

**Braintree Board of Health
Meeting Held Via Zoom
Thursday, April 14, 2022, 7:00 p.m.**

IN ATTENDANCE: Dr. Arthur Bregoli, Chairman
Dr. Philip Nedelman, Vice Chairman

NOT PRESENT: Juliana Melchionda, Member

ALSO PRESENT: Marybeth McGrath, Director of ML & I
Mike Minihane, Health Inspector

Dr. Bregoli called the meeting to order at 7:02 p.m. by roll call vote:
Dr. Bregoli-yes; Dr. Nedelman-yes

Approval of Meeting Minutes: February 17, 2022

Motion By: Dr. Nedelman to approve the minutes of February 17, 2022.

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

List of Complaints:

The Board reviewed a list of complaints received from February 14-April 11, 2022.

Ms. McGrath stated since February, as the winter has progressed, they are seeing housing and food establishment complaints, as well as trash complaints and rodents. She stated they continue to investigate and follow-up on those complaints.

New Business:

Request for Variance of Lifeguard Provision:

Landing 53 Apartments, 25 Commercial Street

Tony Ferris, the Property Manager, was present via Zoom. Ms. McGrath stated this is a repeat annual request. They have provided documentation of bather load for the previous year. During the week the bather load is lower than on the weekends. They have a camera system in the pool area and a key controlled gate system for access. Ms. McGrath recommended approval.

Motion By: Dr. Nedelman to approve the variance for lifeguard provision, Landing 53 Apartments, 25 Commercial Street

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Turtle Crossing, 501 Commerce Drive

Susan Ebersole, the Property Manager, was present via Zoom. Ms. McGrath stated this is an annual request for a partial variance. The bather load shows data for 2021 which indicates activity which is higher during the weekends. They are requesting a variance Monday through Friday, with a lifeguard on duty on weekends and holidays. They have a keycard system to enter the community center building and access the pool enclosure. Ms. McGrath recommended approval.

Motion By: Dr. Nedelman to approve the variance for lifeguard provision, Turtle Crossing, 501 Commerce Drive

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Jonathan's Landing, 400 John Mahar Highway

Richard Tweedy, the Property Manager, was present via Zoom. Ms. McGrath stated bather load activity data has been provided. They are requesting a partial variance to not have a lifeguard on duty from 8:30 in the morning until noon. They would have a lifeguard on duty after noon until the pool closes. Ms. McGrath recommended approval.

Motion By: Dr. Nedelman to approve the variance for lifeguard provision, Jonathan's Landing, 400 John Mahar Highway

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Royal Lake Village Condominiums, 3 Royal Lake Drive

Ms. McGrath stated this is a longstanding annual request for variance. Bather load data has been provided for 2021. They have a fairly low bather load in this adult community and are requesting a full lifeguard variance. Ms. McGrath recommended approval.

Motion By: Dr. Nedelman to approve the variance for lifeguard provision, Royal Lake Village Condominiums, 3 Royal Lake Drive

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Request for Variance of Well Regulations (property line and roadway setbacks):
Kevin and Lisa Mooney, 12 Hatch Avenue

Kevin and Lisa Mooney were present via Zoom. Ms. McGrath stated this is one of the most thorough applications that has come before the Board. They are requesting two variances for roadway and side property line. They have a patio in the back and are requesting the well be placed on the side of the property beyond the driveway, 19 feet from the property line, 56.5 feet from the roadway. There is no impact to other properties. All abutters have been notified. Ms. McGrath recommended approval.

Motion By: Dr. Nedelman to approve the variance of well regulations,
12 Hatch Avenue

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Request for Animal Permit: Granite Academy, 6 Columbian Street (2 goats)

Amy Barber, Director, and Norm Schmidt were present via Zoom. Ms. McGrath stated they have been before the Board for a request for two sheep, and that was so successful they would like to add two goats. They have not notified their abutters since they were previously notified about the sheep, but would be willing to do so if the Board determines it is necessary. Ms. McGrath stated there have been no complaints received and she recommended approval.

Mr. Schmidt stated they would be dwarf goats that do not exceed 40 lb. The Board members were in agreement that they would like the abutters to be notified of the additional animals.

Motion By: Dr. Nedelman to approve the request for animal permit, Granite Academy, 6 Columbian Street, 2 goats, conditional upon notification to abutters.

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes

Request for Hearing, 105 CMR 410.000, Minimum Standards of Fitness for Human Habitation/State Housing Code, Lam Wai Keung & Ng Ka Yan, 221 Commercial Street, Unit #1

Ng Ka Yan, property owner, was present via Zoom. Ms. McGrath stated a housing order was issued on March 17, 2022, regarding violations observed during inspection, including no smoke/carbon monoxide detectors and other structural problems.

Ms. Ng Ka Yan stated they have corrected the problems on the order. She indicated the smoke/carbon monoxide detectors have always been present, but the tenants took them out, which is out of her control. The tenants have since moved out and complained to the Board of Health in order to break their lease, which has been allowed. She stated some of the problems were due to the tenant not following property hygiene, such as not cleaning the tub.

Ms. McGrath stated a complaint was received and the property was inspected on March 17, 2022. They have no knowledge of problems between a tenant and owner and when a complaint is received they are required to follow-up on it. Ms. McGrath stated the owner should consider hardwiring the smoke/carbon monoxide detectors so they are not easily removed by the tenant. This equipment is the responsibility of the property owner, not the tenant.

Ms. McGrath advised the Board that the Building Department has also done an inspection of this property and noted building code violations that have to be addressed as well. She stated they can conduct a compliance inspection if the owner is indicating the corrections have been made. Ms. Ng Ka Yan stated that she hired a structural engineering who has determined it is safe to live in the building and she has forwarded this information to Mr. Forsberg, the Building Inspector.

Ms. McGrath recommended the Board uphold the order as written.

Motion By: Dr. Nedelman to uphold the order as written.

Second By: Dr. Bregoli

Unanimously Voted by roll call:

Dr. Bregoli-yes; Dr. Nedelman-yes

Informational:

Ms. McGrath stated the town has been working with the Attorney General's office for approximately four years in an ongoing investigation of Skyline Apartments. There are consistent concerns with sanitary and building code violations on the property. They have been working with the Braintree Housing Authority and conducted 93 inspections of units that they oversee under their subsidized housing program. All 93 units had violations. Orders have been issued on those units and they are trying to get this corrected. They are going to continue to work with the court system to try to get these issues corrected. There are 226 dwelling units in total. The orders have been issued to the property owner. The court system will determine the ultimate outcome, but they would like to get all the violations corrected.

Ms. McGrath announced they are holding a Covid booster clinic on Tuesday, April 19, 2022, from 3:00 to 7:00 p.m. at town hall auditorium.

Ms. McGrath announced the annual rabies clinic will be held on the second Saturday in May outside town hall. Residents and non-residents are welcome to bring their cats and dogs to the clinic.

Ms. McGrath stated beach testing will begin in June and will be conducted two weeks before the beach opens to ensure proper water quality.

Next Meeting: May 12, 2022

Motion By: Dr. Nedelman to adjourn the meeting at 7:50 p.m.

Second By: Dr. Bregoli
Unanimously Voted by roll call:
Dr. Bregoli-yes; Dr. Nedelman-yes