



## TOWN OF WEST BOYLSTON ZONING BOARD OF APPEALS

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### MEETING MINUTES

**February 16, 2017**

Chair: David Femia

Members Present: David Femia (Chair), Barur Rajeshkumar (Clerk), Christopher Olson, Nathaniel Orciani and Charles Witkus.

Others Present: Secretary Toby Goldstein.

Members Absent: John Benson (Associate Member) and Daniel Cronin (Associate Member).

Mr. Femia called the meeting to order at 7:00 p.m. this evening (it was voted at the January 19, 2017 meeting that all meetings going forward would begin at 7:00). He stated that all members were present except for the associate members.

#### **Other Business:**

##### **a. Minutes from Previous Meetings:**

**1/17/17 Joint Meeting with Affordable Housing Trust:** Mr. Femia reported that, at the 2/13/16 AHT meeting, they approved the minutes (taken by Ms. Goldstein). After review of the minutes by the ZBA members, Mr. Rajeshkumar made a motion to approve the minutes as submitted. Mr. Orciani seconded. All in favor.

**Revision of August 18, 2016 Minutes:** It was recently called to Mr. Femia's attention that, on page 9 of the original minutes, Mr. Femia was listed as having voted on a petition from which he had recused himself, and Mr. Orciani's name should have been there instead. (This evening, Mr. Femia noted that only Mr. Rajeshkumar, Mr. Orciani and Mr. Witkus could vote on this change). Mr. Rajeshkumar made a motion to change Mr. Femia's name on Page 9 of the minutes to Mr. Orciani. Mr. Witkus seconded. The vote was 3 "yes" to 2 "abstain" and the revision was made to the minutes of 8/18/16.

**1/19/17 Minutes of Regular ZBA Meeting:** After review of the minutes by the board, Mr. Orciani made a motion to accept the minutes as submitted. Mr. Rajeshkumar seconded. All in favor.

##### **b. Update on Building Inspector's Report Regarding 92 North Main Street:**

Mr. Femia first noted that the drainage problems on the property, according to VHB engineer, seemed to have been resolved. Mr. Herget (Building Inspector) responded by showing the board and those present plans of buildings B and C. He updated the board on what has taken place on the property. Mr. Herget mentioned that building C has a completed building permit; the foundation is complete; the walls and deck are complete, and work is continuing. As for building B, 75% of the foundation is complete, and that building has a complete building permit. Finally, the developer is coming to Mr. Herget for a foundation permit for building A next week. Mr. Femia asked him if there are any problems, and if there is approval from the architectural engineer, fire department, and building department? Mr. Herget replied that there is approval from all of these areas. In response to a question from Mr. Femia, Mr. Herget replied that VHB is looking over the work, as are the architects, and he noted that he received reports from the Clerk of the Works. In response to a question from Mr. Rajeshkumar, Mr. Femia replied that VHB only inspects now if there is a problem. Mr. Rajeshkumar said that he thought that the board needed to be sure that everything was alright; Mr. Herget responded that he did not think so. He commented that water and septic lines are installed, and thought VHB only needed to inspect if there are issues.

Mr. Witkus asked if the board could go up to look at the property? Mr. Herget replied that it was up to the owner. (Mr. Femia told Mr. Witkus that Mr. Ali (the developer) said that ZBA can go up to look at the property). Mr. Femia asked Mr. Herget to let the board know if anything comes up, and for him to do his periodic inspections. Mr. Herget commented that the developer and his team had been good to work with so far.

(Next, Mr. Femia opened the discussion to public comment). Bob Holden of 12 Stillwater Heights spoke, commenting on clearcutting of trees that had taken place at the buffer zone and that the developer had agreed to replace trees, and he wanted to find out who to contact about that. Mr. Femia asked Ms. Goldstein to reach out to Mr. Ali and Dean Harrison to find out when this will be done.

- c. **Update Regarding Letter of Local Preference from AHT to MHP:** Mr. Femia informed the board that Paula Stuart and the Town Administrator drafted a letter, stating that ZBA voted for 70% local preference. He said that they met with Mr. Ali and Dean Harrison last week to discuss this, explaining that there would be 14 affordable units in the 92 North Main Street development, and Town people would place their names in a lottery and have two chances to get preference for affordable housing. Mr. Femia said that the letter went out to MHP and the Town is waiting for a response on the local preference request. Mr. Femia added that Mr. Ali and Mr. Harrison said that building C will probably be completed in September of this year and then people will be able to move into it; Mr. Herget agreed.

**Continued Public Hearing, David W. Bossi, Petition for Special Permit, 264 Prospect Street:**

(Mr. Bossi, Stephen O'Connell, and Atty. Robert Cox represented). (This public hearing was continued from the January 19, 2017 meeting, pending legal opinion regarding the authority of the ZBA to vote on decrease of frontage in an aquifer protection district). Mr. Femia notified

those present that, after conferring with Town Counsel, she agreed that the board could vote on this matter (he handed out copies of her letter).

Mr. O'Connell responded that the opinion of Town Counsel was important and he was glad that it was addressed. Next, he wanted to give a quick summary of what took place at the last meeting regarding possible botulism on the property, and he said that they (the applicant and his representatives) did not think that it was an issue of concern. Next he wanted to go over revised plans with the board. He pointed out that a 100-foot no-build zone was added to the back of the lots that could be a restriction that would go with the property in perpetuity. He asserted that he understood the Town's concerns about the botulism, and added that any conditions, such as no use of fertilizer, could be added because of the special permit, and they thought that this would be a compromise on their part. Mr. Femia asked if the 100-foot no-build zone would be part of the lot? Mr. O'Connell replied that it would be part of it and not take away from the 50,000 square feet of the lot.

Mr. Femia then pointed out to Mr. O'Connell 88.79 feet of frontage at the bottom of the map for the last lot, which would not agree with the frontages discussed by the applicant. Mr. O'Connell explained that there are two segments of frontage on the map due to difference of shape on the map, and that totals 108.88 feet.

Mr. Witkus next asked about an empty lot on the map. Mr. O'Connell explained that this was a space between the fence and the property, and the fence is not part of the applicant's property (he pointed out the frontage on the map, as well as the edge of the property line, and that the fence is not on the property but on DCR property). Mr. Brossi replied to Mr. Femia that DCR property is on both sides of the fence, and explained that DCR placed posts and birdhouses there so that people would know the property line. He expected that they may remove the fence when they begin construction so that they can hay all the way up to the line, or relocate the birdhouses, and opined that there is haying done on the other side of the fence, according to his experience.

Next, Mr. O'Connell described that there are no changes planned in the geometry of the lots or the houses, and these plans are conceptual. He pointed out that there are four existing water and sewer stumps there. He asserted that they reserve the right to do a final lot development plan.

Mr. Femia then asked if all the houses would be similar? Mr. Brossi said probably not, explaining that the roofs, elevations and other features would be different. Mr. O'Connell added that most of the houses fit into a "building box" and, in response to a question from Mr. Orciani, the setback will be 25 feet in the front. Mr. Femia commented that lot 3 appeared to be closer to the road. Mr. O'Connell explained that they are trying to break it up, and reassured the board that they will comply with front setback requirements (he pointed out the setbacks on the map). Mr. Femia also commented that, on lot 5, the house appears to be further back. Mr. O'Connell agreed that it is, and explained that earth work must be taken into account, with fill brought in and taken out, and they are trying to be conscious of how much. He added that there will be 10 feet from the side and rear of the house to the property line. Mr. Femia then

commented that, on lot 2, it appears that, from the street to the house, will be greater than 10 feet on the left side. Mr. O'Connell responded that it will probably be 12 feet, and that they might want more room between lots 2 and 3. He added that that will be subject to the Building Inspector's review also, and that a more accurate house footprint will be given later on.

Mr. Witkus then asked, if the board refuses to grant the special permit, would the applicant build on a 150-foot lot? Mr. O'Connell replied that the applicant would have a right to build four homes on 150-foot lots, according to the bylaws, but that would be up to Mr. Brossi, and reiterated their offer of the 100-foot no-build zone and no use of fertilizers. Mr. Witkus asked if the applicant is trying to have "substandard" lots? Mr. O'Connell responded that they are looking for 120-foot lots, and asserted that they would be in harmony with the other houses in the area and not be substandard.

Mr. Femia then asked how the Lee Street well would be affected with the 100-foot no-build zone? Mr. O'Connell responded that they are trying to be sensitive to the well.

Mr. Orciani commented that it did not seem to be an issue regarding maintenance of frontage at the front of the building. (With no more comments by the board, Mr. Femia then opened the discussion to public comment).

First to speak was Jim Jardine of 8 Applewood Road (with his daughter, Jennifer). He was holding a document which was an excerpt from DEP, Chapter 4, Groundwater Supply Development. He discussed how the well is a protected area, and discussed the zone of influence to the well. He discussed the Interim Wellhead Protection Area (IWPA), which, according to Chapter 4, DEP, 4.5.3, has a radius of ½ mile (2,500 feet) and it is the zone of influence for the Lee Street well. The border of the property is approximately 1,000 feet from the Lee Street well, and Mr. Jardine explained that, even with the 100-foot no-build zone at the back of the property, the Interim Wellhead Protection Area will only be 1,100 feet, not 2,500 feet. He was concerned because the Lee Street well provides 40% of the Town's drinking water, and he did not understand why they are considering a variance for the purpose of more houses. He added that the Town is trying to find a new water source in Pleasant Valley and is spending quite a bit of money in the preliminary planning, and would like to put in a new well adjacent to the existing one. Mr. Jardine asserted that the Lee Street well was unique, with the aquifer separating it from the other wells in town. Mr. Jardine reminded those present that, at the last meeting, he asked Mr. Brossi what it would cost the Town to acquire the property so that it could be preserved, and he asserted that the best use of the property would be as a buffer for the Lee Street well. (Mr. Femia said to Mr. Brossi that he thought of that as a private issue and that Mr. Brossi did not need to answer that; Mr. Brossi responded that he would rather not discuss that in a public forum. Mr. Femia said to Mr. Jardine that, if Mr. Brossi wants to consider that option, he will contact the proper people but that this is not the proper forum, and at this time they will only determine whether or not to grant the special permit).

Mr. Jardine then discussed a point of interest; Mr. Jardine continued that, although the applicant wants six new houses, according to Town records there are only four sewer stumps,



and opined that they are probably not going to be in the right place. He noted that the sewer line is on the opposite side of the street, probably requiring open trenching across Prospect Street. He said that there did not appear to be any water service stumps present. He commented that there is probably AC pipe, which is fragile when machine digging is done. He commented that there were twelve new trenches within 700+ feet on Prospect Street and asked what had been done to restore the disturbance? Mr. Brossi suggested that he take that up with DPW or highway dept. Mr. O'Connell then discussed that the sewer stumps are probably in the middle of four lots, and the water line is on the applicant's side of the street, and estimated that probably at least two trenches will have to be dug for sewer and six for water.

(Mr. Femia then discussed with Mr. Rajeshkumar when Prospect Street was paved, and they thought it was a long time ago. In response to a question from Mr. Femia, Mr. O'Connell responded that they would try to make the four sewer stumps work for the six lots. Mr. Jardine commented again that he thought the property to be too close to the zone of influence.)

Addressing Mr. Femia, Mr. O'Connell explained that the Interim Wellhead Protection Area situation did not apply here, because a Zone 2 is in place (he pointed that out on the map). He explained that there are restrictions in Zone 2, but asserted that nothing that they propose is close to a restriction situation, and asserted that a single family residence would be the least intrusive situation.

Next to speak was Bernie Dow of 307 Prospect Street. He described that he lives diagonally across from the property. He reminded those present that, at the last two meetings, he made statements which he asserted were factual, based on studies. He mentioned that, at the January 19, 2017 ZBA meeting, he told those present how much a small amount of gasoline can contaminate water (and this evening, he read aloud a study regarding fuel contamination and one regarding oil contamination; he also read aloud an article about illegal dumping; and another about a drinking water source protection program in New Hampshire). Mr. Dow mentioned how botulism was brought up at both meetings, and asserted that it is the second deadliest toxin in the world. He read from the Town's bylaws regarding the ZBA's responsibilities, including basing their rulings on whether or not a proposal would be detrimental or harmful; Section E.4.2 mentions that property use should not create any danger of pollution to public water supply, waterways or wetlands. He asserted that the burden of proof is on the property owner and the board is obligated to abide by the most restrictive rules. Mr. Dow also asserted that, if six homes are allowed to be built instead of four, it will increase possible contamination by 50%; it will hurt the environment and decrease property values; and that this land is too sensitive, with the well providing 40% of the Town's drinking water. He asked how the Town would know that spillage would not infiltrate the well and cause contamination, which would be very costly to the Town to remedy?

Next to speak was Dr. Robert Tashjian of 363 Prospect Street. (He asked to speak. Mr. Femia asked him if he had new information to present? Dr. Tashjian replied that he did have new information). (Dr. Tashjian discussed how he had given information for the 12/15/16 ZBA

meeting to the Town Administrator, who told him that DCR and the Water Dept. also presented letters of opinion, and he thought the ZBA meeting was to be postponed so he did not attend; but he was encouraged by Bernie Dow's presentation). Dr. Tashjian also mentioned speaking at the January 19 ZBA meeting, but it was not recorded; Richard Simmarano of WBPA-TV went to Dr. Tashjian's house and taped him for almost two hours, basically about botulism and its impact, and the Town can watch it on YouTube.

Also, Dr. Tashjian had made a records request from the ZBA, which was included in the ZBA members' materials this evening; he claimed that he did not receive it. Mr. Femia also explained to Dr. Tashjian why the January meeting was not recorded.

Dr. Tashjian continued, that he worked with Mr. Dow on this for many years, as he was previously Chair of the Open Space Committee. Dr. Tashjian described the history of the property and the history of DCR's purchase of the property adjacent to it. In response to a question from Mr. Femia, he explained the "chain of command" in the Town and how he participated in planning out the future of West Boylston. (Mr. Femia asked Dr. Tashjian to explain how his information related to 264 Prospect Street, and commented that nothing proved that botulism was on that property). Dr. Tashjian responded that he mentioned the botulism in a 2010-2011 fiscal report that he wrote for the OSC, and described the process of obtaining water from the well and asserted that it was not a good move to sell this land.

Mr. Femia then responded, reiterating that nothing that the board, Water Dept. or DCR has seen proves that botulism was on that property, and that Dr. Tashjian himself admitted at the January 19 meeting that he could not prove that his test samples were taken from that property. Mr. Femia said that all he is concerned about at this time was the request for special permit for this particular property.

Dr. Tashjian discussed the difficulty of the diagnosis of botulism. He explained that his test results were in containers which were difficult to access, and asserted that it requires much work to detect the spores and is very complicated work.

Mr. Femia responded that, unless Dr. Tashjian can produce the results, the board will not hold up their decision and the botulism will be a dead issue, as they cannot force Mr. Brossi to do botulism testing on his property. He continued that, if there was such a problem, the Water Dept. should be concerned about it, but they do not even mention it.

Mr. Rajeshkumar then commented that the board does recognize the suspicion of botulism and understands the residents' concerns. Dr. Tashjian responded that there are reasons why he cannot get the results at this time, but cautioned about the possibility of something happening, and opined that the board could not walk away from that issue this evening.

Mr. Olson then responded, acknowledging that he understood Dr. Tashjian's concern and he did not think that the board needed to decide this evening if there is or is not a botulism issue because it was not their decision to make, noting that, if the board denies the permit, the

owner could put up four houses by right, according to the bylaws. Dr. Tashjian responded that the botulism issue will not be over yet. The board commented that they respected what he was saying, he made his points clear, but they did not see concrete evidence of the botulism and they will take everything under consideration from everyone.

Next to speak was Anthony Duvarney, of 294 Prospect Street, another abutter to the property. He mentioned that he sent a letter to the board for the January meeting, and it was read aloud that evening. He explained that Mr. Brossi wanted to purchase a small amount of property from him because his frontage was 738 feet and he opined that Mr. Brossi wanted to have 750 feet in order to have another lot. Mr. Duvarney said that he was in favor of five building lots, four conforming and one at the end that was nonconforming and which would abut DCR property which would not have anything done to it, and opined that the goal is to protect the water.

Next to speak was Gary Flynn, 416 Prospect Street. He asked if there would be any blasting done? Mr. O'Connell replied that they do not expect it to be necessary. Mr. Femia added that Mr. Brossi would have to go to the Fire Dept. Chief for approval before blasting anyway.

Next, Mr. Femia read a letter from Jean Costello of 11 Shady Lane, which was emailed to the board and requested to be read aloud at this meeting; the letter expressed her opinion that the special permit should not be granted. (After this, there were no further public comments).

Mr. O'Connell then reiterated the concerns of lot and frontage sizes, harmony in the neighborhood, and concerns about contamination. He opined that, if four houses are allowed by right, he did not see that the extra two will be detrimental to the neighborhood, and he hoped that the board understood the applicant's position. Mr. Brossi continued, that they took into consideration the concerns of the Water Dept. and will have the "no-build" area in the back. He pointed out that, if he had four lots, he would need larger homes and larger setback to offset that; he asserted that six homes would be smaller, more affordable, and further from the well, and that this option would be more palatable and desirable. He added that no fertilizer could be allowed and he tried to take valid concerns into account.

With no further comments, Mr. Rajeshkumar made a motion to close the public hearing. Mr. Orciani seconded. All in favor. (The board now deliberated on five lots, each at 120 feet, and one at 108.8 feet frontage).

Mr. Olson opined that the applicant did a lot of planning and answering of questions, and that he made a good presentation. But, after three public hearings, he believed two issues to be most important: one regards the aquifer protection district and whether or not the proposal would be in harmony with the intent and purpose of the bylaw. Mr. Olson thought that this proposal acts to treat the lots as if they were outside of the APD. The second issue was the letter and presentation by the Water Dept. superintendent who is against the proposal because of protection of the aquifer. Mr. Olson opined that it was difficult to ignore these issues and he stated that he was not comfortable now granting the special permit.

Mr. Orciani agreed with Mr. Olson's comments regarding the Water Dept. and commented that the Town trusts the board to do its job.

Mr. Femia thanked Mr. O'Connell, Mr. Cox and Mr. Brossi for a good presentation, good feedback and good discussion. He reiterated that the board received information from the Water Dept. and Planning, talked with the Conservation Commission, and DCR and, referring to the Water Dept. letter, mentioned "slow and insidious contamination" and "important alternatives to development to preserve open space." Then Mr. Femia discussed the question of whether or not the board has the authority to grant a special permit for an aquifer protection district, because it was not specifically stated in the bylaws; the board consulted with the Town Administrator, who consulted with Town Counsel, who determined that the ZBA did have the authority to vote on that. Mr. Femia agreed with the board and that the Water Dept. opinion had the greatest impact, as water is a precious commodity, mentioning examples of the drought in CA and contamination in Flint, Michigan, and that the Lee St. well provides 40% of the Town's drinking water. He agreed that six lots was not the plan to follow, the aquifer must be protected, and he had to vote against the proposal.

Mr. Femia explained that a super majority (4 of 5) vote was needed. With no further comments, Mr. Rajeshkumar made a motion to approve the special permit for six lots with reduced frontage. Mr. Olson seconded. The vote was as follows:

Mr. Rajeshkumar – "no"

Mr. Olson – "no"

Mr. Femia – "no"

Mr. Orciani – "no"

Mr. Witkus – "no"

The board voted against the request for the special permit; request was denied.

**Public Hearing, Dr. Robert Tashjian, 363 Prospect Street, Request for Variance for the Temporary Storage of Vehicles and Containers, and Hearing to Appeal Decision of Building Inspector Regarding the Vehicles and Containers:**

(Dr. Robert Tashjian represented). Mr. Femia read the legal notice, and called Dr. Tashjian up to the front to address the board. Mr. Femia announced the format-the petitioner will present his information, the board will ask questions, then the hearing will be opened to public comment.

Dr. Tashjian introduced himself and gave his address. He attempted to summarize the situation leading to his petition. He asserted that he and his family dedicated themselves to the Town, going back to his family farms over a century and a half ago. (Mr. Femia then asked Dr. Tashjian to talk about the variance). Dr. Tashjian discussed the Fire and Police Depts. involvement with his property, particularly the Police Chief, and the financial difficulties of his family farm.

Mr. Femia then asked him to talk about the vehicles and storage units on his property; he mentioned two letters from the Building Inspector regarding unregistered vehicles and storage

units on his 363 Prospect Street property that were moved from his hospital to the property. Dr. Tashjian discussed the history of the hospital property at 29 Prospect Street, which had information, including grant information, and vehicles, as well as equipment and file cabinets, from places such as National Institutes of Health and the US Army Biological Center. Dr. Tashjian discussed working with the military and federal government. He then discussed Worcester Housing Court's involvement, who referred him to an appeal judge in Boston. He claimed that he did not receive his mail, so he did not go to court and was told that 29 Prospect was going to be foreclosed upon and he was given only a short time to remove his items or they would be taken. He said that he spoke to Cranston's garage on West Boylston Street about taking his vehicles but they would not take them to sell until Dr. Tashjian spoke to the ZBA. He said that there was material from NIH in the vehicles, so he had them moved to 363 Prospect Street, asserting that he did not want the materials to be left with the new owner of 29 Prospect Street, Dr. David McGrath. Dr. Tashjian said that the Building Inspector told him that he could do that and put up a fence up to 6-feet high, but apparently the materials showed from the road and the Building Inspector saw it. Mr. Herget told Dr. Tashjian about complaints, but Dr. Tashjian asserted that he was not told who made the complaints and that he should know that information.

Next, Dr. Tashjian wanted to tell the board how the materials came to 363 Prospect (and asserted that he was entitled to be listened to). He explained that Dr. McGrath gave him until February 1 or so to move the materials from 29 Prospect or the sale of the property would not take place. He said that the movers agreed to put it all on the lawn if there was not a building to put it in. He continued that Monster Movers then agreed to move everything, and they moved eight containers but had two dumpsters to destroy that would be a public health problem. Dr. Tashjian said that they emptied the property on 12/28/16, and he had until 12/31 to write the appeal. He asserted that a decision by the board would involve more than just a simple decision, and that what he is doing with the vehicles and equipment will benefit the Town.

Mr. Femia then referred to the two letters from the Building Inspector, which are on file. Regarding the first letter, that was a notification that the vehicles were not shielded. The second, from August, 2016, was a notification that the storage units were detrimental to the residential neighborhood, according to the bylaws. On 12/19/16, a hand-delivered letter from the Building Inspector regarding the vehicles and storage units notified Dr. Tashjian of a fine per day being charged if he did not clean everything up by 12/31/16.

Mr. Femia then wanted clarification about payment for the moving of the eight, 40-foot long containers to 363 Prospect. Dr. Tashjian replied that Dr. McGrath paid for the moving by court order and the containers are rented indefinitely.

Mr. Olson next discussed that the Building Inspector found violations of two bylaws (just discussed), and noted that it seemed that the petitioner was asking the board two things: first, Dr. Tashjian was appealing Mr. Herget's determination that zoning has been violated, and second, he is asking for a variance. Dr. Tashjian responded that he is appealing the Building

Inspector because he just wants time to work everything out, commenting that he accepts Social Security and Food Stamps. He suggested that DCR might help fund the situation, and asserted again that he is doing things in the best interest of everyone.

Mr. Rajeshkumar asked him how much time it would take to remove everything? Dr. Tashjian responded that he had a plan to go public and fund raise with a non-profit; he also said that he had a new DBA. Mr. Olson suggested that it could take months or years, but Dr. Tashjian responded that it needed to be quick due to his age, and suggested that the board could monitor it. In response to a question from Mr. Rajeshkumar about the vehicles' condition, Dr. Tashjian replied that the vehicles are his, given to him by NIH, to do something "unique." Mr. Olson wished him luck, but explained that the Building Inspector determines violations in zoning, and the board looks at the facts and the Building Inspector's determination to see if he has a case. Dr. Tashjian asked for more time, and reiterated that he thinks he can make a contribution to the nation. Mr. Olson replied that he is not asking Dr. Tashjian to stop his work, but to resolve the zoning problems.

Mr. Femia then asked Dr. Tashjian what would happen if something happened to him; where would the vehicles and equipment go, and why doesn't it get removed so he will not have to worry? Also, he has two zoning violations, so how will that be rectified? Dr. Tashjian responded that he will go to a public operating foundation, and will live on a non-profit, and not go through any Town of West Boylston committees so that there will not be Town control. In response to a question from Mr. Rajeshkumar, he said that the situation should be corrected in six months; he also replied that the vehicles can be driven, he just does not want to do so. In response to a question from Mr. Femia, the vehicles will be garaged through the non-profit but he needs to raise the money to do so through the non-profit.

Next, Mr. Femia asked Mr. Herget to speak about the violations. Mr. Herget replied that he started to write to Dr. Tashjian in May, 2016. He informed him that he needed a farm plate for his equipment, and he did not obtain that. He said that he told Dr. Tashjian that he was allowed to leave the vehicles, but no farm equipment (in June). In November, the storage containers appeared, and Mr. Herget sent him a notice of violation for both things on 11/16/16. (Mr. Herget verified Mr. Femia's statement that the eight containers were not on the property until 12/28/16). In response to a question from Mr. Femia, Mr. Herget replied that, if the vehicles were shielded, they would be permitted. Mr. Femia, regarding the containers, read from the bylaws which stated that the containers might be a type of "accessory use," but Mr. Herget said that, being eight-feet tall, they couldn't have been screened. Mr. Femia asked him about complaints, and Mr. Herget replied that he had complaints every day for weeks. Mr. Herget also replied to Mr. Femia that, if someone complains, he does not have to reveal the person's name, and added that he went out to the property and considered the situation as detrimental to the neighborhood. (Dr. Tashjian disagreed with Mr. Herget on the use of the farm plates on his vehicles, and opined that he was entitled to have the names of people who complained). Dr. Tashjian also said that the reason the vehicles and equipment were visible was because of where he located them, and if he placed them higher, they wouldn't be visible; also, he asserted that he mentioned to Mr. Herget that the moving company said that the Town

can charge taxes on the containers. Mr. Herget responded that, if the items are on commercial property that is zoned, it is not an issue, but here they are on residential property. (Dr. Tashjian expressed the desire to work things out, but Mr. Herget pointed out that the issue is out of his hands at this point).

(Mr. Femia asked if there was any public comment at this point). Bernie Dow asked Dr. Tashjian if he believed that this situation increased or decreased the value of the surrounding properties? Dr. Tashjian thought that the equipment would increase the value. (Mr. Femia cautioned both men against shouting). Mr. Dow also opined about how this would affect the sale of surrounding properties, that it violates the bylaws, and questioned how this would be in the best interest of the Town. He also thought that only one unregistered vehicle was allowed on the property (Mr. Femia responded that there can be up to (2) with a special permit by the Board of Selectmen). Mr. Dow responded that there are seven unregistered vehicles, and asserted that the farm equipment must each have its own plate. He opined that, if the items are not removed in a certain time, a lien should be put on the property.

(Mr. Femia warned Dr. Tashjian that he had five minutes to respond). Dr. Tashjian responded, asserting that farm plates are not needed for every vehicle. He added that he had no intent of making the property into a junk yard, and that he will make public what he is doing and will work with the Building Inspector.

With no further public comments, Mr. Rajeshkumar made a motion to close the public hearing. Mr. Orciani seconded. All in favor. The board started to deliberate next.

Mr. Witkus thought that Dr. Tashjian should have six months to remove everything. Mr. Olson said, reading the petition, that there seemed to be two questions; regarding the appeal of the Building Inspector's zoning interpretation, Mr. Olson did not see any ground to overturn that. Regarding the variance, there were no grounds to justify granting a variance over two zoning bylaws. He said that he was inclined to recommend to the Building Inspector, who has discretion to require a fine, that it seemed reasonable to allow a certain number of days or months to re-instate the fines. (The board members discussed a time frame of removal, agreeing that vehicles could be disposed of sooner than containers, taking into account Dr. Tashjian's family's history in the Town; after this time, the Building Inspector's fine will continue. They agreed that it would take longer for the containers to be emptied than to remove the vehicles, especially since the vehicles have been there for nine months. The board agreed that they would need two separate votes, one for the variance and the other for the Building Inspector appeal, and two different time frames for the vehicles and containers. If the petitioner does not comply, the Building inspector can resume the fine, which will not be retroactive).

Mr. Femia announced the first vote, regarding the variance, for the vehicles and containers. Mr. Olson made a motion to grant the variance, according to Sections 5.3D and 5.1, at 363 Prospect Street. Mr. Rajeshkumar seconded. The vote was as follows:

Mr. Rajeshkumar – "no"

Mr. Olson – “no”  
Mr. Femia – “no”  
Mr. Orciani – “no”  
Mr. Witkus – “no”

The variance was not granted.

Mr. Olson continued, making a second motion, to grant the administrative appeal of the Building Inspector’s determination, dated 12/7/16 and 12/19/16, with respect to 363 Prospect Street. The board suggested, in the event of a motion to deny, the applicant has (3) months to remove the vehicles, from this date (2/16/17), to expire 5/16/17, and (6) months for the containers, from 2/16/17 to 8/16/17. Mr. Rajeshkumar seconded. The vote was as follows:

Mr. Rajeshkumar – “no”  
Mr. Olson – “no”  
Mr. Femia – “no”  
Mr. Orciani – “no”  
Mr. Witkus – “yes”

With a 4 “no” to 1 “yes” vote, the appeal was denied. (Mr. Olson verified with Dr. Tashjian that he understood that it is up to the Building Inspector regarding these suggestions, and Dr. Tashjian responded that he will communicate with Mr. Herget. Mr. Femia asked Mr. Herget if he had any questions as well? Mr. Herget asked when the fines would start? Mr. Olson replied after three and six months, but within Mr. Herget’s discretion, and that this was a suggestion rather than an order. The board members made certain that they understood the information also. Dr. Tashjian asked if he did not have to remove everything so long as they can be concealed properly? Mr. Femia replied that there is more than sufficient time to remove them, so the answer was “no.” Mr. Femia recommended to Dr. Tashjian that he try to take care of the situation. Dr. Tashjian asked that the supplemental document that he submitted with the petition be put in the record). **(SEE ADDENDUM FOLLOWING MINUTES).**

With no further comments or business to discuss, Mr. Rajeshkumar made a motion to adjourn the meeting at 11:03 p.m. Mr. Olson seconded. All in favor.

Respectfully submitted,

\_\_\_\_\_

Toby S. Goldstein, Secretary

Date Accepted: \_\_\_\_\_

By: \_\_\_\_\_

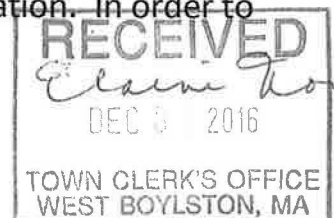


December 31, 2016

Robert J. Tashjian, A.B., V.M.D., DSc (hon)  
363 Prospect St.  
West Boylston, MA 01583  
508-250-7777  
[RJTAMC@gmail.com](mailto:RJTAMC@gmail.com)

### ABSTRACT

I wish to inform the West Boylston Zoning Board of Appeals. I am doing everything within my abilities to provide all the necessary background and information of what I am doing, necessary now and for the future for the ages for West Boylston, and neighboring towns and cities, and for all people of America. I am an octogenarian and I have handwritten this entire document on my kitchen table. Patti Hutchins has typed it on a computer for email distribution. I have prepared this document almost entirely by memory, which can represent about a half century of details. However, all the details and documents are fully protected and sealed in the containers at 363 Prospect St. There are still many files remaining, in the possession of Dennis Minnich, at 378 Prospect St. and 405 Prospect St. that complete the files I have at 363 Prospect St. in the containers. On many occasions, I have asked Dennis Minnich to return these files and other properties in his possession, but to no avail. I have worked cooperatively in the past with the FBI, CIA, and the U.S. Attorney General, (Civil and Criminal). Everything has been prevention and response, no artificially induced diseases. I have been recently communicating with the IRS regarding tax fraud, and the plan is to have an evaluation of facts and events for the period of 2008-2018. Mortgage servicing fraud will also be closely related to include tax fraud and self-dealing. The request for investigation began recently with the Obama Administration, but will be transferred to the Trump Administration. In order to



resolve those problems to benefit all Americans, Federal law enforcement and the Federal U.S. District Courts (Civil and Criminal) will be necessary.

During World War II, America developed a mighty army that could have conquered the world. There was an exceptional Civil Defense system and an American coordinated industry which no longer exists. The present existing religious, global, World War III is no longer like a World War II and cannot be won for all people and America, like World War II. I make reference to my provisional patent that can be found on the website that includes the vehicles and the contents of the containers, at 363 Prospect St., in which I will allow access to FBI and Federal government law enforcement, and West Boylston town officials, in addition to the U.S. military in biological research and the University of Pennsylvania scientific collaboration.

My recommendation is, until all these problems are legally and properly resolved, including the ownership of 29 Prospect St. West Boylston MA, and to save the building for evidence regarding any possible legal actions, especially in the Federal Court system, any proposed future use at 29 Prospect St. be immediately condemned by the West Boylston Building Inspector, and fully knowledgeable to the West Boylston Chairman of the Board of Health, and to the West Boylston Fire and Emergency Chief. These three, representing the Town of West Boylston, will have keys to the building and grounds with full authority to inspect at any time. Anyone wishing to enter the building must first make arrangements with the building inspector and at their own risk. Those expected to request limited entry are Dr. Robert Tashjian and his associates and Dr. McGrath and his associates, and both will continue to have keys to the building.

Dr. McGrath will be expected to maintain the outside appearance of the building grounds such as mowing the lawns, and snow plowing the yard and clearing entry of snow to the doorways. It should be clearly understood there is no heat, water, or electricity for the entire building.

The 29 Prospect St. building, as it now exists, is essential EVIDENCE for pending Federal investigation and any Federal law and other enforcement agents requesting inspecting the interior of the building, must be accommodated.

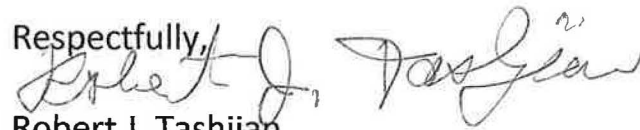
I wish to express my sincere thanks to the many who have offered to help in this mission and look forward to many more.

My most humble and sincere thanks go to Father Aved Terzian, a Catholic priest who has guided and supported me through these extremely difficult personal times, regardless that I am a Protestant.

West Boylston can be the shining beacon and eternal light for other communities of the American Nation and world to follow.

Because of the lack of time and resources, I wish to request additional time, if necessary, to reorganize and add to these documents.

Respectfully,

A handwritten signature in cursive script, appearing to read "Robert J. Tashjian".

Robert J. Tashjian

Chairman of the Board

American Veterinary Medical Frontiers

P.O. Box 373

West Boylston, MA 01583

RJTAMC@gmail.com

## HISTORICAL SUMMARY OVER PAST HALF CENTURY TO HELP EXPLAIN THE SIGNIFICANCE OF THE CONTAINERS AND VEHICLES AT 363 PROSPECT STREET

I, Robert J. Tashjian, V.M.D. am submitting this appeal to the West Boylston Zoning Board of Appeals in accordance with the letter dated December 7, 2016, sent to me by Certified Mail, by Building Commissioner and Zoning Enforcement Officer Bentley Herget, Town of West Boylston 140 Worcester St., West Boylston, Mass. 01583, (774-261-4030). Mr. Herget states multiple complaints for eight storage containers, each 40 feet in length, exclusively containing all the contents of the approximately 15,000 square foot facility, which has been my residence for about two decades, and a veterinary hospital and scientific facility at 29 Prospect St. West Boylston Ma.

In 1975, I purchased a historic home at 27-29 Prospect St., remodeled the home and eventually added a large extension that I designed to accommodate a unique veterinary hospital to meet the high standards of the American Animal Hospital Association (AAHA). Usually, about only 12-14% of the veterinary hospitals in North America can meet these standards in which the Robert Tashjian Animal Medical Center has achieved this professional distinction for twenty five consecutive years.

I am a graduate of Clark University after receiving a A.B. degree in biology and then spent one year at the University of Massachusetts, Amherst Mass, in order to further my formal education in animal husbandry with courses not available at Clark University, Worcester Ma. My education continued at the University of Pennsylvania, School of Veterinary Medicine, Philadelphia, Pennsylvania, graduating in 1956. It was a unique and highly competitive experience in a class with about half of the class older than those of us who were too young to serve in World War II. The veterans were mostly combat veterans and military officers that included most branches of service, including the Army Air Corps with direct combat with the German and Japanese armies. The veterans were on the GI Bill. It was an extremely competitive education which included a strictly enforced honor system, dress code, ethics, and discipline. Those of us who had not served in World War II were about fifteen years younger than the veterans but some of us also joined the University of Pennsylvania R.O.T.C. The respected veterans

were very helpful and supportive to the younger classmates. The Dean of the veterinary school was a World War II General who unfortunately, had a lethal heart attack on the campus the year before I began at the veterinary school. The new Dean, Dr. Mark Allan, was also exceptional. I explain these details of my formal education because of the impact upon my entire life and career. The pioneering education at the University of Pennsylvania was focused upon developing clinical specialties including cardiovascular diseases and comparative medicine in order to benefit man and animals. The University of Pennsylvania is the only veterinary school in the world to award a V.M.D. degree instead of a D.V.M. degree since the veterinary, medical, dental, and nursing schools are under a central administration from the medical school. As part of our education, we also had classes at both the medical and dental schools of the University of Pennsylvania. One of my classmates was even a former West Point Major and we had the pride, discipline, and honor similar to West Point, in addition to a superior unique education.

I am very pro-military veteran and when I graduated from the University of Pennsylvania in 1956, my first position was Staff Veterinarian at The Animal Medical Center, 510 East 62<sup>nd</sup> St. NY, NY 10021. I accepted that position because of the initial involvement helping to develop this new mission, guided by the University of Pennsylvania. The former New York Women's League for Animals, 350 Lafayette St. New York, NY, located between the Bowery and Greenwich Village had recently received a large contribution to move from this location to the prestigious Rockefeller Medical Center. Living initially at the first location was a tremendous learning experience for me at that time. To then move to the affluent East Side, next to Rockefeller Medical Center was a challenging experience and a continuing education for me, never forgetting the quality and struggles of life when I lived between the Bowery and Greenwich Village. I was able to especially develop professional working relations at Cornell Medical School and Rockefeller Institute. I spent time at medical schools and institutes in New York City in addition to receiving significant NIH (National Institute of Health) support. These scientific achievements were the reason I was awarded an honorary Doctor of Science degree at an early stage of my career. The new Director was one of my former professors from the University of Pennsylvania, who later retired and I quickly advanced through the ranks as Head of Medicine, Chief of Staff and then Director when my former Professor retired. I was young and supported for that position as Director, by the Scientific Advisory Committee

of The Animal Medical Center, headed by the Dean of the University of Pennsylvania which included the Deans from Cornell University Veterinary School and Ohio State University.

In those early years of my career, I was awarded a unique interdisciplinary Program Project Grant from the National Institute of Health (NIH) and National Heart Institute. It was an unusual grant for young scientific investigators who had the potential of influencing medicine and science for the next thirty five or so years. Collaborating and participating in that Interdisciplinary Program Project Grant was the University of Pennsylvania, School of Veterinary Medicine, and outstanding physicians in cardiovascular surgery from the Bronx V.A. Hospital. We were performing open heart surgery on animals with heart lung by-pass at The Animal Medical Center. We achieved much and my focus was upon contrast radiology in cardiovascular diseases and at 62<sup>nd</sup> St. East Side NYC, the focus was on comparative medicine to include dogs, cats, exotics, horses, and cows. The radiology equipment was unique and creative with many components and that experience is what was designed for the radiology equipment at 29 Prospect St., including the ambulance with a patent, in addition to other equipment and vehicles, part of another patent, now at 363 Prospect St. They are temporarily outside because of no choice because of the non-compromising demands of Dr. David McGrath, who assumes he is the new owner of 29 Prospect St., which he purchased for \$150,000 by questionable legal tactics that I am challenging.

During my eighteen year tenure at The Animal Medical Center, NYC, the annual case load rose to 90,000 patient exams per year, about 70 veterinarians, about 20 attending physicians, with about 300 staff. I was Director over the entire staff, including the business staff, reporting directly to the Board of Trustees, and the Animal Medical Center was a 501 (c)(3) Public Membership Foundation. We coined the name Animal Medical Center for the veterinary profession to require a high level of professional standards. We were the first Animal Medical Center in the United States with the corporate name The Animal Medical Center.

The Scientific Advisory Committee and Board of Trustees decided at that time, although located in NYC, decided that all animals including farm animals, should be included and to purchase a farm in New York State or New England. A Board member of The Animal Medical Center, who was also a physician for Doris Duke, daughter of James Duke, who founded Duke University and Duke Farms. The Duke Farms and Duke Estate was large with about 3000 acres, 600 acres of which



was the main estate, about 100 buildings, and about 300 purebred Jersey cows with a genetic history of bovine leukemia. We studied the herd carefully and then wrote a scientific paper that close inbreeding of the herd could produce bovine leukemia, caused by a long lasting retrovirus with the classification of an oncovirus. The genetic influence of viruses and disease, such as the retroviruses (both the oncovirus and lentivirus) was always our consideration. Furthermore, the import is also to be considered in biological terrorism, especially nuclear, in which there can be severe irreplaceable damage in the chromosomes, resulting in a population of handicaps and a genetic heritage, never to return to the genetic normal.

Another interest was Equine Infectious Anemia (EIA), breaking out at epidemic, acute levels in the Great Wetland Swamp areas of New Jersey. Duke Farms is located in Somerville, New Jersey, and with many wetlands. Horses were dying. Since EIA is also a cardiovascular disease, I became very interested with the challenge and also a lifetime retrovirus causing EIA, but in contrast to bovine leukemia, a lentivirus instead of an oncovirus. In a short time, EIA horses, especially acute, were referred to the facilities and barns we quickly remodeled and built at Duke Farms. Soon the herd numbered almost 100 horses. We clearly studied and understood how EIA was transmitted by blood, milk, and semen, and was a sexual disease and not a homosexual disease. The same applies to human AIDS. I headed the programs at Duke Farms which included about 200 staff, in addition to the 300 staff at The Animal Medical Center.

My experience was with cows with bovine leukemia as an oncovirus, and EIA in horses as a Lentivirus. Then human AIDS began to emerge in epidemic levels the same as we were experiencing with EIA in the New Jersey swamps and wetlands and human medicine, including the NIH initially took the position AIDS was caused by an oncovirus, a cancer producing type virus. I opposed that position including Dr. Luc Montaigne, a distinguished scientist and Nobel Prize Winner at the Pasteur Institute, Paris France. I visited the Pasteur Institute in the past, especially when they had stables of horses. The Chinese scientists had developed a cell culture (donkey leukocyte) successful vaccine from the Harbin Veterinary Research Institute, Harbin China. I organized a conference in Canada that initial federal research was on the wrong type virus. It later required negotiations between President Reagan and the President of France to share the discovery of the AIDS virus between Dr. Luc Montagnier of France and Dr. Robert Gallo of the National Cancer Institute.

AIDS and EIA can exist in 3 clinical forms:

1. Acute
2. Subacute
3. Chronic (Asymptomatic)

The acute form in horses is severe debilitation and also known as AIDS in humans, the subacute form can either become acute or chronic. In humans, it was once known as ARC (AIDS Related Complex). The chronic or asymptomatic form of the disease is known as HIV in humans. However, the biology of the virus is such that it is present in all the clinical stages of the disease transmitted by blood, semen, and milk, especially colostrum. My interest is also in biological mutations. Even if changes of clinical stages of the disease do not occur naturally, laboratory technology is capable of mutating the lifelong, persistent retrovirus, and assume the terrible consequences if the virus was mutated to become air-borne, water borne, non-species specific, and aggressive. Then large populations with asymptomatic HIV, such as the cities of New York City and Washington, with significant HIV populations, could have tragic consequences. There are ways to prevent this and they cannot be ignored. I mention these facts since the laboratory equipment from 29 Prospect St. is vital, as these experiences with EIA can be a basis for antiserums. Dr. McGrath and his lawyer has referred to this equipment as "junk" and this junk includes the Electron microscope, cell-culture, PCR and DNA equipment, specially designed x ray equipment, etc. If he sincerely believes these are junk, I then question his educational training and Trustee responsibilities from Tufts.

I also believe that AIDS is a result of World War II biological research from Unit 731, Harbin, China, under Japanese military control. Biological research of military medicine by Japanese scientists in occupied China, which also included World War II American military, Koreans, and Chinese, in the diabolical research. My EIA research has been coordinated with the Harbin Veterinary Research Institute, which is part of the Chinese government. I was appointed a Visiting Professor at that institute. The Japanese scientists at Unit 731, during World War II, apparently injected the old lentivirus of EIA, discovered centuries ago in France, into humans to produce antiserums while it attenuated. The Chinese scientists later at Harbin Veterinary Institute used cell culture methods to bring under control a pandemic of EIA from Northern China to Southern China. Millions of horses were successfully vaccinated. Instead the U.S. policy continued with an old



fashioned immunodiffusion test (Coggins test) and slaughter. Horses and mules were significant for agriculture at that time in China. Fortunately, I visited China during that period, and China would not use the U.S. approach of disease control with test and slaughter or quarantine. Furthermore, EIA positive asymptomatic horses can function well like humans with HIV.

Prior to that, the official USDA test was to inject blood from a sick horse into a healthy horse and observe if it developed clinical symptoms. In my studies, I always used a much better diagnostic ELISA (enzyme linked immunodiffusion test), which the Chinese used as a diagnostic test for EIA with their vaccine. I am the only scientist the Chinese government trusted to share the technology and cell culture methods. With the assistance of the President of the World Veterinary Medical Association, we negotiated for the vaccine to be shipped to USDA Plum Island for safety testing and then I encountered enormous political challenges, especially by Dr. Lorraine O'Connor, representing the Massachusetts Department of Agriculture overruling the USDA. Currently the vaccine and related biologics to produce the vaccine are at USDA National Diagnostic Labs, Ames, Iowa, being held under security with no control by the Massachusetts Department of Agriculture. Some of the lab equipment that I was forced to remove from 29 Prospect St. by Dr. David McGrath, was provided to me from the U.S. Army biological warfare center Fort Detrick, Maryland and the NIH, Bethesda Maryland.

It should be clearly understood that my equipment is for PREPARATION and RESPONSE, in the event of biological attack. My equipment is not for creating or mutating existing biological agents. I have worked with FBI and CIA, but would never be part of contract, discretionary, classified federal funding. In contrast, Tufts Veterinary School has been receiving classified discretionary federal funding for laboratories built by federal funds on the campus in Grafton. There are only 14 of these labs in the U.S. and Massachusetts has two, one at Tufts Veterinary School and the other at Boston University Medical School. Tufts is biosafety Level 3 and Boston University is Biosafety Level 4. Biosafety Level 4 is the most lethal and Biosafety Level 3 also is serious since it is usually a one way trip for animals in this research. I am opposed to animal vivisection and these animals, once in experimental research will probably leave dead. My position has always been working with naturally occurring disease. I was also Head over the animal adoption center at The Animal Medical Center, NYC, and use of animals for vivisection is absolutely NO.

In addition, the biocontainment labs being classified do not need to be truthful to the public and press. I recall when I was a member of the Executive Alumni Committee of the University of Pennsylvania, we even then took the position that no such research should be on the veterinary school campus.

Nearly a year ago, when Dr. David McGrath was threatening to evict, I took him on a tour of 29 Prospect St. that included myself, Patti Hutchins, and Police Chief Dennis Minnich, who took time out of his police workday, explaining the significance of this equipment and my strong opposition to the kind of research at Tufts. Dr. McGrath made it very clear that he is a Tufts graduate and a person with a significant Trustee position at Tufts. I also made it clear to Dr. McGrath that the final responsibility ends with the Trustees and he became vague on the research at Tufts Veterinary School. I pointed out to Dr. McGrath that Tufts has above ground labs that could be subject to natural disasters releasing the lethal biological agents, such as hurricanes or domestic and foreign terrorists. Dr. McGrath and his lawyers did everything possible not to allow me to remove the lab equipment at 29 Prospect St., even to refer to it as junk. The electron microscope, still carefully wrapped, by the NIH, in 9 major pallets and supporting equipment nearly filled a 40 foot container, now at 363 Prospect St.

I plan to request assistance from Federal law enforcement, which is now in process for any possible “deals” that could be pending between Tufts, Dr. McGrath, and Police Chief Dennis Minnich, regarding taking control of 29 Prospect St. or any of the related Malden Brook Farm property. If Tufts continues as a discretionary, classified, contract (not grant) biocontainment level 3, they need not be truthful to the public. Dr. McGrath, as a Trustee, should know the truth, but need not disclose it.

Because of EIA at the Harbin Veterinary Institute, Dr. R.X. Shen, who led the scientific team, that discovered the EIA vaccine, encouraged me to join with military Chinese medicine at the highest level and included support from the Chinese Academy of Military Medicine, based in Beijing, China. Our objective was to develop a vaccine, coordinated with military medicine and facilities and I do believe we would have achieved our AIDS vaccine based upon the Chinese cell culture EIA vaccine. Instead the politics of the U.S., especially the Commonwealth of Massachusetts and their lack of scientific knowledge, a Tufts veterinarian School graduate, Dr. Lorraine O’Connor, representing the Massachusetts

Department of Agriculture was damaging, and for her, the best disease control for EIA positive horses was test and slaughter, which destroyed most of our herd of over 70 horses from the original 20 horses that came from Duke Farms and the Animal Medical Center. When I resigned in 1974 I also realized then that EIA and horses can be a tremendous significant deterrent for preparation and response to biological terrorism.

I have also been fortunate to design an interdisciplinary program from the U.S. Army biological warfare center at Fort Detrick Frederick, Maryland. It was coordinated with the National Institutes of Health (NIH) at the 80 acre outstanding Bethesda, Maryland campus. The intramural scientists from NIH at Fort Detrick are also exceptional. I stress, certain vehicles and all the laboratory equipment being forced to be removed from 29 Prospect St. are from Fort Detrick and the NIH. I have sacrificed to use this equipment because it can still function. I plan to use these in a new National Security proposal.

I have a long history to continue my family heritage for the best interest of the Town of West Boylston, including membership on the Town Wide Planning Committee when it was established as a new form of town government with Mr. Leon Gaumond as the first Town Administrator. From that was established another committee, The Open Space Committee, in which I was Chairman for a number of years. Four important considerations in reference for the best interest of the Town of West Boylston and for the future generations are:

1. the Department of Conservation and Recreation (DCR) in the past known as MDC (Metropolitan District Commission) from the initial construction of the Wachusett Reservoir, which was once the Town of West Boylston. The DCR still protects the ongoing watershed and recharge areas by direct purchase as the approximate 70 acres of the former Antinarelli Farm owned by Dan Antinarelli (a colorful, outspoken citizen at West Boylston town meetings) also conservation restrictions DCR-CR property on 405 Prospect St. has significant acreage under DCR-CR, currently owned by Dennis Minnich. There are serious Federal government violations including tax fraud, mortgage servicing fraud, insurance fraud, and possible mail fraud. I am cooperating initially with the IRS tax fraud evaluation in the period of 2008-2018. This initially request began with the

Obama administration and all details will be presented to the new Trump Administration and the U.S. Attorney General.

It is expected that Civil and Criminal charges for alleged misconduct and fraud will include West Boylston Police Chief Dennis Minnich, Sr.

The history of COPE (Citizens Organized for a Planned Environment) was a large group of citizens from West Boylston and Sterling, but primarily the Prospect St. neighborhood, stood side by side with the DCR, and DCR purchased the land abutting 363 Prospect St. DCR-CR was not an alternative.

## 2. The West Boylston Water District

The delicate and probably fragile town water pipes run along the entire frontage of 363 Prospect St. It was about 1939 that the West Boylston Water District was established and my uncle Simon Surabian, who was born and lived his entire life at 378 Prospect St. in which barn, house and buildings were built from boards from the demolition of West Boylston, where the new reservoir was built. He handled the legal negotiations with Joseph Koski of 77 Lee St. to purchase land where the town wells were to be located along the course of Malden Brook. Joe Koski did not like that decision because of his sand and gravel business. This was considered a significant location for recharge in order to preserve water quality and quantity and the farm soil types as part of the recharge. The geology of the aquifer is about 100 feet deep and is like a fresh water reservoir and not supplied by a series of reservoirs for human drinking water as Boston water.

It was 1939, and President Franklin Roosevelt developed the WPA (Work Project Administration) Program. They dug those water pipe lines with pick and shovels to the highest point in West Boylston from Lee St. to the top of Lawrence St. where the cement storage water tank is located.

The Town of West Boylston made the decision to extend the sewer pipes past Applewood and end before the Wachusett Country Club. The Applewood development basically opposite the proposed development created a heavy flow

of water and the Town of West Boylston, against opposition, built a pipe line from Applewood, down Lee St, and emptying into Malden Brook near the wells. This pipeline, from the Applewood location, has been closed but there can be a serious surface drainage like an aquifer along the sewer pipe, accounting for the increased water accumulation as I-190 crosses Prospect St. heading to Holden. This could also become a part of a serious health problem for residents Prospect St. including carcinogens. If the sewer pipe along Prospect and Lee St. breaks or is damaged, the only filter and recharge field is the original Malden Brook Farm field of 378 Prospect St. My sister Helen, my brother Edward, did everything possible to preserve that field and acreage of Malden Brook Farm for the ages.

From water carcinogens there can be an expected increase of cancers, especially blood cancers, and the wetland corridor with sedimentation ponds between West Boylston and Sterling. The Massachusetts Department of Health, in the past, was concerned on the possibilities of an increased incidence of leukemia in children along the I-190 corridor, including West Boylston.

It was about 1939 when the 363 Prospect St. house was built with no town water available. The well driller was Robert Chapman of Oakdale and a classmate of my mother. At 100 feet, they struck water, but they made the decision of going further through the hard ledge and at about 200 feet they again struck water. This is precious water and further supports a clear understanding of the geology of the aquifer. It should also be understood building houses and blasting in ledge of certain surrounding lands of the well fields can release toxic inorganic arsenic. I also consider sedimentation ponds a stagnant water disastrous health hazard to man and animals.

### 3. West Boylston Sewer Department.

Preparation for all people and a Fortress America, as I discuss in my recent patent, is essential. If the sewer and water systems were seriously damaged on Prospect Street, the consequences would be overwhelming. Knowing these possibilities, I included an elaborate private septic system for 29 Prospect St. when the addition was built, including about the entire parking lot. However, the Town of West Boylston made the decision not to allow private septic systems along the existing

sewer lines. Catastrophic events, involving National Security, may occur far beyond our abilities to recover quickly and secondary preparation is essential. Alternative septic systems may become necessary.

West Boylston must consider both water quality and water quantity. West Boylston is not a city built on concrete with water supplied by a system of above ground reservoirs. The water supply is underground in West Boylston and depends upon wetlands and recharge. Water is an extremely precious natural resource and irreplaceable. If the underground water levels are with contamination, then a water treatment plant may become necessary and that becomes an economic burden to the taxpayers. A treatment plant cannot solve all contamination problems. Also, pumping water from the above ground Wachusett Reservoir is a poor choice. It is possible to purify former sewer water into drinking water as cities like Philadelphia have done, but drinking former sewer water cannot always be considered a safe alternative.

The West Boylston raw sewerage pipes lead to a treatment plant in Millbury and then piped to Rhode Island and dumped into the Atlantic Ocean. If certain lethal resistant organisms have not been completely killed and are ingested by fish from the water, the fish industry can suffer tremendous economic losses, along with those who eat the fish anywhere in the U.S. or the world.

#### 4. Municipal Light Department, West Boylston, MA

Electricity is absolutely vital to maintain any type of continuity of life. Both underground and above ground systems are vulnerable. West Boylston is above ground and damage to the power lines and telephone poles could require significant time to repair and would be almost impossible if the air and atmosphere were contaminated by biological, chemical, and nuclear, especially biological and nuclear that has no consideration for town or city boundaries. We need alternative sources of generating emergency power and I have described my temporary solution, based on MASH hospitals, using generators.

29 Prospect St. is currently directly opposite the Municipal Light Department in the event of electrical power problems in area of West Boylston. Also, extremely important, the 29 Prospect St. veterinary and comparative medicine would detect



early pathogens, especially in the atmosphere. The open water, only a short distance away in the Wachusett Reservoir, could become contaminated and should be controlled before lethal bacterial and viral biological agents continue to flow to the Boston drinking water. Our collaboration would definitely include DCR and the West Boylston Water District.

The 29 Prospect St. facility will make West Boylston a safer community in which to live.

Under the CETA Program, I acquired a complete MASH hospital for the non-profit 501(c)(3). My brother, when he was living, installed the generator from the MASH hospital into a military ambulance which provided electrical power. My sister Helen was still living when Chief Dennis Minnich sold the ambulance, along with other military vehicles and former NIH vehicles, and then quickly disappeared to Disneyland, Florida for a vacation with his family. That ended our relationship with Dennis Minnich, at that time, which is fully documented, but forced circumstances and events he influenced us again, stating strongly that he was sincere and dedicated to the mission of AVMF, now and for the ages to especially include the Town of West Boylston, which was not true.

It was underprivileged youth and adults who transported an entire MASH hospital with the Civil Defense food and water and that experience has also been helpful to me.

In my new plan I intend to use the tractors that are currently at 363 Prospect St. as a source of power for large electrical generators. They can also be available for limited farm use. This is a model system I am designing as a National Model. The plan does not require brand new, very expensive, equipment.

## WHY THE 8 CONTAINERS AND VEHICLES AT 363 PROSPECT STREET ARE SIGNIFICANT.

### “THE EVOLUTION OF GLOBAL BIOLOGICAL WARFARE SINCE WORLD WAR II - PREPARATION AND RESPONSE FOR MAN, ANIMALS, AND THE PLANET”

The veterinary school classes of the 1950s had many World War II veterans, including my class that was at least half. The veterans were very intelligent and capable with combat experience. Our dress code, honor system, ethics, honesty, respect, was always of the highest standards. I believe there was an applicant list of about 800 for my class of about 50, realizing about five from each class would academically fail completely or be held back to a lower class. We were proud to be University of Pennsylvania students.

I learned much about Equine Infectious Anemia (EIA) from a faculty member who had been a previous military officer.

My uncle was an outstanding military officer serving as a defense attorney for American soldiers. He died during World War II with a severe undiagnosed, apparently bacterial, infection, probably acquired on a quickly constructed military base from a wetland pig farm. It was Camp Ellis, Peoria, Illinois, not far from Chicago. He was one of only three who died in military service during World War II and the Gold Star hung in the window of 378 Prospect St. for many years. Russia, at the end of World War II, discovered Agent Orange from moldy corn mycotoxins and was also later used by the Americans in Vietnam, creating serious cancer problems for the American veterans. Corn stalks, releasing mycotoxins, and mold on wetland agricultural lands should always be suspicious as observed with the yellow cloud of material that landed in the drinking water along with botulism spores, killing the cows during the blasting for I-190.

My experience with the EIA positive horses at Duke Farms was a great challenge to me which led to my contacts with the Harbin Veterinary Research and then the Chinese Scientists helped me to understand and gave me documentation on the Japanese occupied biological research center at Harbin, China that included EIA horses. Some of that diabolical research data was seized by the American military at the end of World War II. It was a race against Russia, who had not declared war on Japan during World War II, but after the U.S. dropped the first atomic



bomb, and the second atomic bomb was to be dropped by the U.S., Russia declared war on Japan and seizing unit 731 was an objective.

It is not appropriate to discuss in this document, the significance of the relationship of the American Scientific Military Medicine and the Chinese Military Medical but those containers now at 363 Prospect St. and vehicles have a connection to Fort Detrick and National Institute of Health (NIH) and I have the same ethics and honor as I experienced in my life in West Boylston and continued at the University of Pennsylvania. At this time, I have been forced to survive on food stamps and Social Security, but affluence acquired by greed and injustice is contrary to my ethical standards. My former websites of the Robert J. Tashjian Animal Medical Center, 29 Prospect St. and the 501(c)(3), American Veterinary Medical Frontiers (AVMF) have not been deleted or changed because this is a half century of history and evolution. To reach the Robert Tashjian website or to reach the AVMF website, go to AGVMF.org. To access historical details, click on "DOCUMENTS". The current provisional patent is listed with the other documents. Instructions are also available to contribute to AVMF, which is essential for our continuity. The provisional patent details much of the plans utilizing the equipment that was forced into the 363 containers along with the vehicles and tractors. The patent is in two parts to include DISASTER MEDICINE CHALLENGES FOR MAN, ANIMALS AND THE PLANET. These are,

1. Fortress America
- 2 Disaster Emergency Comparative Medicine Centers

The red military ambulance in the field at 363 Prospect St. is also part of an earlier patent. The ambulance and the x ray system in the ambulance is all of military medicine origin. I built it from components. The original patent was issued September 15, 1987 under patent code US 06/766,132, and the patent can be referenced on the website.

According to zoning regulations, I quickly constructed a six foot fence at 363 Prospect St., hoping to block view of the vehicles from the highway. Unfortunately, the highway is at a higher location and the equipment can still be seen on a limited basis. If the vehicles and tractors were directly behind the house, they would not have been in view from the highway. However, that area of land can be wet and I do not want to have any environmental problems

whatsoever. The vehicles are not in use and so there are no fuel problems, oil or gas. There are 3 tractors, one van from NIH, one horse trailer (described in the patent), one large van in patent from NIH, a horse trailer, my dead brothers; pickup truck, and my former car. The large yellow van in the field currently with storage materials is also from the NIH. The 1991 Cadillac is a former family car that I intend to register. There are two farm tractors on the lawn. I am in the process of repairing them to make them functional. They will be necessary for moving items later in the containers and snow plowing.

## ABUTTER I

Malden Brook Farm, LLC  
29 Prospect St.  
West Boylston, MA 01583

1. Malden Brook Farm LLC with mailing address 29 Prospect St. was the base, consisted of farm units at 378 Prospect St. (Holden and West Boylston), 152 Prospect St., 405 Prospect St., 404 Prospect St., and 77 Lee St. The total acreage was about 300 acres. It represented many small units combined into one Malden Brook Farm, LLC and was part of the early heritage of West Boylston when the Wachusett Reservoir was constructed and the Town of West Boylston was moved from what is now the reservoir to local higher grounds known as the Town of West Boylston. The total farm was recognized by the Massachusetts Department of Agriculture as a family Massachusetts Century Farm.
2. The reason the West Boylston town records still have the property as Malden Brook Farm, LLC is that the remaining properties, a very small portion not purchased by Chief Dennis Minnich for pennies on the dollar through the bankruptcy Chapter 7, he helped to initiate through a court motion, have still not been released from the current bankruptcy.
3. Malden Brook Farm bankruptcy.
  - a. The bankruptcy is scheduled to end on 1/12/17 in Federal District Bankruptcy Court, Worcester, MA.

b. The bankruptcy was filed on May 24, 2010, and was only intended to be a short term protection against a predator lender, Shawn Lyden, the same mortgage lender and business associate used in the purchase of 405 and 405a Prospect St. from the current bankruptcy to Dennis Minnich Sr. in 2016. The bankruptcy was intended to be short term of about four months and to continue paying the mortgage and real estate taxes. Dennis Minnich, with Shawn Lyden did not want to allow the problem to be resolved by my sister Helen and I to represent ourselves as Equity Shareholders of Malden Brook Farm LLC, but forced for the Court to appoint a Chapter 7 or Chapter 11 Trustee. I was unable to speak at the Hearing, and because I had a lawyer who represented me, with the result a Chapter 11. Trustee was appointed by the Judge initially.

c. The remaining years were a nightmare as Malden Brook Farm LLC was converted from Chapter 11 to Chapter 7, the original intent of Shawn Lyden and Dennis Minnich. My sister Helen died August 26, 2014, during these events. However, she was also living at 29 Prospect St. and required 24 hour nursing care and other services. At a Bankruptcy Court hearing, I expressed this serious problem to the court and the Judge made the decision to abandon the 363 house as an emergency, but not the two adjoining lots of 363 Prospect St. Also, the court records include the significance of the 405 home and personal property for national security. The Court also recognized the significance of 29 Prospect St. for the future and financial stability.

I recently discussed the final completion of the bankruptcy on 1/12/17, with Jonathan Goldsmith, and it is in the court records that 363 Prospect St. home and the two lots in addition to 29 Prospect St. will be officially removed from *bankruptcy*, and the deeds can be changed.

In conversation with Trustee Goldsmith, he clearly stated the bankruptcy will be over, but Dennis Minnich acquired 405 Prospect St. home and property (some of which is under DCR-CR funding and restrictions), with very questionable tactics. Trustee Goldsmith made it very clear that in the purchase of 405 Prospect St. from the bankruptcy court the purchase did not include personal property and contents and I should pursue this against Dennis Minnich to have all property completely returned.

In addition, Dr. David McGrath has attempted to seize 29 Prospect St. with legal action against myself and the Animal Medical Center. The mortgage on 29 Prospect St. was only in my sister Helens name and the estate has not probated that property to me personally because of the bankruptcy complications.

## ABUTTER II

Quist Elizabeth Life Estate  
341 Prospect Street  
West Boylston, MA 01583

I do not know who filed the Complaint against the containers and the vehicles, but it would be helpful to know. The Quist property abuts the 363 Prospect St. lots. Steve Quist was, at one time, a contractor for 29 Prospect St. that involved mortgage fraud due to damages caused by Hurricane Katrina. The insurance fraud problems related to 29 Prospect St. are knowledgeable to Dr. David McGrath which he prefers to ignore. I had about a 6 million dollar insurance policy on 29 Prospect St. at that time for business loss and another approximate 6 million dollar policy for building loss and repairs. I again recently brought these insurance policies to the attention of Dr. McGrath and his attitude was indifference. There should be no prior repairs on 29 Prospect St. until the ownership and building damages are clarified. Dr. McGrath must understand that 29 Prospect St. is a multi-million dollar asset that he can acquire for \$150,000. Both Steve Quist's wife Wanda and his daughter were once employed by me, and Steve Quist is knowledgeable of the self-dealing by Dennis Minnich involving the non-profit from which he has been clearly terminated.

### ABUTTER III

Dennis Minnich Sr.  
405 Prospect St.  
West Boylston, MA 01583

1. I can only summarize incomplete facts regarding West Boylston Police Chief Dennis Minnich Sr. I use his working title because his selfish behavior has extreme serious consequences for the Town of West Boylston now and for the future. His decisions and actions have seriously damaged other people's lives and careers. Using a coordinated use of threatening eviction by Dr. David McGrath and a year of then attempting to declare me (3 times) as a Section 12 and incapable is as low as anyone can stoop. I was nearly killed by hospitalization under a Section 12 and unless I had the determination and support of Father Aved Terzian to force my release, I would not have endured the medication and treatment. All of these details and hospitalizations are well documented and are available.

Dennis Minnich assumed if I was incapacitated he could proceed and become a multi-millionaire by acquiring Malden Brook Farm and some AVMF real estate and the town would never know the difference. He clearly knew how much these programs could have benefitted a regional police station, but instead his interest was retirement with all benefits.

2. The facts and evidence are such that Dennis Minnich and his problems are no longer limited to local and state law enforcement and courts, but to Federal and the United States District Court. The complexity of this case can even justify a Special Prosecutor with both Civil and Criminal charges, resulting in even the possibility of Federal penitentiary. Because of the past involvement with New York City, the possibility also exists for Federal justice in NYC Courts. The FBI or any related Federal law enforcement agencies will be included as necessary.

## ABUTTER IV

### DEPARTMENT OF CONSERVATION & RECREATION DIVISION OF WATER SUPPLY PROTECTION

251 Causeway St.

Boston, MA 02114

John Scannell

Regional Director

180 Beaman St.

West Boylston, MA 01583

508-792-7806

1. I have discussed the significance of DCR, but even more detail is available.
2. I wish to add the significance of the well at 378 Prospect St. in the home. The well was drilled many years ago at about the same level as the West Boylston wells at Lee St. There was a 500 gallon water tank in the basement of the house, supplying year round water for the entire household and over 50 cows. In addition, that well was used to irrigate some of the crops or the farmland especially the market garden vegetables. Regardless of the season, the well never went dry. Dennis Minnich has also been creating another problem at 378 Prospect St. by chopping down the trees and antique fruit trees with trees a decade in age. He has also exposed soil around the building that once contained horse manure, cow manure, and even pigs. That surrounding soil and adjoining fields that has been uprooted of protective cover for years should be checked for botulism spores. The 378 Prospect St well is about 100 feet, similar to Lee St. town water wells, but the 363 Prospect St. well is about 200 feet, as we discussed, and we are not sure of the interchange of water.

In my proposal for the future of 29 Prospect St. which has a septic system almost filling the entire parking lot, I am suggesting collaborating with the DCR and West Boylston Water District for a test well of about 100 feet in depth, also at 29 Prospect St., similar to 378 and town water at Lee St.

The 378 well can also rule out carcinogens that may be coming from the Greendale Industrial Park in Worcester.

We can study and evaluate contamination from I-190 before the botulism field, contamination of the Malden Brook recharge of the West Boylston wells and finally just before the water discharges into the Wachusett Reservoir at 29 Prospect St.

3. What Dennis Minnich did to Malden Brook and the natural environment, especially related to recharge to help save water quality and quantity can only be described as an environmental sin since he clearly knew what he was doing as I told him many times. It is all wrong and irreversible. However, Dennis Minnich discarded the name of his questionably acquired properties, which was a significant name for a Century Massachusetts Family Farm and Malden Brook that crosses through the farm. Dennis Minnich took down the hand painted Malden Brook Farm sign that my late aunt Mable had hand painted, and his son, Dennis Jr. sold it for \$20 on a number of lawn sales next to the 378 home, along with my and my family's personal property that he had acquired by his usual deceptive tactics. He then changed the name of Malden Brook Farm to Stones Throw Farm. I also include the large 60 foot by 130 foot building referred to in the past as the Morton Barn. The building was constructed primarily for the herd of horses and farm equipment, including the historic tractors and military trucks and ambulances. Dennis Minnich was also able to acquire that building through the bankruptcy by highly questionable tactics and convert the building to what he refers to as a "Shrimp Farm", which is only a building that could be on any commercial property, but instead he placed his so call Shrimp Farm on agricultural 61a property.

I worked closely with the DCR, especially James French on the initial combination of DCR-CR and MDAR-APR (Massachusetts department of Agricultural Resources-Agricultural Protection Restrictions) on Malden Brook Farm. The plan was to have another entrance to the Morton Barn from the 77 Lee St. property and certainly not there was no commercial intent with a phony name of referring to a commercial building as a "farm" with no relation to Malden Brook Farm. Since it is a commercial business, Dennis Minnich was forced to have a paved driveway and parking lot and the only possible entry was the emergency entrance closer to the town well only if in a serious emergency. Instead, Dennis Minnich obtained permits to clear and pave a new public road to the "Shrimp Farm" building.



I only used pea stone for drainage in the building since water pours off the abutting high hills. Dennis Minnich took possession and cemented the entire building floor. Minnich then drilled a well of about 100 feet to supply the Shrimp farm water needs. The well should never have been allowed to directly place it into the aquifer a few feet from the town wells. I challenged Dennis Minnich on who could have issued the permits and he stated constantly that everything is legal.

I also challenged grazing water buffalo in the swamps, water and wetlands of Malden Brook. It violates the purpose of combined DCR-CR and MDAR-APR agreements.

Dennis Minnich has an open propane fuel tank next to the building to supply energy. This is also a dangerous environmental hazard. The consequences would be terrible if the tank leaked or for any reason the contents spilled into the well field next to the town wells. The town residents would find it difficult if they turned on their town water and light a match and the water caught on fire.

DCR uses large state and federal taxpayer funds to protect water quality and quantity. It is an extremely challenging responsibility especially as we are faced with biological terrorism at any time. The challenges for DCR are overwhelming with a system of above ground reservoirs originating from Western Massachusetts to supply the Boston water. Another huge challenge is to protect the water supplied underground and aboveground by communities like West Boylston. Aboveground contamination of the reservoir by bioterrorism or nuclear would be devastating. There can be no mistakes in protecting our underground water systems, because without water there will be no life.



## ANTI-AGING

While at Duke Farms in the 1960's, our laboratory was in a farmhouse. Please note, this is 1960s clinical research. Doris Duke was very concerned about immortality and her own personal aging and encouraged to support aging studies. Our focus was upon the response of the blood albumin, and the alpha, beta, and gamma protein response. We used electrophoresis technology which is included laboratory equipment at 29 Prospect St. and transferred to 363 Prospect St. We studied especially the beta and gamma response and from those results, I suggested at that time, that asymptomatic EIA can extend the life expectancy of the horse. The same could also apply to humans with HIV.

Years ago, people used leaches, attached to their skin, to drain blood and they would feel better. From our concepts, we used plasmapheresis techniques at Duke Farms on dogs with a study, headed by her own personal physician.

Over the years, I made a number of trips to China to also include the Chinese military. They, in turn, visited me a number of times, usually residing at the 378 home in West Boylston. They toured Malden Brook Farm a number of times and Dr. R.X. Shen, the Senior Scientist from the Harbin Veterinary Research Institute, that led the team to discover the EIA vaccine, clearly stated and wrote the EIA herd of horses at Malden Brook Farm was the most scientific, valuable herd in the world. The horses were also living longer, positive to EIA and carrying a naturally occurring blood protein, gp90, which we discovered in the laboratory at 29 Prospect St. The herd lived in small families, on about 100 acres, and numbered over 70 horses until Dr. Lorraine O'Connor, veterinarian with the Massachusetts Department of Agriculture began to round them up from the 100 acres in which they freely roamed and lived, and confined them in the Morton barn where they fought and lost weight, and they became asymptomatic positive. She used her authority to kill them. Dr. O'Connors concept of disease control was to use an outdated diagnostic test technology (Coggins test), and then quarantine but preferably kill the victim horses.

The killing of Prince, a very important stallion, regarding gp90 and although positive for EIA, did not transmit EIA. This information can be found on the website, AGVMF.org.

Dennis Minnich, as usual, with an assistant, helped with the killing of Prince by Dr. Lorraine O'Connor, with uninvited witnesses present, including myself. The euthanasia was violent as the horses fought for their lives with no prior tranquilizer as Dr. O'Connor would state, "put them down." Dennis Minnich, in the killing of Prince, used the usual technique with an assistant to trap the victim horse in a corner or against a wall with a steel fence gate, as diabolical Dr. O'Connor killed the horse. I knew and fed these horses and it was a very emotional experience for me. I knew the killing of these horses was also very overwhelming to my dying sister, with blood cancer. I used to drive her to the pasture and she had bundles of carrots that she would feed to the horses as they came to the vehicle and even put their heads through the window to be fed carrots. There was uncontrolled sobbing as she watched from her bedroom window at 29 Prospect St. when finally, Dr. O'Connor seized the remaining herd, that were taken away in trailers, based from the parking lot of the West Boylston Police Station. My sister was a Nurse Educator, serving on faculty positions receiving her bachelor's degree from Clark University, her Master's degree and RN from Yale University School of Nursing and her Doctor of Education degree from Boston University. She was a former Professor and had a great love for animals, including the horses, which she knew all by name.

The botanical basis of drugs is vital. The Chinese, for centuries have used plants and trees for treatments. My grandfather, over a century and a half ago, brought Mulberry tree branches to plant and he planted these on Malden Brook Farm. The trees on Malden Brook Farm were over a century in age and branches from the trees were used as a basis of new Mulberry trees, including grafts on other varieties of antique fruit trees. Dennis Minnich knew these trees can produce Mulberry fruits that the Chinese use for anti-carcinogens. My plan was to plant more trees from this agricultural stock from Armenia.

Dennis Minnich, in his land clearing around the house at 378 and the former barn at 404 Prospect St., just chopped down these historic trees, sold as firewood on the lawn next to 378 Prospect St. and this is part of his so called income as a farmer. Furthermore, other resistant trees from the Chestnut blight of the past were cut into firewood. The historic apple orchard that could have had apples of significance is also gone.

Dennis Minnich, according to the MDAR-APR is supposed to be a farmer in addition to being a Police Chief. His ability to pose as a farmer, in addition to being a Police Chief, is absolutely absurd.

New challenges were established in China at the Military base of the Kunming Virological Institute. We decided to name the new proposed 501(c)(3) the American Chinese Veterinary Medical Frontiers. It was approved by the IRS, and years later, because of all the politics and misunderstandings in the name, I deleted "Chinese" with IRS approval.

The files from the studies at the Animal Medical Center are still in the basement of 405 Prospect St., held by Dennis Minnich who moved from 378 Prospect St. in his quest to enrich himself using the bankruptcy system. Also there are files still at 378, which Dennis Minnich promised to return, with significant research data. They include bullet proof, fire proof files, acquired from the NIH. The story of how Dennis Minnich conspired with West Boylston resident Diana Englebart not to deliver the 405 and 378 files is another example of how Dennis Minnich will use and damage others in order to achieve his own objectives, basically financial.

With my professional relations with the Chinese Medical Military, a number at the General level, our programs were for the best interest of animal and human health, as we joined together on a global mission. The Chinese military provided me with many different botanical herbals for different purposes that were basically used at military facilities. One such herbal we named "Fountain of Youth", and I used it on canine and feline geriatric patients with excellent results, and I periodically monitored all vital signs including blood chemistry, electrocardiogram, and special procedures radiology. The herbal was also currently in use by the Chinese military for soldiers deployed in high altitude terrain where there could be potential cardiac and oxygen depletion problems.

The concept of China and the U.S. joining together for mutual health benefits is exceptional and should be encouraged.

## MORTGAGE SERVICING FRAUD AND DR. DAVID MCGRATH AT 29 PROSPECT ST. WEST BOYLSTON, MASS

There is a long history of mortgage and mortgage servicing fraud at the veterinary hospital and my former residence at 29 Prospect St. This involves a number of legal actions in Worcester Superior Court and the Court records and files can all be made available. This is a swamp that needs to be drained as President Elect, Donald Trump describes. This swamp of corruption is full of alligator lawyers who prey on helpless victims to seize everything and to enrich themselves. Fortunately, the mortgage servicing fraud at 29 Prospect St. is well documented and requires a ten year evaluation as the IRS has suggested.

The Veterinary hospital at 29 Prospect St. was initially in my name, but on legal advice from the law firm, Lorden, Pastor, and Lilly, my sister Helen and I placed the hospital into Malden Brook Farm, LLC, which later resulted in the veterinary hospital also included into a highly questionable delayed bankruptcy. Even now the predator lender, Shawn Lyden, benefitted tremendously from the bankruptcy, including his collaborator, Dennis Minnich, who recently acquired 405 Prospect St. Shawn Lyden uses out of state addresses, as in New Hampshire and Maine, and recently I received a communication from the Attorney General of New Hampshire that the purchase and sale of 405 Prospect St. could be part of a Ponzi scheme. There were a number of mortgage companies involved with 29 Prospect St. since they sell to each other. However, Roundpoint Mortgage and Roundpoint Mortgage Servicing Company was the company that inflated the mortgage Helen obtained to about \$600,000. A loan modification was made and approved by also the Massachusetts Attorney General. The veterinary hospital was fully functioning and could afford the mortgage. Then Roundpoint Mortgage suddenly announced the mortgage was sold to SMS Financial, LLC from Phoenix, Arizona at an undisclosed amount. Dealing with SMS Financial was a nightmare with a battery of lawyers throughout the nation. However, there is a long and intense history as I did my best against lawyers who know law to manipulate the laws written for their advantage.

Finally, SMS Financial was able to proceed with a last minute auction of 29 Prospect St. on November 18, 2015. There were no bidders until a Mr. Sam Gandor bid \$150,000 and he was the only one who bid. Immediately following the auction, within a matter of 10 minutes, Mr. Gandor came to me inside the

hospital and asked to speak to me. I had never met him. He said he would not seize the hospital for that ridiculous low price and he would sell it back to me for that price to include a few related expenses. I agreed. Mr. Gandor said he had 30-60 days to make the full payment, and everything seemed reasonable. Mr. Gandor was negotiating with Stephen Garabedian, Attorney for SMS Financial, LLC. I continued email communication with Mr. Gandor and the last being about January 13, 2016, that everything was satisfactorily proceeding. Then about January 15, 2016, I received communication from the law firm, representing Dr. David McGrath, that Dr. David McGrath had purchased 29 Prospect St. in December 2015 and I had an eviction notice of February 1, 2016. Dr. McGrath will not disclose how he obtained 29 Prospect St. in December 2016. I had a regular scheduled health exam with my Primary Care physician, Dr. Catherine Dubeau, at that time. I told her what had just happened and it was a serious situation. She asked if I felt seriously depressed and I told her I will deal with it. However, she insisted I be hospitalized with psychiatric help. I made it very clear to her that I was not suicidal nor did I intend to kill anyone. I was hospitalized with two negative psychiatric exams, much like a Section 12. Dennis Minnich, at that time, was first on my Health Care Proxy and every attempt was made to place me in a nursing facility, which I refused. By his words and suggestions, I came to understand the motives of Dennis Minnich, as he was manipulating the doctor and my primary care assistant and nurse. Much occurred after that time and I had three Sections 12s, issued with Dennis Minnich placing false facts on the justification of the Section 12. The allegation was I was threatening people with guns and clubs, which is entirely untrue.

I completely removed Dennis Minnich from any responsibility of my life and health and fortunately, Father Aved Terzian has assumed that responsibility as an honest, ethical, and compassionate friend and advisor.

The last crisis with Dennis Minnich, Dr. Dubeau and the UMass Medical, even after I had transferred from UMass with new physicians from St. Vincent Medical Center and Reliant Medical Center, Holden Mass. I was removing personal property at 29 Prospect St. with an assistant, and a West Boylston Police officer arrived in the building and he asked if I would go outside with him. Outside, there was the West Boylston Ambulance. The police would not listen to any explanation since they had another Section 12 that also involved Dennis Minnich. I said I did not want to go to any UMass Medical facility, but instead to St. Vincent

Medical Center or its affiliate Reliant Medical. They refused because the Section 12 specifically stated UMass, Clinton. I was strapped onto a stretcher and forced to be admitted to the psychiatric geriatric ward which was a terrible experience. The only times I could make supervised phone calls was occasionally to Father Aved Terzian and Charles Witkus, the West Boylston Dog Officer, who was caring for my beloved companion dog "Dolly". The West Boylston Police Officer did not allow me to leave 29 Prospect St. and make certain that everything was in order for Dolly.

I had serious reservations regarding the drugs and treatment administered during my hospitalization. They stated along with my oral medication, they were including a blood pressure injection. After the first injection, one evening, I had definite physical problems, and the following day evening the nurse arrived with medications and said she required my consent for the blood pressure injection. I asked to review all my vital signs and my heart rate was also at 52. I then asked, what is this blood pressure medicine, and she said Haldol, which is a medication for psychotic patients. I told her I do not agree with the medication and if she gives the injection, my heart rate would probably drop below 40 and I would either be dead or on a respirator. She agreed and said she wanted no part of injecting me with Haldol and she stated I would "bottom out" with the injection. She wrote the details on my vital signs on a paper she gave to me, and encouraged me to leave as soon as possible. What I observed regarding techniques and housekeeping during my hospitalizations, I can understand why hospitalization is now the third cause of human deaths nationally, first is cardiovascular, second cancers as they have been since the 1960s

The next morning Father Aved Terzian arrived at 7:30 a.m., and forcefully stated I was to leave the hospital with him and my medical care would be continued at Reliant Medical Center. Dennis Minnich has absolutely nothing more to do with my health care and also the UMass Medical.

I believe Dennis Minnich was 100% certain he could eliminate me by the Section 12 method and he would be free to do whatever he wanted with the Malden Brook Farm Estate, and the Town of West Boylston would consider him a benevolent hero as he retired and probably left West Boylston as a multimillionaire on full retirement and benefits.



## AN IMPORTANT REFERENCE REGARDING DR. DAVID MCGRATH IS,

Commonwealth of Massachusetts  
The Trial Court  
Worcester, S.S.  
Housing Court Department  
Worcester Division  
Docket No: 16-SP-749

Plaintiff:  
Collins West Boylston, LLC  
Vs  
Animal Medical Center  
And  
Robert J. Tashjian

I testified at Court Hearings and I have the recorded tapes which are very helpful. The entire file of Docket No. 16-SP-749, the legal tactics, and actual dishonesty by the lawyers representing Dr. David McGrath are obvious. Dr. McGrath, a Tufts Veterinary School graduate, and a Trustee at Tufts Veterinary School would not explain how he suddenly acquired the mortgage, for \$150,000. He also would never reveal if Tufts Veterinary School and Dennis Minnich are involved. Dr. McGrath turned off the heat, water, and electricity of the entire 29 Prospect St.. He knew turning off the electricity would destroy valuable and irreplaceable blood and tissue samples collected from the horse herd over the years.

I can supply the documentation on removing my personal property from 29 Prospect St. It was intended to follow the Judge Decision of Worcester Housing Court.

1. The initial plan began in November 2016. It was impossible to implement. I had 1 day to remove all personal belongings and Dr. McGrath would move the remaining items in the next 2 days. Anything left, including the vehicles and tractors would be considered abandoned and become the property of Dr. McGrath. I contacted Cranston Garage in West Boylston and Jeff Cranston was aware of the problem, saying they had already been contacted by Dr. McGraths

legal representatives, but he would not proceed without speaking with me. I explained the problem and the urgency of the move which Cranston Garage did before the three day deadline.

2. The Court agreement in Worcester Housing Court was that all contents of 29 Prospect St. would be moved by Dr. David McGrath to 363 Prospect St. I did my best to prepare as much room as possible in the 363 home.

3. The first mover visited the day before he was to move contents and I mentioned to him in Housing Court that I explained to the Judge the contents were to be moved primarily to 363 Prospect St. and if necessary, to 77 Lee St. The contents at 29 Prospect St. included everything from basement to attic. The mover said he would not deliver anything into the 363 home, only a large structure, or place the contents on the lawn. I explained to him that is an impossible solution. He then said he would discuss the problem with Dr. McGrath and return. The mover returned and he clearly stated that he and his company would not take the job with such problems.

4. Then Dr. McGrath came and met me at 29 Prospect St. and he said he had a new deal that I must sign by noon the next day. He said he would not be responsible for moving any contents if I assumed the responsibility and he would allow until mid-January, 2017. There would be no heat, water, or electricity, and he would not provide any services such as snowplowing and shoveling sidewalks. That was an impossible offer during the cold winter months and I refused to sign such an agreement.

5. Dr. McGrath then obtained Monster Movers from Boylston, who have been cooperative and helpful. Dr. McGrath and his attorney create problems and new rules.

6. The details and challenges during this move of property to the containers is an experience that has been difficult for me. On December 28, 2016 all the contents of 29 Prospect St. were completely moved from 29 Prospect St. to the containers at 363 Prospect /St. All the files and documents necessary for coming Federal investigations are sealed in the containers in addition to the unique equipment obtained from NIH, including the cell culture equipment, PCR, Electrophoresis EIA testing (both ELISA and immunodiffusion) radiology equipment, especially related



to the patents, electron microscope, and all related components, former NIH vehicles.

The

Worcester Housing Court has been very helpful this past week as Dr. McGrath attempted some incredible last minute complications and this information is all documented. The Worcester Housing Court involvement in Worcester Superior Court is now over. The bankruptcy will soon be completed.

I will inform the new Trump Administration and the number of agencies should be knowledgeable of "cleaning the swamp" for National Security and a Fortress America. I will also inform local, state, and national news media and begin an active fund raising campaign. I will also present to the Federal agencies and law enforcement, the importance of 29 Prospect St. as a model for other above ground facilities to protect the public for a Fortress America. I also look forward to a very active participation coordinating with West Boylston Town Government at all levels. I have no grievance with any town government personnel other than Chief of Police Dennis Minnich.

7. I am planning an active fund raising campaign with publicity and these hardships and disappointments will have been worth the effort.

8. The filing of Complaints against the containers and vehicles by "unknown" abutters has created further problems to me both financially and for a lifelong mission. It is important that the West Boylston Town Government and officials know and understand the truth and facts the containers and vehicles are only temporary with no environmental damage. I respectfully request the West Boylston ZBA allow me to proceed as I have discussed in this presentation and I am committed for the best interest of all humans and animals living in West Boylston now and for future generations.

## THE PROPOSED FUTURE OF 29 PROSPECT ST.

I have battled for years, pro se, teams of lawyers, not limited to Massachusetts and this Federal, all under the umbrella of Limited Liability Corporations (LLC), representing “businessmen” who have become millionaires and billionaires using mortgages and mortgage servicing corporations as they enrich themselves on helpless victims, unable to challenge a cleverly planned system with political origins and contacts. Bankruptcy does not protect the victims because the lawyers and laws are so designed for a vulture bankruptcy. The lawyers are very experienced in misrepresenting and distorting the facts before a judge.

Dr. David McGrath currently owns 29 Prospect St., which I intend to challenge. He is a veterinarian who owns a chain of for-profit veterinary hospitals. The complicated system and history of mortgage and mortgage service fraud gave him the opportunity to purchase 29 Prospect St. for \$150,000, not under his name but Collins West Boylston LLC. This is the end result of a network of lawyers and LLC's from Phoenix, Arizona. I am never sure of court decisions, but I believe Worcester Housing Court did the best they possibly could and the files of the Worcester Housing Court, including transcripts of Hearings, are most helpful to understand this victim abuse system.

Non Profit goals mean little to those who are part of the mortgage servicing system. It is all money and the luxuries of life for their personal enjoyment.

Circumstances have evolved so threat by court order of Worcester Housing Court that all contents from the approximately 15, 000 square foot building have been removed at the expense of Dr. David McGrath by Monster Movers, Boylston MA, to 363 Prospect St. into 8 forty foot long containers, as of December 28, 2016. This included all contents from basement through attic. The only other contents are what I personally moved to the 363 Prospect St. home for my personal living. The costs to Dr. McGrath have been \$150,000 to SMS Financial, LLC Phoenix, Arizona, but not by bidding at auction sale, legal fees, and the cost to Monster Movers.

My estate will go to the non-profit 501(c)(3) operating foundation, the American Veterinary Medical Frontiers (AVMF). It will be perpetual and for the ages and can also collaborate with West Boylston town officials, not even born yet. Also,

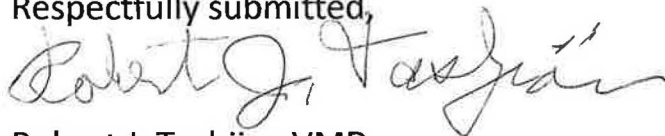
scientific and medical collaborations can be with other 501 (c)(3), such as the University of Pennsylvania, and possibly the University of Massachusetts Medical School, Tufts Veterinary School, and Angell Animal Medical Center collaboration for U.S. grant funds will be for grant funds and not discretionary secret contacts.

29 Prospect St. is now completely empty and vacant and can be the first veterinary structure in the United States to be re-modeled for above ground protection, especially biological terrorism agents. The facility will also have its own septic system to use, if necessary, also power and water. It will certainly continue to qualify as an Accredited American Animal Hospital (AAHA) and probably become an AAHA Hospital of the year.

No disease agents will be brought to the hospital since the purpose will be preparation and response. It will use the former NIH and newer equipment. There will be living quarters for humans for 24 hour, 7 day coverage. It will collaborate regionally, especially fire and emergency if the early detection has been noted to also impact upon human hospitals and ambulances.

Dr. McGrath has an ethical Trustee responsibility at Tufts Veterinary School and I pray he cooperates in what is more than Fortress America but a Global Health and Survival mission.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert J. Tashjian", with a stylized flourish at the end.

Robert J. Tashjian VMD

December 31, 2016

**CUMSKY & LEVIN LLP**  
ATTORNEYS AT LAW

**BY EMAIL AND FEDEX – SATURDAY DELIVERY**

December 23, 2016

Dr. Robert Tashjian  
363 Prospect Street  
West Boylston, MA 01583

Animal Medical Center  
363 Prospect Street  
West Boylston, MA 01583

**Re: Collins West Boylston, LLC v. Robert J. Tashjian dba Animal Medical Center  
Worcester Division, Housing Court Department, Docket No. 16H85SP000749**

**NOTICE OF FINAL WALKTHROUGH FOR PROPERTY LOCATED AT  
29 PROSPECT STREET, WEST BOYLSTON, MA (THE "PROPERTY")**

Gentlemen:

Over the last several weeks, the owner of the Property, Collins West Boylston LLC, has made arrangements (at significant cost) to accommodate your requests and transfer the voluminous personal property much with no value that was left at the Property to a site of your choosing. That arduous and expensive process will be completed next Wednesday.

Thus, further to the Execution issued by the Worcester Housing Court for the Property, **Notice is hereby given that there will be a final walkthrough of the Property on December 28, 2016 at 9:30.** Your presence is requested to confirm that all your personal property has been either transferred to 363 Prospect Street per your request, or has otherwise been abandoned and may be disposed of by the owner as it deems appropriate. Items deemed to be fixtures by the mover and the constable will NOT be moved. Any personal property (i) not designated to be moved on Wednesday, or (ii) if not designated by you should you if you refuse to cooperate, judged by the constable and mover to constitute personal property and not trash or fixtures, will be deemed abandoned. Excepted from the foregoing are the two pieces of heavy equipment requiring a fork lift. With regard to these two pieces, Dr. McGrath reserves the right to seek a court order that you pay for the move or lose any right to the pieces.

[Continued Next Page]

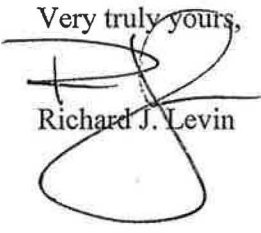
6 UNIVERSITY ROAD  
CAMBRIDGE, MA 02138  
TEL 617.492.9700  
FAX 617.492.9020

## CUMSKY & LEVIN LLP

Be advised, that the project has been such that the owner reserves the right to seek damages for your conduct.

Please do not contact the moving company or the constable.

Very truly yours,

  
Richard J. Levin

CC: Mr. Stephen Lapomardo (via email)  
Mr. William Antonelli (via email)  
Father Aved (via email)  
Dr. David McGrath (via email)



ROBERT TASHJIAN &lt;rjtamc@gmail.com&gt;

**RE: Notice of Final Walk through - We**

1 message

**Rick Levin** <rlevin@cumskylevin.com>

Tue, Dec 27, 2016 at 2:12 PM

To: deraved Terzian &lt;deraved@gmail.com&gt;

Cc: "Robert Tashjian (rjtamc@GMAIL.COM)" &lt;rjtamc@gmail.com&gt;, "Stephen Lapomardo (salconstable@yahoo.com)" &lt;salconstable@yahoo.com&gt;, William Antonelli &lt;bill@monstermovers.com&gt;, "David McGrath (david@djmmail.com)" &lt;david@djmmail.com&gt;

Dear Father:

My advice sent to Dr. Tashjian on Friday by email and FedEx for Saturday delivery stands. The final walk through will be held tomorrow (Wednesday, December 28) at 9:30 with or without Dr. Tashjian. We do not require any sign-off by Dr. Tashjian to conclude this process so he can choose whether to cooperate or continue to make absurd requests. Please communicate with Dr. Tashjian so that he has been so advised orally as well as by my FedEx and email of tomorrow's schedule.

Dr. McGrath reserves all of his rights against Dr. Tashjian and the Estate of his sister including on account of the deficiency under the mortgage note if the note (as I believe is the case) was assigned to Dr. McGrath.

Richard J. Levin  
Cumsky & Levin LLP  
6 University Road  
Cambridge, MA 02138  
Tel No. (617) 492-9700  
Fax No. (617) 492-9020  
Cell No. (617) 797-3609  
RLevin@cumskylevin.com

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From: deraved Terzian [mailto:deraved@gmail.com]

Sent: Tuesday, December 27, 2016 9:20 AM

To: Rick Levin

Subject: Re: Notice of Final Walk through

Dear Father Aved,

As you clearly know, I certainly do not trust Attorney Levin who is capable of manipulation and the truth is not one of his things. On December 22, when Patti and I met with the Constable and the head of Monster Movers, this was the plan. On Tuesday, December 27, we would do the following,

1. Move the cell culture and the freezer on the second floor. There was other equipment and property that we clearly reviewed that was to be removed. Nothing was to be placed in the dumpsters until I was satisfied that all my personal belongings were removed from the clinic.

Patti was also to be present to remove other personal property. This last container is not full, all of the remaining property we discussed where it was being placed. At 77 Lee St, as I did mention to the Judge at the last hearing.

2. It was further understood that there could be a walk through on Wednesday morning, but again, I repeat, that I will not sign anything and that can be explained in my report that I must complete to the West Boylston Zoning Board of Appeals by December 31.

Since I am so cautious of what Attorney Levin places in writing, I am very suspicious that if Patti and I did not appear after 9 a.m. on Tuesday December 27th, Attorney Levin would then take the position that we did not appear or participate and he would consider everything abandoned.

It also further troubling that when Patti and I were at the hospital on Dec. 22, Patti located, which I believe is a 22 caliber, rifle with a telescope, which was from my brothers collection. That of course, Chief Minnich never solved the issue of the guns. I am also grateful to Patti, that in the trash, she found the folder of details and designs of the 800 milliamp xray specially by the National Institute of Health and packaged like the electron microscope. The way this x ray equipment just as a large number of parts, not realizing this was a third x ray unit.

In that preliminary walk through, in another pile of trash, on the basement floor, I noticed a significant role regarding the open space committee and other related topics that I was involved in, but when I picked up the role, the constable said it was nothing but old curtains and I felt that I would like to have these so called old curtains placed in my Blazer.

McGrath and the lawyer make a point of "trash and junk". The rifle was thrown out as junk and the other information was destined for trash. This trash and junk is very important. I have now placed them on display. Levin has no authority to make the rules as if he is the court. Furthermore, this case is headed to court because of Levin and McGrath and must be very careful on issuing ultimatums in writing or verbally.

Patti and I will be at 29 Prospect St. shortly after 9 a.m. on Tuesday December 27th to continue as we had agreed between the constable and the head of the moving company. if the work is done as planned it can be possible to have a final check on Wednesday morning.

Please feel free to share this communication with Attorney Levin, if you wish.

Respectfully  
Robert J. Tashjian VMD

On Fri, Dec 23, 2016 at 3:26 PM, Rick Levin <rlevin@cumskylevin.com<mailto:rlevin@cumskylevin.com>> wrote:  
Dr. Tashjian:

Please see the attached correspondence.

Richard J. Levin  
Cumsky & Levin LLP  
6 University Road  
Cambridge, MA 02138  
Tel No. (617) 492-9700<tel:(617)%20492-9700>  
Fax No. (617) 492-9020<tel:(617)%20492-9020>  
Cell No. (617) 797-3609<tel:(617)%20797-3609>  
RLevin@cumskylevin.com<mailto:RLevin@cumskylevin.com>

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