

BOARD OF HEALTH
TOWN HALL
334 MAIN STREET
THURSDAY, MARCH 3, 2011
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:**

MOTION: Ms. Ryan to approve the minutes of the February 3, 2011 meeting.

SECOND: Dr. Majdalany (stepped down as Chairman)

VOTE: 2-0

2. **SPECIAL PERMITS:**

A. Recommendation to the Zoning Board of Appeals for Special Permit #788-11 submitted by New Cingular Wireless PCS, LLC by AT&T Mobility Corp. to replace telecommunications antennas atop Fairview Hospital, 29 Lewis Avenue, Great Barrington, MA (Discussion/Vote)

MOTION: Ms. Ryan that the Board of Health makes no recommendation to the Zoning Board of Appeals as there are no health issues.

SECOND: Dr. Majdalany (stepped down as Chairman)

VOTE: 2-0

3. **DEFINITIVE SUBDIVISION PLAN:**

A. Recommendation to the Planning Board for approval of the Definitive Subdivision known as "Kino Lane" submitted by Richard and Tyler Malik located on the east side of Hurlburt Road in Zoning District R2 (Discussion/Vote)

Mr. Michael Parsons of Kelly, Granger Parsons was present representing Richard and Tyler Malik. He noted there is a current house on the property owned by Tyler Malik but she wants to build a second house behind the current house. In order to do that a definitive subdivision plan had to be done to create road frontage. He noted that he is asking for the Boards recommendation and approval that this is a reasonable place to build upon and that Title 5 has to be met prior to the issue of a building permit. It was noted that perc tests were done on the property.

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

SECOND: Dr. Majdalany (stepped down as Chairman)

VOTE: 2-0

4. **HEALTH AGENT REPORT:**

There was a question about the unlicensed B&B at 6 Deer Trail serving food and wine. Mark advised that the establishment owner has met with the Design Development Team to discuss obtaining permits and licenses.

5. **OLD BUSINESS:**

A. Regionalization – update on grant application process. Mark advised that the application was sent to the state last week. 18 Towns signed the application. Two other towns expressed interest but were unable to sign it before it was sent. Berkshire Regional Planning is the agent for the grant application.

6. **NEW BUSINESS:**

A. 3 Deer Trail – Septic – continued to next month's meeting. The new homeowners want to add bedrooms and increase the tank but not the field.

B. 24 Locust Hill – Septic. Mr. Chris Lee, Contractor for the property, explained that he will be finishing an accessory dwelling unit above the garage and adding a bedroom to the septic system. Mark said when they renovated the house in 2008 he had them increase the tank to a 2000 gallon tank which is sufficient for the addition. He advised that the leach field is not designed for this capacity. Mark noted in the past when the tank is sufficient and the field isn't we give them a conditional approval based on when the leach field fails or there is a transfer of sale they will have to replace it with a sufficient size. He advised it is working o.k. now. It was also noted by Mr. Lee that the field is not on the property. An easement for frontage was obtained when they subdivided the property. Mark advised that it is currently designed for 4 bedrooms. The original system was installed in 2001. After discussion, the board noted that the field should be updated to fit the number of rooms.

MOTION: Ms. Ryan to deny the request to add the bedroom on to the house with the current field. The field needs to be updated to fit the additional room.

SECOND: Dr. Majdalany (stepped down as Chairman)

VOTE: 2-0

C. Temporary food Establishment Training/BCBOHA. Mark advised that Berkshire County Boards of Health is putting together a temporary food establishment training program similar to serve safe but specifically for temporary food events. Mark noted that he gave them a list of approximately 60 food vendors who applied for temporary food permits over the last 2 years. It will start with a pilot program class in North County/Central and South County. Mark noted that nonprofits are not required to have serve safe certification. Mark noted he would give an update at a later date.

D. Pool and Camp Renewals – 2011. Mark advised that the renewals were mailed on March 1, 2011 and due back at the end of April.

E. 2010 VNA Report. Mark advised the annual disease reporting information report was received. He noted most of the disease report consists of Lyme's disease and a copy of the report was viewed by the Board.

F. Western Mass Board of Health capacity Assessment. Berkshire County Boards of Health applied for a grant a couple of years ago to obtain a CDC employee to do an assessment of Western Massachusetts health outcomes. It shows the rural areas are unhealthy. Mark noted this should work in our favor when we apply for the regionalization grant and a copy was distributed for review at the meeting.

G. Tobacco Awareness Program – Request for Response. Mark advised that every 7 years the grant cycle on the Tobacco Awareness Program comes up for renewal. The Tri-Town Health Department and the Tobacco Awareness Program are asking that the Board sign acknowledging that the program is going well and that you are interested in going forward. Mark said there were 3 minor sales in Great Barrington this week. Mark said it will be on the next month's agenda. All three clerks were certified. Mark said that the board will have to decide if the store or the clerk should be fined or both. Other communities have not fined the establishments but they fined the clerks \$50.00 because they were at fault. Ms. Ryan asked if we can ask them to perform community service to offset the \$50.00 fine. Mark said he would check. Mark also noted that they want to add alcohol education to the program. He advised that they can't do stings. Kim from Tri-Town will send the R.F.P. That information will be on the agenda next month.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,



Carolyn Wichmann
Secretary