

BRAINTREE BOARD OF HEALTH

MINUTES

January 15, 2015

IN ATTENDANCE: Dr. Philip Nedelman, Chairman
Paula Dowd, Vice-Chairman
Dr. Arthur Bregoli, Clerk

ALSO PRESENT: Marybeth McGrath, Director of ML & I

Dr. Nedelman called the meeting to order at 7:00 pm.

MINUTES:

Motion By: Mrs. Dowd to approve the meeting minutes of December 18, 2014.
Second By: Dr. Bregoli

OLD BUSINESS:

1) Request for Keeping of Rooster-450 Liberty Street

Present: Sarah Anne Keefe, property owner

Ms. McGrath advised the Board that Ms. Keefe is the owner and keeper of horses, chickens and a rooster at 450 Liberty Street. The keeping of the rooster at this location inadvertently came to the attention of the department several months ago when the Board had before them agenda items for the keeping of chickens and pigeons at 154 and 150 Tremont Street for approval. During that time, the Patriot Ledger picked up the story and did an article on the keeping of chickens, and number of permits issued for them in Braintree. In doing so, the article disclosed that in addition to keeping chickens on her property, Ms. Keefe also had a rooster.

The current keeping of animals regulation prohibits roosters, unless a variance is approved by the Board of Health on a case by case basis. Therefore, Ms. Keefe is before the Board this evening to request a variance for the keeping of the rooster.

The department is familiar with Mrs. Keefe's property which abuts Pond Meadow Park to the rear, and has an abutter on each side of her property. Her house, the horse barn and the chicken coop are setback five hundred feet+ from Liberty Street, and to the neighboring abutters on each side. Noise would not be a concern because of the distance from the coop location to the abutters. All of the direct abutters have been notified in writing of this request, and this meeting. Ms. McGrath advised that she has not been contacted by any of the abutters.

Ms. Keefe updated the Board on the keeping of the horses, which the Board approved in 2005. She also advised that she has kept chickens for a number of years and the rooster. She did obtain a

permit for the chickens from the department, but was not aware that a variance was necessary for the keeping of a rooster.

Ms. McGrath recommends approval of the request.

Motion By: Mrs. Dowd to approve the request for keeping of a rooster at 450 Liberty Street.
Second By: Dr. Bregoli
Unanimously Voted

2) Continued: Review of proposed draft Amended Environmental Tobacco Smoke Regulation

Ms. McGrath advised the Board that this matter has been continued from the December 18, 2014 meeting at which time the Board asked that she implement the majority of suggestions offered by Town Solicitor Peter Morin into the draft regulation as follows:

1. Input the language from the state Smoke Free Workplace Law regarding private “members only” clubs and nursing homes.
2. Input specific language regarding the smoking prohibition in public parks, beaches, and recreational areas.
3. Input specific language regarding the prohibition of smoking in municipal vehicles and vessels.
4. Input specific language about the prohibition of smoking e-cigarettes and non-tobacco products.

The Board requested that the definition of an e-cigarette be placed into section 4 of the prohibitions, in addition to language about non-tobacco products.

Ms. McGrath advised that she will review the final draft regulation again for completeness. She will schedule the public hearing on this regulation for the February 12, 2015 Board meeting, and will have the public notice of the hearing sent to the newspaper.

Motion By: Mrs. Dowd to make the requested changes to the draft regulation, and schedule the public hearing for February 12, 2015.
Second By: Dr. Bregoli
Unanimously Voted

NEW BUSINESS:

3) Revisions to Definitive Subdivision Plan for Whites Hill Estates II

Ms. McGrath advised the Board that in 2004-2005, the Board of Health approved the Definitive Subdivision for Whites Hill located just off of Liberty Street. Since that time, there have been revisions to that approved plan. The revisions are as follows:

- the developer is donating eight lots within the subdivision to the Town (lots 10-17),
- the originally planned “Road A” will now not be built,

-pipe changes to the storm water and sewer lines.

As required by the state subdivision control law, the local Board of Health must review and endorse/approve the plan presented.

Motion By: Mrs. Dowd to endorse the revisions to the Whites Hill Estates II definitive subdivision plan.

Second By: Dr. Bregoli
Unanimously Voted

Motion By: Mrs. Dowd to adjourn the meeting at 7:35 pm.

Second By: Dr. Bregoli