

Code Enforcement Committee

Minutes

October 29, 2015 @ 9:00 AM

Room 208 - Municipal Building

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TOWN OF
MIDDLETON, MASS.

Committee Members Present: Christopher Smedick, Nick Purro, Sal Nesci, Steve Kroll, Al Santostefano, Christopher Holden, Elena Villafana, Dean Lisitano, Bruce Driska, Linda Reed, Art Higgins, and Joseph Bibisi.

Members of the Public: Sarah Wilber

Health Dept.

1. 500 East Main Street. The Health Department has tagged the door and sent out orders to bring the properties back into compliance. There is tall grass and bulky waste on the properties. The property has been brought into compliance. No further action is required.
2. 55 Tryon Street. See below.
3. South Main Street (Mondos). On watch list.
4. 74 Country Club Road. Assistant General Counsel Smedick just won a motion denying the right of a non-attorney to “intervene” on behalf of Mr. McNamara. The appeal itself is under review by the Department of Public Health for a decision. No new action.

SFD.

1. 436 S. Main Street. South Fire had to intercede, along with MPD, when fence around tank excavation site failed. The inspection date is October 5, 2015. Following the inspection date, if further legal steps requiring Code Enforcement Committee action are required, they will be brought forward.

City Fire.

1. 30 Stonycrest Drive: Property put on watch list. Fire Department will work with homeowner to correct an issue involving the inability of the Fire Department to access the parking lot of the property through the narrow gate that currently exists.

WFD.

No Issues of Concern.

MPD.

1. 8 Frazier, 32 Spencer Drive, 53 Silver Street. Various search and arrest warrants executed. No action required at this time.

Bld. Insp.

1. 491 East Main Street: See below.
2. 176 Highmeadow Lane: Property has been brought into compliance. No further action needed.
3. 55 Tyron Street: Dilapidated structures in back yard, two abandoned motor vehicles in back yard, pick-up truck in front loaded with trash. Will inspect the property and report back if code enforcement is required.
4. 309 Barber Road: House caught on fire and is currently dilapidated. The building inspector has sent an order to the owner of the property to bring it into compliance by November 3, 2015.
 - a. MOTION: A MOTION was made by Sal Nesci and seconded by Bruce Driska to refer this issue to the Office of the General Counsel for Code Enforcement in the event that the property is not brought into compliance by November 3, 2015. The MOTION was approved unanimously at 9:10 am.

Zoning Enf.

1. 55 Tyron Street: See above.
2. 6 Alsop Street: No update.
3. 515 East Main Street: No update.
4. 4143 Park Place: The property is listed as a two family but is suspected of being used as a three family. Zoning and the Fire Department will investigate to determine if action is needed.

Legal

1. 131 & 155 Wadsworth Street: The Office of General Counsel is working with the State Attorney General's Office and the City's Planning and Conservation Development Office to obtain title to the properties through a pending Cy Pres action in Superior Court, which was served on the City on October 28, 2015. Once title is obtained, the City will be able to remediate the conditions on the properties to bring them back into compliance.
2. Westlake Association: The piece of property owned by Westlake Association is not being adequately maintained and is in violation of the site plan that was approved by the Planning and Zoning Office. The Zoning/Wetlands Officer has sent an order to the owners of the property requiring that the property be brought into compliance. The appropriate legal orders have been sent out and we are awaiting the compliance date to begin compliance action. No change.
3. 491 E. Main Street: No update.
4. Cooley Avenue: The Tax Collector has initiated a foreclosure for unpaid real estate taxes against this parcel. The City will move to take the property by Strict Foreclosure. No update.

5. 37 Dennison Road: The property is overgrown. The Health Department sent orders by mail requiring the order to bring the property into compliance. The property failed its follow-up inspection. Public Works has remediated the property and a lien will be filed forthwith. No further action needed.
6. 74 Country Club Road: A hearing was held on August 25, 2015. We are awaiting a decision from the hearing officer. The hearing officer denied a motion to intervene (see above).
7. 13 Afton Terrace: The Health Department has sent out orders requiring the owner of the property to remediate the front east exterior window jambs, peeling paint, defective siding, roof shingles and containers of water and debris on the property. The homeowners have not brought the property into compliance pursuant to the Health Department's order. The matter has been referred to the Office of the General Counsel who sent out a notice of abatement and is awaiting a second inspection of the property. The OGC will refer the property to the States Attorney's Office.
8. 15 Afton Terrace: The Health Department has sent out orders requiring the owner of the property to remediate the front east exterior window jambs, peeling paint, garage door jambs, and an active rodent entry in the rear foundation wall. The homeowners have not brought the property into compliance pursuant to the Health Department's order. The matter has been referred to the Office of the General Counsel who sent out a notice of abatement and is awaiting a second inspection of the property. The OGC will refer the property to the States Attorney's Office.

9. 523 Hunting Hill Avenue: The Health Department has sent out orders requiring the owner of the property to remediate the overgrown grass, weeds and abandoned swimming pool in the rear yard. The homeowners have not brought the property into compliance pursuant to the Health Department's order. The matter has been referred to the Office of the General Counsel who sent out a notice of abatement and is awaiting a second inspection of the property. Public Works has remediated the property and a lien will be filed forthwith. No further action needed.

10. 150 Grand Street: The Health Department has sent out orders requiring the owner of the property to remediate the overgrown grass and weeds on the property. The homeowners have appealed the Health Department's order and we are awaiting a hearing date from the State Department of Public Health. Public Works has remediated the property and a lien will be filed forthwith. No further action needed.

Neat

1. 7 Windward Street: Various furniture and junk is located on the property. Will work with the Zoning Department to determine if further action is required.
2. Green Street. There is an abandoned brown van and a white van on the parking lot. Will refer to the Parking Department for action, to determine if further action is required.
3. Green and Main Street: Crime issues along these corridors. MPD to follow up.

Old Business: None.

New Business:None.

Motion to Adjourn: MOVED by Sal Nesci, SECONDED by Bruce Driska, and APPROVED
unanimously at 9:42 am.