

## **BOARD OF HEALTH MINUTES – February 20, 2020**

The meeting was called to order by Chairman Thomas McLaughlin, MD at the Senior Center at 7:00 P.M. Also in attendance were; Dutrochet Djoko, Member; Sheila Lally, Member; Judith Ryan, Public Health Nurse; Alicia Linehan, Clerk; and, Mark L. Carleo, Assistant Director of Public Health.

### **ADMINISTRATION**

Notice of the meeting as posted by the Town Clerk

### **PUBLIC HEALTH SERVICES**

Mark Carleo opened the public hearing expressing that this is to take in some feedback from the public on the minimum standards for the keeping of animals on residential premises. And at the end of the meeting the Board will take a vote to adopt or amend the regulations. The Board has reviewed them several times over the course of previous meetings. Additionally, Town Hall Staff has reviewed it a great deal as well. It is also based on recommendations from professional organizations from both farming as well as public health. This is a quality regulation that should address any of the health regulation issues that can arise. And should Town Meeting decide to the change the zoning bylaw, keeping animals on residential properties to expand.

The Chairman asked that comments be limited to the Board of Health regulation. The Board of Health does not have a role to play in the Town Meeting or changing the zoning bylaw. In the interest of time, The Board asks to please avoid repetitive questions.

If the Board has any questions for Staff, they will be turned over to Mark Carleo for comments or recommendations.

The Chairman addresses the threat of the Coronavirus. One of the places it started was in a market in China. Danvers certainly doesn't have the same hygiene issues as in China, but it is a threat that animals carry diseases that we haven't gotten yet but may be at risk of. And by allowing people to keep animals is a work in progress because at any time there could be changes that have to be made quickly. The Coronavirus originated with chickens and there are now lots of people who own them.

If the Board chooses to adopt the regulation, the effective date is upon publication. The requirements under MA general law is after the Board adopts a regulation it is to run a legal ad with a summary of what was adopted in a local newspaper.

As far as recommendations, it has already received a significant amount of review. Carleo recommends that following the publics' comments, the Board move to adopt the regulation as written. However, it is the Board's authority to adopt the regulation or not. And to Dr. McLaughlin's point there is a long history of transmission of disease to humans from animals and animals to animals.

The Commonwealth of Massachusetts, Department of Agricultural Resources, keeps a list of boardable diseases. Every municipality has an inspector of animals that is appointed at a local nominating authority. In this case it is the Town Manager. And our inspector of animals, the primary is Jean Marcotti, and Mark Carleo is the backup.

In the case of reportable diseases in animals, we can respond quickly because we're local to provide recommendations or take any actions as necessary. And the authority of both the Board of Health as well as the Department of Agricultural Resources in terms of putting down any potential outbreak of diseases is broad in its scope.

Brittany Raesly, Danvers resident and current owner of two goats, has reviewed the regulation and is in favor of it. She is already following the regulation requirements and considers them to be reasonable and manageable for an owner.

Jennifer Newbig, a Danvers resident and employee of the Gloucester Health Department submitted to a letter (see attached) of her concerns to The Board. She asks that The Board consider refraining from charging annual fees because it may impose restrictions on the low-income residents. Carleo responds that the fees have not been set yet, typically they are not overly burdensome. The purpose of the regulation is to enable residents and protect public health.

Kathy Ciman wanted to know if this regulation existed and amended. Carleo responded that it is an entirely new regulation for the Town. In the past when it was limited to a specific portion of Town, there were very few examiners and these regulations were only addressed if received as a complaint. They are all currently inspected, less detailed than the regulations, annually by the inspector of animals. The point of the regulations is to communicate clear expectations to the average homeowner. Also, to create a permit process to allow the Health Department the opportunity to talk to the applicant in detail, rather than responding to a complaint.

The question was asked if this will have any impacts on commercial right to farm. The regulation specifically states it will not.

Jim Ciman inquired whether there are regulations addressing rat control. Page Five in the center of the page, there is a written management plan. Part of pest management is minimizing the water and food source to control their presence.

Rich Maloney, the Town's Building Inspector, asked if the zoning piece has been discussed. Mr. Carleo responded that at the beginning of the hearing it was stated that the zoning side would not be discussed and there would be opportunities in the future for that to be discussed at the appropriate venue. The Board of Health does not have a say in that process and not offering an opinion on it either. In case Town Meeting does open this up to the Non R2 Zone, the Board of Health would have something in place already and begin taking applications at that point.

Kathy Ciman asked if anyone can complete an application to have these animals. Mr. Carleo explained that the right now R2 is the only area zoned right now. But if Town Meeting wants to expand this in other zones and becomes more expansive and common, the Board of Health wants to be prevent any diseases associated with these animals. He is not sure of the application process, but Board of Health will make sure that any structures installed a plan must be provided. Inspectional Services will check on the setbacks and whether a permit is required.

Matt Duggan asked if rat complaints are tracked, because there is a big problem with rats in his neighborhood, the Woodvale area. There is a dedicated page on the website for residents to submit rat complaints. Board of Health will schedule an inspection and offer suggestions on how to There may be a possible infestation if rats are detected on the property. It is the homeowners responsibility to address pest control but the Board of Health does offer to visit the site to view the yard and see where they what they may be eating or drinking and how to interrupt those processes to get rid of them. Mr. Carleo stated

that the Woodvale area is not where most complaints come from. Some areas near Route 114 are the more common areas. There is a lot rat habitat and if building near it such as wetlands, and rivers more prone to see them in these areas. Board of Health will conduct a sanitary survey where an entire neighborhood or parcels next to each other are affected. There are already procedures in place to address these issues. It is tough to stay on top of them to give them as much attention as they deserve. Going forward there are some community idea plans.

The question was if the animal husbandry promotes more residents to have these animals, will it place more of a burden on the Board of Health. Mr. Carleo state that it is possible. There is a section of the website that will contain information in fact there are links in the document itself that refer to generally accepted agricultural practices. A lot of the information is out there, it is when people need a consult is when the interaction occurs. Priority is customer service. Carleo will be devoting time to this as well as Jean Marcotti & Animal Control Staff who are trained in this.

Bill Bradstreet asked if due to the number of rats in Town, can a flyer be distributed within the residents' electric bill. Mr. Carleo explains that there is a que, a line, to get materials into the electric bill. It has been used in the past and their other means to reaching out to the public. If residents are having issues or aware of others having issues, they should call the Board of Health department. Carleo handles the pest control contract for the town and can address any areas of concern quickly. If residents are seeing rats on their property, then there is something keeping them there. When the Board of Health inspects the property, they check for anything that is hospitable, keeping them there. They want to be within 75 to 100 feet to their food source. So, if anyone is aware of a rat problem then they should reach out to the Board of Health. Placing the information on social media isn't as affective as speaking to someone in person.

The regulation has pest management requirements. A lot of the language is broad so that discussions can be opened to that environment of the community.

The question was asked if this is a growing trend within Town and do, they know all the residents that current have these animals. Carleo can't guarantee that they are aware of every property. But every Town has an inspector of animals requiring an annual consensus and inspection of animals on those properties. The information is confidential and protected under Agriculturism Laws so it can't be shared with the public. Nationally this is a trend because people want sustainability locally. It is not a trend in Danvers because it is only allowed in R2.

Dr. McLaughlin states that what drove national agriculture is so that people wouldn't have to worry about rats coming in their backyard. And if placed in one farm then the farmer could worry about the rats. So, if the animals are redistributed, then the rats will be redistributed too. They run in cycles, last year was horrendous and the next year we see nothing.

Mr. Bradstreet asks about those residents who have birdfeeders. Carleo states that birdfeeders are every inspector's nightmare. By depositing these seeds on the ground, it is garbage and a food source for rodents and the nuisance.

Kathy Ciman inquired whether the number of animals is limited per lot. They are not, a lot of this was based on recommendations from professional organizations. The management of these animals is more important. The example given was a resident with 10 horses may be more diligent with maintenance than the owner with 1 horse, both residents on the same size lot.

The question was asked if horses are in the regulation. The definition of animal are all animal and livestock that are kept as domesticated animals, excluding the following, household pets of dogs and cats, research laboratory animals, and non-exempt wild animals. Horses have their own laws because they require horse stables. But if a resident were to keep one horse on their lot, then this regulation could be used.

Rich Maloney suggested that we clarify whether the regulation includes horses, for the purpose of drafting warrant articles for Town Meeting.

Rich Maloney states that animals are regulated under the zoning bylaw in R2. The mistake the Town made was allowing these animals in other zones on a high threshold of land. A band aid was placed on it and now the Town is trying to address it.

Aaron Henry states that today's definition of animal husbandry talks about numbers and weights of animals. Under the definition that is being proposed, a resident must apply for a permit. Lot size is less of an issue because it is based on the type of animal a resident is proposing to own.

Maloney stated that structures will be regulated by the Building Department.

Carleo stated that they were trying not to discuss the zoning piece because the Board is only interested in disease control.

Kathy Ciman asked if these animals will be inspected based on complaints. The Board of Health can use this to enforce regulations. Fines are a terrible way to enforce. Any complaints applicable to sanitation or pest control, Mark or one of the Health inspectors will be following up on. Jean Marcotti will handle any animal health issues. She's in close contact with the Dept of Agricultural Resources, Animal Health Division. The goals are to stop the issue immediately and educated the owner on how to control this situation.

This regulation does not address apiarist, beekeepers.

One resident stated that just about everything in this regulation is already addressed in other areas. The only thing that added is the permit and fee. Is there that much of a change in what exists in this new regulation? Carleo responds that there are other state law regulations statewide that we don't have the authority to enforce. So, this places us in a position to respond quickly it under the local program in order to respond quicker. The purpose of this is controlling disease in the animal population and so that it can't be spread to humans as well.

Gloucester Board of Health stated that her City found that requiring a permit and fee wasn't the best way to handle. But instead it is best to follow up through the complaint process. Danvers Board of Health is trying to prevent diseases by staying ahead of it. This is a national trend that the Board recognizes, and this allows people to participate.

**MOTION:** Mr. Djoko moves that the Board adopts the regulations for the keeping of animal's husbandry and should take affect upon publication in accordance with Chapter 11, Section 31; Mrs. Lally seconded; all in favor

With no further business at hand, the Board adjourned at 8:50PM.

Respectfully submitted for your approval,

Mark L. Carleo  
Assistant Director of Public Health

DRAFT