

Leanne Jasset, Chair  
Mary Ellard, Vice Chair  
Noreen Guilfoyle,  
Member

Kylee Sullivan, Director  
Mavis Stephany Lopez  
Silva, Administrator



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## TOWN OF DEDHAM BOARD OF HEALTH

### Meeting Minutes of December 14, 2021

In response to the COVID-19 pandemic and given the current prohibitions on gatherings imposed by Governor Baker's March 23, 2020 "Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Workplaces, and Prohibiting Gatherings of More than 10 People," this public hearing was conducted virtually, as allowed by Governor Baker's March 12, 2020 "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20.

#### **The following Board of Health Members were present:**

Leanne Jasset, Chair  
Mary Ellard, Vice Chair  
Noreen Guilfoyle, Member

#### **The following staff were present:**

Kylee Sullivan, Health Director  
Mavis Stephany Lopez Silva, Administrative Assistant

#### **The following members of the public provided comment during the meeting:**

Austin Schuette, 295 Walnut Street  
Rebecca Schuette, 295 Walnut Street  
Katheen Schortmann, 277 Walnut Street  
Sherry Hannigan, 2 Raven Hill  
Ann Stevens, 116 Schiller Road  
Robert Frasca, 305 Walnut Street  
Diana Thompson, 52 Park Street  
Jerry McManus, Ursuline Academy  
Sam Myshqeri, Elena's Café

Chairwoman Jasset called the meeting to order at 5:33PM on Tuesday, December 14, 2021.

#### **Discussion and Vote of Meeting Minutes**

The Board reviewed the minutes from their meeting on November 09, 2021. Vice Chairwoman Mary Ellard made a motion to accept the minutes as written. Noreen Guilfoyle seconded the motion. The Board unanimously approved the minutes.

#### **Public Hearing: Domestic Animals Regulations Variance Request – 295 Walnut Street**

Austin and Rebecca Schuette, owners of 295 Walnut St, submitted a variance request to place their chicken coop and run closer than 30 feet from their property line, as required by the Town's Keeping of Domestic Animals Regulations. The Schuettes submitted a

Domestic Animals Application to keep hens on October 12, 2021. Health Director Sullivan visited the property in early November to inspect the coop, and requested the coop be relocated to comply with the Regulations. Health Director Sullivan referenced a memo with details about the application that was provided to the Board for the Board's review. The Schuettes requested a variance from the regulations to locate their chicken coop and run on the side of their property. The Schuettes explained they have carefully considered the location of their coop, and have accounted for sanitation, play space, and abutters. Mr. Schuette discussed feedback they have received from abutters. He stated there has only been one opposition and he has attempted to proactively address it. Vice Chair Mary Ellard expressed understanding the applicants' concerns and stated the Board of Health has regulations set in place to preserve the health and well-being of chicken owners and abutters. Mr. Schuette mentioned concerns that personal relationships between Board Members and residents may influence the outcome of the variance request. A discussion followed where it is clarified that due living and working in Town, the Board Members know several residents. However, they are in no way influenced by their relationships in official Board of Health matters, including upholding Regulations. Member Noreen Guilfoyle asked about the outcome of the Schuettes' discussion with their neighbor, and the possibility of installing a fence or arborvitae to mitigate the concerns.

Kathleen Schortmann of 277 Walnut St, an abutter of 295 Walnut St, voiced concerns with the Board granting a variance request for the chicken coop/run location. Her concerns included noise, odor, and general visual matters. As an abutter, Kathleen Schortmann requested the denial of the variance and that the Board uphold the Town regulations, including animal facility distance setbacks.

Sherry Hannigan of 2 Raven Hill East Dedham expressed support for the Schuettes' variance request. She also requested the Board review the 30-foot setback requirement. She reported that she has chickens on her property, and she has never received a complaint from her six abutters. She mentioned that chickens offer tick/mice population control.

Ann Stevens of 116 Schiller Road East Dedham expressed support for the Schuettes variance request and reported she has chickens on her property. She also requested review of the Regulations regarding the 30-foot setback be reviewed.

Health Director Sullivan reminded all meeting attendees that comments should be specific to the variance request at hand, and not the Town's Keeping of Domestic Animals Regulations in general.

Robert Frasca of 305 Walnut St, an abutter of 295 Walnut St, reported his only concern regarding the Schuette's variance request was potential odor. However, when he visited the property, and after surveying the current location of the coop, he had proposed a potential solution and presented an alternative location for a six-month probationary period. Mr. Schuette explained that, while this is a viable option, it is not ideal chicken coop/run location.

Diana Thompson of 52 Park St, an abutter of 295 Walnut St, reported no opposition to the raising of chickens or the requested location, however she would be opposed if the coop or run presented a visual obstruction from her property.

Member Noreen Guilfoyle made a motion to close the public hearing. The Board voted to approve this motion and close the public hearing portion of this discussion. Madam Chair Leanne Jasset

reported she would like to visit the property to review the proposed location. Vice Chair Mary Ellard agreed. Madam Chair expressed that she would like to take this matter under advisement. The Board voted unanimously to take this matter under advisement and to render a decision and possible vote at the next meeting.

**Discussion & Vote: Ursuline Academy Maintenance of Grease Trap Variance Request**

Ursuline Academy submitted a variance request for the requirement of monthly internal grease trap cleaning outlined in Dedham's Rules and Regulations for the Maintenance of Grease Traps. Ursuline Academy's food operations during the school year consist solely of lunch preparation. There is no fryolator on site. The establishment has been following a grease trap cleaning schedule of December, February, and June and reports there have not been issues. Health Director Sullivan recommended approval of the variance conditional on cleaning three times during the school year. Jerry McManus the Director of Facilities of Ursuline Academy reported that there is no dinner service, and a small breakfast service is provided with non-greasy foods. He stated the school replaced the establishment's old traps in March 2020 and proactively clean sewer lines in the summer. Vice Chairwoman Mary Ellard requested clarification on lunch service, and Jerry explained that approximately 250 lunches are served consisting of sandwiches and pasta. Additionally, there are healthier alternatives available as well, such as soups and salads. Vice Chairwoman Mary Ellard made a motion to approve the variance request for Ursuline academy contingent on quarterly grease trap cleaning and to revisit this schedule should an issue arise. Member Noreen Guilfoyle seconded the motion. The Board voted unanimously to conditionally approved the variance request. Health Director Sullivan informed Mr. McManus that a variance approval letter will follow to inform Ursuline Academy of this approval.

**Discussion & Vote: Dedham Country Day School Maintenance of Grease Trap Variance Request**

Dedham Country Day submitted a variance request for the requirement of monthly internal grease trap cleaning outlined in Dedham's Rules and Regulations for the Maintenance of Grease Traps. There is no fryolator on site. The School's Facilities Department conducts quarterly cleanings of the grease trap currently. There was no representative present for Dedham Country Day to provide clarification on food operations. Member Noreen Guilfoyle made a motion to conditionally approve the variance for quarterly grease trap cleaning conditional on issues that arise. Vice Chair Mary Ellard seconded the motion. The Board unanimously voted to conditionally approve the variance request contingent on quarterly grease trap cleanings and will revisit the matter should an issue arise.

**Discussion & Vote: Elena's Cafe Maintenance of Grease Trap Variance Request**

Elena's Cafe submitted a variance request for the requirement of monthly internal grease trap cleaning outlined in Dedham's Rules and Regulations for the Maintenance of Grease Traps. The establishment is a café located in a business center. The establishment does limited cooking, and is mostly operating as a sandwich deli. Applicant, Mr. Myshqeri reported that in the 10 years of operation, there has been no grease issues. As a result, they have followed a quarterly cleaning schedule. Health Director Sullivan recommended approval of a quarterly cleaning schedule. Mr. Myshqeri stated that he presently operates nine cafeterias in MA. He also explained that as a result of the pandemic, sales have dropped. This drop in sales has meant his establishment is producing less waste. Vice Chairwoman Mary Ellard made a motion to grant the variance continent on quarterly grease trap cleanings and revisiting the variance should an issue arise. Member Noreen Guilfoyle seconded the motion. The Board voted unanimously to approve the variance request with the contingencies specified. Health Director Sullivan will send a follow up email to establishment owner to inform him of variance request approval.

### **Discussion & Vote: Small Batch Cafe Maintenance of Grease Trap Variance Request**

Small Batch Café submitted a variance request for the requirement of monthly internal grease trap cleaning outlined in Dedham's rules and Regulations for the Maintenance of Grease Traps. The establishment provided a letter from their grease hauler outlining the dates they have cleaned the grease trap outlining no issues. A representative was not present from Small Batch Café to provide further clarification on their menu items. The Board would like further clarification on the establishment's menu and food procedures. The Board requested that a representative from Small Batch Café be present at the next meeting to clarify some concerns. Health Director Sullivan will reach out to the establishment to inform them of the next meeting date once it is set.

### **Director's Report**

Health Director Sullivan highlighted the second COVID-19 vaccination clinic at which time 234 children aged five to eleven (5-11) were vaccinated at the Dedham Middle School. Other clinics may be planned in the future depending on the feedback from the Dedham community.

**Per Diem Health Inspector:** Interviews are being conducted to assist with routinely mandated food safety inspections. Director Sullivan stated that acquiring additional help is necessary due to the changes in the 2013 Food Code, which resulted in an increase in the number of mandated food safety inspections per food establishment.

**2022 Permits:** Permit renewals are underway for food establishments, tobacco retailers, funeral directors, and cryogenic therapy establishments.

**COVID-19 Contact Tracing Update:** The Massachusetts Department of Public Health announced last week that contact tracing is no longer a main priority for responding to the COVID-19 pandemic due to widely available vaccination across the Commonwealth and increased public knowledge about isolation and quarantine procedures. MDPH is now recommending prioritization of contact tracing focusing on the preventative measures that are in place. Pfizer booster vaccine is now encouraged for those 16 years of age and older by the CDC.

**14 Arbor Lane:** The Health Department is working with the owner of 14 Arbor Lane to achieve compliance with outstanding State Sanitary Code violations. There was an Order to Correct issued on 09.08.21 citing unsafe condition of front steps, and the storing of boxes and food items on front steps. A case has been filed in housing court along with Building Department, who also has an outstanding order pertaining to vegetation overgrowth on the property. There is presently no court date set yet.

As of December 14, 2021, there have been 3,069 confirmed COVID-19 case in Dedham and 267 probable cases/positive antigen cases since start of the pandemic.

Madam chair entertained motion to adjourn at 7:18PM. Member Noreen Guilfoyle made a motion to adjourn, and Vice Chairwoman Mary Ellard seconded the motion. All were in favor. Meeting adjourned at 7:18PM.

This is to certify that the above is a true and accurate record of the minutes of the Board of Health's Meeting held on December 14, 2021, which minutes were approved on January 25, 2021.

Leanne Jasset – Chairman