The Northbridge Board of Health approved these minutes at a meeting held June 10, 2024.

MEETING MINUTES - MAY 13, 2024

This meeting was called to order at 5:30 PM by Ms. Lani Criasia, Chair. Other members present were Mr. Chris Cella, Ms. Linda Lemond, RN, Ms. Erin Meagher, NP, and Mr. Steve Garabedian. Also present was Ms. Jeanne M. Gniadek, Board of Health Administrator, Ms. Emily Whittaker-Smith and Mr. Daniel Markman, BVPPH Regional Health Inspectors, and Ms. Joan Hamlett and Ms. Jodie Brighenti, Boards of Health Tobacco Control Alliance.

Meeting Minutes: Motion made by Mr. Cella to accept the minutes of April 8, 2024. Motion seconded by Mr. Garabedian. The vote was all in favor.

Application for Stable Permit – 261 Shannon Drive: Present for this meeting was Mr. Stefan Sadlon of 261 Shannon Drive in Whitinsville. Mr. Sadlon noted that he was present to request a variance from local board of health regulations governing the required minimum square footage for the keeping of chickens.

Mr. Sadlon stated that he intends to only house 6 hens. He stated that for each hen to be comfortable and to thrive they only need about 10 square feet (SF) each in the chicken run area and about 4 SF in the chicken coop. Mr. Sadlon presented a very informative presentation to the board outlining the area where he intends to house the chickens along with a manure management plan. As for abutters, Mr. Sadlon stated that he only has one abutter who is in favor of him keeping chickens. Additionally, this abutter is screened by landscaping from Mr. Sadlon’s property.

The Board commended Mr. Sadlon on his presentation. Mr. Cella requested documentation from the abutter that he is in fact in favor of the board granting Mr. Sadlon a variance to allow him to keep chickens on this property. Mr. Cella also requested additional information regarding the manure management plan and transportation of the animal waste.

Mr. Cella made motion to grant variance to allow for the keeping of 6 hens at 261 Shannon Drive subject to receipt of a letter from the abutter and more information on the manure management plan. Motion seconded by Mr. Garabedian; the vote was all in favor.

Housing Minimum Standards – 858 Providence Road: The Board tabled this matter as the applicant was not present for the meeting.

Hearing – Tobacco Violation Notice – Request for Appeal – Vera’s Mini Mart: Present for this hearing was Attorney Gerald Shugrue, representing Vera’s Mini Mart.

Ms. Criasia called this hearing to order at 5:54 PM. Roll call vote of Board of Health members present: Cella/yes; Meagher/yes; Garabedian/yes; Lemond/yes; Criasia/yes.
Motion by Mr. Cella to open the hearing; seconded by Mr. Garabedian. All in favor.

Ms. Criasia asked that Ms. Hamlett and Ms. Brighenti provide their testimony of what occurred on March 15, 2024. Ms. Brighenti stated that she and Ms. Gniadeck conducted an inspection after the tobacco sales permit revocation of this establishment to ensure that all tobacco products had been removed. She noted that cigars were found in the walk-in cooler and that several flavored tobacco products were found in a backpack in a cabinet in the back room including Newports (bearing a New Hampshire tax stamp), Juuls, Crave 5% in Pineapple, Grape and Strawberry, as well as Kodiak chewing tobacco in Wintergreen.

Atty. Shugrue argued that proper process was not followed as the revocation letter did not include a date, it only said immediately.

Ms. Hamlett stated that the evening the Board held their hearing (March 12, 2024) to discuss the permit revocation and Mr. Youssef was informed that his permit was being revoked and that all products would need to be removed, it was Mr. Youssef that stated he would be able to remove all products that very same evening.

Atty. Shugrue argued that the $5,000 fine should be vacated. Ms. Criasia noted that there were two separate violations. The first being having tobacco products on the premises without a permit – that resulted in a $300 fine. The second violation was for having flavored tobacco products on the premises – that is the violation that resulted in the $5,000 fine.

**Motion to close the public hearing was made by Ms. Meagher and seconded by Mr. Cella.**
*The vote was all in favor.*

The Board reviewed the evidence presented including the photo documentation provided in the April 11, 2024 Correction/Cease & Desist Order.

**Motion made by Ms. Meagher:** I move based on the evidence introduced at this hearing that the Board find that Mina’s Food, Inc, d/b/a Vera’s Mini Mart, violated the terms of its tobacco sales permit revocation in the manner alleged in the April 11, 2024 Correction/Cease and Desist Order, that this is its FIFTH violation within the past 36 months, and that the license holder has offered no credible justification for the violation; and based on this finding, I further move that the Board affirm the assessment of a fine in the amount of $5,300 to be paid in ten (10) business days. Motion was seconded by Mr. Cella; the vote was all in favor.

**Application for Beaver Permit:** The Board reviewed an application for an emergency beaver permit from the Whitinsville Water Company/Steve Cheney at Fish Pond. Application notes that beaver dam work in the culvert is causing flooding and overtopping the access road to Carpenter Dam.

**Motion made by Mr. Cella to grant 10-day emergency beaver permit to Whitinsville Water Company/Steve Cheney for work at Fish Pond.** Motion seconded by Mr. Garabedian; the vote was all in favor.

**Food Establishments – THC and CBD infused beverages:** Ms. Gniadeck informed the Board that the matter of THC and CBD infused beverages continues to be a problem with local liquor store retailers.
She informed the Board that Mr. Markman, accompanied by an officer from the Police Department, hand delivered notices to 9 retailers on Friday, May 3rd. On May 13th he again visited Friendly Liquors, the establishment with the huge end cap display of these products. They informed Mr. Markman that they would NOT be removing these products. The products containing CBD were removed, but not the products containing THC. It was explained to them that the FDA has prohibited the use of CBD and THC (hemp-derived or otherwise) from being used as a food additive and therefore these food products could not be sold. This information was confirmed with General Counsel from the Dept. of Agricultural Resources.

A formal letter from the Board of Health is to be sent via certified/return receipt mail again explaining that the products are not legal and ordering them to be removed. Mr. Markman and Ms. Whittaker-Smith will also hand-deliver and conduct inspections of these retailers.

**Old & New Business:** The Board was introduced to Ms. Emily Whittaker-Smith, the new Regional Health Inspector through the Blackstone Valley Partnership for Public Health grant.

**Citizens Forum:** No one present for citizen’s forum.

*There being no further business, motion to adjourn at 6:52 PM was made by Mr. Cella and seconded by Ms. Meagher – all in favor.*

*Attested by,*

[Signature]

Jeanne M. Gniadek, Administrator

**Next Meeting scheduled for:** Monday, June 10, 2024 @ 5:30 PM

(location to be determined)
List of Documents utilized by Board of Health
Meeting Date: May 13, 2024

A. Approval of Minutes
   1) April 8, 2024 DRAFT Meeting Minutes

B. Application for Stable Permit
   2) 261 Shannon Drive
      a. Letter (S. Sadlon) requesting variance for square footage requirement

C. Housing – Minimum Standards
   3) 858 Providence Road – Variance Request – Ceiling Height
      a. Email (4/29) from Vanessa Nixon, property owner

D. Tobacco Violations – Appeal of Order/ Cease & Desist
   4) Vera’s Mini Mart
      a. Letter from Attorney Gerald Shugrue (April 18, 2024)
      b. BOH Letter (April 22, 2024)
      c. Correction/Cease & Desist Order (April 11, 2024)

E. Beaver Permit Application
   5) Whitinsville Water Company – Fish Pond
      a. Application for 10-day emergency beaver permit

F. Food Establishments
   6) THC/CBD Infused beverages
      a. Notice to Retailers
      b. List of Liquor Store retailers

G. Old & New Business
   7) BVPPH – Updates – No documents

H. Citizen’s Forum – none

I. Correspondence – none
### BOARD OF HEALTH MEETING - MAY 13, 2024

Sign-In Sheet

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<thead>
<tr>
<th>NAME (Please Print)</th>
<th>ADDRESS or NAME OF ESTABLISHMENT YOU ARE REPRESENTING THIS EVENING</th>
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<tbody>
<tr>
<td>GERALD SHUGRUE</td>
<td>VERA'S MINI MART, Gravel Rd</td>
</tr>
<tr>
<td>Jodie Brigenti</td>
<td>Tobacco Control</td>
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<tr>
<td>STEFAN SADLON</td>
<td>VARIANCE PROCEDURE</td>
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<tr>
<td>Joan Hagen</td>
<td>Tobacco Control</td>
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