

BRAINTREE BOARD OF HEALTH

MINUTES

October 24, 2013

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.

NEW BUSINESS:

1) Request for Keeping of Chickens-156 Hollis Avenue

Present: Mr. & Mrs. Matt Dolan, property owner

Ms. McGrath advised the Board that the department has received an application for the keeping of chickens at 156 Hollis Avenue. In the Board packet, along with the application is the supporting documentation which includes the notifications to the direct abutters, the property plot plan indicating where the chicken coop is located and an email from a direct abutter objecting to the keeping of chickens and requesting the Board's consideration in making an endorsement to consider the location of the chickens and other issues.

Ms. McGrath advised that Ms. Carey, a department inspector conducted a site visit. It has been brought to the department's attention that the chickens have apparently been on the property since July 2013, but was only brought to our attention in late September 2013. So, we are now trying to make sure that it is in compliance with the regulation.

Ms. McGrath also advised that she received an email letter from a direct abutter at 150 Oak Street raising an objection to the chickens. The concerns raised by the abutter are that the chicken coop is directly on the property line, and he already experienced an issue with odor over the summer. He is also concern that the chickens may attract predators and other unwanted wildlife to the neighborhood.

Ms. McGrath recommended that given that there is an objection to the current location of the coop, the Board should focus on having the coop moved further away from the property line.

Mrs. Dowd advised that she has reviewed the plot plan with Ms. Carey, and it does appear that the Dolan's do have a large backyard, and in the narrative letter from Mr. Dolan that there is another location in the backyard that he can move the chicken coop to closer to his house and further away from the neighbors.

Mr. Dolan advised that he has spoken with Mr. White at 150 Oak Street about placing a small chicken coop within a larger chicken run area five feet from the back of the property, and he stated Mr. White was agreeable to this.

Dr. Bregoli read from the email referencing that Mr. Dolan being willing to move the coop to another part of the yard will greatly alleviate his concern.

Ms. McGrath advised that the suggestion to put a coop within a coop in the same area is not something that she would recommend. But, rather physically move the coop to another area on the property that is further away from this property.

Dr. Nedelman advised that he has no objection to moving it to another location on the property, as long as this is agreeable to the abutters and Ms. McGrath signs off on it.

Ms. McGrath advised that currently the chickens are on the property.

Motion By: Ms. Dowd to table this agenda item until the November meeting, by which time the department will have conducted a re-inspection to determine another location on the Dolan property for the coop that is agreeable with the abutters.

Second By: Dr. Bregoli
Unanimously Voted

Brian Morahan, the abutter at 150 Hollis Avenue spoke before the Board and asked if there is any thought going forward to requiring a minimum acreage for the keeping of such animals, as these properties are not that big, and therefore something like keeping chickens does affect the neighbors.

Dr. Nedelman advised that each case is considered individually, and his point is well taken.

Ms. McGrath advised the Board that the department is putting together revised keeping of animal regulations which would address specific setback requirements. Those would be brought before the Board for consideration at a later date.

Mr. Morahan advised that he has spoken with Mr. Dolan about the chickens, and the possibility of them attracting predators to the neighborhood. Mr. Dolan told him if that happened then he would remove the chickens from the property. Mr. Morahan asked going forward, as regulations are being revised, if that could also be addressed,

Ms. McGrath advised that if this permit was approved by the Board, and then Mr. Morahan was having a problem, he could register a complaint with the department which

would then be investigated. If predators were an issue, then she would involve the animal control officer. If at some point, it needed to go further, then it would go before the Board again to see if the permit needed to be rescinded.

Ms. McGrath advised that even though the current regulation does not state it, there is a procedure in place that would be followed.

2) Request for Variance of Well Regulation-405 Franklin Street (roadway setback)

Ms. McGrath advised the Board that this property is the TD Bank located on the corner of West and Granite Streets, across from Bertucci's. They are requesting to put an irrigation well on the property. They cannot meet the required 100' roadway setback, but rather can only meet a 25' setback from the proposed well to Franklin Street. They can meet all of the other setbacks.

Ms. Carey, a department inspector has conducted a site visit, and does not foresee any problem with this request.

Ms. McGrath recommends approval of the request.

Motion By: Ms. Dowd to approve the variance as requested.
Second By: Dr. Bregoli
Unanimously Voted

3) Request for Variance of Well Regulation-1 Marinelli Court (roadway setback)

Ms. McGrath advised the Board that this property is owned by Frank Marinelli. Mr. Marinelli is requesting to install an irrigation well on his property. He is able to meet all of the setbacks, except the roadway setback to Marinelli Court, which is a private way. There is only one other house on this Court.

Ms. Carey, a department inspector has conducted a site visit and does not foresee any issue with this request.

Ms. McGrath recommends approval of the request.

Motion By: Ms. Dowd to approve the variance as requested.
Second By: Dr. Bregoli
Unanimously Voted

INFORMATIONAL:

4) State Ethics Commission Revised Advisory on Public Employees Making and Receiving Job Recommendations.

The Board acknowledged receiving and reviewing this document.

5) Flu Clinic update

Ms. McGrath advised the Board that the large Town Hall flu clinic held on Sunday October 13, 2013 went very well, administering 743 flu shots.

Also, the high school and middle school clinics have been completed, and a total of 363 vaccines were administered.

The next public clinic is on Wednesday October 30, 2013.

Motion By: Mrs. Dowd to adjourn the meeting at 7:23 pm.
Second By: Dr. Bregoli
Unanimously Voted