

Michael Lanoue, Chair  
Peter Stanton, Vice Chair  
Ruby Chang, MD

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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

### BOARD OF HEALTH Great Barrington Fire Station Conference Room 37 State Road Thursday, November 8, 2018 6:30PM MEETING MINUTES

#### **PRESENT:**

Michael Lanoue, Chair  
Dr. Ruby Chang  
Peter Stanton, Vice Chair

#### **A. CALL TO ORDER**

Michael Lanoue called the meeting to order at 6:35PM.

#### **B. APPROVAL OF MINUTES**

October 3, 2018 (**Discussion/ Vote**)

The October 3, 2018 meeting minutes were not approved.

#### **C. SPECIAL PERMIT REVIEW**

- **SP # 887-18:** Application from 910 Housing Inc. and the Community Development Corporation of South Berkshire for a Water Quality Protection Overlay District Special Permit, in accordance with Sections 9.2 and 10.4 of the Great Barrington Zoning Bylaw, in order to increase impervious area of a lot by more than 15% or 2,500 square feet. Proposed impervious surfaces are in connection with a proposed development of consisting up to 49 apartments in several new buildings, and in associated parking, driveway and site work, at 910 Main Street. (**Discussion/ Vote**)

**MOTION:** Peter Stanton motioned to pass Special Permit 887-18 on to the Selectboard without comment or recommendation.

**SECOND:** Ruby Chang

**VOTE:** 3-0

- **SP # 886-18:** Application from Grande Furto Auto LLC, for a motor vehicle sales room included used cars, at 1 Nolan Drive, Great Barrington, in accordance with Sections 3.1.4 C(16) and 10.4 of the Great Barrington Zoning Bylaw. The proposed use would occur within the existing building at the property. (**Discussion/ Vote**)

**MOTION:** Peter Stanton motioned to pass Special Permit 887-18 on to the Selectboard without comment or recommendation.

**SECOND:** Ruby Chang

**VOTE:** 3-0

#### **D. PUBLIC HEARINGS**

1. **10 Berkshire Heights;** Housing Code, 105 CMR 410.000 violations and Correction Order(s) follow up.

a. Open Public Hearing

**Motion:** Peter Stanton motioned to open the public hearing

**Second:** Ruby Chang

**Vote:** 3-0

- b. Explanation/ Board of Health Speak time  
Ms. Jurczyk brought the Board up to date on the housing violations at 10 Berkshire Heights. Ms. Jurczyk said the case began by a complaint from one of the occupants Elizabeth Rigby, regarding lack of hot water and insufficient temperatures. The first inspection was conducted on October 5, 2018 during which the health department documented 16 violations. Ms. Jurczyk said the owners of the property, James and Melissa Brown have made steady process in abating each of the violations, however the timeline laid forth in both of the correction orders issued to the Brown's has lapsed. Ms. Jurczyk said the purpose of this hearing is to update the Board of Health on the Brown's progress as well as request extensions and establish new and final deadlines on each of the remaining violations. Ms. Jurczyk said if the Brown's fail to meet the final deadlines set during this hearing the next step of enforcement is to take this matter to housing court. Ms. Jurczyk proposed a two week completion plan with two final follow up housing inspections. Ms. Jurczyk recommended that the Board require the Brown's to complete lead and asbestos testing and install a kitchen stove/oven within one week (November 15, 2018) and repair the stone pathway, install a handrail, replace the rotting and broken floor boards on the deck, and repair the counter tops within two weeks (November 26, 2018).
- c. Involved parties Speak Time  
James Brown said that he is doing all of the repairs himself as he believes this is the most efficient approach, stating "It is very difficult to get contractors to call you back, agree to work, and show up on such short notice." Mr. Brown said that he had a medical procedure scheduled in the next few weeks and would like to have as long as possible to complete the work.
- d. Motion to Close the Public Hearing  
**Motion:** Peter Stanton motioned to close the public hearing.  
**Second:** Ruby Chang  
**Vote:** 3-0
- e. Motion to modify the October 15 and October 25, 2018 Correction Orders  
**MOTION:** Peter Stanton motioned to grant an extension for the remaining violations to be completed by November 15<sup>th</sup> and November 26<sup>th</sup> as specified by the Health Agent.  
**SECOND:** Ruby Chang  
**VOTE:** 3-0

2. 2007 Nail Salon Regulations Amendments: postponed to December 6<sup>th</sup> meeting.

**MOTION:** Peter Stanton motioned to continue the public hearing until the next meeting on January 3, 2019 at 6:30PM at the Great Barrington Fire Station Conference Room.

**SECOND:** Dr. Ruby Chang.

**VOTE:** 3-0

## **E. BUSINESS**

- Recommendation to the Selectboard on allowing additional liquor licenses in Great Barrington.  
Michael Lanoue said, "We, as a Board, do not have any jurisdiction in monitoring alcohol sales." Mr. Lanoue said the debate has more to do with town economics than public health. Dr. Chang said that she believes less access to liquor is better than more but there are a lot of factors involved in the decision to allow more liquor stores in Great Barrington. Dr. Chang said she would rather the Board of Health refrain from making a recommendation. Peter Stanton said access to alcohol and consumption thereof is a health concern however accessibility does not always equate to increased consumption. Mr. Stanton said it is not up to the Board of Health to govern the number of liquor or beer and wine licenses and therefor does not have the authority to influence the decision.

## **F. HEALTH DEPARTMENT UPDATES**

- Health Agent Report .

Health Inspector, Locke Larkin reviewed the inspections, complaint follow-up, and permits issued throughout the month of October.

- Health Agent, Rebecca Jurczyk, asked the Board to comment on a potential lead prevention or lead outreach program sponsored by the Health Department. Ms. Jurczyk explained that concern has risen over the last couple of months regarding the quality of water distributed from Housatonic Water Works. Ms. Jurczyk said she attended a recent Selectboard meeting held to discuss the concerns of residents serviced

by the private water company. Ms. Jurczyk relayed to the Board of Health that at this meeting, both residents and the Selectboard recommended that the Health Department offer blood lead level testing for the community as well as the schools in the Berkshire Hills Regional School District.

Dr. Chang said that all children are required by the State to have their blood levels tested though their pediatrician. Dr. Chang said she was hesitant to allocate the Health Department staff and resources, a town department, to address a problem that should be addressed by the private water company. Dr. Chang warned against the Health Department collecting medical and health data for Great Barrington residents. Collectively, the Board of Health discussed a potential educational public service announcement informing all residents of Great Barrington and Housatonic about the risks of lead in water. Ms. Jurczyk said that lead levels in the water are only one piece of the harmful lead exposure; lead dust still remains a leading cause of lead poisoning. The Board discussed other recommendations like; testing private well water 2x annually for lead, testing private plumbing equipment for lead, copper, or other heavy metals, or if individuals are concerns about lead exposure to seek out testing from the local hospital or their personal MD.

**G. BOARD OF HEALTH SPEAK TIME**

**H. CITIZEN SPEAK TIME**

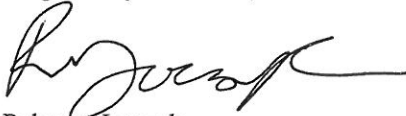
Oleg inquired about opening a cigar bar in the Town of Great Barrington. The Board said that this type of establishment is prohibited according to local Smoke Free Workplace Regulations but asked their agents to look how this type of business might be feasible.

**I. MEDIA TIME**

**J. ADJOURNMENT**

On a motion made by Peter Stanton, seconded by Dr. Ruby Chang, with a unanimous vote the Board of Health adjourned the meeting at 8:40PM.

Respectfully submitted,



Rebecca Jurczyk  
Health Agent