

Board Members

Eric Lindstrom, Chair
Jack Mill, Vice Chair
Khalid Abdi, Member
Katherine Tonelli, Member
Leanne Yarosz-Harris, Member
Beth Hallal, Agent
Kelly OBrien, Secretary



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 533-3264
Fax (508) 321-4988

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

BOARD OF HEALTH MINUTES

Date/Time of Meeting: Monday, June 21st at 5:30pm
Location of Meeting: 26 High Street, Medway Public Library
Committee Members Present: Eric Lindstrom (C), Khalid Abdi, Katherine Tonelli, Leanne Yarosh-Harris
Visitors Present: Lindsay Spector (Resident of 211 Village St)
John Caton (Resident 213 Village St)
Brenda Hamelin (Town Employee, ACO)
Town Employees Present: Beth Hallal, Kelly OBrien
Call to Order: 5:39PM
Minutes Review: April 20th and May 11th *BOTH APPROVED*

***To accomodate visitors present, original agenda item were rearranged.*

Agenda Item 1: Leanne Yarosh-Harris was welcomed and introduced as our newest member to BOH
New Committee Member

Agenda Item 2: Mr. Lindstrom opened up, asking Ms. Hamelin to address the first agenda item. She introduced the homeowner at 211 Village Street, Ms. Lindsay Spector who houses the chickens on her property and the neighbor Mr. John Caton who resides at 213 Village Street. Ms. Hamelin went on to explain that Ms. Spector already has her permit even though Mr. Caton did not return his letter to petition against the approval of her permit, and where she had located the chickens on her property. Upon recent physical review of the coop location on her property Ms. Hamelin and Ms. Hallal, it was determined that she was 6 inches too close to the lot line and had lost 3 chickens due to wildlife. Ms. Spector was educated on where to move her coop and how to protect her chickens; and she complied. It was then discussed that it was not brought in front of the Board due to COVID, although it was in compliance. Mr. Lindstrom questioned the response letter that Mr. Caton received, and Mr. Caton stated his understanding of the english language was that if he returned the letter, he agreed to the chickens, therefore he chose not to respond whatsoever. Mr. Caton went on to verbalize that because of this controlled food source he could not go out in his back yard, stating that 1 chicken had previously escaped, he had seen a fox, one of her chickens was eaten in his yard, and he has 4 children. Ms. Spector was questioned by Mr. Lindstrom how the chicken could have escaped, and she described that a latch where she was retrieving eggs wasn't fully secure, but has since been repaired. Ms. Hallal asked Ms. Hamlin to address the food source topic, so Ms. Hamlin stated that she wasn't sure if Mr. Caton was aware of how many local residents within ¼ mile of his home have chickens, and as Mr. Caton disputed "that's irrelevant, she's my neighbor requesting to have chickens" Ms. Hamlin continued that in her professional opinion that foxes, coyotes, fisher cats, bobcats are in Medway and have been local for a while, and did not believe that Ms. Spector having chickens drew them to his residence. Mr. Lindstrom asked Mr. Caton if that's what Mr. Caton thought and Mr. Caton's replied that in the 20+ years he's been there he has not seen any wildlife in his back yard besides turkey, deer, and various other birds. Mr. Lindstrom questioned Ms. Hallal about the process about one neighbor disputing chickens and one not, and Ms. Hallal referred back to another issue when the neighbors

brought their concerns to the Board; if the chicken owners were in compliance and within the legal confines of the Medway regulations. Ms. Tonelli stated that she believed there was an instance where someone on Gorwin Drive wanted chickens, but the neighbors did not agree, and we as the town sent a certified letter, and the neighbor didn't respond, so they were allowed the chickens. Ms. O'Brien chimed noting it on the Regulations on page, but is vague. Mr. Lindstrom suggested doing a walk-through on the property. Ms. Tonelli asked if there was anywhere else the coop could be moved, but it was concluded that there was minimal space in here yard due to her inground pool. It was then brought to the table by Ms. Hamlin that just because Mr. Caton does not wish for his neighbor to have chickens, does not mean her permit would be rejected, and the Board agreed. Mr. Lindstrom stated that he had concerns that the letter sent out was vague and we would redesign it to be easily understandable with simple directions on next steps. Mr. Caton chimed in by stating that his understanding of the english language was Ms. Spector was seeking his permission for her to have chickens, and therefore because he did not approve, it was never sent in. Ms. Tonelli asked how this permit was approved and got through. Ms. O'Brien replied to Ms. Tonelli's question by stating that it was her understanding that when Mr. Heavey was the chairperson, and we were under a state of pandemic, Mr. Heavey made a motion to give permission to sign off on farm animal permits to Ms. Hallal and Ms. O'Brien if they had the right acreage so permits could be streamlined. Ms. O'Brien continued by saying she made sure that Ms. Spector had the correct acreage, abutting neighbors were confirmed, and certified letters were delivered. Mr. Caton then spoke, inquiring how did Ms. Spector receive her permit without his permission. Ms. Hallal reiterated to Mr. Caton that Ms. Spector did not need his permission in order to receive her farm animal permit, and that the letter only serves as an acknowledgement; giving neighbors the option to dispute it with the BOH, but it is not the deciding factor on whether or not they receive it. Mr. Caton then asked for more clarification, giving the example *of if he wanted every animal listed on the permit, he could apply and get it.* The Board agreed, pending 1)it was within the confines of the BOH Regulations, 2) Zoning By-Laws, 3)Medway By-Laws, and 4)State, and Federal Regulations. Ms. Yarosh-Harris questioned Ms. Spector with the loss of the 3 chickens, was she intending on replacing them, and answering on her behalf, Ms. Hamlin replied "no" describing that because if she did, she would have to get a larger coop, as she suggests to chicken-owners that the coop should have 1 square foot per chicken, and the coop she has now is not that large. Mr. Lindstrom stated that he would like to have a walk through, and Ms. Tonelli stated she would like to join him. To prevent a quorum, no other parties from the Board went. Ms. Hallal said she would like to attend, as would Ms. Hamlin. Ms. Spector said she would like to be there as well. Mr. Caton said he was alright with the Board members going on his property, but was not willing to permission to Ms. Spector or Ms. Hamlin to go on his property.

A copy of the regulations was given to Caton. Motion to close subject made by Mr. Lindstrom, seconded by Mr. Abdi, all in favor.

Agenda Item 3:

4 Samoset Cir.
(Irrigation Well)

Ms. Hallal stated that "perfect plans" were submitted and she recommends approval.

Mr. Lindstrom made a motion for approval, seconded by Ms. Yarosh-Harris, all in favor.

Agenda Item 4:

5 Woodland Road
(Farm Animal Permit)

This was a permit for 8 chickens and 2 goats. It was asked by Ms. O'Brien to pass the application and associated documents around to the Board so they can see what everything looks like, such as the application itself, the assessors map, the letter, green cards, which was reviewed.

Mr. Lindstrom made a motion for approval, seconded by Ms. Tonelli, all in favor.

Agenda Item 5:

9 Mechanic St.
(Farm Animal Permit)

This incorrect address was brought up for the topic of conversation, even though 9 Mechanic St applied for a Farm Animal Permit, 3 Mechanic St dominated the conversation, plus we did not have certified mail receipts for 9 Mechanic St.

Ms. Hamlin stayed for the meeting to give her professional feedback for this topic; stating that this resident contacted her two days after Easter stating that her children were gifted some chickens and wanted to keep them. Ms. Hamlin told her about the application process, then noted that those are townhomes. The caller replied that she received notification from every abutter that they were they were alright with her having chickens. Ms. Hamlin's concern was what if someone in the future in those townhomes wanted chickens as well, but the first permitted person took up the entire allotment for chickens, not allowing for anyone else? This was a question for the Board to think about, as there was nothing about this documented in the Regulations. Ms. Hamlin suggested that this topic be investigated by looking into what other surrounding towns have in their regulations, as this question may come up in the future as Medway is a growing town.

Board agreed that this will be incorporated in updated in updated Regulations.

Agenda Item 6:

DJ Dogs

Food/Catering Permit
(Radification)

Ms. Hallal had initially approved DJ Dogs for a 1-day food permit, but because he was well-received in town, he came back and asked for an annual permit, which Ms. Hallal approved.

Mr. Lindstrom made a motion for approval, seconded by Ms. Tonelli, all in favor.

Agenda Item 7:

35A (1&2) Milford St.
(tabled from last mtg)

Ms. Hallal just wanted to clarify from the last meeting, that this will be two separate residences. One will be using the old septic system, but it has been Title 5-approved; satisfying all new construction standards. The other property will be a duplex where they will have to get a fiduciary agreement because they are sharing the bed so there is no argument if something goes wrong. The BOH has not yet received any fiduciary agreement, so until that is received, the BOH and the Building Department will not be issuing any permits. Ms. Hallal just wanted to clarify this because there was some confusion during the last BOH meeting.

Tabled Items:

Reorganization of the Board – it was decided to wait for Jack Mill
11 Juniper Road – still has to go to Conservation
27 Field Road - Review to see if correct plans were received from homeowner
9 Mechanic Street – Confirming whether or not Certified letters were received
Private Water Supply – waiting for Jack Mill

Next Meeting Date:

August 2nd at 5:30pm

Adjourn:

7:05pm