

LUNENBURG BOARD OF HEALTH
MEETING MINUTES
June 25, 2018

The Board of Health met at 7:00 pm at the Ritter Memorial Building

Present: George Emond, Perry Jewell and Warren Mayhew

MINUTES APPROVED:

TITLE 5 INSPECTION REPORTS ACKNOWLEDGED:

943 Reservoir Road

SEPTIC PERMITS SIGNED:

498 Howard Street
2030 Mass Avenue
331 Burrage Street

TOBACCO REGULATIONS

Ken Farbstein, of the Niat Foundation, met with the board to discuss Tobacco Regulations. Also present Lexi Calmes, School Superintendent. Currently, the board does not have additional regulations beyond those of the Commonwealth of Mass.

Mr. Farbstein provided information to the board on the ramifications of underage smoke. This includes both regular cigarettes and vapor cigarettes. Stated that addiction starts at a young age, is very difficult to overcome and lasts a life time. Also stated that Police Chief Marino would be willing to enforce any regulations that the Board might institute with regard to tobacco.

Mr. Farbstein provided letters from Fitchburg and Leominster Board of Health in support of enacting regulations controlling the sale and pricing of flavored cigars and e-cigarettes. Both Fitchburg and Leominster have instituted a "flavor ban" on tobacco products for 18-21 year olds and set a minimum price on flavored tobacco products.

Chairman George Emond advised that the Lunenburg Board of Health has historically not enacted regulations beyond State Regulations.

Lexi Calmes stated that all electronic cigarettes are prohibited in the school system and they are having a particular problem with the product called JUUL. This is a product that she feels is directed and marketed to young people.

Member Perry Jewell stated that currently, there is a bill to change the smoking age to 21 statewide. The Massachusetts House overwhelmingly approved raising the minimum age for purchasing cigarettes and other tobacco or vaping products from 18 to 21, a move that would bring the entire state

in line with a policy already adopted by many of its cities and towns. The bill is awaiting a vote in the senate which passed a similar measure during the 2015-2016 legislative session.

The new age requirement is part of legislation aimed at discouraging teens from taking up tobacco. Other provisions include a ban on vaping on school grounds and other public places, and a prohibition on the sale of tobacco products by pharmacies or stores within health care facilities.

The board thanked Mr. Farbstein for meeting with the board and advised that they felt that the change in smoking laws currently being undertaken by the State would resolve many of the issues being discussed tonight.

64 ARBOR STREET

The Order was sent to the owner with regard to the replacement of the septic system. No one was present to offer additional information. The matter was not continued.

27 FIRE ROAD 15A

Mr. Bean met with the board to further discuss the septic system currently on this property. Mr. Board would like additional time to explore all the options in resolving the issues with this system.

After much discussion and on motion by Jewell and second by Mayhew Mr. Bean was granted the additional time and will meet with the board again on September 17, 2018 at 7:00 pm.

498 HOWARD STREET

Neil Gorman met with the board on behalf of the owner. This system is currently in failure due to the high ground water.

In addition to high ground water this site has a steep slope. The plan proposes a Presby system. DEP allows a groundwater reduction of up to 2 feet for replacement system. Mr. Gorman is requesting the use of the Presby system to include the 2 foot reduction in order to keep the required grading.

After discussion and on motion by Jewell and second by Mayhew the variance was granted. All in favor.

THE LUNCH BOX

Jay Johnson and Chang, owner of the property met with the board. Ms. Chang would like to sell the business and retire. Ms. Chang stated that she was advised that she would have to have a bathroom installed in the trailer as well as other upgrades prior to selling.

Ms. Chang has had a food service permit at this location for an excess of 19 years with a brief period of not being open due to illness.

Chairman George Emond stated that through the course of the past 19 years the regulations have changed and become more stringent. Of the greatest concern to the board in the change in the food being prepared within the trailer.

Mr. Johnson provided a letter to the board from the Montouri's, owners of the property, allowing Ms. Chang the use of the restroom on the property. The board accepted the letter as satisfying the restroom requirement.

Mr. Emond stated that when the property is sold, it would have to be a season license as is the current license. In addition the menu will need to be presented and approved by the board so as not to move outside the allowed uses.

Meeting adjourned