



Town of Carlisle
Office of
BOARD OF HEALTH
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TOWN OF CARLISLE
KEEPING OF LIVESTOCK and
MANURE MANAGEMENT REGULATIONS¹

I. PURPOSE AND AUTHORITY

The Board of Health of the Town of Carlisle, in the interest of and the preservation of public health, sets forth the following regulations for the keeping of Livestock and manure management in the Town of Carlisle.

These regulations are made and adopted by the Board of Health of the Town of Carlisle, Commonwealth of Massachusetts, acting under the authority of Chapter 111 Sections 31 and 155 of the Massachusetts General Laws, and amendments or additions thereto.

These regulations supersede and void the "Regulations Pertaining to the Stockpiling of Manure" made and adopted by the Board of Health on February 3, 1987 and the "Manure Management Regulations" made and adopted by the Board of Health on January 13, 2005 and revised on June 9, 2015.

II. APPLICABILITY

All property owners who house livestock shall abide by the terms of manure management cited in this regulation.

III. THE KEEPING OF LIVESTOCK AND MANURE MANAGEMENT

A. PREAMBLE

The Town of Carlisle is a community with a history of agricultural use. In keeping with this agricultural tradition, many residents house livestock on their properties. This regulation is promulgated to provide for the keeping of Livestock in Carlisle for the protection of public health, animals, and the environment.

Manure management is likely to be significant to protect the quality of surface and ground water supplies, to control disease transmission, and to minimize noisome odors and flies. Manure management can also allow the beneficial recycling of nutrients to pasture, cropland, and lawns for improved cover and yields.

B. DEFINITIONS

Board of Health: The appropriate and legally designated health authority of the town.

Abutter: An abutter is a person (or entity) whose property is adjacent to the property of another.

Compost: To facilitate and accelerate the decomposition of waste.

¹ Regulation can be found on the town website at: www.carlislema.gov

Livestock:	Livestock includes horses, cattle, sheep, goats, llamas, alpacas, swine, poultry, fowl, rabbits, and other farm animals housed in barns, sheds, or shelters. Livestock excludes dogs, cats, and domesticated animals normally kept in a residence. Livestock also excludes bees.
Livestock Housing:	A minimum three-sided roofed structure for keeping animals.
Managed waste:	A manure stockpile or compost pile containing manure.
Manure:	Livestock feces and urine and waste bedding from livestock keeping.
Noisome impact:	Malodorous and excessively persistent odors or excessive numbers of flies.
Paddock:	A fenced in area or enclosure, typically not vegetated, used for exercising animals.
Pasture:	Land used for the grazing of livestock or for the harvest of hay.
Wetlands:	A wetland resources area as defined under M.G.L. Ch.131, s. 40, and 310 CMR 10.00, the Wetlands Protection Act, and the Carlisle Local Non-Zoning Wetlands Bylaw.

C. STANDARDS FOR MANAGEMENT OF MANURE AND KEEPING OF LIVESTOCK

1. Manure will be managed. Manure will be collected on a regular, preferably daily, basis from livestock housing and paddocks. The collected manure will be (a) placed in a manure stockpile, (b) added to a compost pile, or (c) spread in a pasture in a manner consistent with good agricultural practices and USDA guidelines.
2. Managed waste shall not be located within 100' of a potable water supply well. The Board of Health shall presume that those locations have the potential to impact ground water quality adversely. The presumption that a well on the premises of the applicant may be impacted may be overcome by documenting the well construction method and by locating the managed waste as far from the well as practical. Wells that are drilled into bedrock, cased, and capped are presumed not to be impacted. Managed waste proposed to be located within 100 feet of an abutter's well shall require a variance pursuant to Section IV of these Regulations.
3. When managed waste is proposed to be located within 100' of a wetland, the Board of Health shall presume that those locations have the potential to impact surface water quality adversely. The presumption that wetlands and thus surface water quality may be impacted may be overcome by showing that drainage from the managed waste locations is away from wetlands or that the managed waste creates no drainage, and that a negative determination of applicability has been issued by the Town Conservation Commission.
4. Managed waste shall not be located closer than 40' to the lot line and 100' from any offsite dwelling because the Board of Health shall presume that those locations have the potential to generate noisome impacts. This presumption may be overcome by a clear showing that the locations are (a) visually screened or unobtrusive and (b) at a distance greater than 100' feet from any abutter's dwelling and (c) generally downwind of that dwelling.
5. Livestock shall be kept free from contagious disease and provided clean accommodations including, but not limited to, Livestock Housing, Paddocks and Pastures, with access to adequate light, ventilation and water supply.

6. Any variance from these standards will be reviewed for re-approval on an annual basis.

D. REQUIREMENTS

No person, firm, or corporation shall exhibit, raise, board, train or keep within the limits of the town, in any building, or on any premises on which he may be the owner, lessee, tenants, or occupant, any livestock as defined in Sec. B without a written permit from the Board of Health. Any such permit shall expire annually on September 1st and may be revoked by the Board at any time for cause. The permit fee shall be determined by the Board of Health annually. The permit is not transferable. All new applications for a permit to keep animals shall be submitted on a form supplied by the Board of Health.

The animal owner must submit a Manure Management-Self Certification Checklist with the Application for A Keeping of Animals Permit). More detailed information must be provided at the request of the Board of Health.

E. PERFORMANCE STANDARDS

1. Managed Waste Containment and Disposal

In order to promote regular collection of manure, managed waste will be located in areas:

- a. Easily accessible from livestock housing or paddocks.

In order to minimize migration of manure constituents, managed waste will be located in areas:

- a. Free of storm water run-off from any structure; and
- b. Graded to keep surface water from running over or through the managed waste; and
- c. Not subject to seasonal flooding.

In order to facilitate disposal or management by equipment, managed waste will be located in areas:

- a. Accessible to needed equipment;
- b. Where the travel path of equipment can be prohibited from traversing the sewage soil absorption system.

2. Managed waste shall not be transported on any public or private way or street unless contained in such a manner that no manure or constituents shall be dropped on the street.

3. Noisome Impact Control

In order to control odors, managed waste will be:

- a. Kept under cover; or

- b. Composted; or
- c. Removed off-site on a sufficiently regular basis.

In order to control manure fly populations, managed waste will be:

- a. Kept under cover; or
- b. Composted; or
- c. Removed off-site on a sufficiently regular basis; or
- d. Treated with fly parasites; or
- e. Provided with flytraps

- 4. Compliance with these Performance Standards shall be determined by the Board of Health or its agents.

IV. VARIANCES

Any request for a variance from these regulations shall be submitted to the Board of Health in writing. The request shall clearly state the variances sought and the reasons. No variance shall be granted except after the applicant has notified all abutters and adjacent dwelling owners within 100' of the property, by certified mail at the applicant's own expense or by hand with proof of receipt, at least ten (10) days before the Board of Health meeting at which the variance request will be heard. The notification shall state the specific variance sought and reasons, and the time, date and place of the hearing.

Variances shall only be granted under the following conditions: (A) strict enforcement of the regulation will constitute manifest injustice to the applicant and (B) the granting of the variance shall not in any way impair the public health, the environment or animal health. The Board may impose any conditions it deems appropriate to protect the public health, environment and animal health.

V. PENALTIES

Any person who the Board of Health finds in violation of these regulations or who fails to comply with any order by the Board of Health to remedy such violation shall be subject to a fine of \$100.00 dollars for each day such violation exists.

VI. SEVERABILITY

If any provision of these regulations or the application thereof is held to be invalid by a court of competent jurisdiction, the invalidity shall be limited to these provisions(s) and the remainder of these regulations shall remain valid and effective. These regulations were adopted by vote of the Town of Carlisle Massachusetts Board of Health at their regularly scheduled meeting held on January 13, 2005, and are to be in full force and effect on and after March 1, 2005. Before said date, these regulations shall be published and a copy thereof placed on file in the Board of Health Offices and filed with the Department of Environmental Protection, in Boston. These regulations or any portion thereof may be amended, supplemented or repealed from time to time by the Board with notice as provided by law, on its own motion or by petition.

TOWN OF CARLISLE
BOARD OF HEALTH



Todd Thorsen, Chairman



Donna Margolies

Todd Brady



Edward Lee Storrs

Adopted: February 3, 1987
Revised: January 13, 2005,
Effective: March 1, 2005
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