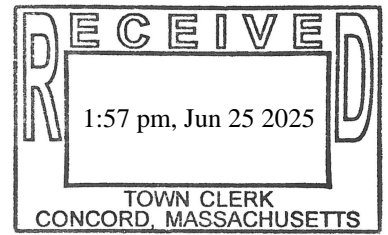


## **Concord Board of Health**

5/21/25

### **Minutes**



Pursuant to notice duly filed with the Town Clerk, the Concord Board of Health convened in a meeting both in-person at 141 Keyes Rd in the 2<sup>nd</sup> Floor Conference Room and via Zoom at 7:00 PM on May 21<sup>st</sup>, 2025.

#### **CALL TO ORDER**

Chair, Dr. Randy Kring, called the meeting to order at approximately 7:03 pm.

Dr. Kring confirmed that the Board members present in person were himself, Jim Whalen, and Dorothy Bernard. Board member Portia Keady was present via Zoom.

Melanie Dineen, Public Health Director, was present in person. Also present in person was a member of the public Josh Joslyn. Attending via Zoom were Ebony Sodl, Health Office Coordinator, Terri Ackerman, Select Board Liaison, and members of the public: Paul Kirch, Kyle Rowan, Cynthia Rainey, and Andrea Solomon.

#### **APPROVAL OF MINUTES (MARCH 19<sup>TH</sup>, 2025)**

The minutes from the Board meeting held on March 19<sup>th</sup>, 2025, were presented for approval. Dr. Kring moved to accept the minutes as written. The motion was seconded and approved unanimously.

VOTED: All members present voted to accept the minutes of the Board of Health meeting held on March 19<sup>th</sup>, 2025, in the form presented at the meeting.

#### **PRELIMINARY SUBDIVISION DISCUSSION- 4B GARRISON RD & 65X BEDFORD ST**

Mr. Paul Kirch of Stamski & McNary appeared before the Board representing the applicant. He presented a preliminary subdivision plan involving two parcels: 4B Garrison Road and 65X Bedford Street. The parcels are located at the end of Garrison Road, which currently contains a few existing homes. The 4B Garrison parcel serves as a 50-foot-wide right-of-way, while 65X Bedford is the larger, developable parcel.

Mr. Kirch explained that a preliminary subdivision application had been submitted to the Planning Board. The intent of this submission is to seek early input from Town board, including the Board of Health, prior to investing resources in designing a definitive plan. He noted that the applicant is requesting waivers, including one to allow for a T-shaped turnaround rather than a cul-de-sac. This layout minimizes environmental disturbance.

The proposed plan includes two single-family dwellings, each with its own onsite septic system. Soil testing was conducted with Health Inspector Mike Funaiole present. Test results showed favorable conditions typical of Concord sand, with no observed groundwater and fast percolation rates, indicating strong suitability for Title 5-compliant septic systems. Mr. Kirch confirmed that both dwellings would be connected to Town water.

Dr. Kring asked whether the subdivision was limited to two homes due to the wildlife protection area. Mr. Kirch confirmed this and noted that the entire site falls within Estimated Habitat of Rare Wildlife. He stated that MassWildlife has provided preliminary (informal) approval for the proposed 1.24-acre area of disturbance.

Mr. Whalen asked what wildlife species were involved. Mr. Kirch stated that the species of concern is turtles,

which prefer sandy, sunny, and previously cleared environments. The proposed development avoids areas favored by turtle species identified on the property and focuses construction in previously disturbed areas.

Ms. Dineen stated that she had no objections from a legal standpoint and explained that the Board typically issues a letter to the Planning Board indicating whether it supports or opposes the proposal.

Following discussion, a motion was made to approve the preliminary subdivision application. The motion passed unanimously.

### **POLYSTYRENE VARIANCE REQUEST- THE CHEESE SHOP**

Ms. Dineen provided background on the Town's polystyrene ban, which was passed prior to the COVID-19 pandemic but had not been actively enforced in recent years. She explained that after reviewing archived files and working with Sustainability Director Eric Simms to understand the scope of the ban, a memo was sent to all food service establishments in December. The memo reminded businesses of the ban and provided six months' notice to use up existing stock, research alternatives, and submit any variance requests ahead of enforcement resuming on June 1st, 2025. At that time, routine inspections will include compliance checks for polystyrene use.

Ms. Dineen noted that one business, The Concord Cheese Shop, submitted a variance request and was represented in person by the owner, Josh Joslyn. The request included two items: black plastic trays used for cheese and sandwich boards, and disposable wine cups. Ms. Dineen stated she spoke with the shop's chef prior to the meeting and was informed that the business is actively researching alternatives. The chef mentioned a potential wooden platter option and a new tumbler design for wine service. Ms. Dineen recommended the Board support a limited variance to allow the business time to transition, particularly given the recent change in ownership which may have contributed to missed communication about the December memo.

Mr. Joslyn addressed the Board and clarified that they are not seeking a long-term exemption but simply wish to use their remaining inventory. He estimated that their stock of wine cups would last approximately six months or less. Regarding the black plastic trays, Mr. Joslyn explained they are actively looking for a food-safe wood alternative, but sourcing has been difficult due to food safety and material quality concerns. He estimated that a full transition could take up to one year.

Ms. Bernard inquired whether a coated cardboard alternative might be feasible. Mr. Joslyn explained that for packaging boxes, a coated cardboard is being used, but the boards themselves require more durability and would likely be a separate, food-safe material placed inside those boxes.

Following discussion, a motion was made and seconded to grant a six-month variance for the disposable wine cups and a one-year variance for the black trays. The motion passed unanimously.

### **STATE PLUMBING CODE VARIANCE REQUEST- CONCORD-CARLISLE HIGH SCHOOL**

Ms. Dineen introduced the variance request related to the proposed amenities building at Concord-Carlisle High School. She explained that one concern that had come up in early planning was the number of hand sinks required under the plumbing code. While the building meets the required number of toilet fixtures, the proposed number of hand sinks is below what the code typically requires. Ms. Dineen noted that she was comfortable supporting the request and had drafted a memo for the Board's consideration.

Kyle Rowan, Project Manager with Gale Associates, was on via Zoom to present on behalf of the Concord-Carlisle Regional School District. He explained that the amenities building is intended to serve the existing 1,800 seat stadium grandstands, which were constructed in 2008. The building will include men's and women's restrooms, a single-user gender-neutral restroom, a concession area for prepackaged food, a janitor's closet, and

utility spaces.

Mr. Rowan stated that the current plumbing code requires twelve lavatories per gender based on stadium capacity, but the project proposes to include five sinks in the men's room and five in the women's room. He explained that installing the full number of sinks would significantly increase the size and cost of the building and that this type of variance is now commonly requested and routinely approved by the State. He noted that the State has acknowledged the updated code may be excessive for secondary school stadiums.

Mr. Rowan confirmed the building will be connected to municipal sewer. Ms. Bernard asked whether the concession area would involve cooking. Mr. Rowan confirmed only prepackaged food would be served. While the design includes a three-bay sink and grease trap, those features are standard in similar facilities. Ms. Dineen reminded the applicant that a food plan review and permit would be required before construction begins.

Ms. Dineen also noted that the Water and Sewer Commission had previously denied the project's Form S application due to projected flow volume. She emphasized that this variance request presented to the Board of Health pertains solely to the number of hand sinks and is unrelated to wastewater design flow. She explained that the Health Division calculates design flow using Title 5 standards, which are based on peak usage and occupancy, not fixture count or average use. She clarified that any request to reduce flow under Title 5 would require a separate application and would need to be reviewed by the Board at a later date, if submitted. Mr. Whalen added that the Town's wastewater system is already operating near capacity, which may be a factor in future planning for developments tied into sewer infrastructure.

Following discussion, a motion was made and seconded to approve the variance request as written. The motion passed unanimously.

## **HAZARDOUS MATERIALS REGULATION DISCUSSION**

Ms. Dineen introduced the topic of the Town's hazardous materials regulation, noting that the current regulation dates to the early 1980s and is largely outdated. She explained that the Health Division recently reviewed its list of 31 active permits and found that while fees are collected annually, no inspections or formal oversight currently take place. Considering this, Ms. Dineen presented a model regulation from the Massachusetts Environmental Health Association (MEHA) for consideration and asked whether the Board would be interested in updating the regulation or retiring it.

The MEHA model regulation begins permitting at a 25-pound threshold, while Concord's current regulation starts at a much lower amount. Ms. Dineen noted that adopting the model would significantly reduce the number of permits issued and would place more emphasis on safety and handling practices. Over half of the current permit holders are food establishments, which may allow hazardous materials inspections to be incorporated into their existing food inspection schedule. She also suggested changing the renewal date from May 31 to December to ease the burden on staff during the busy inspection season for pools and camps.

Dr. Kring asked how inspections would be handled under an updated regulation. Ms. Dineen said inspections could be tied to permit renewals and that for food establishments, hazardous materials reviews could be incorporated into their routine inspection cycle. Ms. Bernard noted that the MEHA model inspection form included in the packet gathered detailed and useful information and could help standardize oversight.

Ms. Dineen added that few neighboring towns appear to have similar regulations, and that in many communities, hazardous materials oversight may fall under fire departments or other agencies. The Health Division did not identify many local examples during its recent fee analysis. Ms. Keady asked whether OSHA or the state already effectively regulates hazardous material storage and handling. Ms. Dineen said OSHA provides training but was unsure how directly that overlapped with Concord's current or proposed regulations. She offered to research that further and report back at a future meeting.

The Board discussed past incidents involving improper chemical handling in food establishments and highlighted the importance of staff training and awareness. While members saw value in having some form of regulation, they also raised concerns about potentially duplicating efforts already in place at the state or federal level. Ms. Dineen noted that the current regulation is not actively enforced and that updating it would take some work to ensure it has a clear purpose and benefit for public health.

The Board reached consensus that further research is warranted. Ms. Dineen will continue evaluating how other communities regulate hazardous materials, what role OSHA and other state agencies play, and how the MEHA model might fit Concord's needs. No vote was taken at this time.

## **CHAIR AND BOARD MEMBER REPORTS**

Dr. Kring shared that this was his final meeting as Chair and thanked the Board for their collaboration over the past year. He noted that Mr. Whalen will be stepping in as the next Chair. Dr. Kring also gave a brief update on recent events, including his attendance at a community meeting about the future use of the former MCI-Concord site. He mentioned that participants were asked to share input on various ideas, and he personally advocated for improving accessibility between Concord and West Concord to considering community health needs. He also noted that Emerson Hospital recently announced plans to eventually build a new, larger emergency department. The project is still several years out, but the goal is to improve access and capacity compared to the current, undersized space.

Ms. Bernard added that she attended a similar session at the Harvey Wheeler Community Center. Attendees were invited to place stickers on boards showing different potential land uses, with ideas ranging from open green space and walking trails to retail or mixed-use development. She noted that feedback was mixed, with some residents concerned about tax impacts and others focused on preserving space or attracting certain types of businesses.

Ms. Dineen mentioned that one aspect of the redevelopment discussion included the possibility of repurposing the existing wastewater treatment plant on the MCI property. She explained that the Town currently has limited sewer capacity and that expanding it could support future growth. The existing plant, originally built for the prison, may have room to accommodate more use with investment. Board members discussed how new residential or retail development at the site would likely require that added capacity.

There was general agreement that the site presents many possibilities, and Board members recognized the wide range of public opinions that have been shared. Some members of the public are in favor of preserving the site as open space, while others are calling for more significant development. Ms. Dineen noted that decisions about the site ultimately rest with the state, but the Board of Health may become involved depending on the types of projects proposed, particularly if they relate to housing, sewer, or public health infrastructure.

## **PUBLIC HEALTH NURSE REPORT**

Ms. Dineen shared that Moira Carter, the Public Health Nurse, has been extremely busy over the past two months. Two public health interns from Boston University recently completed their time with the department, concluding just after the Town's 250th celebration. During their time, the interns assisted with the Community Health Improvement Plan (CHIP) and the Public Health Needs Assessment, both of which will be picked back up following the busy summer season.

Due to seasonal demands, public health nursing efforts have shifted toward preparing for and conducting camp inspections. Ms. Carter has also worked on public outreach related to measles and tick-borne illnesses, including educational materials and a public talk. In connection with the Yellow Tulip Project, she supported mental health awareness initiatives in collaboration with the Beede Center and Council on Aging. She also

contributed to outreach led by the Health Communications Subgroup, which recently promoted Mental Health First Aid training and helped introduce the Town’s new community clinician, Juliette Jaye.

Ms. Dineen noted that the family shelter at the Best Western is now scheduled to close at the end of July, one month earlier than previously planned. Ms. Carter recently held another childhood vaccine clinic for shelter residents. Mr. Whalen inquired about the future of the Best Western property once the shelter closes. Ms. Dineen stated that she has not received any updates and is unsure whether the building will return to use as a hotel. If it does, the owners would likely need to reapply for appropriate building and food permits, as there have been significant modifications to the facility under the shelter program.

**March 2025 Concord Communicable Disease Report**

<u>Number of Cases</u>	<u>Disease</u>	<u>Feb</u>	<u>Jan</u>
2	Calicivirus/Norovirus	0	1
1	Campylobacteriosis	0	0
29	Influenza	78	72
4	Lyme Disease	1	2
21	Novel Coronavirus (SARS)	16	23
1	Tuberculosis	2	3

**April 2025 Concord Communicable Disease Report**

<u>Number of Cases</u>	<u>Disease</u>	<u>March</u>	<u>Feb</u>
1	Campylobacteriosis	1	0
1	Hepatitis B	0	0
13	Influenza	29	78
2	Lyme Disease	4	16
16	Novel Coronavirus (SARS)	21	16
2	Pertussis (and other Bordetella species)	0	0
1	Tuberculosis	1	2

**PUBLIC HEALTH DIRECTOR REPORT**

Ms. Dineen reported that the Health Division has been extremely busy. Much of March was dedicated to preparing for the Town’s 250th celebration. Once that concluded, staff shifted their focus to spring permitting and inspections for pools, camps, and animal permits, along with routine food establishment renewals.

Included in the Board’s packet was a publication from the Middlesex County Mosquito Control Project. Ms. Dineen explained that the Town pays for seasonal mosquito trapping during the summer to monitor for arboviruses, as well as larvicide treatments in catch basins and limited ditch maintenance. All surrounding towns participate in this program, except for Carlisle.

An update on the Nuclear Metals site was also included for informational purposes, reflecting the most recent correspondence received in March.

Ms. Dineen shared that Bethany Yates, the Town’s new Public Health Inspector, has now been with the department for several months and is settling in well. She has been actively conducting routine inspections and supporting the Division's seasonal workload.

Dr. Kring inquired about camp variances, noting that an issue had arisen last season. Ms. Dineen recalled that the concern involved sports camps not meeting code requirements and that several camps were granted variances last year. To avoid repeating the issue, the Division hosted a well-attended camp training session in March for all camp directors in Concord and Lincoln. The training clarified expectations, especially for high-risk camps, and emphasized that variances would not be offered this season. Ms. Dineen also noted that, in addition to the required pre-operational inspections, the Division is considering conducting in-season inspections this year to ensure that camps are adhering to their approved procedures once in operation.

Dr. Kring asked how the 250th celebration went from the Health Division's perspective. Ms. Dineen stated that the event was a success. There were adequate restroom facilities and water stations, and the food vendor operations ran smoothly. Post-event feedback from participating businesses was mostly positive, although some expressed concerns about the impact of road closures on customer access. Ms. Dineen thanked the Health Division staff and town departments for their support, noting that the planning required a significant time commitment and cross-departmental collaboration.

### **PUBLIC COMMENT**

There were no members of the public present for public comment.

### **ADJOURNMENT**

With no other business, Dr. Kring, adjourned the meeting at approximately 8:35pm.

### **MEETING MATERIALS**

- **Meeting Agenda:**

- [https://concordma.gov/AgendaCenter/ViewFile/Agenda/\\_05212025-12971](https://concordma.gov/AgendaCenter/ViewFile/Agenda/_05212025-12971)

- **March 19<sup>th</sup>, 2025 Meeting Minutes:**

- [https://concordma.gov/AgendaCenter/ViewFile/Minutes/\\_03192025-12764](https://concordma.gov/AgendaCenter/ViewFile/Minutes/_03192025-12764)