



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 December 4, 2023
Time: 6:30 PM
Location: 1ST Floor Meeting Room, Groton Town Hall
Members Present: Michelle Collette, Evan Thackaberry, Robert J. Fleischer
Members Not Present:
Others Present: Katie Berry, Kalene Gendron, Ruth Maxant-Schultz, Brad Carmena, Anthony Hauck, Alyssa Caldrio Tasha Hauck, Curtis Schultz, Groton Residents

Michelle Collette called the meeting to order at 6:31 p.m.

14 Rustic Trail, Anthony Hauck, Well Variance Request to Chapter 330-6C- Anthony Hauck, homeowner, addressed the board to discuss his property on Lost Lake, where they have a point well that has deteriorated. The property owner is unable to drink the water on the site at this point. Mr. Hauck shared and discussed the survey with possible well site locations. The site is very complex and drill well sites are limited. Mr. Hauck after presenting the challenges faced, requests the boards input as to which variance would be best to pursue. Bob Fleischer stated that he would prefer a drilled well, which would be dependent on getting drill equipment into the complex site, Michelle Collette stated that conferencing with Groton Electric Light Department to see if it's possible to remove lines temporarily would be a good option to explore. Kalene Gendron of Nashoba Associated Boards of Health stated that the well company will address well depth. The board asked a few clarifying questions and gave feedback regarding the best course moving forward in installing the new drilled well. He will be working with Tim Dionne of Skillings and Sons on the project. Bob Fleischer motioned to continue the hearing to December 18th at 6:30pm, Evan Thackaberry seconded, and the motion carried.

4 Mockingbird Hill Rd, Brad Carmena, Natural Light Variance to State Sanitary Code 105.CMR 410.430 Habitable Rooms other than Kitchen-Natural Light and Electrical Outlets. - Brad Carmena, homeowner, addressed the board to request this variance to finish his basement. Bob Fleischer asked what ventilation sourced would be used, the homeowner stated that the basement will be incorporated into the existing HVAC. Evan Thackaberry confirmed that there will be enough exits from the basement level. Bob Fleischer motioned to approve the variance, Evan Thackaberry seconded, and the motion carried unanimously.

45 West Main Street, Ruth Maxant-Schultz, Housing Code Violations Hearing- A complaint has been made to the Board of Health regarding inadequate heating at an apartment on this property. Ruth Maxant-Schultz addressed the board to share that she has owned the property for 53 years. Ms. Schultz stated that she went to mini-splits in the apartment in question. She stated that the mini-splits failed during the cold weather, though the splits worked for air conditioning during the summer months. She shared that she is waiting for the new mini-split units to be installed, though in the interim, she provided

electrical heating units to the tenant, and stated that the tenant did not use them properly. Ms. Maxant-Schultz claimed that the complaint from the tenant is a scam, that the tenant has given incorrect or misleading information. Michelle Collette stated that the topics should be stuck to addressing the housing code violations only, as the tenant is not present and other things are not in the per view of the Board of Health. Kalene Gendron provided the board with the list of the housing code violations that were seen at the property during inspection. She asked Ms. Maxant-Schultz if she has come with proof of remedy or contract to remedy the violations. Michelle Collette asked if there was an electrical permit pulled with the Building Department when the mini-splits were installed. Ms. Maxant-Schultz said her licensed electrician upgraded electrical components around her property, as well as other work including install of the mini-split units, and she believed he pulled the correct permits but was not sure. Michelle Collette shared that all tenants for the property received notice of tonight's hearing, as there are 4 apartments at the property. Michelle Collette also asked if while investigating the inadequate heating, had a thermometer been installed. Ms. Maxant Schultz said that she did not have a thermometer in the unit, so Mrs. Collette stated that knowing the correct temperature is important to determining the actual temperature in the unit, and whether it is adequate. Evan Thackaberry asked if the entire building uses mini-splits, to which Ms. Maxant-Schultz stated that this unit is the only one, he also asked what the interim electrical heating units are rated for, which Ms. Maxant-Schultz provided the specifications. Bob Fleischer mentioned that there are multiple factors for a home's heat retention, such as insulation. Ms. Maxant-Schultz shared some insulating work that had been done in years past. Michelle Collette asked if the tenant, Amy Ryan, is still living in the unit and what are the present conditions. Ms. Maxant-Schultz shared that Victory Electric is coming to the unit on Wednesday to make repairs to damaged electrical outlets, and that the tenant is still living there. She also states that she has another electrical heating unit in her car that she can provide the tenant. Kalene Gendron stated that while she is not familiar with these electrical units, that they could be reviewed by the Building Commissioner. Ms. Gendron continued, stating that, without Ms. Maxant-Schultz, the property owner, having remedied any of the violations, the suggestion to the Groton Board of Health would be to move to a condemnation hearing. Ms. Maxant-Schultz clarified that this condemnation hearing would pertain to the unit in question only. Michelle Collette informed her that addressing these housing code violations is urgent, as it is winter, so time is of the essence. Ms. Maxant-Schultz asked a question about a cited violation regarding a window in the kitchen of the unit. Kalene Gendron stated that as this is a hearing, all violations can be reviewed at this time. A copy of the violation was made for Ms. Maxant-Schultz by Katie Berry, and the level of the violations explained to her by Kalene Gendron. At that time, Kalene Gendron asked for clarification from Ms. Maxant-Schultz on the intent of the hearing this evening, to which Ms. Maxant-Schultz stated that an extension would be needed to remedy the violations, and explained some previous work that she had done. Ms. Maxant-Schultz went through some of the violations and provided some context for the board, including her intention to remedy. Michelle Collette added that the comments that Ms. Maxant-Schultz made regarding electrical issues and electrical breaker tripping, are of concern and that they can, and should, be properly inspected by the building departments electrical inspector as well as the fire department. Ruth Maxant-Schultz stated that she left a voicemail for Mr. Art Cheeks, Deputy Fire Chief of the Groton Fire Department, today but had not been in contact with the electrical inspector. Bob Fleischer clarified that the housing code states that the tenant needs to have access to their electrical panel. Evan Thackaberry clarified that the authority to determine if the heating provided is adequate would be up to the building and fire department to ensure that the units meet the housing and fire codes. He asked who installed the electrical units to the wall, to which Ms. Maxant-Schultz states she did. The board recommended that having an inspector with the expertise determine the feasibility of the units and whether they are

adequate. Evan Thackaberry motioned to continue this hearing to Monday December 18th, 2023 at 6:30pm as a condemnation hearing, Bob Fleischer seconded, and the motion carried unanimously.

Building Commissioners Update Regarding Parcel 125-80 Fir Rd. – Michelle Collette shared that there is a dilapidated and unoccupied structure at this lot. Ira Grossman looked at the site today and is working with the Building Commissioner to determine next steps. She also shared that the homeowner has been contacted. Evan Thackaberry made note that there could be potential for peeling lead paint from the structure.

OLD / NEW BUSINESS:

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

Minutes- Bob Fleischer moved to accept the 11/20/23 Board of Health meeting minutes as submitted approved, Evan Thackaberry seconded, and the motion carried unanimously.

Schedule Next Meeting

Next meeting will be December 18th, 2023 at 6:30pm. The Board of Health will meet off of the typical schedule for January 16th, 2023 at 7:00pm.

ON-GOING ISSUES

- A. **PFAS Updates-** Dunstable passed the debt exclusion override.
- A. **Squannacook Sportsmen's Club Site Updates** – No updates.

Evan Thackaberry moved to adjourn at 7:47pm, Michelle Collette seconded, and the motion carried unanimously.

Minutes by Katie Berry.

APPROVED: 12/18/2023
