

Board Members

Khalid Abdi

Katherine Tonelli

Caryn Smith

Cristina St. Pierre

Amie Rotondi

Derek Kwok, Health Director

Justin Tucker, Night Board Secretary



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

BOARD OF HEALTH MINUTES

Date/Time of Meeting: Monday, October 16th 2023

Location of Meeting: Medway Public Library – 26 High Street

Committee Members Roll Call and in Attendance: Khalid Abdi ☒ Katherine Tonelli ☒ Caryn Smith ☒
Cristina St. Pierre ☒ Amie Rotondi ☒

Visitors Present:

Town Employees Present: Derek Kwok, Allison Dempsey (Chair of Agricultural Committee), Paul Yorkis (resident), Andy Rodenhiser (resident)

Call to Order: 5:37pm

Minutes Review: September 18th *APPROVED WITH REVISIONS*

Agenda Item 1:

Vote on proposed
*Regulation of the
Medway Board of
Health Minimum
Standards for the
Keeping of Animals*

Ms. Dempsey was present to discuss the Agricultural Committee's comments on the Regulations. Ms. Dempsey reported that when they reviewed the Regulations at their meeting, there was a resident of Medway present to speak on the topic of roosters. After the meeting and discussion with the citizen, Ms. Dempsey reported that the Committee felt that Section E, number 8, "No Roosters" was a little too definitive in its stance. Ms. Dempsey and Mr. Kwok spoke and identified that there is a segment down further in the draft that gives clarification that residents that qualify as having chapter 61 farmland and grossing the allotted amount of product from their farm abide by different standards for agricultural lands in Medway. Ms. Dempsey clarified that a lot of the farmland in Medway isn't necessarily chapter 61. In Medway, if you have 5 acres or more for AR1 or AR2, you can technically have a rooster because you're grandfathered by the rules of Right to Farm in the state of Massachusetts. Ms. Dempsey advocated for adding a line in Section E, number 8 saying to reference the section later in the Regulations about AR1 and AR2 farmland. Ms. Dempsey reported that they are working to ammend their bylaws to a 2 acre model instead of a 5 acre model to be more in line with the state. Ms. Dempsey stated the Agricultural Committee wanted to make sure there was a pathway for certain citizens who fit the standards in the Regulations to own a rooster if it makes sense. Ms. Dempsey reiterated that there should never be more than 2 roosters on any property for the health of the roosters and the flock unless the farm is over 20 acres. Mr. Rodenhiser stated that he has 27 acres with chickens and 2 roosters. Mr. Rodenhiser stated his two roosters get along great and take care of the rest of the flock. Mr. Kwok directed the meeting to review the part of the Regulations that pertained to commercial agriculture. Mr. Kwok stated that a farm as defined by the commercial agriculture in the Regulations would not have to apply for a permit for a rooster. Ms. Dempsey stated they were more concerned about the AR1 and AR2 that are not registered farms. Ms. Dempsey clarified that they would like to see language under E8 state that no roosters are allowed, unless exempt under the commercial agriculture or proper agricultural zoning bylaws. Mr. Yorkis stated he advocated for a change in language in section E, number 8 of the Regulations. Mr. Yorkis stated he is a realtor in the community and has seen properties that may not be zoned as AR1 or AR2, but don't have any abutters, or situations where neighbors are ok with someone near by having a rooster. Mr. Yorkis would advocate that the Board allow a resident to apply and indicate why their circumstances are unique and

would justify having a rooster not as a part of commercial agriculture. Mr. Kwok stated the Board can discuss the parameters of a variance for allowing roosters even after passing these current Regulations. Ms. Dempsey stated that the Agricultural Committee wanted to clarify that it is the farmer's choice whether they wanted to put their property in chapter 61, but if they own 5 acres or more, they are able to still farm and sell product and have a rooster and not be considered commercial. Mr. Kwok suggested to change the language of E8 to "no rooster or cockerels allowed in Medway except as a part of commercial agriculture as defined here in." Mr. Kwok clarified that any resident can request a variance from any part of the Regulations.

Mr. Abdi made a motion to table the regulation vote, seconded by Ms. Tonelli, approved by all.

Agenda Item 2:
181 Holliston Street
(Septic Repair)

Mr. Kwok stated they had been waiting on the plan to add in some wet land delineation from Conservation. Mr. Kwok spoke with the agent and they are ok with a conditional approval based on the approval of Conservation.

Ms. Smith made a motion to approve on the condition of Conservation's approval, seconded by Ms. Tonelli, approved by all.

Agenda Item 3:
Native Kitchen- 123
Holliston Street (Food
Permit)

Mr. Kwok stated this is a new food permit for a food space at the Medway VFW.

Mr. Abdi made a motion to approve, seconded by Ms. Smith, approved by all.

Agenda Item 4:
Kawaii Sushi Asian
Fusion & Lounge Bar-
98 Main Street Suite
106B (Food Permit
with Variance)

Mr. Kwok suggested he would approve the permit with the variance to hold acidified rice at room temperature for the sushi.

Ms. Smith made a motion to approve with the variance, seconded by Ms. St. Pierre, approved by all.

Agenda Item 5:
11 Short Street (Well
Construction Permit-
Drinking)

Mr. Kwok stated everything is in order.

Ms. Tonelli made a motion to approve, seconded by Mr. Abdi, approved by all.

Agenda Item 6:
4 Malloy Street (Well
Construction Permit-
Drinking)

Mr. Kwok stated everything is in order.

Ms. Tonelli made a motion to approve, seconded by Mr. Abdi, approved by all.

Agenda Item 7:
33 Highland Street
(Animal permit- 20
chickens)

Mr. Kwok stated they had found out about this coop because of a rooster. Everything seems to be in order. The Health Department sent out abutter notifications, but have not received one back. Ms. O'Brien from the Health Department went and put a notification on the abutter's door.

Ms. Smith made a motion to approve on the condition that there is no complaint from the abutting neighbor within the 10 day period, seconded by Ms. St. Pierre, approved by all.

Agenda Item 8:
10A Canal Street
(Animal Permit- 10
chickens)

Mr. Kwok stated he still needs to check out the coop, but he recommends approval and then he'll address the coop if there are any issues.

Mr. Abdi made a motion to approve, seconded by Ms. Smith, approved by all.

New Business

1. Potential Noise Bylaw Discussion – The Board reviewed a draft of the potential bylaw. Mr. Kwok stated there is already a zoning noise bylaw in place through the zoning enforcement officer, but the police wanted the Board to consider this bylaw. The Board discussed clarifying the language around who is allowed to do landscaping jobs on Sundays without a permit as it was confusing if the bylaw meant all landscaping or just commercial landscaping businesses could not landscape on Sundays. The Board discussed the bylaw's permissible times to empty dumpsters. The Board suggested clarifying the language in the first paragraph about who is and is not allowed to landscape on Sundays.

Discussion:

1. Future Board of Health meeting times – The Board changed the meeting time from 5:30pm to 6:00pm.
2. The Board discussed the lack of tracking nurse visits for mental health purposes in the school. The Board discussed different solutions to assist the nurses in trying to track these visits including different applications or checkboxes. Ms. Rotondi discussed building a future action plan in helping implement tracking. Mr. Kwok suggested potentially having a Board of Health member attend a school board meeting to advocate for change in tracking these visits. The Board decided to put this issue as a discussion item on the agenda for the next Board of Health meeting.

Committee Member
Roll Call to
Complete Meeting:

Khalid Abdi ☒ Katherine Tonelli ☒ Caryn Smith ☒
Cristina St. Pierre ☒ Amie Rotondi ☒

Next Meeting Date: Monday, November 6th, 2023

Adjourn: 6:48 pm

Respectfully submitted by Justin Tucker