

Board of Health Minutes  
Hearing pertaining to an inspection at 389 Thorndike Street  
January 25, 2018

The hearing opened at 7:00 p.m. with Ms. Amodei, Ms. Moeller and Mr. Parkin present.

Also in attendance was, Attorney David Lucas, Esq. representing the Rondal McLoon Estate who owns 25% of the property, David Tully, Sr, Robert Kennedy and Alan Chaney, representing the Dunstable Rural Land Trust who owns 75% of the property. Tracey Hutton, Town Administrator, James Dow, Dunstable Police Chief, Brian Rich, Dunstable Fire Chief.

Ms. Amodei read the inspection report out loud that was conducted on January 10, 2018 by James Garreffo, our Agent from the Nashoba Associated Boards of Health. When done she stated that all the violations found were sufficient violations to condemn the house because it was unfit for human habitation.

Attorney Lucas spoke in opposition of the motion and opposed the condemnation of the building. He stated that the tenant at the time; Jamie Smith began the repairs on Father's Day 2017 and continued until he was incarcerated. At that time the Trustees changed the locks on the doors and installed smoke and carbon monoxide detectors. He submitted photos of the property.

Ms. Amodei appreciated the explanation as to how the house became uninhabitable but the only concern the Board has is that it is now unfit for human habitation.

Ms. Moeller made a motion to condemn the house and to make sure it is vacated and secured because it is unfit for human habitation. The motion was seconded by Mr. Parkin and Ms. Amodei voted in the affirmative to make the motion unanimous

Ms. Amodei stated that this order does not require the house to be torn down at this point. Under the code the owners have one (1) year to make the repairs, then the house can be again inspected by the Board of Health and if in compliance it can be declared fit for human habitation.

Ms. Amodei stated that only authorized persons can enter the property at this time and the Board of Health must be notified in advance on who is entering and why.

Members of the Rural Land Trust would like to hire someone to go to the home and turn off the heat and drain the water from the house to keep it from freezing. Ms. Amodei agreed that it could be done but we must be notified when someone goes here. The notification could be as simple as an email.

Ms. Smith who is not living there anymore would like to access the home and retrieve her property. Again Ms. Amodei said that we must be notified and stated that she cannot go there alone; someone must accompany her. It is questionable on how she is going to retrieve anything from the second floor since the stairs have been removed. Attorney Lucas would like her to be accompanied by a police officer.

A letter from the Board of Health will be sent to all interested parties with their decision and how the property should be posted that it is unfit for human habitation and condemned.

The posting will remain in effect until the property is re-inspected by the Board of Health and it meets all requirements of the State Sanitary Code Chapter II; Minimum Standards of Fitness for Human Habitation or it is torn down.

With no other questions before the Board, Ms. Amodei closed the hearing at 7:20 and adjourned the meeting.