

Town of Concord  
Board of Health

Minutes of the Meeting  
Tuesday, July 20, 2021

Present: Dr. Deborah Greene, Chairman  
Mark Haddad  
Jill Block  
Raymond Considine

Susan G. Rask, Public Health Director  
Karen Byrne, Administrative Assistant CBOH

Audience: Henry Dane, Liaison Select Board; Jim D’Agostine, for Stephen Marsh, applicant for  
PCL: 3837 Keuka Road

**1. OPEN MEETING**

Dr. Deborah Greene opened the meeting at 7:00 p.m. and welcomed Board and audience member to what she hoped would be the first of many meetings back in person noting that it was the first in person meeting the Board had held since March 2020.

**2. PUBLIC HEARING – MODIFICATION TO A PREVIOUSLY APPROVED DEFINITIVE SUBDIVISION**

**Background**

Under M.G.L, Chapter 41, Section 81 S and 81 U, the Board of Health is responsible for review of Preliminary and Definitive Subdivision plans prior to them going to the Planning Board for review and approval. The Public Health Director explained the Board of Health’s primary responsibility is to determine whether areas shown on the proposed plan cannot be used for building sites. Primarily, whether it is feasible to construct a sewage disposal system on the site (providing information and conducting soil testing) and that potable water can be brought to the site (either by town and/or installation of a private well). Applicants are required to submit a plan indicating that those conditions can be met – it is not a full septic system design plan at this time. (That is required once the final approvals are granted).

In February 2018, the Concord Planning Board approved a Definitive Subdivision for 4-lots on Keuka Road entitled “Hosmer Meadow Definitive Subdivision, Keuka Road, Concord MA”.<sup>1</sup> (The Subdivision has since been renamed McCallar Lane.).

Stephen Marsh, owner of an existing lot at the end of this paper road (subdivision) (Map F9; Parcel: 3837) that abuts the above mentioned approved plan has submitted an application to the Planning Board requesting to modify the previously approved 4-lot Definitive Plan to approve his lot and to allow it to be accessed from the end of Keuka Road/McCallar Lane.

Jim D’Agositine, representing Stephen Marsh presented a copy of the proposed 5-bedroom house and septic plan noting that all criteria for the onsite sewage disposal system had been met and that the Title

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<sup>1</sup> CBOH approved the Definitive Subdivision at its December 19, 2017 meeting

5 Building Review for the Building Permit had been reviewed by Health Staff.<sup>2</sup> PHD Rask noted that it was a fairly straight forward request and did not have additional information to add.

After a short discussion, Ray Considine moved to APPROVE the proposed Modification to a previously approved Definitive Subdivision as submitted. Mark Haddad seconded it. All VOTED in favor to approve. Administrative Assistant Karen Byrne will notify the Planning Board, Town Clerk and applicant of the decision.

### **3. DISCUSSION – COVID-19**

PHD Rask provided the Board with the data on vaccination rates in the Town of Concord<sup>3</sup>. Ms. Rask also briefly discussed how things were going for the Health Division staff as it related to the reopening of businesses, camps, etc. as the summer months progressed. In her opinion, the majority of business owners and recreational camps, etc., were complying with the Covid-19 guidelines in place for reopening with very few glitches. Ms. Rask said that although Covid-19 was not over at this point in time numbers of additional cases were low in the area and Massachusetts was holding its own. She advised that public health messages of continuing to follow safety protocols in large settings and CDC guidelines were being encouraged by staff.

### **4. DISCUSSION – White Pond Cynobacteria Bloom/No Swimming Advisory**

PHD Rask informed the Board that there was another Blue Green Algae Bloom (Cynobacteria) in White Pond and that based upon a recommendation from the Department of Public Health (MDPH), a No Swimming Water Use Advisory had been issued for all of White Pond.<sup>4</sup> Ms. Rask said Town Staff and NRC rangers would be monitoring the pond regularly but there was no way to definitively say when or if the Advisory would be lifted this summer. Algae Blooms may last for weeks or disappear quickly – there is no way to know for certain.

Once the bloom is no longer visible, she noted that water sampling will occur above and beyond routine water sampling analysis of the beach (e-Coli bacteria). MDPH recommends that the water advisory not be lifted until two consecutive weekly samples show algae cell counts below the safe limit of 70,000 cells/milliliter of water.

The Board had a brief discussion on the information provided and asked staff to keep them posted if anything of significance changed before the next meeting in August.

Select Board Liaison Henry Dane asked what could be done to discourage residents around the pond from engaging in certain behaviors that may be causing these blooms to occur. Ms. Rask stated that the majority of homes around the pond were initially built and intended as summer use cottages with cesspools or modest septic systems. Most of these homes have been converted to full time residents (during the past forty years) and that would automatically increase nitrates/phosphates and storm water runoff into the pond but she also noted that those issues may or may not contribute to the blooms.

The Town is keeping residents notified via News and Notices and posting the beaches.

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<sup>2</sup> A Title 5 Building Review is required to ensure that the proposed septic system is sufficient for the proposed new construction

<sup>3</sup> Data relating to Vaccination Rates in the Town of Concord

<sup>4</sup> White Pond No Swimming Water Use Advisory Issued 7/7/21

**5. DISCUSSION – TOBACCO CONTROL**

The Public Health Director updated the Board on the most recent tobacco compliance check inspections and other activities completed by the Regional Tobacco Compliance staff.<sup>5</sup> Since March 2020 when Covid-19 shut down most retailers, inspections were limited and/or deferred, so prior to compliance inspections, each retailer received two “educational” visits consisting of informational packets, new signage, etc. Ms. Rask advised that if a violation was noted by the Compliance Officer, she or Public Health Inspector Gabrielle White would visit again to confirm that it had been abated.

**6. BOARD CALENDAR & MINUTES**

The next regularly scheduled meeting of the Board will be August 17, 2021.

The Board reviewed the minutes from the meeting of May 18, 2021. Mark Haddad moved to APPROVE the minutes as submitted. Alma Healey seconded it. All VOTED in favor.

The June meeting was cancelled – no meeting minutes.

**7. BOARD MEMBER REPORTS**

Ray Considine noted that an additional \$15 million dollars was allocated in the Governor’s budget for public health; (\$5.6 million for tobacco control measures) and is on its way to the State House for approval. He said this was a positive step in improving all public health efforts both regionally and locally.

**8. STAFF REPORTS**

PHD Rask announced that the Town of Concord along with the towns of Carlisle, Lincoln, Sudbury, Bedford and Wayland received a Community Regional Health Services Grant in the amount of \$300,000 for environmental, public health inspector and nursing services. Sudbury Public Health Director Bill Murphy is the lead on the grant and will be coordinating efforts.

**9. REORGANIZATION OF THE BOARD**

Administrative Assistant Karen Byrne advised the Board that it was customary to elect a new Chairperson in either April or May (before or after Annual Town Meeting). Historically the Board of Health rotates the chairperson’s role so that each member serves twice during a member’s tenure and it routinely coincides with a Board member fulfilling his/her first year or in some cases, term on the Board.

The Board of Health is a five-member Board appointed by the Town Manager with staggered three-year terms (2 terms max). Due to the broad scope of issues the Board of Health routinely deals with membership has traditionally been made up of residents with specialized expertise including but not limited to medical, legal, nursing and engineering. Over the past few years that skillset has expanded to familiarity with public health policy and social services backgrounds. The goal has always been to have a diverse Board with interest to serve the Town by bringing expert knowledge in member’s respective fields while achieving a well-balanced approach in public health issues.

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<sup>5</sup> Report submitted by Tobacco Compliance Staff

Although there are no official rules stating that each member should serve as Chair during his/her term by doing so individual members have an opportunity to attend the BOS Monthly Chair Breakfast meetings which are geared towards information sharing with various Town Boards and Committees as well as a chance to perhaps glean another perspective as a member while running the meeting and/or being the lead on specific topics the Board may tackle.

Ms. Byrne stated that due to the extenuating circumstances of 2020, Dr. Greene agreed to continue her chairmanship through the height of the Covid-19 pandemic to which she has done brilliantly – but, she wants to step down and therefore, another member must serve. Both Jill Block and Mark Haddad have been appointed for a 2<sup>nd</sup> term.

Board members applauded and commended Dr. Greene for her steadiness and willingness to guide it, staff and the Town during these unprecedented times. PHD Rask stated that Dr. Greene's assistance early on to help with Covid-19 testing and coordinating efforts with different entities was priceless and she and her staff were immensely grateful. Dr. Greene thanked everyone for their commitment to public health and the Town during these hard times and said it was her pleasure to help.

Following a brief discussion, Mark Haddad made a motion to elect Jill Block as the next Chairman for the Board of Health. Dr. Greene seconded it. All VOTED in favor.

Ms. Byrne will notify the Town Manager's office of the change in chairmanship.

The meeting adjourned at approximately 8:30 p.m.

Signature Page  
Board of Health 7/20/21  
Minutes of the Meeting

Respectfully submitted by,

Karen M. Byrne, Administrative Assistant  
Concord Board of Health

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Dr. Deborah Greene, Chair

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Jill Block

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Mark Haddad, Esq.

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Raymond Considine