

PRESENT: Thomas Fortin, Chairman  
Robert Medeiros, Clerk  
David Davignon, Inspector  
Joseph Correia, Health Agent  
Wanda Hamer, Senior Clerk

ABSENT: Patrick Hannon, Asst Agent

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## CORRESPONDENCE

Tobacco violation at 1 Middle Road, Town Liquors. Owner Appealed the Violation and has requested a hearing. The owners did not appear at the meeting, Megan DaCosta, our compliance officer, was present and explained they had a 16-year-old go into the liquor store and purchase "Backwoods" mini cigar without being asked for an ID. Discussion ensued about past practice for violators selling to minors. Chairman Fortin would like to waive the 1<sup>st</sup> violation because this is the first time and that they are new owners, however if they violate the regulation again they will pay the full fine. Mr. Medeiros did not agree and suggested that the board charge the full fine and feels that would make a statement and put the clerk on alert to be more cautious with checking ID's. Mr. Davignon commented that the fine of \$1,000 is too high. He doesn't want to forgive a violation but would recommend reducing the fine to a smaller amount and agrees that if they have a 2<sup>nd</sup> violation that they pay the \$2000 fine. Discussion ensued about the owners not being present to defend themselves. Mr. Davignon states that his opinion in the matter wouldn't change regardless if the owners were present or not. Mr. Medeiros made a motion to fine the establishment for violating the sale to a minor for the required amount of \$1,000, Mr. Davignon seconded the motion, roll call vote Mr. Medeiros "yes" Mr. Davignon "no" Chairman Fortin "no" motion does not pass 1 – 2 vote.

Mr. Davignon made a motion to charge a reduced fine of \$100 in lieu of \$1,000 followed up with a letter to make it clear that the second violation will not be reduced, Chairman Fortin seconded the motion, roll call vote, Mr. Davignon "yes" Chairman Fortin "yes" Mr. Medeiros "no". Motion passes 2 – 1 vote.

Community Nurse and Home Care Statistics for February 2023 & March 2023. Mr. Davignon made a motion to place both on file, Mr. Medeiros seconded the motion. All were in favor, so voted.

## DISCUSSION

Nuisance activity @ 181 Mattapoissett Road. James Souza at 183 Mattapoissett Road was present with his wife. Agent Correia updated the board members since the last meeting what has transpired with the selectmen and that the Building Commissioner Andrew Bobola determined that the activity is not allowed in a residential neighborhood. Mr. Bobola sent the selectmen a memo that his opinion is that a wood business is occurring. Mr. Davignon made a motion to have a letter sent out to Mr. Perry to stop any nuisance noise associated with the wood processing operation by both regular and certified mail, Mr. Medeiros seconded the motion. All were in favor, so voted. Continued discussion ensued about how much wood has come in and gone out and any other activity that has been happening still on the property at 181 Mattapoissett Road.

## APPROVE SEPTIC DESIGN PLANS

### **352 Main Street – Frank Joseph Jr. – David Fredette Engineering**

Septic repair plan submitted. Mr. Davignon made a motion to table the plan, Mr. Medeiros seconded the motion. All were in favor, so voted.

**Main Street, Map 3, Lot 16E (portion Lot 16A) - Ronald Oliveira – S & K Engineering, LLC**

New Construction. Mr. Davignon made a motion to approve the plan as submitted, Mr. Medeiros seconded the motion. All were in favor, so voted.

**3 West Hill Drive – Norman Taylor - W. Engineering**

New Construction. Mr. Davignon made a motion to approve the plan as submitted, Mr. Medeiros seconded the motion. All were in favor, so voted.

**Tripp's Way, Subdivision Lot #3 – Nelson & Nancy Viveiros – Schneider, Davignon & Leone, Inc.**

New Construction. Mr. Davignon abstained from any discussion due to a conflict of interest. Mr. Medeiros made a motion to have Agent Correia sign the plan as submitted because he cannot sign the plan, Chairman Fortin seconded the motion. Both were in favor, so voted

**43 So Main Street – Bay State Mobile Home Park, LLC – Schneider, Davignon & Leone, Inc.**

Septic repair Plan. Mr. Davignon recuse himself from the discussion due to a conflict of interest. Mr. Medeiros made a motion to approve the plan as read, Chairman Fortin seconded the motion. Both were in favor, so voted.

**APPROVE MINUTES**

**January 10, 2023, January 24, 2023.** Chairman Fortin recused himself as he was not at the meeting. Mr. Davignon made a motion to approve the minutes, Mr. Medeiros seconded the motion. Both were in favor, so voted. Vote was 2 – 0 to approve.

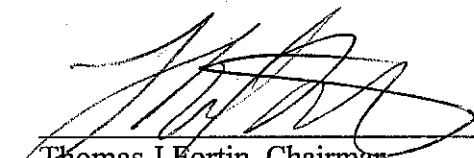
**February 21, 2023.** Mr. Davignon made a motion to approve the minutes, Mr. Medeiros seconded the motion. All were in favor, so voted. Vote was 3 – 0 to approve.

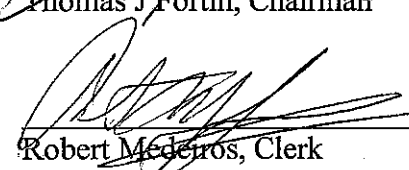
**NEXT MEETING**

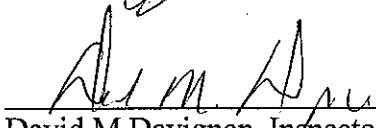
May 16, 2023

5:20 P.M. Mr. Medeiros made a motion to adjourn, Mr. Davignon seconded the motion. All were in favor, so voted.

APPROVED 5/16/23

  
Thomas J Fortin, Chairman

  
Robert Medeiros, Clerk

  
David M Davignon, Inspector

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