



**TOWN OF GROTON**  
Board of Health  
173 Main Street  
Groton, MA 01450

**BOARD OF HEALTH**  
Michelle Collette, Chair  
Robert J. Fleischer, Member  
Evan Thackaberry, Member

Date: Monday November 6, 2023  
Time: 6:30 PM  
Location: 1<sup>ST</sup> Floor Meeting Room, Groton Town Hall  
Members Present: Michelle Collette, Evan Thackaberry, Robert J. Fleischer  
Members Not Present:  
Others Present: Katie Berry, Judy Anderson, Ira Grossman, Atty Tom Gibbons, Brandon Newhouse, Joey Tomaino

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**Michelle Collette called the meeting to order at 6:30 p.m.**

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**20 Nicole Ln, Joseph & Laura Tomaino, State Sanitary Code 105.CMR 410.430 Habitable Rooms other than Kitchen-Natural Light and Electrical Outlets Variance-** Brandon Newhouse, contractor, presented the project to the board, the homeowner is hoping to create a bathroom and home gym in the basement area. Ira Grossman asked a few clarifying questions. Evan Thackaberry moved to grant the variance as requested, Bob Fleischer seconded, and the motion carried unanimously.

**95 West Main Street, Housing Violations, Discussion on Notice of Non-Compliance-** Ira Grossman, Health Agent, presented the current situation of the property, and violations to the board, including multiple 24-hour violations as outlined in the letter to the property owner dated October 5<sup>th</sup>, 2023. A second letter was sent to the owner on October 25<sup>th</sup>, 2023, though no action has been taken to correct these violations. The property has broken windows, infestation, holes in walls, broken concrete, unstable footing, uneven flooring, no locks on windows, security issues, missing front step, are some of the violations that were identified. Chief of Police, Mike Luth, had brought the issue to the board's attention. As no effort has been made to correct the violations, Ira Grossman shared his position on moving forward with condemnation hearing, as there is a tenant in the building and winter is quickly approaching. Bob Fleischer moved to schedule a condemnation hearing regarding violations at 95 West Main Street on November 20<sup>th</sup> 2023, Evan Thackaberry seconded, and the motion carried unanimously.

**747 Lowell Road, Ms. Fairbairn- Non-compliance issues condemnation hearing, continued-** Attorney Tom Gibbons addressed the board on behalf of Ms. Fairbairn, who is Attorney at Fact for Gregory Fairbairn. Atty Gibbons presented the history of the property, including the murder of Mary Fairbairn in the home, and shared that Ms. Fairbairn has been attempting to keep up with the property in regards to the violations, though she lives in Brooklyn New York. He continued to address the current status of the violations in the main home as well the garage area apartment. Atty Gibbons noted that the property is vacant and Ms. Fairbairn's intention is to have the property winterized in order to continue repairs in the Spring. He stated that, in the event that she finds a buyer for the property who would take on repairs, she would disclose the outstanding violation notice and the need for compliance prior to future occupancy to the potential buyer. Michelle Collette asked if plumbing permits were pulled for the work that has been recently done, Atty Gibbons stated that he would inquire. Atty Gibbons requested a

continuation of this hearing, as the property is secure and unoccupied, and the present situation for the homeowner is difficult, as well as complicated. Atty Gibbons offered to meet Ira Grossman at the property to provide evidence that it is secured and unoccupied, as well as to continue meeting with the Board of Health through the winter to provide updates and confirm that the property is unoccupied. Ira Grossman responded to this request that he is not fully comfortable with continuation, based on the previous violations and lack of follow through, as the apartment had been reoccupied after notice of violations in the past. Bob Fleischer stated that Groton Town Counsel advised for moving forward with condemnation. Atty Gibbons stated that it would hurt the position of Ms. Fairbairn to continue with condemnation, as her ultimate goal is to sell the property, ideally to someone wishing to do a total rehab. Michelle Collette responded in regards to the apartment, and stated that correcting the septic for the apartment would still not make it compliant, that there will need to be additional steps through the building department and zoning enforcement officer. Michelle Collette also asked why the work would be held off until the Spring, for pragmatic considerations, as the property will continue to incur damage during the time it remains unheated. Ira Grossman suggested continuing to a hearing in February, and should the board see fit, the steps to condemnation could be pursued at that time. Evan Thackaberry moved to continue the condemnation hearing for 747 Lowell Rd to February 5<sup>th</sup>, 2024 with the condition that the property remain unoccupied and secured, as well as the stipulation that there be a record of Ms. Fairbairn Attorney at Fact's address and phone number for contact as needed, Bob Fleischer seconded, and the motion carried unanimously.

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**OLD / NEW BUSINESS:**

**Sign permits/ invoices-** The board signed permits and invoices.

**Minutes-** Bob Fleischer moved to accept the 10/23/23 Board of Health meeting minutes as submitted approved, Evan Thackaberry seconded, and the motion carried unanimously.

**Schedule Next Meeting**

Next meeting will be November 20<sup>th</sup>, 2023 at 6:30pm.

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**ON-GOING ISSUES**

- A. **PFAS Updates-** The warrant article to provide clean water to the Groton Dunstable High School and surrounding affected areas was approved at town meeting. Michelle Collette also shared that the special election tomorrow November 7<sup>th</sup> 2023 has a question that residents can vote on regarding the debt exclusion for this PFAS remediation.
- A. **Squannacook Sportsmen's Club Site Updates** – No changes, the EPA is wrapping things up, and getting ready to close the site out. The next step will be for the Council on Aging to review plans for future use of the site.

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**Bob Fleischer moved to adjourn at 7:31pm, Evan Thackaberry seconded, and the motion carried unanimously.**

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Minutes by Katie Berry.

**APPROVED: 11/20/2023**

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