



Town of Fairhaven Board of Health

Town Hall · 40 Center Street · Fairhaven, MA 02719

Telephone: (508) 979-4023 ext. 8125 · Email: boh@fairhaven-ma.gov

August 12, 2026

PRESENT: Barbara Acksen, Brian Meneses, Justine Frezza, David Flaherty

1. Call to Order

- a. Chair Acksen called the meeting to order at 5:00pm. Chair Acksen welcomed everyone.

2. Pledge of Allegiance

3. Welcome and Media Notification

- a. Chair Acksen read the media and recording notifications.

4. Minutes of the Meeting

- a. **Motion:** Vice Chair Meneses made the motion to accept the minutes of the Public Meeting July 15, 2026. Member Frezza seconded. The vote passed unanimously (3-0-0).
- b. **Motion:** Vice Chair Meneses made the motion to accept the minutes of the Public Meeting July 29, 2026. Member Frezza seconded. The vote passed unanimously (3-0-0).

5. Health Agent Report

- a. COVID positivity rate was 2.63% for the past two weeks.
- b. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- c. Measles, pertussis, other childhood diseases, influenza, and RSV are on the rise. Please consult your physician regarding vaccinations.
- d. Bristol County Mosquito Control Project has reported Fairhaven at low risk for both WNV and EEE. Please also be vigilant to check for ticks.
- e. Two Perc tests were witnessed and one Title 5 inspection was witnessed.
- f. Agent Flaherty attended a Region 5 Executive Committee meeting of the HMCC.

- g. Fairhaven home-bound residents qualify for a free home-bound flu vaccine offered by the Southeastern MA Public Health Collaborative to provide an in-home vaccine.
 - h. Agent Flaherty followed up on seven Chapter II housing complaints.
 - i. Seasonal beach water testing passed for this week.
 - j. The Southeastern MA Public Health Collaborative has provided medication disposal bags, sharps containers, CPR masks, and pill containers (these are available in English and Spanish). The Health Department is awaiting more tick removers and sunscreen. Please visit the Health Department for any of these free items.
6. **Discussion and Possible Vote on Animal Permit for 21 Morton Street** – Agent Flaherty reviewed the history, follow up and complaints for the chickens at 21 Morton Street and the current rat infestation in the neighborhood. Agent Flaherty noted that he would like to conduct a sanitary survey of surrounding properties to determine whether there are additional environmental factors contributing to the rat infestation. The Board discussed the scope and purpose of the proposed sanitary survey.
- a. **Discussion of Pictures** – Agent Flaherty presented photographs of the chicken coop and yard at 21 Morton Street (Attachment 1). There were also pictures submitted by a neighbor (Attachment 2). Chair Acksen opened the floor to public comment regarding the property.
 - i. Melody Perry of 16 Morton Street – Ms. Perry questioned why the Animal Permit should be renewed given the number of complaints regarding rats. Ms. Perry noted that the Zoning Board of Appeals granted a Special Permit in 2018 and that the Animal Permit had subsequently lapsed. Ms. Perry noted that she believed removal of the chickens could assist in addressing the rat infestation. Agent Flaherty explained an Animal Permit issued by the Board of Health provides authority for inspections of the property.
 - ii. Nancy Burton of 18 Deane Street – Ms. Burton noted that approximately two dozen rats have been trapped in the area. She reported observing rats eating chicken feed and returning to tunnels in the yard.
 - iii. Joanne Bettencourt of 17 Morton Street – Ms. Bettencourt noted that she removed her bird feeder in an effort to deter the rats. She described the rat activity as a new and significant issue in the neighborhood and expressed concern about where the rats may go as colder weather approaches.
 - iv. Kyle Burton of 18 Deane Street – Mr. Burton noted that he had trapped numerous rats and expressed concern about his daughter playing in the yard. He reported observing rats throughout the day and if the chickens are a contributing factor to the rats, the permit should be revoked.

- v. Lisa Richard of 21 Morton Street – Ms. Richard confirmed the chickens are located at her property. Ms. Richard noted that there are some other contributing factors to the rats in the neighborhood. Ms. Richard reviewed that she has been working with Agent Flaherty on steps to help decrease the appeal to the rats with the chicken feed and water. They will be getting a dumpster to clean up any furniture and wood on her property. They also enlisted Pest Control in the spring when rats were first observed. Ms. Richard noted she saw the petition to remove the chickens, which are their pets. The chickens have been located on this property for seven years and the rats are a new issue. Ms. Richard noted that there are other contributing factors in the neighborhood, such as business dumpsters and wood piles. Ms. Richard reviewed as a homeowner she is doing everything to help combat the rats. Discussion ensued regarding the corrective steps at 21 Morton Street and possible relocation of the chickens until such time as the rat issue is resolved.
- vi. Joanne Bettencourt of 17 Morton Street – Ms. Bettencourt commented that the construction on Main Street may be disturbing the rats. However, based on the direction of the rats in the neighborhood she does not believe the rats are coming from down near the water.
- vii. Kyle Burton of 18 Deane Street – Mr. Burton noted that the wood piles previously commented on by Ms. Richard, have been removed and placed in plastic bins off the ground.
- viii. Marianne Shaw a neighbor to 21 Morton Street – Ms. Shaw noted that she has been assisting the resident that lives next door to 21 Morton Street with runoff entering the yard from 21 Morton Street. Ms. Shaw noted that another neighbor asked that she speak on his behalf. She reported that a video had been taken of dead rat falling from a vehicle belonging to a resident of 21 Morton Street as it drove down the road.
- ix. A resident of 21 Morton Street, the son of Lisa Richard – reviewed that the chickens are part of his responsibility and they are kept as pets. The rat that fell out of the car was already deceased. The chickens have been at the property for an extended period of time. They are doing everything they can with the help of the Pest Control. He also noted that, although he does not believe the rat issue to be entirely attributable to their property, they are committed to assisting with the remediation efforts.
- x. Nancy Burton of 18 Deane Street - Ms. Burton commented that Agent Flaherty had been to 21 Morton Street numerous times and that the homeowners had not opened the door. Agent Flaherty clarified that he had attempted to visit the property but that the homeowner was not home at the time, but has since been in contact with the homeowner. Ms. Burton expressed concern that the owners of 21 Morton Street would not clean up the backyard and questioned whether the Town would assist with the issue. Agent Flaherty noted that 21 Morton Street was an agenda item

at tonight's meeting to address the chickens and rat concerns and that the Town is actively addressing the matter.

- xi. Lisa Howland of 20 Deane Street – Ms. Howland noted that the neighborhood residents have been working to clean up their respective properties. She noted the cleanup efforts have been difficult due to rats creating holes and tunnels in the area and expressed concern for safety. The Board discussed a potential action plan to start working towards remediating the rats.

- xii. Paul Ramos of 16 Morton Street – Mr. Ramos noted that the neighborhood has already come together to clean their yards. The last remaining issue are the chickens at 21 Morton Street. The Board discussed a proposed timeline and the steps necessary to begin implementing an action plan to address the rat issue.

Motion: Member Frezza motioned to temporarily relocate the chickens at 21 Morton Street for a three-month period, starting from the day they relocate. In that timeframe, removing any food from the property, cleaning up the property, and filling in the holes. Continuing to exterminate and fill in any holes that the rats have created. Agent Flaherty will do the neighborhood survey and a dumpster to clean up the site. Vice Chair Meneses seconded. The vote passed unanimously (3-0-0).

- b. **Discussion on Neighborhood Petition** - Agent Flaherty noted that there was a Neighborhood Petition submitted signed by the neighbors requesting the Animal Permit for 21 Morton Street be revoked (Attachment 3).

- 7. **Board of Health Review of Complaint and Contact Forms** - Member Frezza noted that she is still working on this draft and will have it ready for the next Board of Health Meeting.

- a. Bob Espindola of John Street- Mr. Espindola asked if the automatic reply will include the record of the complaint. Agent Flaherty affirmed.

- 8. **Wastewater Treatment Plant Status** – Agent Flaherty reported that complaints regarding the Wastewater Treatment Plant are being retained both digitally and in hardcopy. The Board of Health will be at the next BPW meeting on August 17, 2026 at 5:30pm to address the odor complaints.

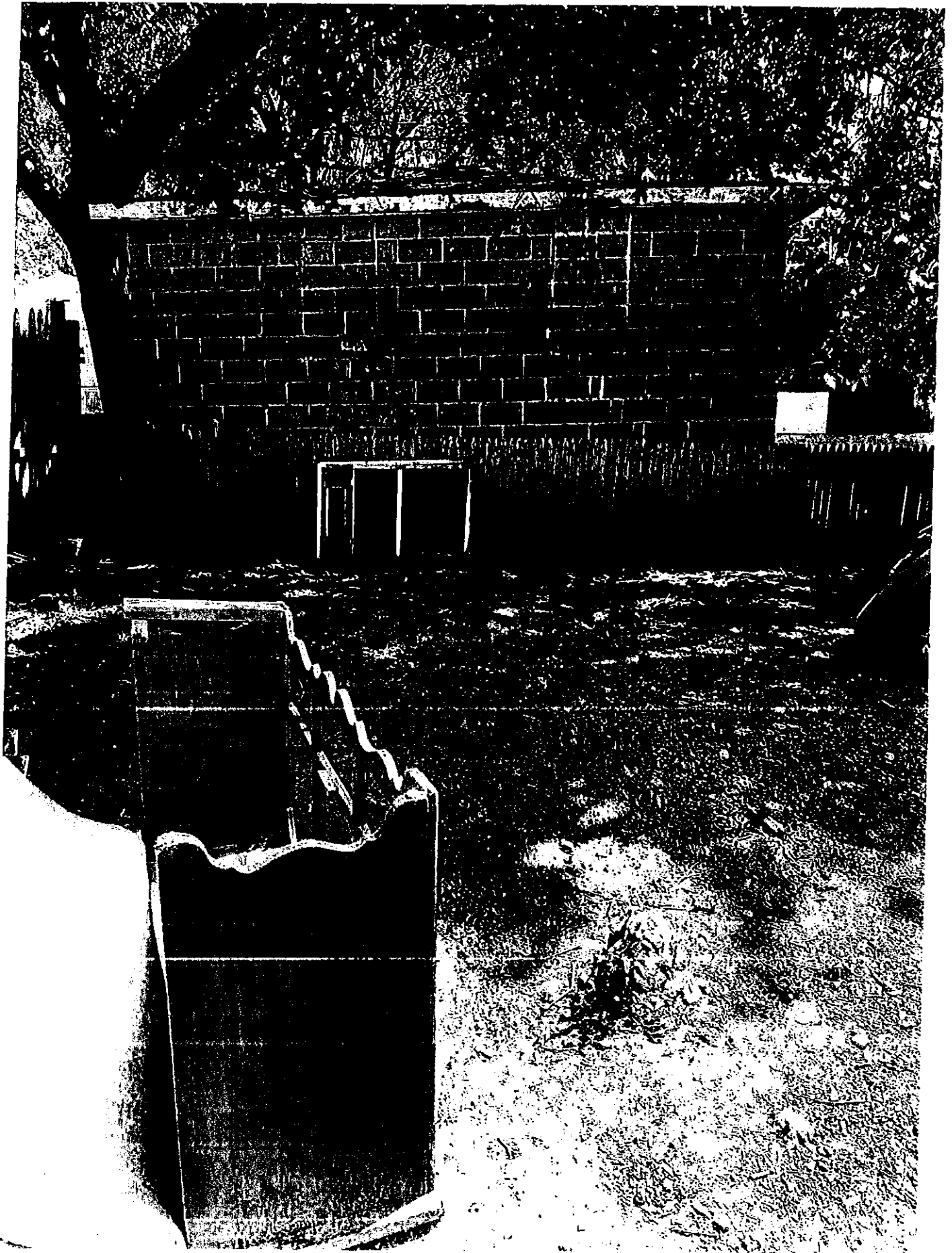
The Board discussed the possibility of touring the Wastewater Treatment Plant. Agent Flaherty also reported that he had contacted multiple state agencies to inquire about grant funding to assist with the purchase of toxic gas meters and was advised that no funding is currently available. The Board continued its discussion regarding toxic gas meters, testing and monitoring of gas levels.

- a. Bob Espindola of John Street - Mr. Espindola requested that prior to the meeting with the BPW, if the Board of Health could determine the alarm set points for the meters at the Wastewater Treatment Plant, including the levels at which the alarms are activated, the frequency at which the meters monitor gas levels, and what levels are considered acceptable at abutting properties before presenting a

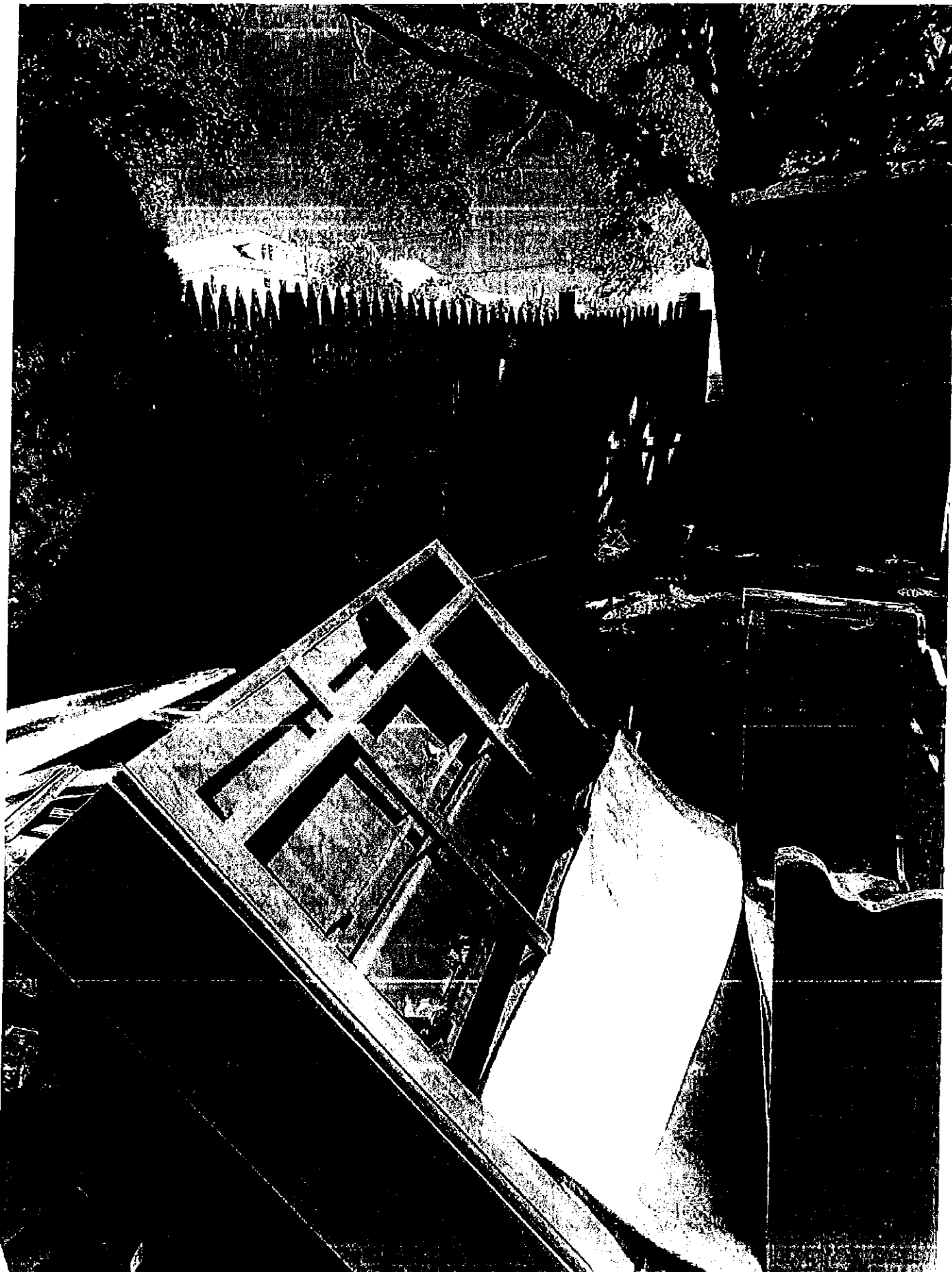
potential health concern. Mr. Espindola recommended the Board contact State Representative Mark Sylvia as a potential resource.

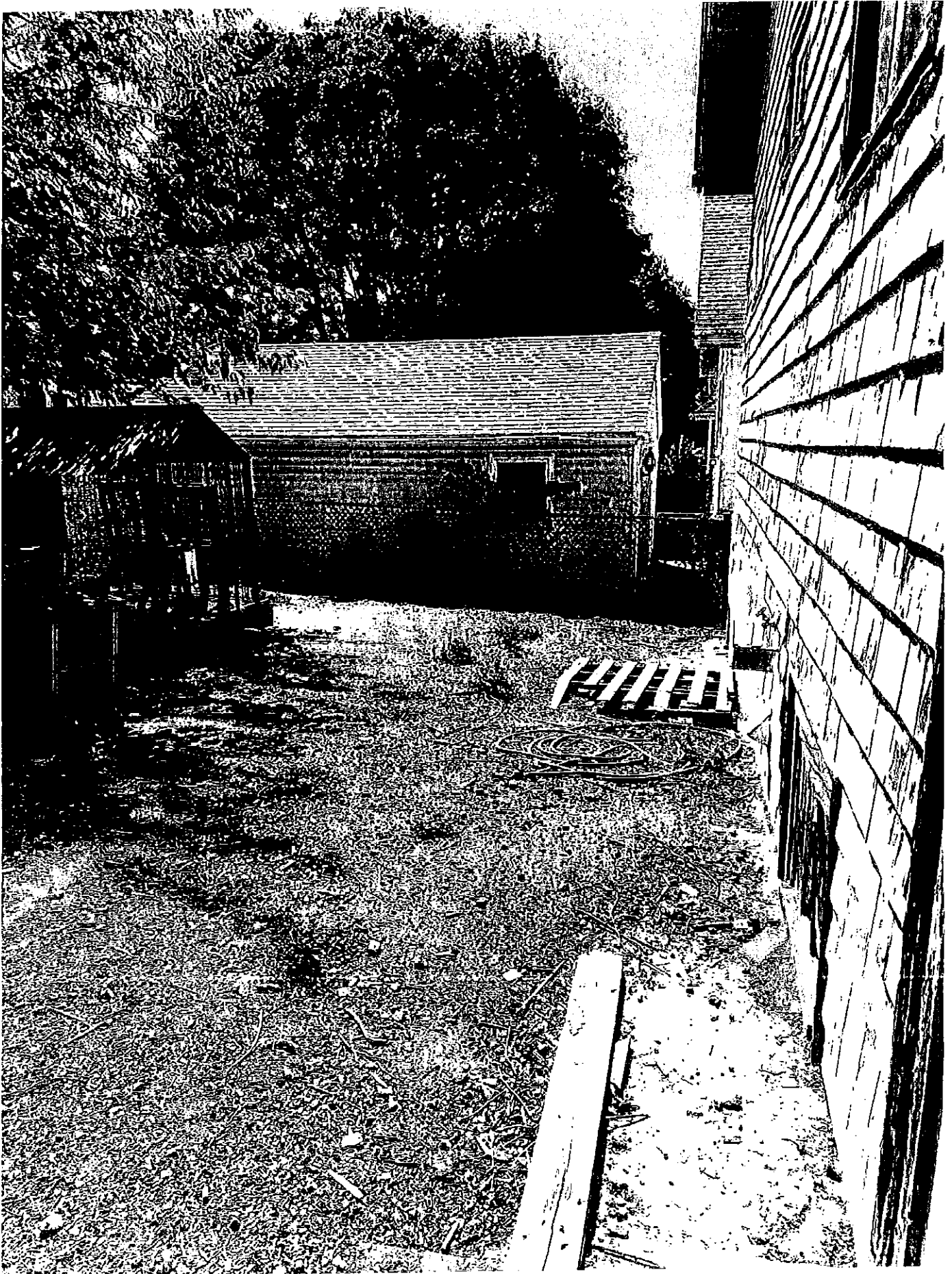
Chair Acksen requested Agent Flaherty continue to reach out to Cheryl Sabara, and the DPH.

9. **Wind Turbine Status** - Agent Flaherty reviewed that there have been no Impact Forms received in the past two weeks. Agent Flaherty noted the Board is encouraged to reach out to the Town Administrator for any questions regarding the contract.
10. **Public Comment** – 2 Minute allowance by Chair on Public Health Issues
11. **Invoices, Permits, Correspondence and any other business that may properly come before the Board not reasonably anticipated 48 hours in advance of the meeting**
 - a. Invoices and permits reviewed and approved.
 - b. Agent Flaherty noted that PJ Keating located in Acushnet is interested in expanding their operations, which will bring them closer to East Fairhaven. This is still in the planning stages.
 - c. Agent Flaherty noted that there is discussion regarding Septic Systems on West Island. There will be more discussion at the meeting on August 17, 2026 with the BPW.
12. **Next Meeting Date** – August 26, 2026 at 5:00pm
13. **Meeting Adjourned – Motion:** Vice Chair Meneses motioned to adjourn the August 12, 2026 Public Meeting. Member Frezza seconded. The vote passed unanimously (3-0-0).



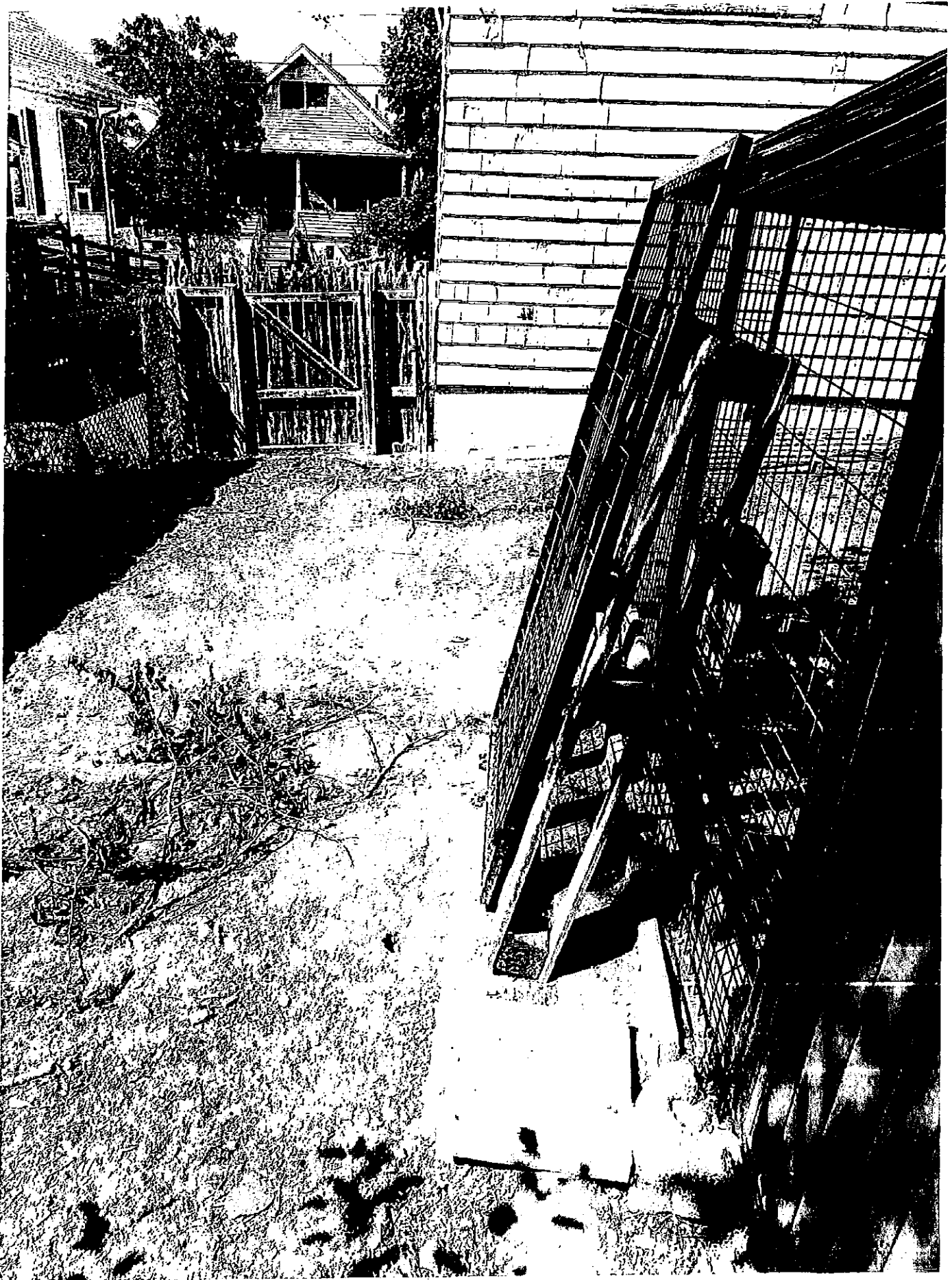












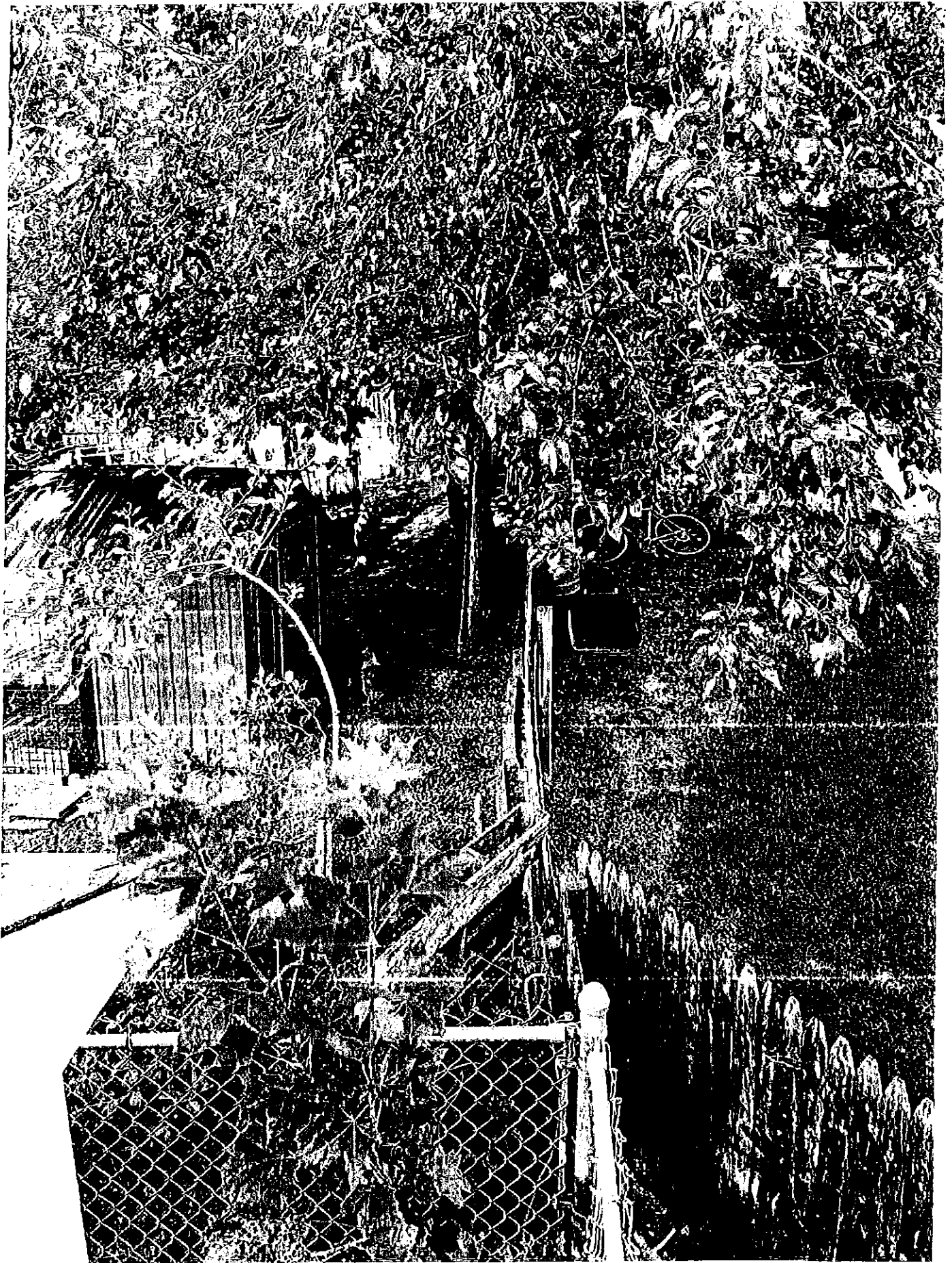


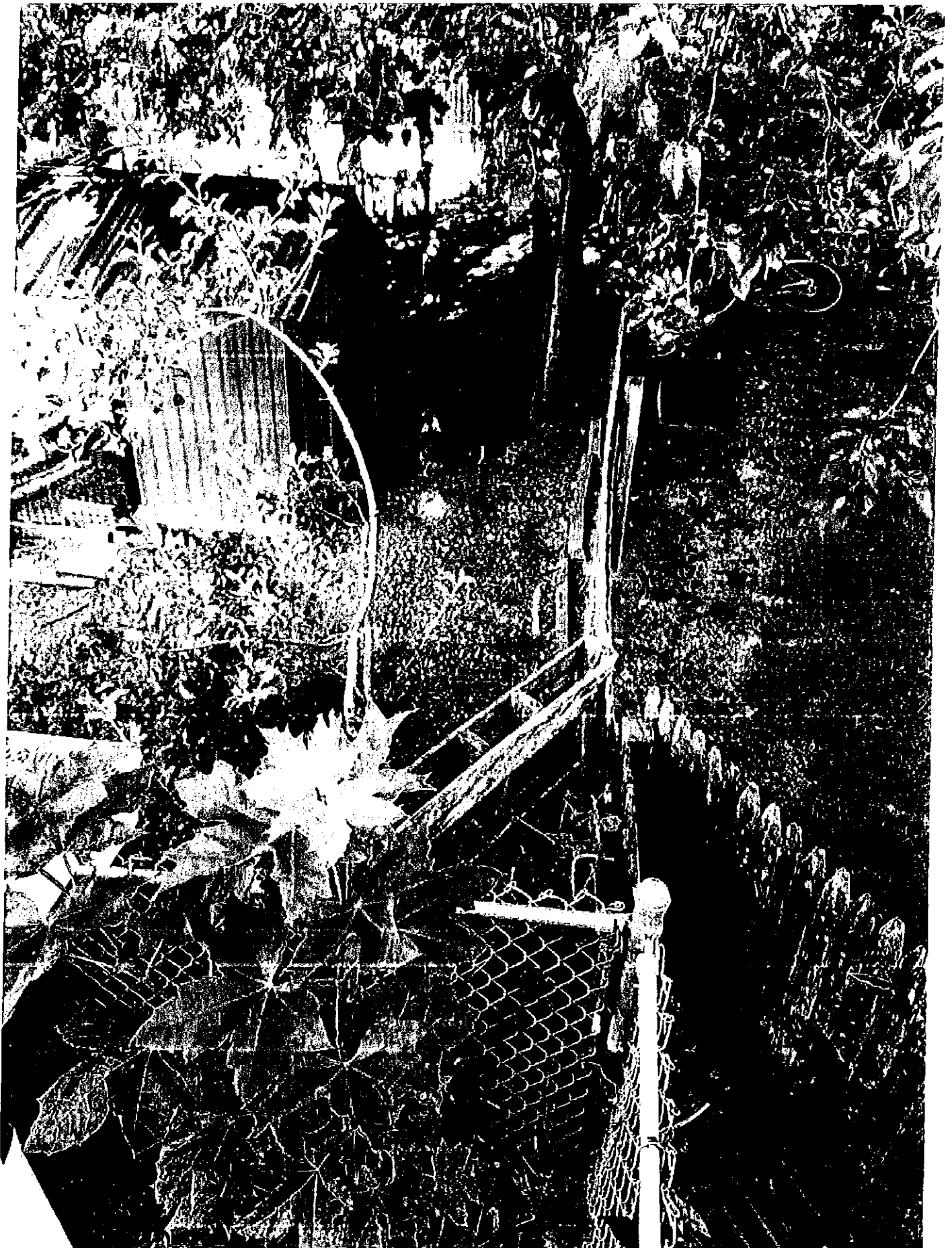


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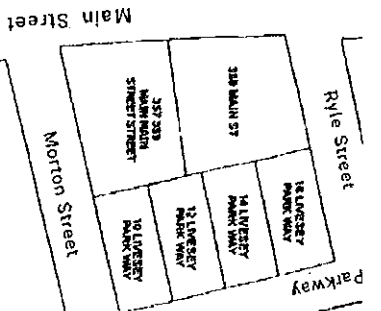
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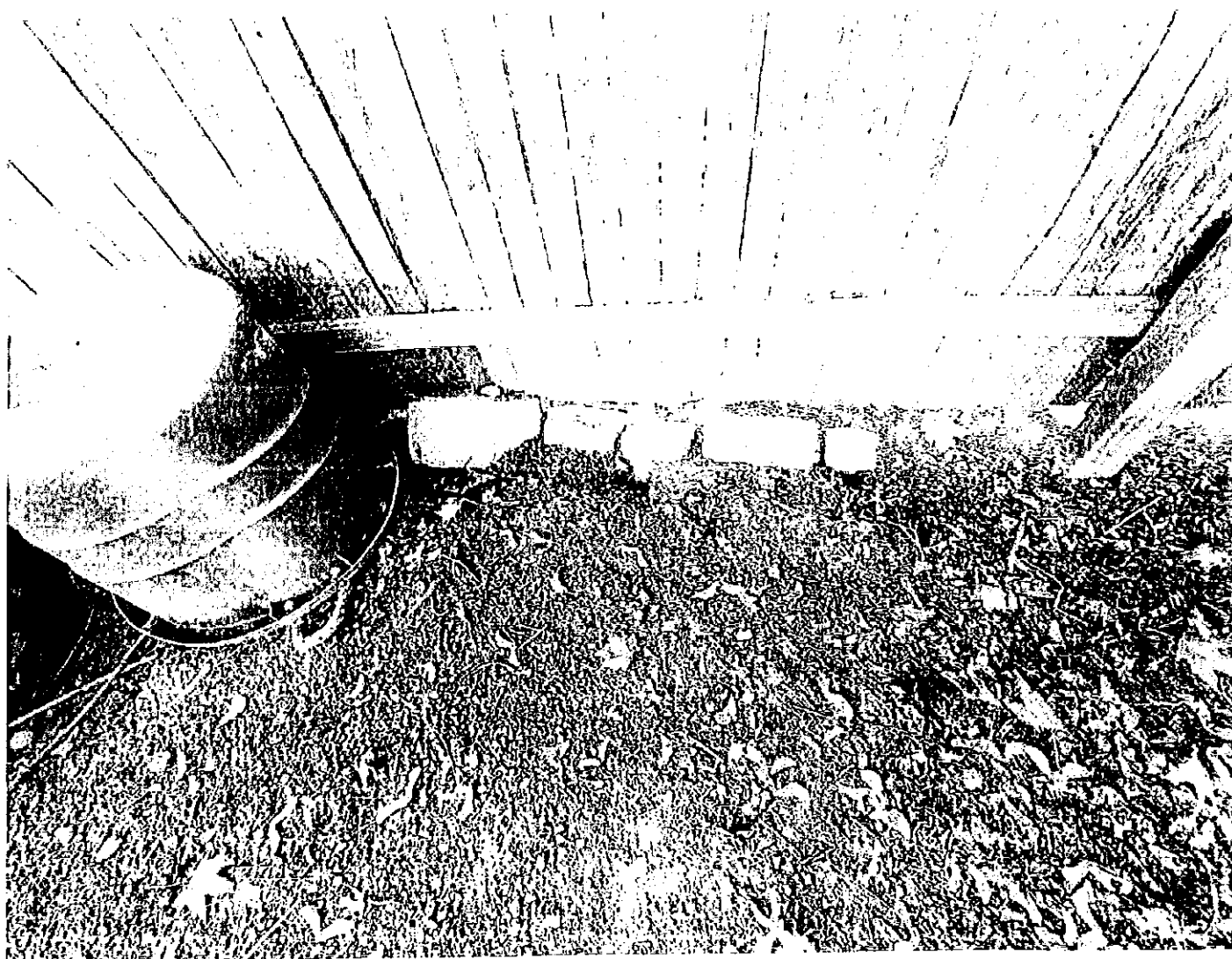


Property Tax Parcels

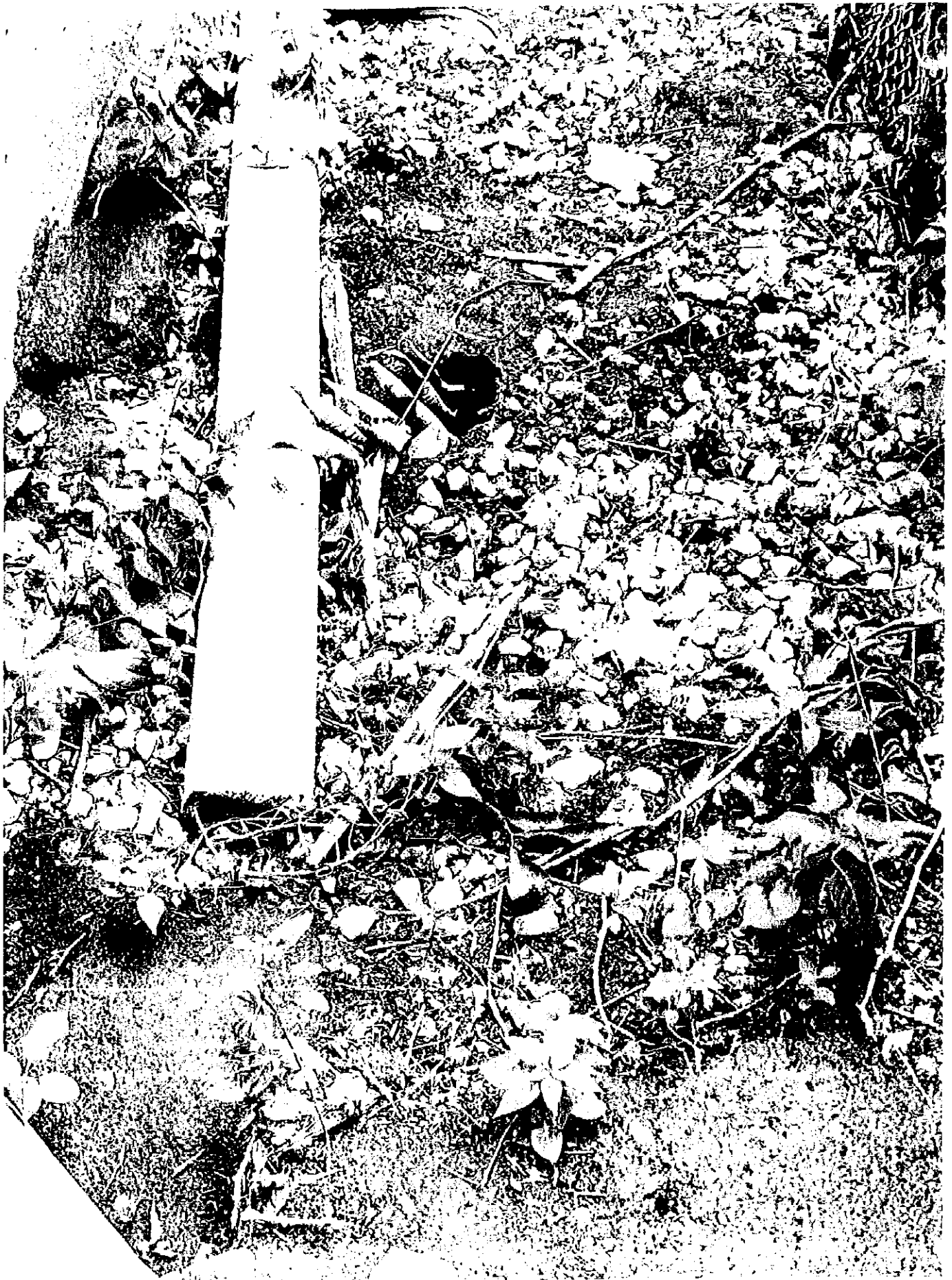


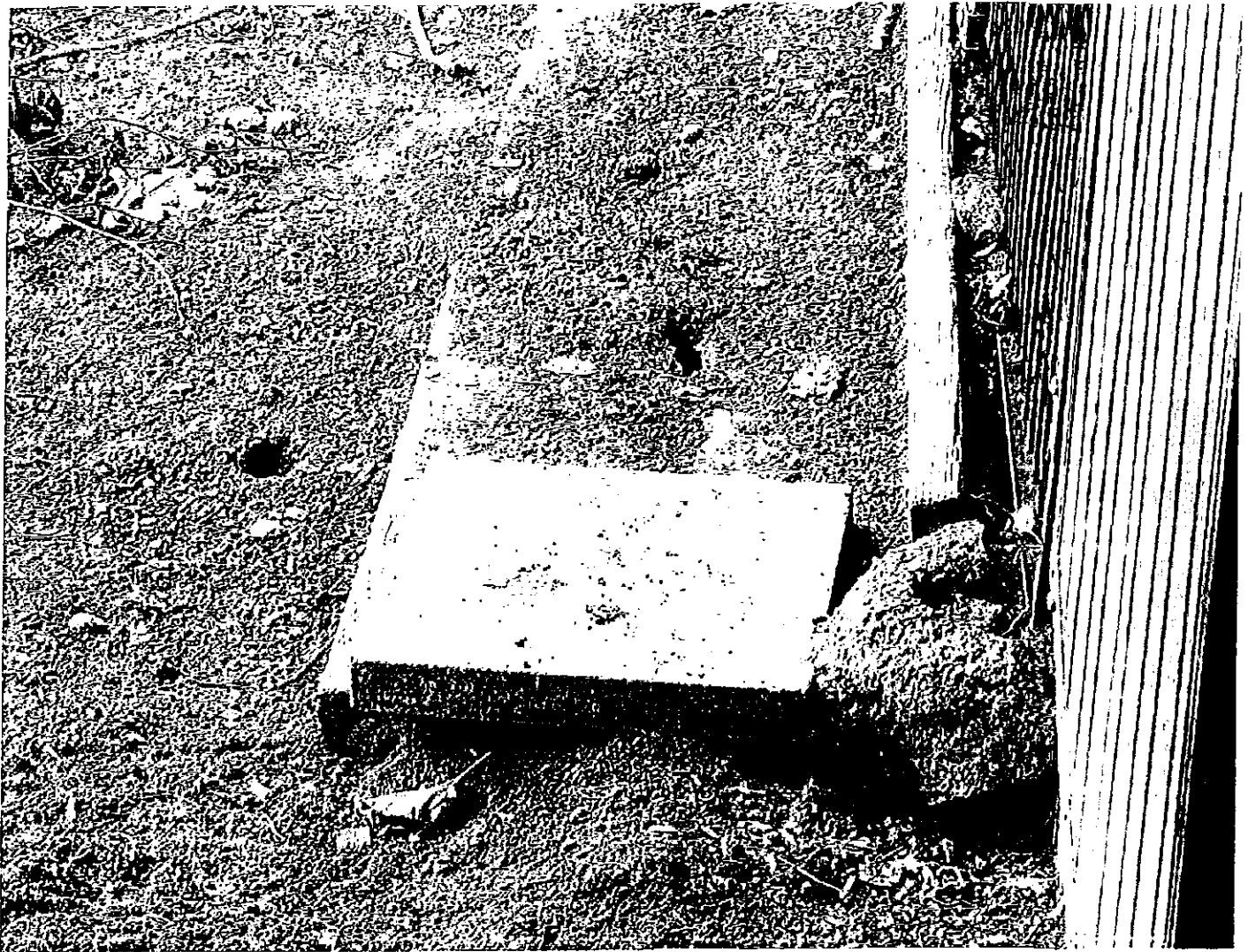
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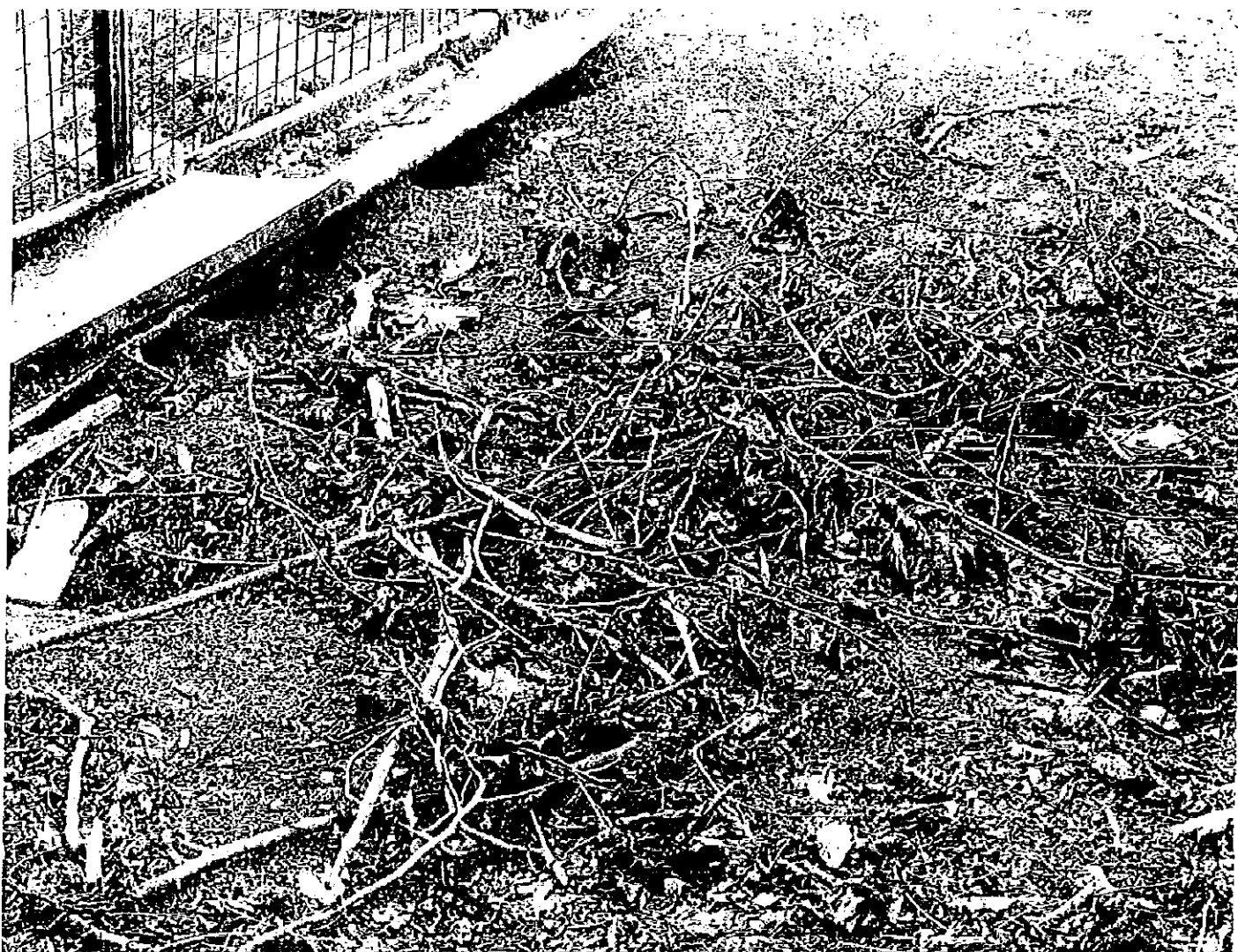
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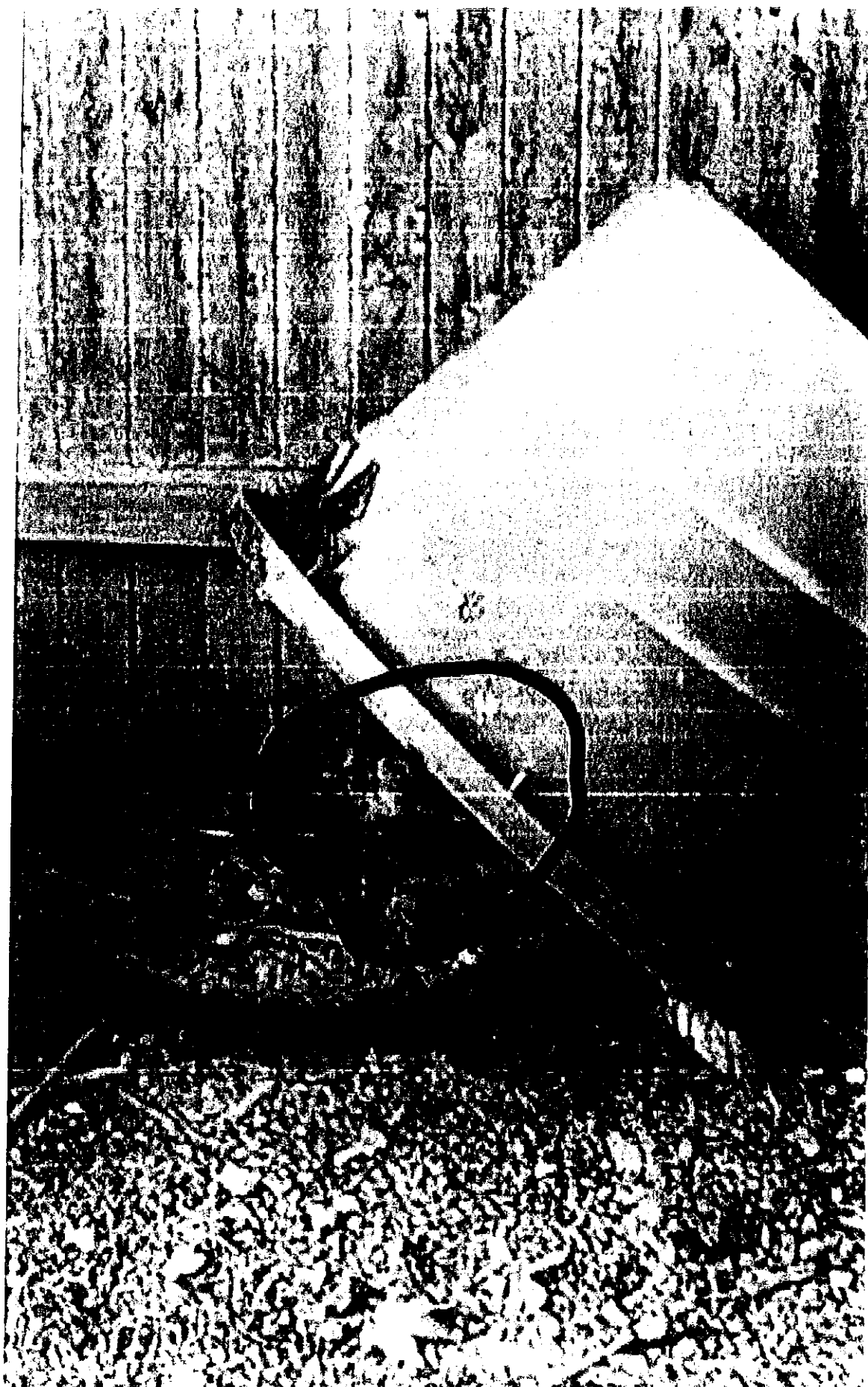












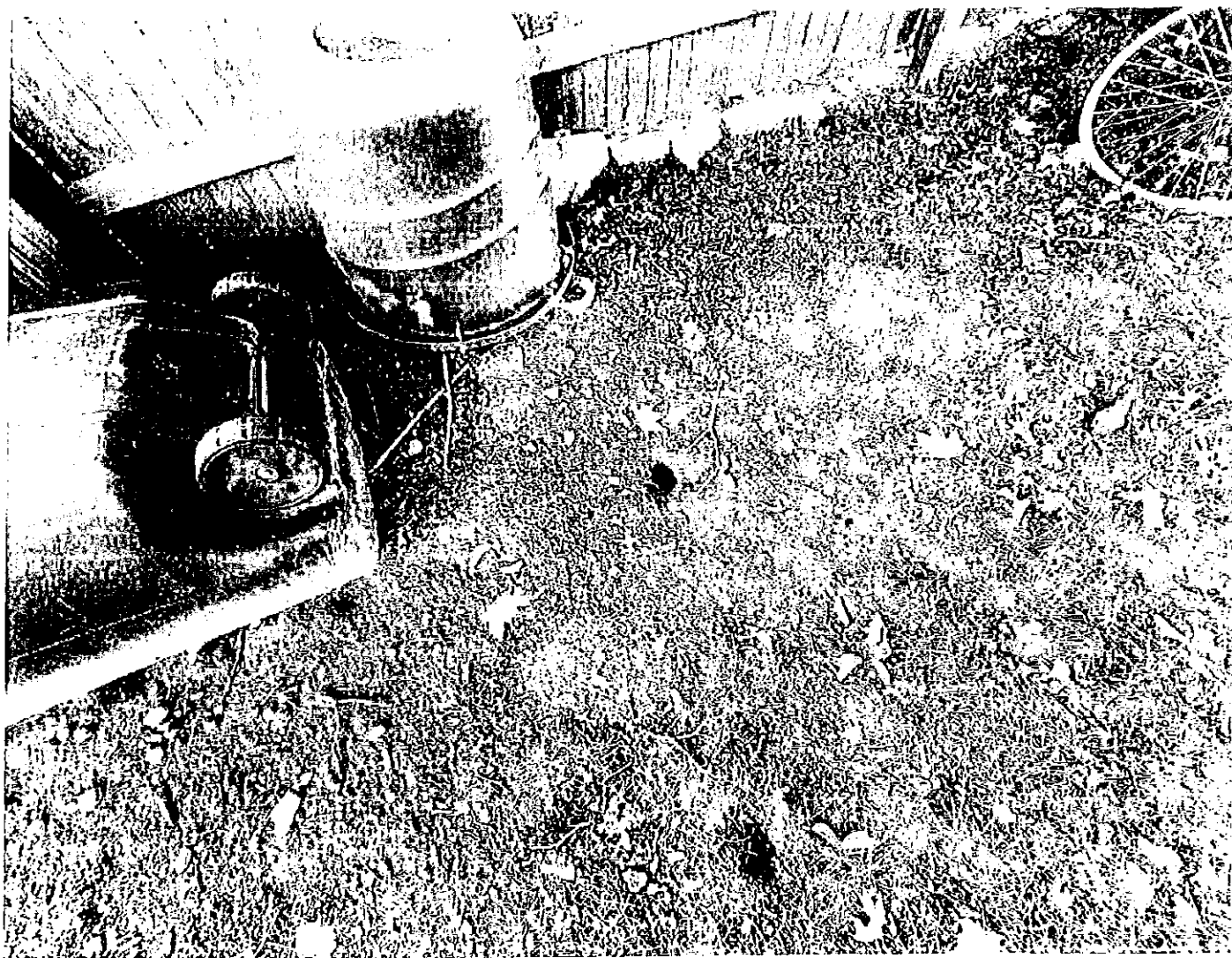




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Fairhaven

AUG 06 2026

Board of Health

Petition for the Immediate Revocation of the Chicken Permit and Removal of Chickens at 21 Morton Street, Fairhaven, MA 02719

To: The Town of Fairhaven Board of Health, Select Board, Animal Control, and Other Appropriate Municipal Officials

Subject: Petition for the Immediate Revocation of the Chicken Permit and Removal of Chickens at 21 Morton Street, Fairhaven, MA 02719

We, the undersigned residents and property owners of Fairhaven, Massachusetts, respectfully petition the Town of Fairhaven to immediately review and revoke the permit authorizing the keeping of chickens at 21 Morton Street, Fairhaven, MA 02719, and to require the removal of the chickens from the property.

This petition is submitted due to serious concerns regarding the health, safety, sanitation, and quality of life within our neighborhood. Since the establishment of the chicken coop and the keeping of chickens at this property, many residents have observed a significant increase in rat activity throughout the surrounding neighborhood. Residents are concerned that the storage and presence of chicken feed, along with conditions associated with the coop, may be attracting rodents and creating an ongoing public health concern.

Additionally, residents have observed that the chicken coop and surrounding area have not been maintained in a clean and sanitary manner. Concerns include unsanitary conditions, unpleasant odors, and the potential attraction of pests and vermin. These conditions have negatively affected neighboring properties and residents' ability to peacefully enjoy their homes.

We respectfully request that the Town of Fairhaven:

1. Conduct an immediate inspection of the property, chicken coop, and surrounding conditions.
2. Investigate reports of unsanitary conditions, rodent activity, and any violations of local health, animal control, zoning, or permit requirements.
3. Determine whether the permit holder is in compliance with all applicable laws, regulations, and permit conditions.
4. Revoke the permit if violations are found or if the keeping of chickens constitutes a public health nuisance or otherwise fails to meet permit requirements.
5. Require the prompt removal of the chickens and chicken coop if warranted by the Town's findings.
6. Notify affected residents of the results of the investigation and any enforcement actions taken.

The undersigned respectfully request that this matter be addressed promptly to protect the health, safety, and welfare of the surrounding neighborhood and to restore a clean and safe living environment for nearby residents.

Thank you for your prompt attention to this matter.

NAMEADDRESSPHONE #Michael GAGNE 17 DEANE ST (508) 958-7100Lisa GAGNE 17 DEANE ST " " "JOHN SYLVIA 22 DEANE ST 774 3199453Elizabeth Melo 18 DEANE ST 774 7127939NANCY BURTON 18 DEANE ST 774-438-2773BRIAN BURTON 18 DEANE ST 774-438-2773Virginia MARCHESSY 18 DEANE ST 508 998 8198LISA HOIMANA 20 DEANE ST 508 998 8198Kyle Burton 18 DEANE ST 774 7127941Austin Burton 18 DEANE ST 774-712-7940Wendy BETTENCOURT 17 MORTON ST 508 525 3493KYLE BETTENCOURT 17 MORTON ST 508 961 8060KATHERINE H. Rayner 15 MORTON ST 508 353 5189Nicholas Fariss 18 Morton St 508-873-6844Paul Fariss 18 Morton St 774-487-2004Paul G Poitras JR 16 MORTON ST 508 863 1573Chris Mamm 16 Deane St 774-844-2251John Mamm " " " "

NAME

ADDRESS

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Douglas Walker 26 Morton Street 508 564 2764

DOUGLAS CURRY 19 DEANE ST. 508 994 8718

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