

TEWKSBURY BOARD OF HEALTH

Minutes

August 12, 2004

Chairman Stephanie Wilkie called the meeting to order at 7:07 P.M at the Town Hall Auditorium. Present at the meeting were, Clerk Philip French, Jennie McCarthy, Thomas Churchill, and Director of the Board of Health Thomas Carbone. Vice Chairman Edward Sheehan and Recording Secretary Dawn Cathcart were not present.

**Public Hearings**

**Dorothy Macauley – Request to Keep 20 Fowl on the Property of 71 Washington Street and the Adjacent Easement (Continued)**

Robert and Dorothy Macauley appeared for a request to keep 20 fowl at 71 Washington Street.

Mr. Carbone stated that Ms. Macauley provided a letter dated August 4, 2004 on her intentions.

Ms. McCarthy stated that Attorney Johnson reiterated to her that the easement was to be used for walking purposes only. Ms. McCarthy stated that she is not comfortable that Ms. Macauley has permission to keep animals on that easement.

Ms. Wilkie asked Ms. Macauley if she has a backup plan for the animals because there is a problem with issuing a permit to keep animals on property that is not owned by the applicant. Ms. Macauley stated that she would move the animals to her property but she is not sure where they would go. Ms. Wilkie replied that was not a plan.

*Paul Curran of 62 Washington Street* – Mr. Curran stated that he doesn't want a horse on site. Ms. Wilkie stated that there will be no horse there. Ms. McCarthy stated that Ms. Macauley has requested that the horse be removed from this application. Mr. Curran stated that the roosters make noise at 5:00 AM every morning.

Mr. Churchill stated that the easement language doesn't call out keeping animals there and the Macauleys should have a backup plan.

Ms. McCarthy stated that she feels that the animals could be handled at this location, but the issue is that the property owner has not given the right to keep them there. The easement does not specify animals.

Mr. French suggested going to Stonewood LLC and getting a letter from them saying it is ok to keep the animals and then come back to the board.

Ms. McCarthy stated that this has been going on for three meetings and the board had suggested to the applicant that they obtain counsel to review the easement and to come up with a backup plan. As of tonight there is nothing in front of the board to consider except the plan to keep the animals on the easement.

Ms. Wilkie asked what would happen to the animals if this permit is denied. Mr. Carbone stated that there would be an order issued to remove the animals. Ms. Macauley stated that they have been on the site for 50 years. Ms. Wilkie reiterated that the board told the applicant to come up with a Plan B for tonight and there isn't one.

**MOTION** - Ms. Wilkie made a motion to deny the variances because the land is not owned by the applicant. The motion was seconded by Ms. McCarthy and unanimously voted 4-0.

**MOTION** - Ms. McCarthy made a motion to deny the permit because the land is not owned by the applicant. The motion was seconded by Mr. Churchill. The motion was not voted on.

**MOTION** - Ms. McCarthy made a motion to reconsider the denial. The motion was seconded by Ms. Wilkie and unanimously voted 4-0.

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**MOTION** - Ms. McCarthy made a motion to withdraw her motion regarding the denial of the permit. The motion was seconded by Mr. Churchill and unanimously voted 4-0.

Ms. Macauley asked if she could move the animals to her property. Ms. McCarthy stated that creates other issues such as building permit and more variances. Ms. Wilkie stated that Ms. Macauley could have one week to come up with a plan in writing.

**MOTION** - Ms. Wilkie made a motion to give Ms. Macauley one week to submit in writing a comprehensive plan to deal with her animals and convene a special Board of Health meeting on August 26, 2004 at 6:45 PM. If the plan is not submitted within seven days then the animals are to be removed from the property and no hearing will occur. The motion was seconded by Mr. French and unanimously voted 4-0.

**Discussion**

**Goal Setting**

Ms. Wilkie stated that the Somerville Board of Health gave a stamp for selling healthy food at restaurants. Ms. Wilkie stated that she wants to set up the Monster Dash and Senior Stroll for Halloween at Livingston Street. In September, the Board of Health should sponsor a T-Shirt Contest. The Board of Health could buy some pedometers to give away to the public. The vending machines should be looked at in the schools to see if healthy foods are being offered. The Board of Health could sponsor an apple picking trip. Ms. Wilkie stated that the Board of Health could sponsor a lunch box series for parents regarding nutritious lunches and also do a lunch information session with the seniors.

Mr. Churchill stated that he would like to look at education on diabetes and healthy foods.

Mr. French stated that he would like to look at drug awareness and oxycontin abuse. Mr. French stated that he would like to find a local person who has gone through this and have him or her speak on it.

The Board of Health could have a table at the Senior Health Fair that would include information on exercise and pedometers. Mr. Carbone stated that the Health Fair is on Wednesday, September 29<sup>th</sup> from 4:00 PM to 8:00 PM.

**MOTION** - Ms. Wilkie made a motion to sponsor the Monster Dash/Senior Stroll on October 30, 2004. The motion was seconded by Ms. McCarthy and unanimously voted 4-0.

The Board of Health will work with Mr. Patterson, look at vendors, t-shirt contest, and press releases for the Monster Dash. Mr. Churchill will get prices on t-shirts and pedometers. Ms. Wilkie will work on the press release with Mr. Patterson. Mr. French will get t-shirt costs. Ms. McCarthy will work on publicity. Mr. Churchill stated that he will also get prices on t-shirts and pedometers.

Mr. French will work with Chief Donovan and Attorney Paczkowski regarding substance abuse.

There will be a work session on August 31, 2004 at 7:00 PM to include Mr. Patterson, Rick O'Neill, Liz Carey, Scott Consaul, Wayne White at Tewksbury Hardware, Pat Catino from World Gym, and Ron Morander from Sports World regarding the Monster Dash. Ms. Wilkie stated that she will write the letter and give it to the office to send out.

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**Approval of Minutes – July 15, 2004**

Mr. Carbone stated that there are no minutes tonight.

**Director's Report**

Mr. Carbone stated that the Animal Control Training for Board members will happen at the next meeting.

Mr. Carbone stated that the town needs a representative for the Medical Reserve Corps (MRC). Mr. Churchill stated that he will be the representative.

Ms. McCarthy stated that Mr. Patterson had the porta-potty moved. The hand sanitizer is still an issue but Mr. Patterson stated that he wouldn't want to add it because vandals will squirt it all over the place, and suggested that mom's bring their own handi-wipes.

**MOTION** - Ms. Wilkie made a motion to adjourn at 8:28 PM. The motion was seconded by Ms. McCarthy and unanimously voted 5-0.

**Approved:** \_\_\_\_\_

**Philip French, Clerk**