygienist came and he still found mold. No one has checked the inside of the walls. A civil engineer needs to come in and drill holes in the floors to find out what is happening. They hired someone to do drainage but they have no idea what the ground water level is.

Deborah Salem – member of the GB Housing Authority – has the correction order been followed correctly? The first correction order from the Board of Health was almost accomplished per Jayne. There are a few items that were not done. The recommendation in the report is to get industrial dehumidifiers that don't need to be emptied because that is a huge burden to put on residents. Also the increased electricity needs to be paid by the Housing Authority. It still has not happened. The correction order said to hire an industrial hygienist and a civil engineer to evaluate the situations there and correct them.

Claudia noted that the board requested information from the industrial hygienist on the inside walls, surface, and ceiling and information from the civil engineer on the water situation, but it hasn't been received. It was suggested that Jayne ask Town Council about how to obtain a good civil engineer. Jayne noted that any work done in the buffer zone is under the Conservation Commission jurisdiction. At some point the industrial hygienist will return and Jayne said she will attend that meeting. There was a question of how is the moderate/high moisture level determined? Jayne said

she would do an evaluation of what has been done and not done request that Town Council contact the state and find out if the health department has jurisdiction over all aspects of the Correction Orders issued in the past on the Housing Authority.

B. FDA Online Permitting Progress – Michael signed the revised contract with Berkshire Regional Planning and for work in support of the U.S. Health and Human Services Federal Drug Administration Grant for the Berkshire County Board of Health Online Permitting program because Claudia was out of the Country.

6. **CITIZEN SPEAK TIME** – None

7. **HEALTH AGENT REPORT**

Jayne said she has been working with Housatonic Water and negotiating with the Department of Public Utilities as well as staying in touch with DEP. The Opioid meetings are moving forward and there is a lot of good movement in that area locally. We have had very work intensive dog bite situations in March and April. The spring dinner meeting is coming up on Wednesday, April 27th. They will be talking about the Opioid work that has been done. Jayne said she was able to get into Foundations for Local Public Health Practice class which is free and self-paced and on line. It is a good overview of public health. Jayne also noted she has been attending the PCB river cleanup meetings. DEP made the determination that the PCB's need to be removed and taken to a licensed facility which is in Texas. GE has said they are not going to do that. There is a meeting at the Lee Town Hall to talk about what we want as citizens and Jayne said she would forward the meeting dates and times to the board.

Jayne said she received a call from the news media because Great Barrington has a high level of lead poisoning compared to other towns. 83% of our housing was built before 1978 so that means that 83% of housing in our area has had lead paint on the inside and outside. There is a warrant article for the next Town Meeting that would allow some of the nonconforming 3 multifamily houses to make repairs, where it currently difficult for them to get a building permit because of their non-conforming uses. Jayne will do a draft letter from the Board of Health in support of the warrant article to change zoning to allow these nonconforming multi-families to apply for a special permit and become legitimate.

Respectfully submitted,



Carolyn Wichmann
Secretary