

**ACUSHNET BOARD OF HEALTH MEETING
PJ KEATING CONT. APPEAL HEARING
AT ACUSHNET COUNCIL ON AGING**

AUGUST 23, 2022

PRESENT: Thomas J Fortin, Chairman
David M Davignon, Inspector
Joseph Correia, Health Agent
Patrick Hannon, Asst. Health Agent
Wanda Hamer, Clerk
Attorney Jeff Blake, KP Law

ABSENT: Robert Medeiros, Clerk

6:30 P.M.

D. Davignon made a motion to open meeting, Chairman Fortin seconded the motion, both were in favor, motion passes.

D. Davignon made a motion to open the continued appeal hearing, Chairman Fortin seconded the motion, both were in favor, motion passes.

HEARING

The hearing was to consider an appeal filed by PJ Keating Co., 72 So Main St., Acushnet, of a Cease & Desist Order issued by Assistant Health Agent pursuant to G.L. c 111, s 122, and 310 CMR 7.00 et. seq., relative to nuisance odor from a Hot Mix Asphalt plant on the property.

Chairman Fortin stated that because of all past meetings regarding the cease & desist order he would like to entertain a motion to close the public participation portion of the hearing. D. Davignon so moved the motion, Chairman Fortin seconded the motion, both were in favor, motion passes.

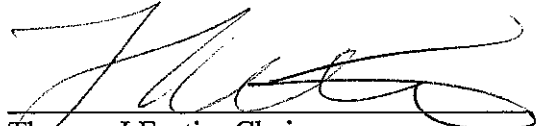
Deliberation started with D. Davignon. He finds that all of the residents who have testified to be credible witnesses and that they are unable to enjoy being outside of their homes. He has read all documents and would like to make a motion to uphold the cease & desist order against PJ Keating. Chairman Fortin expresses that he also agrees, he also read all documents and himself has witnessed odors. Chairman Fortin seconded the motion, both were in favor, motion passes.

Assistant Agent Hannon asks if Atty Jeff Blake could explain to the audience what the cease & desist order upheld means. Atty Blake reiterated that PJ Keating has to stop causing odors leaving the property that are causing a nuisance, so the board upheld that order.

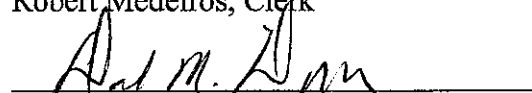
6:35 P.M.

D. Davignon made a motion adjourn the meeting, Chairman Fortin seconded the motion, both were in favor, motion passes.

Approved DEC - 6 2022


Thomas J Fortin, Chairman

ABSENT
Robert Medeiros, Clerk


David M Davignon, Inspector