Agricultural Commission Meeting

Newbury Town Hall
12 Kent Way
Byfield, MA 01922
August 13, 2019
2:00PM-3:00PM

Present for the meeting:
Kathryn O’Brien, Chair
Lisa Colby
Eva Jackman
John Nutile

Agenda:
Roosters and complaints about them.

Items discussed:
The Right to Farm Bylaw is being used by residents to own chickens and roosters in densely populated areas.

Many people keep the chickens because they want fresh eggs. That does not seem to be the problem. The problem arises when one of the neighbors gets a rooster.

The commission discussed the reason anyone would need a rooster.

We discussed the noise problem the neighbors have with the sometimes constant crowing.

Discussed the possibility of Avian flu and salmonella particularly in densely populated areas.

We discussed that the Constitution of the United States guarantees its citizens the right to quiet enjoyment of their land.

Discussed how the Constitution probably trumps the Newbury ByLaw.

Discussed how this has been an ongoing issue and the number of people keeping a rooster(s) seems to be increasing.

Discussed how the roosters do not provoke noise complaints in more remote, private areas.
Discussed the Right to Farm Bylaw and the intent for which it was passed.

Recommended resolutions.

Limit the rooster population to farms which qualify for 61A status. The farm does not have to be under Chapter 61A, it just needs to qualify.

Current residents who have not had a noise complaint against them shall be entitled to keep their roosters. Should a complaint rise and it is deemed by the AgCom to be a valid complaint, the resident must removed the rooster within 3 days.

Define “farm” as: a 61A eligible area whereby the owner earns his/her primary income from the sale of livestock, crops, etc.

Exceptions: A person who does not fall into these categories, but has a valid reason as determined by the AgCom to keep a rooster, shall apply to the AgCom for an exemption before they get the rooster.

Commission adjourned and will continue this discussion and further ideas at the next meeting which is to be determined.

Respectfully submitted,

Kathryn O’Brien

August 14, 2019

Minutes of meeting unanimously approved.

Aug. 27, 2019