

Board of Health
Meeting Minutes

Board Members:

Margie LaFleur, Chairperson; Phil Durno, Member; Virginia Malouin, Member

Staff:

Kalene Gendron, Health Agent; Brynn Montesanti, Assistant to Board of Health

Attendees:

See attached list

3/19/2019 - Minutes

1. Working Session

2. Acceptance of Minutes

a. **3/5/19**

Mrs. Malouin motions to accept the minutes from 3/5/19 as written. Mr. Durno seconds. All in favor.

3. Appointments/New Business/Action Items/Permits

a. **6:05PM - Public Hearing - 18 Maple Street, Unit 5**

Mrs. LaFleur opened the public hearing at 6:05PM. This public hearing is being held in regards to an enforcement order issued to Fairlane Homes regarding 18 Maple Street Unit 5 dated February 18, 2019 that Fairlane Homes is appealing. The Health Agent issued the enforcement order citing 105 CMR 410.500, Onwer's Responsibility to Maintain Structural Elements, and 940 CMR 10.05(10), Maintenance of Manufactured Home Sites and Common Areas Free From Hazards.

Ms. Shari Jenson was present on behalf of Fairlane Homes, she explains to the Board that Ms. Jacqueline Bryson purchased her mobile home in October 2014 and signed the park rules, in Part 15, Aesthetic Standards for Exterior of the Home and Site, sections A and B it states that the maintenance of structures and maintenance of site are responsibility of the owner and that Fairlane Homes maintains their stance Ms. Bryson is responsible for the removal of the tree and shrubs that she claims is compromising the shed. Ms. Jenson further continues to explain to the Board that Ms. Bryson's neglect of her property is the reason of the compromise and Fairlane Homes would remove the tree if it was damaged and located in a common area, that this tree is a live tree located on a portion of the space Ms. Bryson leases from Fairlane Homes. Mrs. Malouin asks how did this complaint come about, Mrs. Gendron explains that Ms. Bryson called the Board of Health after attempting to contact Fairlane Homes in regards to this matter and being denied the removal of the tree by Fairlane Homes. Fairlane Homes has always stated that Ms. Bryson is allowed to remove the tree but it is her responsibility and not that of Fairlane Homes. Mrs. Malouin asks Ms. Jenson if at any time has Fairlane Homes given Ms. Bryson written permission to remove this tree and Ms. Jenson responds no, only verbally at which time Mrs. LaFleur reads Part 6 section B of the park rules that discusses lot lines and asks Ms. Jenson to describe the area Ms. Bryson leases from Fairlane Homes. Mrs. Malouin asks Ms. Jenson the

approximate diameter of the tree that is compromising Ms. Bryson's shed and Ms. Jenson describes it to be approximately 6-8" in diameter.

Mrs. LaFleur explains to Ms. Jenson that her interpretation of the rules are that they are in reference to "planted" trees by the tenant that the tenant would be responsible for not "naturally occurring trees". Ms. Jenson explains that Fairlane Homes does not take down live trees and that Ms. Bryson purchased her unit three years ago, the tree was there upon purchase and she has let it grow for three years.

Ms. Jacqueline Bryson, owner of unit #5 was present and presents to the Board that she has been asking Fairlane Homes for 3 years to remove the tree, she has also attempted to contact her own insurance company in regards to this tree and the damage amount was less than the deductible and she was denied her claim. She has attempted to save the shed by raising the shed but it has not worked either. Ms. Bryson asks the Board to please help her and move forward with the enforcement order.

Mrs. LaFleur closes the public hearing at 6:50PM.

Mrs. Gendron recommends to the Board that they sustain the enforcement order. Mrs. Malouin motions to sustain the enforcement order issued on February 18, 2019. Mr. Durno seconds. All in favor.

b. Lot 8 Robinson Road - New Septic System

4. Walk-Ins

5. Correspondence

a. Rabies Clinic - April 6, 2019, Jersey Street Fire Station, 9am-12pm

6. Health Agent Comments

7. Matters That May Be Raised That the Chair Didn't Reasonably Anticipate

8. Bill Warrant

a. Approve bill warrant

Nashoba Associated Boards of Health 4th quarter bill in the total amount of \$10,757.70; \$3,370.95 for Nursing Services and \$7,386.375 for Environmental Services. Mr. Durno motions to approve the bill warrant for Nashoba Associated Boards of Health. Mrs. Malouin seconds. All in favor.

9. Future Meeting

a. 4/2, 4/16

Mrs. Malouin motions to adjourn meeting. Mr. Durno seconds. All in favor. Meeting adjourned at 7:03PM.

Respectfully submitted by Brynn Montesanti, Administrative Assistant to Board of Health.