

**MONTAGUE BOARD OF HEALTH MEETING**  
Wednesday, November 13, 2013 – 7:00 pm – Downstairs Meeting Room  
Town Hall, One Avenue A, Turners Falls, MA

**Meeting Minutes**

Present: Michael Nelson, Chair, Albert (Al) Cummings, Christopher Boutwell, Gina McNeely, Director of Public Health.

Guests: Lois Black and Terence Noonan

Michael Nelson opened the Board of Health Meeting at 7:05 PM

Review October 30, 2013 Minutes:

*Al Cummings motioned to accept the Montague Board of Health minutes for the meeting of October 30, 2013 with the amendment of the words between the 2<sup>nd</sup> and 3<sup>rd</sup> violation on page 3 of the minutes. Seconded by, Christopher Boutwell. Motion passes.*

Director's Report October 2013

- a) No report available at this time.

Nurse's Report (Carolyn Merriam) for the month of October 2013

- a) A TB infection has been reported and confirmed. When there is an active case the patient needs to be seen taking the medication in the presence of a nurse (DOT Directly Observed Therapy). This is a very important point when advocating for a town nurse, among other duties.
- b) Flu Clinics at the Survival Center on 4<sup>th</sup> Street with a good attendance of 30+ people getting vaccinated.

*Christopher Boutwell motioned to accept the Nurse's Report for the month of October 2013. Seconded by Al Cummings. Motion passes.*

Health Inspector Report (Carolyn Merriam) for the month of October 2013

- a) Carolyn is working the nuisance and complaint calls received by the Board of Health.
- b) Michael Nelson asked Gina to add 80 4<sup>th</sup> Street to the Receivership Program.
- c) Inspector investigated a complaint of Family Dollar selling single cigars under the price point set by the Montague Board of Health Regulations.

*Al Cummings motioned to accept the Health Inspector's Report for the month October 2013. Seconded by, Christopher Boutwell. Motion passes.*

- Local Upgrade Approval request for 57 Mormon Hollow Road  
This is a repair that is needed for a very old failed septic system. The engineer is requesting a local upgrade approval (LUA) for the soil absorption system to be in with 3 feet of separation instead of 4 feet separation from the ESHWT.

*Al Cummings motioned to grant a local upgrade approval for 57 Mormon Hollow Road from 4 feet to 3 feet. Seconded by, Christopher Boutwell. Motion passes.*

- Discussion of letter of support for Medical Marijuana Dispensary

**Guests:** Terrance Noonan is the Attorney representing A New Leaf - ANL (Josh Goldman - Australis, Marina Goldman N.P, Dr. Lyle Craker, Dr. Stephen Fox, Beth Fox - NPR, Attorney John Stobierski, Dr. Susan Lowery and Robbie Cohen)

A New Leaf is a Franklin County organization that is a 501 (3) (c) that is coming before the board to request a letter of support for a proposed medical marijuana dispensary in Montague. There is also a vacant lot of land that is being evaluated for the dispensary as well as using a portion (2,000 square feet) of the now vacant Hallmark Building. A holistic medical prospective is the approach that A New Leaf is coming from. A New Leaf is making an effort to work with all Boards and with the community to help with economic development and safety. There is a wealth of knowledge regarding agriculture with farmers and UMASS in the area. A New Leaf is looking to secure the field with a fence and use it as a cultivation area and the Hallmark Building as a dispensary. A New Leaf has been working with DPH and is working through the regulations. The main issue in the regulations is access and security of the dispensary. A security plan has been submitted to the Montague Police Department and A New Leaf is open to refinement and additions if needed. The plants will be grown hydroponically in greenhouses and the dispensary will be located at the Hallmark building. There will be different levels of access and a state issued Identity Cards for participants.

*Christopher Boutwell motioned to write a letter in support of the Medical Marijuana Dispensary for a New Leaf which is not an exclusive letter of support. Seconded by, Al Cummings. Motion passes.*

- Perc Variance request from Lois Black 9 Green Pond Road

**Guest:** Lois Black

The lot is a vacant building lot owned by Lois Black. Lois wishes to ask permission to have a perc variance as it is out of season. The lot is known as Map 30 Lot 112. Lois Black currently has a buyer that is interested in purchasing the property on the condition that it passes a perc test. There was a previous perc test done in 2002 and the property passed. The regulations for perc testing changed in 2006 from requiring two holes to four holes to be dug. Gina will speak to Doug McLeay regarding setting up an appointment to do the perc test.

*Al Cummings motioned to grant a perc variance for Lois Black for the property known as 9 Green Pond Road Assessors Map 30 Lot 112. Seconded by, Christopher Boutwell. Motion passes.*

- Well setback variance request for 27 East Taylor Hill Rd  
Tabled till we hear from the resident.
- Annual review of Board of Health fee

Anne Stuart researched and obtained the surrounding town's fee schedules for comparison with the Montague Board of Health fee schedule. The Montague Board of Health made a few adjustments or additions to their fee schedule as follows:

## Page 1

- Catering \$0 per event – this is when an out of town Caterer does and event in town. There is a DPH requirement that the local BoH is notified of the event. No work is required of the local BoH.
- Catering – Annual fee increase from \$125.00 to \$150.00 – this is for a person engaged operating a catering business in Montague. They are considered a food establishment and are likewise inspected and permitted by Montague.
- Addition of the word Annual to Residential Kitchen

*Al Cummings motioned to approve page 1 with the above 3 changes. Seconded by, Christopher Boutwell. Motion passes.*

## Page 2

- Delete under Septic Permits 3 or more corrections

*Christopher Boutwell motioned to approve page 2 with no changes. Seconded by, Al Cummings. Motion passes.*

## Page 3

- Delete Chemical Toilet charge of \$25.00

*Christopher Boutwell motioned to approve page 3 with one change as noted above. Seconded by, Al Cummings. Motion passes.*

## Page 4

- Landfill Operator changed to Landfill Permit with a charge of \$5,000.00 added.

*Christopher Boutwell motioned to approve page 4 with one change as noted above. Seconded by, Al Cummings. Motion passes.*

## Page 5

- Add Re-Occupancy without a final inspection - \$150.00
- Add Re-Occupancy after condemnation no occupancy agreement - \$500.00

*Al Cummings motioned to approve page 5 with two additions as noted above. Seconded by, Christopher Boutwell. Motion passes.*

- **Other Business:**

- 21 Dry Hill Road

This is unanticipated and is in need of a repair by installing two new stone and pipe trenches. The well will be 137 feet instead of 150 at the closest point. 100 feet is a title 5 requirement and Montague requires 150 in soils that perc at less than two minutes per inch.

*Christopher Boutwell motioned to grant a variance request for septic from 150 feet to 137 feet for 21 Dry Hill Road also known as on drawing 012-019. Seconded by, Al Cummings. Motion passes.*

*Al Cummings motioned to close Board of Health Meeting. Seconded by, Christopher Boutwell. Motion passes.*

Meeting adjourned: 8:09 PM

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_