

TOWN OF AYER
BOARD OF HEALTH

TOWN HALL – 1 MAIN STREET – AYER, MASSACHUSETTS 01432 – (978) 772-8213



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TOWN OF AYER
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Minutes of January 25, 2021 - Ayer Board of Health Meeting

Location: First Floor Meeting Room, Town Hall

Meeting was recorded and broadcast by APAC

Members Present: Pamela Papineau, Chairman, and Stephen Slarsky
(Members participated remotely)

Absent: Patricia Peters

Also Present: Heather Hampson, Administrative Coordinator

Chairman Papineau opened the meeting at 5:30 PM

Public Input

None.

Continued Public Hearing 96 East Main Street

Present: Steve Wentzell, owner and Attorney Christopher Lilly Representative for Mr. Wentzell, Bridgette Braley, Nashoba Board of Health, and Charles Shultz, Building Commissioner

P. Papineau stated that the Board received some a letter from Attorney Christopher Lilly to Town Council addressing the zoning concerns. The Board also received a letter from Building Commissioner/Zoning Enforcement Officer, Charlie Shultz commenting on Attorney Lilly's letter. P. Papineau went over Mr. Shultz's letter to the Board which mentions that there is no information stating that Casa Manor was used as anything else but a motel in the past and could not find any information stating that it was used for long term rentals.

P. Papineau mentioned that the letter from Attorney Lilly mentions that the motel has been operating under a grandfathered use, there does not appear to be any deviance of that. The Board is looking at an application that is before them now for the granting of a license to operate a motel. Of the 19 units on the property 12 of them have people that have been staying in the units for more then 9 weeks, which does not meet the definition of a motel, which is the license that is being applied for from the Board.

Attorney Lilly went over the details of the letter he submitted, stating that Mr. Steve Wentzell purchased the motel in September and thought it was functioning under full compliance and wanted to continue to operate the motel just as it was being done when he purchased it. Attorney Lilly stated that it is important that the Board act on the application before them and they can condition the approval of the motel license to state that those that are "living" in the units find other housing as soon as possible. Attorney Lilly stated that Mr. Wentzell can not evict people that have no other place to stay.

P. Papineau agreed with Attorney Lilly and it is not the intent of the Board of Health to make people homeless, but they need to act on the application in front of them and that is for a motel, which the property is not being operated as a motel. The Board does have to ensure that if they issue a license for a

motel that the property is being used as a motel under the definition in the Zoning Bylaw, which most of the property is not being used as such. P. Papineau stated that there was an ad for the property that looked as though it was being advertised as apartments.

Attorney Lilly stated that the ad was a mistake and has been taken down. It is important that a license for the motel be issued even though it is out of compliance. It is Mr. Wentzell intent to get the property into compliance and asked the Board to issue the license with conditions.

P. Papineau mentioned that she does not want to see the issue of the license go on for too long but does want to see a plan to get the property into compliance before the Board discusses even issuing the license.

Attorney Lilly asked if the property could be broken up into two sections and the Board could issue a license for on without any long-term residents and wait on the units with those long-term tenants.

S. Slarsky mentioned that he was not in favor of separating the property that the Board if given an application for the operation of a motel and that is what he is to look at and make his decision on. It is the responsibility of the buyer to ensure that the property complies with Zoning, not the Board.

Attorney Lilly agreed that Mr. Wentzell should have ensured the property he purchased met all zoning and was operating legally but it is important that a license be issued for the property.

P. Papineau stated that the issue is how does the Board issue a license for something that does not meet the definition in Zoning. P. Papineau mentioned that she does see how the property is filling a need for housing and the Boards goal is not to make people homeless, but they do need to ensure that the property is operating properly under the license requested and is meeting health and housing codes.

C. Shultz, Building Commissioner, stated that in his letter to the Board he suggested that Attorney Lilly and Mr. Wentzell submit a plan on how they will get the property into compliance, wither that is a motel or long-term housing.

Attorney Lilly stated that he would like to see the motel license granted with conditions and if Mr. Wentzell wishes make changes in the future.

P. Papineau stated that the Board will need a plan on how Mr. Wentzell will get the property into compliance and the steps that will be taken for the next meeting.

At 6:12 PM S. Slarsky made a motion to continue the public hearing for 96 East Main Street till the next Board of Health meeting on February 8, 2020 at 7:00 PM. P. Peters seconded. Unanimous vote to approve (2-0-0)

NABOH Report (B. Braley) and COVID-19 Discussion:
COVID-19

B. Braley stated that the biggest issue right now continues to be vaccine roll out. There have been meetings with the State Department of Public Health regarding vaccine clinics and there is a new map showing locations where the vaccine will be given along with updates of when and who can get set up appointments for vaccination.

P. Papineau asked about the number of COVID cases in town.

B. Braley stated that she thinks it is getting better but mentioned that people need to continue to social distance, wear masks and wash their hands as well as stay within their social bubble to keep possible transmission down.

Action Items for February 8, 2020

P. Papineau stated that the continued Public Hearing for Casa Manor and an update on COVID-19.

January 11, 2021

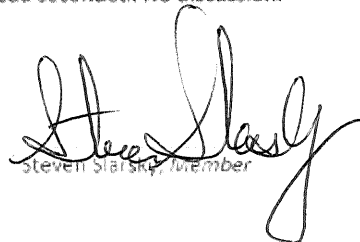
At 6:31 PM S. Slarsky made a motion to approve the minutes from January 11, 2021 as presented. P. Papineau seconded. No discussion. Vote to approve (2-0-0)

Adjourn:

S. Slarsky motioned to adjourn the meeting at 6:36 PM, and P. Papineau seconded. No discussion. Unanimous vote to approve. (2-0-0)


Pamela Papineau, Chair

Patricia Peters, Member


Steven Slarsky, Member

Respectfully Submitted,
Heather Hampson, Administrative Coordinator

