

MONTAGUE BOARD OF HEALTH HEARING

Thursday, April 2 – 5:00 PM

VIA ZOOM

Meeting Minutes

Present: Michael Nelson, Rachel Stoler and Melanie Ames-Zamojski

Staff: Ashley Gough, Health Director, Geneva Bickford, Board of Health Clerk

Other: Brian Foley, Attorney Julie Page, Attorney Jenn Alpert, Lexie Grimard, Nick Demers

Melanie Ames-Zamojski opened the Hearing at 5:00 PM

Hearing: 89 Mormon Hollow Rd – Votes may be taken.

- Board to discuss and consider issuing a finding that the property or a portion thereof is unfit for human habitation.
 - The board met with the property owner, Brian Foley (“Foley”) and his attorney, Julie Page (“Page”) and the Occupants, Nick Demers (“Demers”) and Lexie Grimard (“Grimard”) and their attorney, Jenn Alpert (“Alpert”). Michael Nelson did advise all parties that he works for a non-profit that has a business partnership with Pages’ law office and will continue in his role as a Board of Health member in this matter. Gough received a phone call from Foley on 3/11/26 advising her that a washer and dryer had been delivered to the portion of the property that Grimard and Demers are occupying and questioned where the waste was going and the water supply. Gough visited the property and was allowed to do a visual inspection of the portion of the property that Grimard and Demers occupy. No permits were applied for or obtained to install the noncompliant sewage disposal tank or for the temporary housing that has been put on that portion of the property. Gough asks the board to condemn the portion of the property where the noncompliant septic tank was installed and where the illegal temporary housing has been placed. Gough also asks that the board order that Foley to arrange and pay for Demers and Grimard along with their 3 children, 1 dog and 1 cat to be housed in housing that is comparable, suitable housing for 30 days. Chickens are located on Demers and Grimard’s portion of the property and the chickens will remain at the property while Demers and Grimard will attend to them daily. The board, Alpert and Page had a lengthy discussion regarding comparable/suitable housing. Attorney Page discussed her client’s side of this matter and Attorney Alpert discussed her client’s side of the matter. Alpert asks that the board allow the occupants to live in the temporary housing for two weeks before they are forced out, that request was denied. Alpert advised the board and Page that her clients will follow the board’s decision but she will be filing in Superior Court next week to litigate the Constructive Eviction that is now happening. The board votes unanimously to condemn the portion of 89 Mormon Hollow Rd where the noncompliance septic system has been installed and where the illegal temporary housing has been placed.

*Melanie Ames-Zamojski **Motioned** that the Board find that the conditions at 89 Mormon Hollow Rd, including unpermitted temporary housing and an unapproved, noncompliant sewage disposal method, constitute conditions deemed to endanger health under 105 CMR 410.630. It is further moved that the Board Order Condemnation of the portion of the property containing the temporary housing and require the occupants to vacate that area. It is further moved that pursuant to 105 CMR 410.830, the owner be ordered to provide comparable, suitable housing for the occupants for a period not to exceed thirty (30) days, or until alternative permanent housing is secured, whichever occurs first. It is further moved that all violations be corrected to the satisfaction of the Board of Health prior to re-occupancy. Seconded by Michael Nelson. **Motion passes.***

Melanie Ames-Zamojski **Motioned** to amend the above order to condemn the portion of the property containing the unapproved temporary housing and the unapproved, noncompliant sewage disposal system on April, 9, 2026. Seconded by Rachel Stoler. **Motion passes.**

Ames-Zamojski – aye, Stoler – aye, and Nelson – aye

Melanie Ames-Zamojski closed the Hearing at 6:21 PM

Michael Nelson **Motioned** to adjourn the Board of Health Meeting. Seconded by Rachel Stoler. **Motion passes.**

Ames-Zamojski – aye, Stoler – aye, and Nelson – aye

Approved by: Rachel Stoler Date: 4/22/26

Documents:

89 Mormon Hollow Rd Timeline by Ashley Gough;
89 Mormon Hollow Rd Hearing Notice to Lexie Grimard;
89 Mormon Hollow Rd Hearing Notice to Brian Foley & Nick Demers;
89 Mormon Hollow Rd Inspection Report (3-11-16); and
Opening Statement.