Board of Health

Meeting Minutes

June 26, 2023

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The Board of Health to hold a Public Haring to discuss the temporary housing at 11 Duke Street.

Members Present: Kelly Lamas, Chair; Adrienne DeSantis, Secretary; Antonio Tavares, Member

Also Present: Paulina Matusik

Ms. Lamas: Good afternoon. Today is Monday, June 26, 2023. It is 4:30 PM. I call to order the Board of Health meeting. First order of business is the Pledge of Allegiance. The only item on our agenda today is for a public hearing at 11 Duke Street. I will first need a motion from one of the Board of Health members to open the hearing.

Ms. DeSantis: I request that we open the meeting for the hearing on 11 Duke Street.

Ms. Lamas: Do I have a second?

Mr. Tavares: Second.

Ms. Lamas: All in favor 3-0. So, the public hearing for 11 Duke Street is now open and we will begin to hear evidence and the first person up is Leslie Ward, our town Building Commissioner. Hi Leslie.

Ms. Matusik: I just want to step in so everybody knows that this is a recorded session. Everybody is on camera. Everybody that comes up I'm just going to have you state your name and title. If you don't have a title, if you don't work for the town, just state your address.

Ms. Ward: Leslie Ward, Building Commissioner/Zoning Enforcement Officer.

Ms. Lamas: Nice to meet you, Leslie.

Ms. Ward: Nice to meet you. Ok, so I was asked to weigh in on this situation. We actually did receive a complaint, from a neighbor, in the Building Department about folks that were living in a trailer in the driveway at 11 Duke Street. We did not specially go out and inspect. I was given inspection notes and photos from the Board of Health, who inspected on several occasions. At those inspections, they did find that there was a camper that was fully open, fully being used. And their inspections supported the claims that were submitted by the complainant. So, and based on the inspections and the photos, I wrote a letter to the owners of 11 Duke Street Richard and Joanne Gow in regard to violations of our zoning bylaws. There is a zoning bylaw number 3.0.6 specifically talking about mobile homes, which is what the trailer is. And in the Town of Ludlow, the only time a temporary mobile home is to be placed on the site of a residence which has been destroyed by fire or other natural holocaust for a period of not to exceed twelve months. While the residence is being rebuilt any such mobile homes should be subject to the provisions of the state sanitary code. So as far as mobile homes and people living

on a parcel that has a primary residence, which is what the house is, it's not allowed except under these conditions. Now we are backed up in our zoning bylaws by the section on prohibited uses which is section 3.2.1 which states that any use not specifically or generically listed here in meaning the allowed uses, the allowable uses for district not specifically or generically listed herein or otherwise permitted in a district shall be deemed as prohibited. Any legal use of land or building is permitted in accordance with the requirements of this bylaw except those uses which are dangerous or detrimental to a neighborhood because of fire hazard, offensive noise, smoke, vibration, harmful radioactivity, electrical interference, dust, odor, fumes, heat, glare, unsightliness, or other objectionable characteristics. So, in other words if it's not specifically allowed it is disallowed. So essentially, it's against our zoning bylaws to live in a mobile home or trailer on a property that is not a mobile home park. So that is what I have. So, I've sent a letter to the owners of 11 Duke Street stating all of this and waiting for a reply.

Ms. Matusik: If you don't have any questions for Leslie.

Mr. Tavares: I have a question. So, these people that are living in the camper, before they moved over there with the camper, were they living somewhere else? Did something happen to their house?

Ms. Matusik: That's going to be for them to discuss when they come up here. That's not a question for Leslie.

Ms. Ward: I have no idea. I don't know the specifics about the family. I don't know anything about them. All I know is that by the letter of our bylaws, what they're doing living in a camper in a residential zone is not allowed by our bylaws.

Ms. DeSantis: So, the letter went out certified?

Ms. Ward: It did.

Ms. DeSantis: Ok and it has and end date of June 30th?

Ms. Ward: It does.

Ms. DeSantis: For the corrective orders. Are they listed what the corrective orders are?

Ms. Ward: Well, removal of the trailer.

Ms. DeSantis: Ok.

Ms. Ward: Ceasing and desisting what they are doing is the corrective action.

Ms. DeSantis: I mean I can assume that but I don't see that action plan in here as far as what you need to do by June 30th. But it must be taken within seven days.

Ms. Ward: Yes. And I've also given them an appeals process should they choose to appeal. They are more than welcome to do that if they like. And the zoning board of appeals can make a decision at that point.

Ms. DeSantis: If it's appealed, would they be able to stay on the property during the appeals process? Or is that totally separate from this?

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Ms. Ward: They would. I would not make them. If they are going to appeal, I would not order them to leave. But they are, just by the letter of our zoning bylaws, not in compliance with them. I know that there's resources for folks who are in the situation of homelessness.

Ms. Lamas: A couple of questions. So, you said that the legal action would be fines beginning after the 30th and the removal? So, what does that process look like?

Ms. Ward: If they don't do something by the date, June 30th, they're already scheduled to have an inspection to see if the trailer is still there and still living in the trailer. And if they are still living in the trailer the fines will begin to be issued.

Ms. Lamas: And who is scheduled for that inspection? Are you going out as well?

Ms. Ward: Actually, I don't know off hand. I believe I am. I may have given it to my local inspector Joe.

Ms. Lamas: Ok. And then so when out health inspector did go out to inspect the property you mentioned that they went and you were not there. So, is this typical for the building inspectors? I'm going to lump it, because I know there's other folks in the office that do not go out for these instances when there is a temporary home. So, it's the board of health department and it also abuts the building department. So, I'm just curious when do you come out?

Ms. Ward: Ok, so the reason I wrote the letter is to clarify what our zoning bylaws were based on another department's inspection. Tim Fontaine who is the health inspector, he is a town inspector. He is an enforcement official. And therefore, it's my prerogative to take his inspection for what it is and the reason for what I wrote the letter on based on his inspection. We're just overwhelmed with complaints in the building department and have been understaffed for a very long period of time. So, I was asked to do this and based on the Board of Health inspection and I did.

Ms. Lamas: Thank you Leslie.

Ms. Ward: You're welcome.

Ms. Matusik: I'm just going to present the case to you guys. Thank you, Leslie. Paulina Matusik, Interim Health Director for the Town of Ludlow. I printed out for you guys the timeline and you can look at these now or later. I know you already did. On 2/9/23, we received an anonymous complaint for 11 Duke Street stating trash and debris in yard. This was received via email. On 2/14/23, we received another complaint from Karen about people living in a camper at 11 Duke Street. The permission from the board was granted for thirty days. This request was sent in on 2/25/23 from a Joanne Gow and then at the Board of Health meeting on 3/9/23 you guys discussed and requested the thirty days extension, which was then requested on 4/10/23 and granted. Tim went out on 2/17/23 and sent a correction order on 2/17/23 for maintenance of rubbish and garbage on the property from our CMR 410.602, as well as 410.430 for the pop-up camper located in the driveway. And I recited the codes for you guys. On 5/30/23, we received another complaint from Karen about 11 Duke Street about a rat infestation in the brush and around the pool, that there was a camper in the driveway since February, no bathroom facilities and that there no picking up after the dogs. A letter was sent on June 1, 2023 to remove the

camper and no rats were seen upon inspection. A reinspection was done on [illegible]/23 with 4-6 rats visualized running around Duke Street. This is documented in the chronology. On June 1, 2023 Tim Fontaine sent a removal of temporary housing letter stating violation of 105 CMR 410.440 that no person be allowed temporary housing to be occupied without the written permission of the Board of Health. On June 5, 2023 Joanne Gow from 11 Duke Street sent an email requesting a hearing. This request was then discussed at the Board of Health meeting on 6/13/23 where you guys approved the request for a hearing. On 6/15/23 the health department sent a certified letter regarding the hearing that was scheduled for 6/26/23. Here we have pictures from the inspections. A re-inspection was done today for you guys to take a look at. The complaints that we received are right there. The correction order that we sent is here as well. Email communications are here. Order to remove temporary housing letter and temporary housing approval. And that was the timeframe. I know you guys discussed that at the last meeting as well. I kind of went through it in more detail for all documentation as well for you guys to look at. You guys can also look at this at the end once you hear everybody that has to speak. And I'll be here if you want more, more questions. But just to kind of state the purpose, timeframe, what's been done, what's been said. So now if you guys don't have any specific questions for me at this moment, I'm going to call up 11 Duke Street if that's ok?

Ms. Lamas: Ok.

Ms. Matusik: So, for those at 11 Duke Street that would like to speak, I would just have you state your name and address. I'm just going to have you come up to the table on that way, yeah, I'm sorry.

Mrs. Gow: First of all, my name is Joanne Gow. I'm the owner of 11 Duke Street. I've owned it for 40 Years. And that letter that she was talking about I received today. That gives him four days to remove the camper. I think that's a bit ridiculous, but also Richard Gow passed away 21 years ago. The rats, I've been complaining to the Board of Health for months. They told me it's coming from the displacement of the mills. They went to the bar. You can go to the bar and see all the trash there. They're coming under my fence from the bar and into my yard. We have put bleach. We have put peppermint oil. Everything they say online we have done. I have limited resources., I can't buy traps. But the Board of Health also said because I have animals, do not put the poisonous traps, to put glue boards. I can't afford that many glue boards, but they said I can grab the traps. I have tried and tried and tried to get rid of them. They also fined the owner of the bar numerous times. It doesn't seem to help. I don't want the rats. I have lived there, like I said 40 years, this is the first time I've seen rats. I've seen possum, skunks, whatever. I have never seen a rat. And I don't want them either. It disgusts me. But what am i supposed to do? As far as the camper. On the trash, we were cleaning up the basement. And i rented a dumpster. And all the trash was put into the dumpster, twice, and removed. My granddaughter, the first of January, was evicted from her home because they were selling it. Her kids came to live with me. There's four of them and when his kids come over, that makes seven. They come over every other weekend. They were living in their car. The first of February, they asked me if they could live in a camper in my driveway for like two weeks so they could get housing. I said yes. They couldn't come into my house because like I said I already had too many people there. I have me, my other granddaughter and her husband. And she'll be able to tell you more about this.

Because the kids have a home, a warm safe home, they are dragging their feet finding them a home. DCF has been to my house numerous, numerous times. They are trying to get her into housing, but like I said, because the kids are in a safe home, they don't feel the need to do it. Stephanie can tell you all about that. I don't know about you, but if my family is faced with living in a car or living in my driveway, I said yes. I don't want to see them go living in a car, but what you decide I will abide by. But I think four days is a little ridiculous. I'd like her to come up and explain to you what's been happening with DCF and the housing authority and how much she's been trying everything. Are there any questions you have for me?

Mr. Tavares: So, Mrs. Gow thank you much for coming over here in from of us.

Mrs. Gow: It's very hard for me.

Mr. Tavares: We understand as a grandma and your grandkids and all that, the last thing you'd want is putting them on the street. I also agree with you, if you got the letter today, they're giving you four days. I think they should be giving you a few more days to find.

Mrs. Gow: They'll be getting the cancellation stub.

Mr. Tavares: So, are they planning to find a place to go and get the camper out of the yard?

Mrs. Gow: You'd have to ask her about that.

Mr. Tavares: Ok.

Mrs. Gow: But if you decide it has to go, it has to go.

Mr. Tavares: Thank you so much.

Ms. Lamas: Do you have any questions?

Ms. DeSantis: No, not yet.

Ms. Lamas: Thank you.

Mrs. Gow: Do you want to talk to Stephanie?

Ms. Lamas: Yes.

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Mrs. Hunter: I do have a letter from my DCF worker for all of you guys. My name is Stephanie Hunter. I reside with my grandmother at 11 Duke Street. I started residing with her, well my children started residing with her, right after the first week of February. At that time, I called the housing department every week, every day. My DCF worker called them trying to get them to step up. At that point we weren't even getting phone calls back. When we would get a call back, we were told that there was such a housing crisis that they are overwhelmed. All three of my children that are residing with my grandmother, all suffer from severe separation anxiety from me. So, I thought it might have been best for me to stay instead of my car wherever I could park my car, at least in my grandmother's driveway. The reason that we are no longer in our place was that our landlords decided that they were going to up and sell, during COVID-19, the duplex I was residing at on 3105 Main Street in Bondsville. Due to not selling while the two apartments were occupied, they decided that they were going to ask the two tenants to leave the

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apartment for them. And that was November 2021 that I got [illegible] wanted us to leave the property for them to sell. We managed to hold off [illegible] year to have gotten to stay in that place fighting to try and find our own place. DCF open case due to being homeless. Until my grandmother took my kids. [illegible] already to take my three kids. One of my sons, my oldest son, stays with his [illegible] even reside with us. We actually barely see him due to the crowding of the house. He's fought every day, my DCF worker has fought every day. She's entered us into [illegible]. She's tried everything. We have a parent aide now that is going into fu[illegible] housing. We have, I have bent over backwards trying to get as much [illegible] have housing. But like she just said, the last time we talked to housing, because they are living with their great grandmother, they are considering it stable housing. Doesn't matter that I'm not on the streets, that I'm not with my children. They are considering that all four of my children are in stable housing at this point. We are on the back burner. The people that are already in are getting help first. So unfortunately, the only place we did have in the time being was my grandmother's driveway. We did look into campgrounds, but unfortunately, my husband is on disability. He was born with a disability. And at this point in time, I do not work and I'm fighting for disability because I have a massive hernia in my abdomen. So, income was quite tight. We just in April put my camper on a campsite for a season. With the fact that we take care of four children on a full basis and then take care of three every other weekend. So, in the end, it was the only place we had my grandmother's. Now my husband does not have family behind him. His mother just passed away two years ago, which was the last of his. All of mine live states away. So, the only family we had was her and I'm proud that she's opened up to my kids. I'm proud that she wants to help me. But if you decide that the camper needs to be closed, then we'll close it. But in the end, that will separate my family. My three children will live with them as I'm wherever. And just living with my grandmother right now, my fifteen-year-old is so depressed that all she talks about, and just yesterday with since fights with the neighbors and everything else, that she wants to harm herself. So, we are trying our hardest just to hold it together and hold my damn family together. Excuse my French. I have a six-year-old, sorry she's 7 now. I have an eight-year-old that has also said these comments. They're stressed. They want a home. They ask us every day, when are we going to get out own home? And I can't answer that because I'm trying. You've got rents that have gone up so much that people with low income like me and my husband just don't have it. And most people that we've gone to look at apartments, just look at us and say sorry your income just doesn't meet our standards. We don't even get close to put in an application. So, in the end we thank the board that has allowed us to keep it open as long, but at this point that camper has been our only savior. Living in a car, I suffer from severe fibromyalgia and endometriosis, on top of half my abdomen is blown to shreds, there is nothing there. So, sleeping in a car just the few days I did in one of the coldest nights in February with no gas to run the heat, my grandmother saved me from the living heck my body was putting on. I have done everything I can to try putting a house over my family's head without us being separated the way we are. But we are just at this point that we are fighting a battle that the crisis of housing is too much. Even housing is having a problem placing their families. So, I can only go as fast as they are able to bring it. I have put in applications many times. My DCF worker has put in the applications. My DCF worker tried calling them. She doesn't even get a call back

for an update. So, we are only just doing everything we can. So, if you guys have any more questions?

Ms. Lamas: Stephanie, just so I kind of think of everything, you and your husband are living in the trailer?

Mrs. Hunter: Yes.

Mrs. Lamas: So, you're the only two in the trailer?

Mrs. Hunter: Yes.

Mrs. Lamas: And the kids are inside?

Mrs. Hunter: Three of my kids that reside there live inside.

Ms. Lamas: And can you tell me a little bit about the circumstances that have not enabled you to be inside the home?

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Mrs. Hunter: It is between my cousin, her husband, my grandmother, my three kids. There are two dogs because I have a dog that is also there. And they're animals. It's just so crowded. My oldest son just looked at me the first week and said I can't do this mom. He went and stayed at a friends. He's been there. Some of our other kids that come on the weekends, our oldest daughter of my husband, she only comes here and there because of the crowdedness. The house isn't built for so many people. It's a three-room house but the rooms are small. So, it's just to have me and my husband on top of that inside the house, it's just so much. It just ends up causing so much anxiety with so many people. Like I have severe claustrophobia. My cousin's husband does too. So, there's times where everybody will go into the house and I have to look and say nope I have to step outside. And I have to get to the opening so it's really just the fact that the house is just not big enough for all of us.

Mr. Tavares: So, DCF is trying to help you guys, I see that. And they're trying to see if they can get you a house because your goal is not to be there?

Mrs. Hunter: No, my goal was never to stay past the two weeks.

Mr. Tavares: The problem is that when one person has that, other people try to follow and do the same thing, you know what I mean? So, I understand trying to keep your family together. So, when you guys for example, like you and your husband, the only two that live in there, you guys need to use the bathroom, you guys go inside your grandma's. Is that what you do?

Mrs. Hunter: We shower and go inside my grandma's.

Mr. Tavares: And trash is just you put it out?

Mrs. Hunter: Trash is normally inside my camper until I take it over to the trash hutch that is on the other side of the house. Never trash around my camper. If anything, it's placed during cleaning a bag outside my camper door then brought over.

Mr. Tavares: Had DCF said anything like, is there any housing?

Mrs. Hunter: At this point I just received an email from her, one text message from her this morning with I don't know what else I can do. I'm doing everything I can. She's put us in every program that she can. I didn't even have a case until losing my house. They decided because I was homeless that I needed to have a case to help us and she's doing everything she can. Unfortunately, she's told us that Massachusetts does not have a law to help families where they basically state the kids are in a stable house. Like if my kids were on the streets and DCF was ready to take them, there'd be a lot more. But they'd take my kids into custody first.

Mr. Tavares: So, I imagine your grandma being there for forty years that the neighbors have gotten along with your grandmother, right?

Mrs. Hunter: No.

Mrs. Gow: Not since my husband died. There's been problem after problem.

Mr. Tavares: So, would you be able to share with us why is there some, why some of the neighbors, is it that the neighbors. What are you guys doing that's bothering them?

Mrs. Hunter: Honestly, we don't know. We don't talk to them. We stay to ourselves.

Mrs. Gow: I am a quiet person. I stay to myself. I don't bother anybody. It's like one thing after another, after another. And I'm getting ready to file harassment charges because I'm seventy-one years old and I can't deal with it anymore. Like the rats, they're not my fault. I went to the Board of Health. You have documentation for it, for months and months.

Mrs. Hunter: We have tried to battle them out.

Ms. Lamas: Excuse me, I don't mean to interrupt, so we're discussing 11 Duke Street and the temporary housing and questioning Stephanie at the table. I want to be mindful of the current process of the hearing. Do you have any follow up questions?

Mrs. Hunter: No.

Ms. Lamas: Do you have any follow up questions?

Mr. Tavares: No.

Ms. DeSantis: Nope, no questions.

Ms. Lamas: Thank you Stephanie.

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Ms. Matusik: Ok you guys are more than welcome to stay until the end, you don't have to. Next will just be anybody else that wants to speak in the audience. For that I'll just have you introduce yourself and then where you're from, and then you can go ahead and speak with the board. After that we'll close the hearing.

Mrs. Langford: Karen Langford, 17 Duke Street.

Mr. Langford: Clifford Langford, 17 Duke Street. The boss of the house anyhow. I told her she could have charge. Can I say one thing? Can I ask her one question?

Ms. Matusik: No, it can only be directed at the board. Anything that you might say to each other can be directed outside. I'm sorry.

Mr. Langford: I can't discuss anything that she said?

Ms. Lamas: You can address the board and present your evidence. Then when you're done presenting, whatever you want to share with us, then we will ask you some questions. What you choose to share with us is.

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Mrs. Langford: I think I pretty much at the last meeting that we were here, I pretty much shared everything. Things aren't getting any better. As far as her coming at since my husband died things have been terrible, she needs to file harassment charges, that's a bunch of BS. I think we've gotten along pretty good within the years. Because complaints have been made about the property over the years, she assumes it's me all the time. I have tried to get along. I even bought her a Christmas tree because she couldn't afford it at Christmas. Does that sound like neighbors who don't get along? Springtime cleanup, fall cleanup in the past, my husband has a truck, he's offered to take their leaves and everything. They don't take us up on any of this. You know there have been times, you live in close proximity just like if you live in a house with somebody things aren't always going to be perfect. But for the most part I don't see that it's been terrible living next to them. My neighbor that used to live on the other side what she said to me was you're gonna regret sticking up for them Karen. They're nothing but white trash. I always have stuck up for them. I said they're compassionate people. They have a good heart. And this is how I'm paid back. I'm not a happy camper at the moment. As far as the trailer, just like everything else I've said before, it's taking away my privacy. It's right there, right outside my window.

Mr. Langford: The dining room window.

Mrs. Langford: Right under my bedroom window. They don't start making noise until 10:30/12:30 at night. I can hear everything they're saying. I'm sure they can hear everything I'm saying. I pay for property taxes for residential neighborhood, not a campground. And I agree with Joanne, she would keep those kids forever. She really and truly would. She has them most of the summertime anyway. I think everybody should live in the house, not in the driveway outside my window. That is my big problem. The problem isn't that they live there. It's that they're making my life very uncomfortable. I don't feel comfortable in my yard, in my house because somebody is right there. I don't even feel like I can talk on that side of the house because they can hear me. I'm sorry, I'm a little wound. As far as the rats, I don't blame Joanne for the rats being around. I don't think anybody in our neighborhood brought a pregnant rat and said OK, let's infest the neighborhood. I could see the rats there and I wanted the Board of Health to see we have a rat problem. Which he did. I don't know what else to say. I'm sorry the house is crowded with everybody in there. That's their decision to do that, her decision to do that. And it's commendable. She's taking care of those kids. The two little ones since they were born. And here I am sticking up again and it's going to come back to bite me. Sorry.

Mr. Langford: Sooner or later I honestly feel that Mr. Hunter is going to step over my property line and work me over. He just, couple days ago, we had the police there because he threatened

to, I can't use the words he used. Gonna knock me the f out. I'm gonna [illegible] I got two broken ankies. Both my legs have been busted. Motorcycles have not been friendly to me in the past fifteen years or so. I'm relatively healthy. I can take care of myself but I'm not ready to take on a 240-pound man that's coming at me with a vengeance, barking and hollering at me. Just because their dog, my wife is deathly afraid of dogs. They've got two dogs over there. One of them is a sweetheart. I think the one that attacks the fence is a pit bull mix dog. He looks like a good healthy dog. He looks like he could be your friend, but he gets really rambunctious and he jumps at the fence. He crashes into the fence and my wife just about has a heart attack every time he does this. That's when they holler to tell the dog to come in. The dog goes in. But it's not right. Joanne has been a great neighbor. We've never had a problem with her until the camper moved in. He lived in the street for quite a while living in his pick-up truck. And the only time I'd get mad is if he parked in front of my house. He would park directly in front of my house and crawl into the back of the truck and go to sleep. I know it's a public street and I really can't say nothing about it, but it just doesn't seem right. We've been paying taxes on the house for 42 years now. I'd just like to get something for my tax money. I mean it's not right. It's like she said, it's not a campground. We look out our dining room window, we can't eat a meal at our dining room table. It's right there, is the camper. He's got flashing lights around the bottom of it. I'm sorry, I've just been kind of snapped like her. I'm holding back. Thank you.

Mrs. Langford: There was the dog. If I go to work on the garden at the side of the yard where the fence is, the dog is very aggressive and attacks the fence. He literally pushes the fence; his paws go under. I'm afraid, especially if I'm anywhere near there. The other day I got up and I went and here comes the dog. I don't even know he's outside sometimes. I had it. I said you know I'm going to call Animal Control. Stephanie came out and I wanted to talk to her. Oh, my poor little puppy yada, yada, yada look at him. I go Stephanie you know every time I come in this part of the yard, he charges the fence. I wanted to when I'm out there, can you tie him up? I'm trying to talk to her and she doesn't let you get a word in edgewise. I blew up. It blew up into a full-scale argument. And we still got nothing resolved. It's not getting better, it's getting worse. Someone is going to get hurt. Like I said, they're homeless. I'm sorry. They should be in the house, they shouldn't be in my face 24/7. I don't pay taxes for that. And if that's how it's going to continue, I'd like some kind of letter so I can get an abatement on my taxes.

Mr. Langford: Thank you.

Ms. Lamas: Tony, questions?

Mrs. Langford: Neighborhood disputes, aren't they wonderful? I think they should all be in the house, I'm sorry. How can one department say this is not legal to do and the other one can override it? I know you have compassion. You don't know the history. If you knew the history, you'd be a little less inclined to say you know they can live in the trailer.

Mr. Tavares: So, they said they got the letter today so it gives them [illegible] time everything out. And I see they got also DCF is trying to help them.

Ms. DeSantis: We'll discuss that as a board.

Mrs. Langford: There's a housing crisis, I understand that. But there is a [illegible] right there.

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Ms. Lamas: Is there a specific question you'd like to ask Mr. & Mrs. Langford?

Mr. Tavares: No.

Ms. Lamas: Any questions?

Ms. DeSantis: Nope.

Ms. Lamas: I have two questions. One is you mentioned some lights around the camper. Can you just tell me a little about that is?

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Mr. Langford: They look like they're right on the ground, they go around the side base of the trailer and just blink.

Ms. Lamas: They light up at night?

Mr. Langford: Yes, just like Christmas lights. They're lit up until at least after I go to bed because I go around and check the doors to make sure we're locked in. And like I said, they're right outside my dining room window.

Ms. Lamas: And what time do you go to bed on average?

Mr. Langford: I try to get to bed around 11:00 PM. Sometimes I wake up at 11:00 and go to bed.

Ms. Lamas: Ok.

Mrs. Langford: I have one more thing to say. During this argument we had the other day, Stephanie says to me "and I have every right to be here". I say why don't you go to a campground? Beautiful time of year. Why don't you put it in a campground. I know Joanne would keep the kids there if the camper doesn't accommodate everyone. She says the Town of Ludlow has told me that I can live in this camper as long as I want to and that is what I plan to do. Did the Town of Ludlow tell them that?

Ms. DeSantis: No.

Ms. Lamas: So, thank you Mrs. Langford, I'm going to ask a follow up question. If you have anything else you want to share with the board. When you've had disputes with the neighbors next door, regardless of who it is, have you called the police, when these disputes have escalated to the point where.

Mrs. Langford: This is the only time I've ever called the police.

Ms. Lamas: So, you did call them recently?

Mrs. Langford: I called them the other day when we were arguing. Right after I told him he was going to knock him out. Right after Stephanie said some very vulgar language.

Mr. Langford: And their daughter also. The three of them verbally attacked me right there.

Ms. DeSantis: What was the issue?

Mrs. Langford: The dog!

Mr. Langford: The dog. The dog started it.

Mrs. Langford: I wanted them to come to an agreement that when I was working in this part of the yard, they could tie it up or bring it inside. I don't care if the dog barks a lday. He is very aggressive. I guess he thinks he's protecting. The dog would do that. And he literally growls. And Katrina was outside talking to me, I think it was one day last week or the week before, and that dog literally her and her husband had a hard time controlling it to get it away from the fence. Because I was near the fence. All I wanted to do was come to some kind of, we could work something out.

Ms. Lamas: When the police arrived, was anything filed against them or vice versa?

Mr. Langford: The way I understood it was that if he threatened me two more times, then they would come and do something about it. So, do I have to wait until he threatens me two more times, or should I just move out until he passes away or something?

Mrs. Langford: And this is where Joanne gets the harassment from because they were given the same advice we were given. I can't see that I ever harassed her over the years. I stuck up for her.

Ms. Lamas: I understand your frustrations. Anything else?

Mrs. Langford: My big problem is living with a big camper outside my window. So when will we hear what the findings are?

Ms. Lamas: So next steps are that we would, since there's no one else in the audience to speak, we will close the public hearing and we will deliberate as a board as to how to proceed. Which will still be an open meeting.

Mrs. Langford: So, we can stay and listen to you?

Ms. Lamas: Yes.

Mrs. Langford: Will you come to a conclusion tonight or just discuss?

Ms. Lamas: I believe we will make a decision tonight as to how to proceed as a board. So, you may stay if you wish. Thank you.

Mrs. Gow: Both dogs are certified and in their own yard and it is fenced in.

Ms. Lamas: Alright, thank you everyone for sharing your stories. And do we have a motion by a bord member to close the hearing?

Mr. Tavares: I make a motion to close the hearing for 11 Duke Street on August 24, 2023 @ 5:15 PM.

Ms. DeSantis: I second it.

Ms. Lamas: All in favor. 3-0. The public hearing has since closed and there are no more public comments and now the board will deliberate.

Public Hearing has closed.

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Ms. Lamas: Is there anything else you would like to tell us about?

Ms. Matusik: No. I mean I presented everything at the last meeting. Nothing really changed, so nothing changed today.

Ms. Lamas: Any discussion?

Mr. Tavares: Is Adrienne going first?

Ms. Lamas: Whoever would like to go.

Ms. DeSantis: I can. You want me to?

Mr. Tavares: Go ahead Adrienne.

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Ms. DeSantis: Alright, here we go. Alright, so this is a family at 11 Duke Street that is in a very unfortunate crisis, numerous crises from mental health to dogs to housing to space, living quarters. It is a very unfortunate crisis that is going on for this household. It sounds like it's been going on for a while, but it's heightened with the arrival of this trailer, with the hope to manifest the crisis further and manage it without breaking up the family. So, I just want to say I completely recognize and am very empathetic to the hardship this family is enduring in the home at 11 Duke Street. I do respect clearly the efforts that DCF are making, that the housing authority are making, but the resources are clearly failing the family. The systems that are out there in the public are failing to have this family be together in a decent quality of life. Thirdly, I want to say that Stephanie mentioned that the DCF worker said that they're perpetuating this case and perpetuating the situation because they have a safe place. Well did they ever tell DCF that this is an illegal space? And I'm wondering if DCF is not aware that this is an illegal housing situation? If they would have allowed it to continue on or not? So safe is one thing, but further perpetuating an illegal situation is another. I know that the neighbors have brought up smells, noises, use of the bathroom out in the yard, odors, and the bottom line is that none of that would be, wee wouldn't be hearing about it if that was a legal fixture outside. Which would be housing with all the proper amenities. So, you know I'm looking at Leslie's letter and I 100% feel and confirm that this is an illegal housing situation. I don't think we have a choice to waive it anyway. It's we have the regulations for the purpose of preserving our town, our people, our quality of life. That's why we have these regulations. Someone thought ahead about writing one about mobile homes, and there's a reason we have that. It's not just silly that we have a regulation on mobile homes or not have mobile homes. There's a reason for that, we're seeing it come to light. This is why we have these regulations. So, I think I believe that we have an illegal situation and needs to be rectified immediately and that this family's burden is unfortunately with coming up with a resolution to further their family. I would, though, take into consideration what Tony said about not also agreeing that four days. I mean it's not that it's unreasonable you got to take out your camper has been kind of all along. But the four days I would agree five we could amend that to seven days from receipt of the notice. I would support that if that's something that we can do, or do they have to go through Leslie?

Ms. Lamas: So, this notice is through Leslie. So, this is a notice under her jurisdiction. Our jurisdiction is our temporary housing permit that has since expired now many months ago.

Ms. DeSantis: Months ago. I mean this is no surprise. This has been there. These regulations have been there all along too and we've, I'm not going to say, neglected them or we haven't addressed them.

Ms. Lamas: We as a board have. Like our jurisdiction, we did what we could in the moment right when we received the complaints, we followed up on them. So, I think we've done what we could given our governing authority.

Ms. DeSantis: Since February.

Ms. Lamas: In the bylaws. Thank you,

Ms. DeSantis: So, that's my take on it. And I don't need to hear more about the smells and the odors or the lights or the dogs. The bottom line is we have an illegal situation that needs to be enforced.

Ms. Lamas: Yes. Tony?

Mr. Tavares: Just a couple of things. I understand from both sides. You know I understand the neighbors if they're afraid of the dog. You know the last thing you want is getting bit by the dog. Or the other thing is the guy charging someone, or I don't know what he said or trying to hut him. I also understand that's inappropriate. My only thing is, my question is, is there a town ordinance in our town bylaws?

Ms. Matusik: Regarding what?

Mr. Tavares: You know that they cannot leave that camper on there?

Ms. Lamas: Yes, it's in the zoning bylaws that we discussed.

Ms. Matusik: It's what Leslie printed out.

Ms. Lamas: The mobile homes, that's one bylaw. And the other bylaw is the prohibited uses, which list off various. So, if it's not allowed, it's not permitted. So, any legal use of land or building, fence, noise, fire hazard, smoke, this is all that's prohibited. These are the two bylaws that prohibit specifically this mobile home, yes.

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Ms. Matusik: This is our zoning bylaws. Leslie typed up the letter which I showed you guys at the last meeting.

Mr. Tavares: My other question is Leslie sending out the letter and she has to followed up too, going there.

Ms. Matusik: So, Leslie sent out the letter Friday and they just got it today.

Mr. Tavares: They just got it today.

Ms. Matusik: Yes. But what Leslie does with this letter or her department, we can't control, and neither can you guys as a board unfortunately.

Ms. Lamas: And there's the Mass General laws that are helpful in thinking about nuances. Right, boards of health are required to examine nuances. Ok, so I echo your sentiments Adrienne in thinking that this is a really tough situation. I empathize with the family. I drove by a few times over the weekend just to kind of assess as well. A couple of things, I think that while I'm sure, I can probably assume, that there are a lot of things going on with mental illness and other conditions that may preclude somebody from living in the home and vice versa. We don't have that presented as evidence. I also, for me, I'm looking at facts that's presented in front of me. It's a little concerning to not have an official letter, emailed to the board, from the DCF worker kind of laying out the full story of what's happening.

Ms. DeSantis: I would think they would have been here.

Ms. Lamas: Or speaking or something. So that's a little, for someone who's worked with DCF, that would make me think that at least sending an official letter to the board letting them know what's happening. From a Board of Health perspective again, our first permission was granted what on February 14th? Yes, February 14th. Camper for thirty days.

Ms. Matusik: It was granted on 3/9/23.

Ms. Lamas: So that letter was sent in and granted and then given an additional 30 days on April the 10th, correct?

Ms. Matusik: Yes.

Ms. Lamas: So, I'm reading this correctly. Ok. So, I think that separating the letter from Leslie, I think as a Board of Health, like from my perspective, we've done our due diligence as a board to have temporary permits, extending the temporary permits. There has been, as we saw, at our last meeting, a kind of a lapse in communication from 11 Duke Street in what was happening and staying kind of on top of their own situation in notifying the board what was happening or communicating with us. So, this is kind of the first time that we've had real legitimate, I would say, communication on who was speaking, names, etc. So, we've had multiple emails, but it was very vague on who was sending those emails. So, that's what I'm thinking [illegible].

Ms. DeSantis: Can we do anything about the grille next door? I know they get inspected for food inspections twice a year.

Mr. Tavares: They're actually closed.

Ms. Lamas: They're closed.

Mr. Tavares: They've been closed for 3 ½ years.

Ms. Lamas: Yeah, since pre-covid.

Ms. DeSantis: Why are the rats coming from there?

Mr. Tavares: I think the rats are coming from the river.

Ms. Lamas: I, so thinking about the mills and them being large, abandoned buildings for how many years? Decades?

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Ms. DeSantis: And they're ripping more up.

Ms. Lamas: They're from my understanding is that. I'll just say that there was an abatement for rodents when they started the construction. From my knowledge, maybe I'm going out of turn, but that's what my knowledge is. We're kind of in a precarious situation with the rats.

Ms. DeSantis: What do you mean by abatement?

Ms. Lamas: There's a mitigation. Mitigation, sorry.

Ms. DeSantis: Ok.

Ms. Lamas: Mitigation for rodent control when they started renovating.

Ms. DeSantis: Is there a plan?

Ms. Lamas: That's not, I don't know.

Ms. DeSantis: Is that something the board can request? Would we pursue the Selectmen?

Ms. Lamas: So, I asked Paulina to look at the state codes for rodents and then we can talk about it at our next meeting to see how the situation is with the letters that we sent out. And I think this is more specifically regarding the temporary housing which we granted twice since March, and we are essentially going to be July 1st by the end of the week. Yeah, for me thinking about all sides, I understand that folks may be struggling with mental illness and anxiety and not have enclosed quarters. And there's a home there so I think that worse case scenario, that's what I imagine happening if the temporary mobile home being removed and the kids you know. I think our hands are tied based on what we need to do. My opinion, we can empathize for a lot you know, it's tough. There's no evidence of the dogs with ESA which is a separate issue in itself. Part of this public hearing is presenting the facts and we have the family present. We've heard folks share their stories and experiences. Discussion? Questions? Thoughts? Is your decision today would be to not grant a permit for temporary housing?

Ms. Matusik: Yes. So, the order that was sent was to remove the mobile home, I don't think I printed it out for you guys. If not, this was the order that they're requesting at the scheduled board meeting. On March 9th, the board discussed your request to have a temporary set up in your driveway as temporary housing for your granddaughter. The board voted to allow you to use the camper as temporary housing for up to 30 days. There was an additional request for a 30-day extension received on April 10, 2023. As of today, the trailer is still being occupied as temporary housing. This is a violation of 105 CMR 410.440 temporary housing. You are hereby ordered to remove this temporary housing within 7 days of receipt of this letter. If you have any further questions, please contact the department. Which is what we got a request for the hearing for. So, the request for hearing is about ordering the removal of the temporary housing which has now been taken over by the zoning bylaw.

Ms. Lamas: The date of the letter was when?

Ms. Matusik: June 1st.

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Mr. Tavares: So, one question. Unless, I mean the only thing, unless we give them, she can go file against zoning file a permit then it would be on them. If they want to file by the 30th, Leslie gave them a letter until the 30th, they must remove it by the 30th. But if they want to file an appeal with the zoning and then they can file an appeal.

Ms. Lamas: So, whatever happens with Leslie is not our decision.

Mr. Tavares: We can tell them to remove it tomorrow, but if they go and file an appeal, then they don't have to remove it tomorrow. Correct?

Ms. Lamas: Essentially yeah.

Ms. Matusik: So, as a board, you're voting on request for temporary housing which you all seem in favor of.

Ms. Lamas: So, is there further discussion? So, is there a motion to deny temporary housing at 11 Duke Street?

Ms. DeSantis: I make a motion to deny temporary housing at 11 Duke Street.

Ms. Lamas: Do I have a second?

Mr. Tavares: Are we going to put a date on it?

Ms. DeSantis: We can't. It's from the town department of Inspectional Services. We don't have control over that. Because that's what I was saying too. I support what you said but we don't have control over that. The only control they have is to do an appeal.

Ms. Lamas: So, the violation is, to recap, just to remind you Tony, is the maintenance of area free of garbage and rubbish. That was 1 citation or violation I should say. And the other violation was temporary housing. So, the free from garbage and rubbish has since been corrected. So, this is on temporary housing.

Mr. Tavares: Second.

Ms. Lamas: Alright. All in favor. Alright so motion passes 3-0. The [illegible] at 11 Duke Street has been denied.

Mr. Tavares: Are you putting a date by when they have to take it off?

Ms. Lamas: So, I would ask the board that I think Anita or Pauline can draft a formal letter to send to Leslie and cc Board of Selectmen and Planning Board to just state that the Board of Health decision is, whatever their jurisdiction is of the property based on these bylaws moving forward. Does that sound good? Alright, that's it for our meeting tonight. Do I have a motion to adjourn?

Mr. Tavares: I make a motion to adjourn the meeting on Monday June 26th at 3:02 PM.

Ms. DeSantis: I second it.

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Ms. Lamas: All in favor. Motion passes 3-0. The Board of Health meeting adjourns on Monday, June 26th at 5:32 PM.

Respectfully submitted,

Adrienne DeSantis

Secretary

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