



# TOWN OF NORTHBOROUGH BOARD OF HEALTH

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Glenn French

Deirdre O'Connor

Dilip Jain

Jamie Terry, Board of Health Agent

The Board of Health met on Tuesday, December 10, 2013, in the Selectmen's Meeting Room of the Northborough Town Offices. The meeting was called to order at 6:00 PM by Chairman Glenn French.

Chairman Glenn French made a motion to approve the minutes for the November 12, 2013 meeting as read, Deirdre O'Connor seconded the motion and the vote was unanimous.

#### 6:05 PM - IHOP

Frederick Dolan of IHOP located at 4102 Shops way appeared before the Board tonight to request a variance from the Food Code Regulation; time control vs. temperature control for items for the tubs of butter. Mr. Dolan explained that IHOP Makes efforts to maintain temperatures at or below 41°, but find it hard to do so with this particular item as the tubs do not fit correctly in the cooler. Ms. Terry informed the Board that this establishment maintains accurate logs and has time control measures already in place. Ms. Terry explained that the product moves rapidly and there is no real health hazard at this time. Ms. Terry informed the Board that temperatures are not inline when inspected and suggested that IHOP formally request approval from the Board to remove the critical violation every time she visits. Chairman Glenn French made a motion to grant the variance request - time control vs. temperature control, provided that the logs are accurately kept. Deirdre O'Connor seconded the motion and the vote was unanimous.

#### 6:15 PM - Wegmans

Paul Marra of Wegmans located at 9102 Shops way appeared before the Board tonight to request a variance from the Food Code Regulation; time control vs. temperature control for three varieties of their new petite Danish items; cream cheese, spinach & ricotta, ham & cheese. Ms. Terry informed the Board that this establishment maintains strict time logs and has time control measures already in place. Chairman Glenn French made a motion to grant the variance request - time control vs. temperature control, provided that accurate logs are maintained. Deirdre O'Connor seconded the motion and the vote was unanimous.

Ms. Terry and the Board reviewed the recent food inspections, no outstanding issues reported at this time.

6:45 PM - SA Farm - 429 Whitney Street, Northborough, MA

Ms. Terry informed the Board that it was brought to her attention that Mr. Anza has reported to multiple State agencies that he is selling and slaughtering animals on the property located at the above address. Ms. Terry discussed a MDAR inspection report from October 25, 2013, which depicts this information. Ms. Terry informed the Board that if Mr. Anza is in fact doing this activity on the property, he is doing it without proper approval from the local Board of Health. Ms. Terry informed the Board that she asked Mr. Anza to appear at tonight's meeting via a letter that was sent certified mail, return receipt. Ms. Terry reports that she received confirmation of delivery in the mail today. Santo Anza, owner/operator of SA Farm located at 429 Whitney Street was not present at tonight's meeting. Ms. Terry informed the Board that a cease & desist order was included in the body of the letter sent to Mr. Anza as the property is not appropriately permitted to slaughter for sale.

The Board discussed the term "slaughterhouse" and "custom slaughterhouse" as defined by State and Federal Law. The Board went on to explain that they have an open hand when it comes to regulating these type of activities that may pose a risk to public health.

Ms. Karen Chandler an abutter (Crosby Road Berlin, MA) appeared at tonight's meeting and inquired as to who polices the cease & desist order. Ms. Terry admitted that enforcement may be difficult as the Board of Health is unable to access the property at this time. That being said, there are multiple agencies that do currently have access to the property in question. All agencies have been made aware of the cease & desist and have agreed to share all information relating to slaughterhouse issue at hand.

The Board of Health informed the six (6) members of the audience present that if Mr. Anza does wish to establish a slaughterhouse on this property he will have to formally apply before the Board of Health. A public hearing will then be held to determine if this type of activity may be considered a public nuisance and/or a noisome trade. The Board informed those present at tonight's meeting that neighbors and others affected by this type of activity will have the ability to voice their opinion on this matter during the public hearing. Ms. Terry added that Mr. Anza would also need to seek approval for this type of activity at the State level. Ms. Terry explained that the State Department of Public Health (DPH) has a broader authority when it comes to slaughterhouses in the State of Massachusetts as Chapter 94 Massachusetts General Law allows the Department of Public Health 24/7 access to the property. The Department of Public Health would be concerned with the cleanliness of the property and oversight on assuring the safety of the product.

Mr. Jeffrey Faulconer an abutter (Coolidge Circle Northborough, MA) inquired as to if Mr. Anza has responded to the letter that was sent. Ms. Terry responded by informing him that as of 6PM tonight he has not responded to the letter. Ms. Terry stated that in 2010 she had an informal discussion with Mr. Anza regarding slaughterhouses. Ms.

Terry had a meeting with other Town of Northborough officials to discuss the matter and gather information on his behalf which was then provided directly to him.

Meeting was adjourned at 7:20 PM

Next meeting scheduled for Tuesday, January 14, 2014 at 6PM.

Respectfully submitted,

Sarah Jean