

BRAINTREE BOARD OF HEALTH

MINUTES

May 22, 2013

IN ATTENDANCE: Paula Dowd, Chairman
Dr. Philip Nedelman, Vice-Chairman

ALSO PRESENT: Marybeth McGrath, Director of ML & I

Mrs. Dowd called the meeting to order at 3:00pm.

MINUTES:

Motion By: Dr. Nedelman to approve the minutes of April 25, 2013
Second By: Mrs. Dowd

NEW BUSINESS:

1) Sale of Tobacco Violation: Granite Street Citgo-4 Granite Street

Present: Jerry McLaughlin, Tobacco Compliance Officer
Ed Maloney, Retail Operations Manager for Penta G. Corp./Granite Street Citgo
Sean Sullivan, Store Manager for Penta G. Corp./Granite Street Citgo

Mr. McLaughlin advised the Board that at approximately 4:28pm, a tobacco compliance check was conducted at Granite Street Citgo located at 4 Granite Street. At that time, a sixteen year old male exited Mr. McLaughlin's vehicle and went into the establishment, with no ID or monies on him, except the money provided by Mr. McLaughlin for the purpose of purchasing a tobacco product. The minor did purchase a pack of Marlboro's for \$ 8.40. The minor returned to Mr. McLaughlin's vehicle and gave Mr. McLaughlin the pack of cigarettes purchased, which was immediately marked as evidence and kept by Mr. McLaughlin and brought to this meeting. The sale was conducted by a male young adult clerk.

Ed Maloney, the Retail Operations manager advised that he was sorry about the sale occurring. The employees are continually trained by the company, as well as have been trained by Mr. McLaughlin at several locations.

Ms. McGrath advised that this is a first offense within a two year period at this location. The penalty for a first offense is a five-day suspension of the tobacco sales permit, a one hundred dollar fine and within thirty days of the first day of the suspension, all employees involved in tobacco sales must receive merchant education.

Motion By: Dr. Nedelman to impose the penalty for a first offense to begin at 12:00 pm on May 24, 2013.
Second By: Mrs. Dowd

2) Request for Variance of Lifeguard Provision-Devon Wood Condominium Trust-1 Devon Club Lane

Ms. McGrath advised the Board that this is a variance request renewal of the lifeguard provision for Devon Wood Condominium. The establishment will continue to have lifeguards on weekends and holidays when the bather load is at its highest, but are requesting a variance of the lifeguard provision for weekdays, when bather load is low; and after Labor Day if weather permits the pool to remain opened for a few weeks into September.

Motion By: Dr. Nedelman to approve the variance as requested.
Second By: Mrs. Dowd

3) Request for Variance of Lifeguard Provision-Hampton Inn-215 Wood Road

Ms. McGrath advised the Board that this is a variance request renewal of the lifeguard provision for Hampton Inn due to the low bather load. They have a key-carded entry for guests, and the pool enclosure is next to the front desk of the hotel. The guests can only access the pool enclosure by use of their key card at the pool enclosure entry door.

Motion By: Dr. Nedelman to approve the variance as requested.
Second By: Mrs. Dowd

4) Request for Variance of Well regulation (Roadway Setback): Blossom Road Realty Trust/William Devine-87 Blossom Road

Ms. McGrath advised the Board that the applicant is requesting a variance from the roadway setback. The applicant is only able to obtain a 51' setback from Blossom Road, instead of the required 100' setback. A department inspector has been on-site to conduct a site inspection and foresees no problem in approving the variance request.

Motion By: Dr. Nedelman to approve the variance as requested.
Second By: Mrs. Dowd

OTHER BUSINESS:

Motion By: Dr. Nedelman to adjourn the meeting at 3:15 pm.
Second By: Mrs. Dowd