



William Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

GREENFIELD BOARD OF HEALTH

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Public Health
Prevent. Promote. Protect.

Nicole Zabko
Director

Members:

Taylor, David, D.C. (2013)
Doyle, William, M.D. (2014)
Thaver, Janina R.N. (2015)

Greenfield Board of Health: Regulation of Environmental Impact

Pursuant to MGL Chapter 111 Sections 31 and 143 the City of Greenfield Board of Health on May 28, 2013 voted unanimously to adopt the **Regulation of Environmental Impact**. This regulation is intended to provide protection of the public's health, safety, welfare and the environment by providing a mechanism that may be utilized at the discretion of the Board of Health.

It is resolved that **Any** activity or trade or business that has the potential of causing noisome trade as defined as that which may result in a nuisance or be harmful to the inhabitants, injurious to their estates, dangerous to the public health, or may be attended by noisome and injurious odors which desires to be established in the City of Greenfield shall apply to the Board of Health for site assignment. Such application may be required to include an Environmental Health Impact Report which shall include an independent narrative and plans with preconstruction study of environmental levels and projected changes in levels by the business. The activity or trade or business shall have the burden of proof that there is clear and convincing evidence that the proposed work, activity or business shall not have unacceptable, significant individual or cumulative adverse effect upon the public or environmental health.

If, after receiving an application, a proposal, a request for assignment or other request for review or sign-off, the Board of Health determines that in order to deliberate and decide any issue raised by an applicant that it requires technical advice, it may employ outside consultants in accordance with the provisions of MGL Chapter 44 Section 53. The Board of Health may require that the applicant pay a reasonable consultant fee for the employment of outside consultants chosen by the Board of Health.

Based on the information obtained, the Board of Health may at its discretion deny site assignment and prohibit the exercise of the activity or trade or business at the proposed location and/or within the City of Greenfield or in places not so assigned.

Appeal of Site Assignment: Any persons, including persons in control of public land, aggrieved by the action of the Greenfield Board of Health in assigning certain sites or places for the exercise of any noisome trade may, within sixty (60) days, appeal from said decision to the Massachusetts Department of Environmental Protection (DEP).

Orders of Prohibition: Any order of prohibition issued by the Board under this regulation and, pursuant to MGL Chapter 111 Section 143, shall be served by an officer qualified to serve civil process. Whoever is aggrieved by an order of prohibition may, within three (3) days after service of such order upon him or her, give written notice of appeal to the Board of Health or DEP and file an appropriate petition in Superior Court in Franklin County."

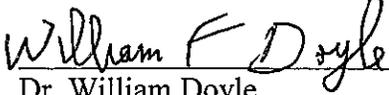
This regulation was adopted by vote of the City of Greenfield Board of Health on May 28, 2013, the effective date of these regulations. A public hearing on these regulations was held on April 25, 2013. First publication of notice of public hearing was made on April 10, 2013 in the Greenfield Recorder, and second notification was made on April 20, 2013 in the Greenfield Recorder.


Dr. David Taylor, Chair

5-28-2013
Date


Janina Thayer, RN

5-28-2013
Date


Dr. William Doyle

May 28-2013
Date