

DEDHAM BOARD OF HEALTH MINUTES

June 13, 2019

IN ATTENDANCE:

Leanne Jasset, B.S.P., RPH Chairperson
Kathy Reda, RN., BSN
Mary Ellard, RN., Member
Leontia Flanagan, Assistant Health Director
Jessica Tracy, Public Health Nurse
Greg Corbo, Town Council, K.P. Law
Fior Griffin, Administrative Assistant

Meeting called to order at 5:35 PM

6:00 Public Hearing on the Keeping of Domestic Animals

Chairperson Jasset opened the hearing for the Keeping of Domestic Animals. She introduced Greg Corbo, Town Council and attorney for K.P. Law P.C, who will be helping to facilitate the hearing.

Mr. Corbo explained that this is not a forum on airing complaints about properties or past issues. It is an opportunity for the Board to move forward and improve the permitting process. It is also to allow the public to comment on ways that they believe the permitting process for keeping domestic animals can be improved. Mr. Corbo asked that any speakers limit their comments to 4 minutes to allow everyone an opportunity to speak and for the Board to keep things moving. All comments must be recognized by the Chairperson.

Before opening it to the public Mr. Corbo, mentioned some issues that may need to be addressed and wanted to know if there were any specific items in the permitting process that any of the Board members wanted to discuss. He explained that during tonight's hearing, the Board will not come up with any specific changes or decisions but will take all comments and suggestions. The Board and Mr. Corbo will then have a work session in the future and come back with finalized wording at the next meeting.

Laura Carrol of 157 Vine Rock St. is recognized by the Chair and wants to be sure she heard correctly that there will be no vote tonight on changes made to the process for Keeping of Domestic Animals.

Chairperson Leanne Jasset, suggest that we focus on 3 major areas of concern and question regarding the requirements & procedures to Keep Domestic Animals. They were:

1. Lot size for keeping poultry – Should there be a minimum size?
2. Notification process to abutters – When and if abutters should be notified
3. Approval process – What should the approval process look like?

Member Mary Ellard, also suggested that there be clarification of the Time Frame. Kathy Reda suggested that the Variance for lot size be addressed and clarified.

Chairperson Jasset opened the discussion for comments and concerns from the audience.

John Tachi, 78 Adams Street, expressed that he is in favor of reducing the lot size requirement as it currently stands. He feels that the Town is limiting the ownership because outside of Precinct 1, there are not many lot sizes that would qualify as the requirements currently stand. He suggests using a sliding scale and basing the size requirement on the number of chickens that the resident wants to keep. More chickens = more space. Less chickens = less space. He also wants the Board to consider whether or not the chickens will be free ranging. If they are free range, than a smaller lot size would still be adequate space for the chickens. Mr. Tachi, feels that we should do all we can to encourage folks to keep chickens. It is great exposure to agriculture and the life cycle of farm animals. And also to the heritage of Dedham, which use to be a farming community.

Laura Carroll, 157 Vine Rock St, states that she feels opposite to Mr. Tachi. She believes that children can learn about animals and agriculture in school or by visiting a museum or farm. Ms. Carrol is also concerned that decreasing the lot requirement may increase the number of people keeping chickens and in turn attract more predatory wildlife. She is not in favor of decreasing the lot size requirement.

Sherri Hannigan, 2 Raven Hill, was in attendance with her husband Will Hannigan and their 17 month old son. She is in favor of lowering the lot size requirements to keep chickens. She has a large property and owns 10 chickens but stated that the foot prints of a few chickens is very little and someone with a smaller lot should have the opportunity to own 2-3 chickens. In regards to the notification of neighbors, she thinks that it is important to notify neighbors. She has 7 abutters and they have been very receptive or in some cases, indifferent, to her raising the chickens. She does point out that she does not feel that the objection of an abutter should hinder a person from keeping chickens.

Will Hannigan, 2 Raven Hill, would like to address the concern of predators being attracted to the chickens. He feels that more education needs to be given to those that share that concern. He states that a well maintained, clean coop will not attract predators nor does it smell. He also wanted to be on record as supporting a decreased lot requirement to keep chickens.

Laura Carroll, 157 Vine Rock St., questioned the number of chickens allowed to be kept. Chairperson Jasset clarified that a resident is allowed to have up to 4 units on the property. Each unit can have up to 4 chickens. Ms. Carroll then began to question why her neighbors were granted permits even though the neighbors were against it and there had not been a hearing. Chairperson Jasset, reminded Ms. Carroll that the hearing was not to discuss specific cases but to discuss the regulations and get input from the community as to any changes they feel that need to be made to the permitting process for the keeping of chickens. Ms. Carroll asked, as the regulations currently stand, do the abutters need to be notified when a resident wants to keep/raise chickens? Mr. Corbo interjects and states that nobody is disputing that the regulations have not always been followed to the letter of the regulations in the past. The point of the hearing is to figure out what makes sense going forward. What should be kept from the old regulations and what should be changed? Whatever ends up in the regulations is what is going to be followed going forward. What the Board is looking for is your reason for wanting or not wanting changes to the regulations. Ms. Carroll asks, as the regulations currently stand, should the abutters have been notified prior to the permit being approved? And can the permit be approved at the hearing? Chairperson Jasset states that currently, abutters are to be notified prior to the permit being approved. If there are no objections, a permit can be issued within 30 days of filing the applications. If there is an objection then a hearing will be granted. The decision will be made after the hearing. Ms Carroll then states that the permit issued in her situation was done incorrectly. Board member Mary Ellard, reiterates that this hearing is not to address past matters but to streamline the process going forward. She asks if Laura has a recommendation for how she would like to see

the process handled in the future. Laura Carroll suggests that the abutters should be notified verbally first and then through certified mail. If an abutter opposes the keeping of chickens and a hearing is issued, she feels that the permit should not be approved before the hearing. Chairperson Jasset asked if Ms. Carroll feels that there should always be a hearing or only if an abutter has an objection? Ms. Carroll stated that she feels that there should always be a hearing before a permit to Keep Domestic Animal is issued. She does not feel that the lot size to keep chickens should be decreased.

Pam Keole, 155 Dale Street, states that she is against residents in Dedham having chickens. Mr. Corbo asked her to clarify if she meant that she is against anyone having chickens? She replied yes, she is against anyone having chickens and also against decreasing the lot size requirement to keep chickens. She explained that the lot size includes the house and land and does not feel that there would be enough land to care for the chickens. She also feels that abutters should be notified before a permit to Keep Domestic Animals is issued.

Laura Carroll, asked if it is healthy for chickens to be on small lots of land. Chairperson Jasset asked Will Hannagan if he would like to answer the question. Mr. Hannagan stated that chickens need 4 sq. ft of pen area to be healthy. Eggs purchased from the grocery store come from chickens that have less area than that. They need a small amount of space and the space required by the regulations is like luxurious living compared to that of the chickens raised to produce commercial eggs for the grocery stores. Ms. Carrol asked if it was healthy for chickens to live in the city, with the smell of car exhausts as opposed to a farm. Mr. Hannagan noted that most chickens don't live on farms. Most chickens live in battery cages where there is an overwhelming smell of ammonia and there is no space for them to stretch their wings let alone free range.

Sherri Hannagan, 2 Raven Hill, added that she and her family moved to Dedham 9yrs ago specifically for the reason that Dedham allows residents to keep and raise domestic animals-chickens.

John Keger, 91 Common Street, asked if the notification to abutters is mandatory or is it necessary only if they need a variance. Chairperson Jasset explained that when someone applies for a permit to Keep Domestic Animals, they are to send a letter, certified mail, notifying any abutters. If there are no objections from the abutters and all other requirements are met, a permit may be issued within 30 days. If there is an objection from an abutter, then a hearing will be held and after that the Board will decide if a permit will be granted. The Board has 45 days to make that decision.

Mr. Corbo addresses the issue of an objecting abutter. He clarified that just because 1 abutter opposes, does not mean that the resident cannot get the permit. It just means that the resident will require a public hearing before a decision can be made.

Mr. Keger also suggests an alternative way to send the mail. It is more efficient than certified mail. It is called Delivery Confirmation. He also suggested the Board look into the distance requirements needed to be met regarding the distance between the coop and the neighbor's property. He feels as though that may be an important part to consider and not just the size of the property. Lastly he suggests having a fence could be helpful, especially if you have a neighbor who is opposed to being adjacent to chickens. It could also help compensate for a smaller lot size because it gives added privacy.

Heidi Fieldstone, 24 Court Street, is attending the hearing as an interested resident. Her experience is with people in other communities, specifically Newton, that have coops on small lots and have not found it to be a disturbance. She is supportive to having chickens in Dedham and bringing agriculture into the Town.

Laura Carrol asked if anyone on the Board owns chickens or lives next door to neighbors that have chickens. The Board responded that they do not own chickens or live next door to anyone that owns chickens.

Mr. Corbo informed the Chair that there have been 5 issues brought to the attention of the Board that should be considered for changes.

1. Lot size
2. Abutter notification
3. Approval process
4. Clarification of the time frame
5. Variance standards

Kathy Reda commented that based on the experience of co-workers that do not live on .25 acres of land, she feels that the care of the animals is more important than the lot size. If the animals and the coop area are well maintained she would consider granting a permit to a resident that has less than .25 acres of land. She added that her co-workers neighbors appreciate having the chickens as neighbors because they help to eliminate ticks, fleas, mosquitos, etc. from the lawn.

Mary Ellard said that she likes the idea of having a sliding scale i.e. smaller lot = less chickens. She liked the idea of requiring privacy fences for people with smaller lot sizes.

Mr. Corbo suggests the Board do research on the appropriate lot size based on the number of chickens housed. Chairperson Jasset agreed and added that she is researching the requirements that other towns have and how successful they have been maintaining the chickens and tracking complaints. She said that after being on the board for more than 20 yrs., they have only had one complaint and that was because a resident owned a rooster, which is not allowed under the Town regulations. Mr. Corbo also ask that when considering lot size, that they consider the proximity of the property to wetlands, septic systems, etc. to ensure the public's safety. Chairperson Jasset said that they will continue to discuss the issue with Conservation.

Laura Carroll, 157 Vine Rock St., commented that she feels that there are more residents who are against the keeping of chickens but have not complained because they don't know who to complain to or are afraid that they will be labeled as animal haters or are just intimidated.

Chairperson Jasset thanked her for her comments but added that the only way that the Board knows there is an issue is if the public calls and tells us. She would like all residents to feel free to call the Board of Health with any concerns they may have.

The public portion of the hearing is now closed.

Chairperson Jasset asks the Board members for any thoughts or comments regarding the abutter notification process.

Vice Chair, Kathy Reda, agrees that 30 days is sufficient time from the application to the issuance of the permit, if there are not objections from the abutters. She does not believe that a hearing is necessary if there are no objections from the abutters.

Member Mary Ellard, would like to see a standardized form from the Board that can be downloaded for people that are interesting in beginning the process of seeking an application for

Keeping Domestic Animals. This would include a standard form that the applicant can send to their abutters. This would ensure consistency with each application.

Mr. Corbo would like language added that the permit can be granted only if it meets all the criteria of the regulations. If a variance is required or if there are abutter objections than a hearing is required.

In summary the process is as follows:

1. Application submitted & abutters notified
2. If no objections, a permit can be issued up to 30 days after application received
3. If there is an objection from an abutter or a variance needed, a hearing must be held.
4. The Board has 45 days after the hearing to make a decision regarding the permit.

Mr. Corbo does not like the current language and suggests that the letter to the abutters list a specific date in which the abutters have to respond. He also suggests not setting a time frame in which the board must issue the permit. Establish a timeline for any objections to be made and then let them know that a decision can be made any time after that timeframe.

The Board would also like to use delivery confirmation instead of certified mail.

The Board and Mr. Corbo are comfortable with the Variance procedure as it is currently stated in the regulations.

Mr. Corbo suggests the Board set up a future meeting to discuss any wording changes they would like to make to the regulations after considering the comments brought before the Board tonight.

The public hearing for the Keeping of Domestic Animals is now closed @ 6:54pm

6:55 Board Meeting Minutes Accepted

1. Motion made by Kathy Reda to accept the May 9, 2019 board meeting minutes as written.
2. Minutes accepted.

6:55 Dr. Susan Racine – Natural Gas Leaks

Dr. Racine is a primary care physician, Board certified in Internal Medicine, currently practicing at Beth Israel Deaconess Medical Center in Boston. She is here tonight to spread awareness of the health risks of the in-home use of "natural" gas stoves and of natural gas infrastructure (pipelines, compressors and storage facilities). She would also like the Board to write to the Governor asking him to require a Comprehensive Health Impact Assessment evaluating the health risks of any new or expanded "natural" gas infrastructure projects be completed before a project is approved.

Dr. Racine listed the five health risks associated with natural gas use. They are:

1. Toxic carcinogens released into the air such as benzene, formaldehyde, heavy metals (lead & Mercury) and radioactive elements such as radon and radioactive lead.
2. Leaks can contribute to indoor and outdoor air pollution. The pollution can cause lung disease and premature death.
3. Damage caused by fires and explosions – example the damage done to Lawrence, Andover and North Andover in 2018.
4. Natural gas use contributes to climate change because the methane in "natural" gas is a much stronger greenhouse than CO2.
5. More than half of the "natural" gas provided to Massachusetts comes from hydraulic fracturing ("fracked") wells. Fracking harms the environment and the people in communities where the wells are drilled and fracked.

She noted that the research that has been done concerning the health risks has focused around children. They have learned that long term exposure to even a small amount of nitrogen dioxide can increase the likelihood of respiratory illness by 20%. Children living in a home with a gas cooking stove have a 42% increased risk of current asthma and a 24% increased lifetime risk of asthma. About one-third of households in the United States cook with gas stoves. Dr. Racine supplied the Board with a handout showing repaired and unrepaired gas leaks (161) in the town of Dedham in 2018. The handout was from Eversource's website.

Member Mary Ellard asked what the leaks are from i.e. The street, from meters? Dr. Racine was not sure but guessed that they were probably not from residential homes but could be from meters.

Mary Ellard asked for clarification to the data showing that natural gas gives 80% more pollution than carbon dioxide. Dr. Racine explained that it is a more potent heat trapping gas causing a more significant greenhouse effect. Although methane will dissipate quicker, it is more harmful in the short term.

Vice chairman Kathy Reda asked what the goal of the letters to the Governor is. Dr. Racine explained that the letters are going to the Governor in efforts to persuade him to require Comprehensive Health Impact Assessments be completed before a project is approved. She would also like him to have the Department of Public Health do more to educate the public to the dangers of natural gas and the use of gas stoves. Ultimately they would also like to slow down the frenzy of pipeline construction that is being laid down through the Commonwealth without concern for the public's health.

Kathy Reda would like to know what would/could be the future impacts of the Board deeming Natural gas unsafe? Would people with gas stoves/dryers, etc. need to replace them? Who would pay for that? She is comfortable asking for Comprehensive Health Assessments be performed but is concerned about any ripple effects. Dr. Racine agrees that it would be a very expensive task to take on. She feels that the government would have to come up with some rebates or incentives to encourage people to change their gas stoves. She also emphasized the need for the public to be educated to the dangers of natural gas. Hopefully that would cause people to make different choices when purchasing appliances.

Chairman Jasset asked for an explanation of a Comprehensive Health Impact Assessment. Dr. Racine explained that a Comprehensive Health Impact Assessment is a process that helps evaluate the potential health effects of a plan, project, or policy before it is built or implemented. The Assessment brings potential positive and negative public health impacts and considerations to the decision-making process for plans, projects, and policies that fall outside traditional public health arenas, such as transportation and land use. It provides practical recommendations to increase positive health effects and minimize negative health effects. Mary Ellard makes a motion to take the request under advisement.

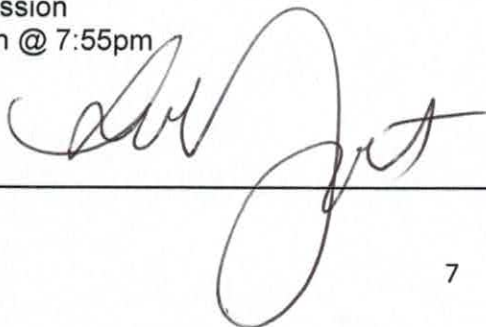
7:21 Director's Report

1. Opening Camps. The Health department is working on reviewing the information submitted for summer camps. They are also preparing to inspect the camps.
2. All (seasonal) pools open except for one. The inspection was scheduled for today but the chemical levels were off due to the rain.
3. New Restaurant coming where Roadworthy was located. It is called Small Batches and will be making and selling their own bacon. Their menu is centered on bacon.
4. Farmer's Market opening Wednesday June 19th. We currently have about 8 applicants for the Farmer's market. It is a smaller group of applicants than normal but Lee explained that more applicants usually join as the season goes on. Mary Ellard asked about Organic sellers and if the Health Department verifies that they are truly "organic". Assistant Director Flanagan said that we don't inspect fruits and vegetables. The food at the farmer's market does not have to be organic. The contact for the farmer's market is Amy Haelsen. Blue Ribbon BBQ restaurant will also selling merchandise at the farmer's market.

5. Housing complaint: The complaint was about stairs that were falling apart. The building apartment took the complaint. One of the food complaints was from Whole Foods. It is difficult to speak on one specific complaint because the level of complaints has doubled in comparison to the prior year. We keep a log of complaints in the office in a "complain Book". The book keeps a record of the date, location and description of the complaint. It also details subsequent actions taken to remedy the complaint. Assistant Director Flanagan said she will bring the Complaint book to the next meeting.
6. Abandoned septic system. Mrs. Flanagan explained that an abandoned septic system is when the inspectors witness a septic system being abandoned before it ties into sewer. They watch it collapse and be filled in. The Health department has spoken to the Engineering department to ensure that they would not let the home owners tie in without an email from the Health department confirming that we watched the system being collapsed.
7. Family Dollar Complaint. A complaint was made but unfounded. When Mrs. Flanagan went to observe the trash complaint, all she found was a single piece of paper outside of the trash can but inside the dumpster pad. There was a full and over flowing dumpster beside the Family Dollar dumpster. This dumpster was belonged to the Carpet store that is no longer there. She informed the complainent that the dumpster was being maintained. Mrs. Flanagan did call the dumpster company from the carpet store and asked them to clean up the dumpster area.
8. Bagel Shop: inspector McMillan called and spoke to George and had a deep cleaning done. Pest control is coming in 1x/week. Maintenance and cleaning logs are in place. They are emailing their pest control logs and cleaning logs every week. They replaced the back screen door. Inspections are being done every week. Assistant Director Flanagan noted that it is a very active year for mice due to all the construction that is going on in the area.
9. IHop: There have been many calls/complaints about IHop. Health nurse & Inspector Jessica Tracy will be going out this week for a reinspection.
10. Jessica's Reports
 - a. Jess has been working on the camps and complaints
 - b. The intern, Mauve has started. Jessica will bring her in to meet the Board.
 - c. Jess would like to do a "Train the Trainor – Stop the Bleed" program and blood drive in November.
 - d. 2 of the sunscreen dispensers had been vandalized and broken. She is looking into an alternate way to supply sunscreen at the parks. They are looking to create a poster to convey the key points of sun protection. A contest was suggested to create the poster.
 - e. Jessica would like to have Sunscreen damage screenings done for the community.
11. Chairman Jasset would like the Board to Sponsor a CPR class for the community.
12. Dermatologist, Joyce, would like to do a presentation and volunteer to be involved in the community.
13. Assistant Director Lee Flanagan will be out of the office June 24 – July 5, returning July 8th.
14. The Board will have their next meeting Thursday July 11th @ 6pm.
15. Member Mary Ellard feels that the Plastic Bag Reduction should be a Health department regulation. She feels that time is needed to figure out how to integrate it into our system and time is needed to notify stores and allow them to get rid of their inventory. She would also like heavy fines implemented for violations.

No Executive Session
 Motion to adjourn @ 7:55pm

Signature _____



Date: July 11, 2019