Dr. Wayne Saltsman called the Board of Health meeting to order at 7:00 pm followed by the Pledge of Allegiance.

Approval of Minutes

- April 10, 2018 Regular Meeting

Motion: Mr. McSweeney moved to approve the regular meeting minutes of the April 10, 2018 meeting as submitted. Seconded by Ms. Walendziewicz and approved. (4-0-0)

Citizen's Time: No one spoke.

Chairman's Report: None.

Subcommittee Reports: The Chairman stated that Subcommittee Reports will be held until the appropriate applications are discussed.

Applications

- Application for Site Plan Approval – Burlington Mall, 75 Middlesex Turnpike (former Sears Auto Center and Sears retail); Applicant – Burlington S&S, LLC & Bellwether Properties of MA

Connor Nagle, VHB, Site Engineer, Chuck Schneider, Director of Engineering, Simon Property Group & Attorney Mark Vaughn, Reimer and Braunstein Group were present
The plan consists of the demolition of the former Sears Tire and Battery Auto Center and replacement with a 35,000 square foot building. The building will be comprised of retail and restaurants space. In addition, the first floor of the former Sears Retail Space will be reconfigured and outside improvements will be completed along the entrances of the former Sears Retail store.
Connor Nagle (VHB), Site Engineer, gave an overview of the stormwater improvements. There will be catch basins with deep sump hoods that will go to two infiltration systems. There is no requirement for infiltration due to an increase of 5800 sq feet of green space, however, they are utilizing stormwater best management practices. The second phase of the project will include improved sidewalks and installation of patios conducive to an urban design.

Mr. Schneider inquired about whether or not conditions 13 and 14 were in conflict with each other. Ms. Mathis confirmed it is not a conflict and they must provide proper notice and follow DEP policy to dispose/recycle waste materials. Dr. Weiner stated that any fill brought onto the site must be determined to be clean fill.

Mr. Schneider requested a clarification on condition 24 and it was confirmed that both internal and external grease traps are required.

Dr. Weiner provided a Subcommittee Report and both BOH Subcommittee Members were in agreement. David McSweeney requested that condition #5 include “Prior to installation” before “the Board of Health requires an LSP opinion and analysis”.

A vapor barrier will be installed and the type of vapor barrier to be installed will be based on an LSP opinion that utilizes existing data. In addition, it is likely that new data will also need to be collected.

**Motion:** Dr. Weiner moved to approve Application for Site Plan Approval – Burlington Mall, 75 Middlesex Turnpike (former Sears Automotive and Sears Retail); Applicant – Burlington S&S, LLC & Bellwether Properties of MA. Seconded by Mr. McSweeney and approved. (4-0-0)

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**Application for Site Plan Approval – 181 Cambridge Street; Applicant – Mammoth Acquisition Company, LLC**

Mr. Coffman, Mammoth Acquisition Company, William Proia, Esq., Riemer & Braunstein LLP, Carlton Quinn, Alan & Major, Civil Engineer, Frank Liley, LSP, Golder Associates were present

Dr. Weiner provided a Subcommittee Report. Ms. Mathis stated that the site is currently occupied by Gulf Gas Station and the applicant would like to build a 16,000 square foot Urgent Care Medical facility building. Mr. Proia stated they are limited with the stormwater treatment due to the downgradient status of the property. There is a closed drainage system. Dr. Weiner stated that the contamination is due to a historical release.

**Motion:** Mr. McSweeney moved to approve Application for Site Plan Approval – 181 Cambridge Street Mammoth Acquisition Company, LLC. Seconded by Ms. Walendziewicz and approved. (4-0-0)
Permits

- **Irrigation Well, 53 Fairfax Street**
  Tom Odgen, T.J. Ogden Co., Inc. and David Hanafin, resident were present.
The resident would like BOH to issue a permit for the installation of an irrigation well at 53 Fairfax Street.
The applicant has agreed to the BOH conditions. The applicant stated they are aware that the town water ban regulation will apply.

**Motion:** Ms. Walendziewicz moved to approve Irrigation Well permit for 53 Fairfax Street. Seconded by Dr. Weiner and approved. (4-0-0)

Discussion

- **11 Central Avenue, Kennel License Recommendation**
  James Narkewich, resident of 11 Central Avenue, was present. Ms. Lumenello stated that the resident would like to get a kennel license to house 4 or more dogs. An inspection was done April 18th. The license will be for three medium sized and one large sized dog. The Director of Public Health recommended that the Board provide a favorable recommendation to the Town Clerk. The Animal Control Officer will provide a favorable recommendation.

**Motion:** Mr. McSweeney moved to approve the recommendation for 11 Central Avenue, Kennel License. Seconded by Ms. Walendziewicz and approved. (4-0-0)

Staff Reports

- **Environmental Engineer**
  *All* hazardous materials have been removed from the Sears Auto Center and retail store. Dr. Saltsman asked what “recognized environmental conditions” means when hazardous materials have been removed. Ms. Mathis explained that recognized environmental conditions (REC) are used to determine if a Phase I site assessment is needed and whether or not the site will need to be further investigated. There were 497 cars at the April 21 Household Hazardous Event and the “no latex paint” policy was fully enforced.

Dr. Weiner asked if anyone was injured during the small spill at the Vinebrook Treatment plant. Ms. Mathis stated that a plant operator used the emergency shower to wash off the spill and was not injured.

**Motion:** Ms. Walendziewicz moved to approve Environmental Engineer’s Report. Seconded by Dr. Weiner and approved. (4-0-0)

- **Health Agent**
  As discussed at the last meeting, training was conducted on the new tobacco regulations. Samantha Hardy conducted the training. She made sure that ample notice was given to retailers, that they had the proper signage, and she answered questions. Tobacco compliance checks will be done in the next few months.

The Pool Operator’s Seminar was conducted in the 3rd week of April and 15 people attended representing 9 properties. Lifetime athletics opened May 8, 2018 and their food service, pools, and spas have been
permitted. They will also have a recreational camp that will start in mid to late June. Samantha Hardy will be trained on conducting recreational camp inspections.

Dr. Weiner commented that the Associate Health Inspector’s report was very well done.

**Motion:** Dr. Weiner moved to approve the Health Agent Report. Seconded by Ms. Walendziewicz and approved. (4-0-0)

### Director of Public Health

232 people attended the Health Fair with 45 exhibitors. 47% percent of the attendees came in the 1st hour. A survey will be sent to the exhibitors and attendees and the results will be provided at the next BOH meeting. Dr. Saltsman commented that there was a great mix of the community at the event. Next year it is likely that exhibitors will not share tables and the layout of the tables will change, Ms. Lumenello stated that social media was used to advertise the event both before and during the event.

Until Help Arrives took place a few weeks ago. Sylvia Musoke, the former BOH Nurse, conducted a module as well as Lt. Glen Mills from the Burlington Police, Michael Runyan, a Burlington Selectman and Firefighter, and Lt. Mark Saia from the Burlington Fire Department. There were 20 attendees and all attendees were given an “Until Help Arrives” kit.

Ms. Lumenello met with John Sanchez, DPW Superintendent and the owners of Cafe Escadrille and conducted an inspected at Cafe Escadrille which showed some grease build up in the manhole in the lawn and on the street. Ms. Lumenello and Dr. Weiner will meet with the Protein Matrix scientists on May 9, 2018. Dr. Saltsman would like the owners and the Protein Matrix scientists to appear before the BOH to discuss this matter. Ms. Lumenello stated that the Cafe Escadrille owners were not sure as to how they would like to proceed (whether or not they want to continue with the variance). The owners of 26 Ray Avenue have reported that they are seeing more frequent back ups and the DPW has had to increase their cleaning schedule of the lines along Ray Avenue to every 2 weeks. If the owners decide that they want to continue with the variance, then they will come to the May 22 BOH meeting.

Dr. Weiner commended Andy Rittenberg for representing the community at the Preparedness Conference.

Dr. Weiner asked for an update on microblading. Ms. Lumenello stated that the MA Board of Cosmetology does not consider microblading as a form of cosmetology, therefore, it is up to individual Boards of Health to determine if microblading would fall under the definition of tattooing. The BOH regulations define permanent cosmetics as a form of tattooing, therefore a permit from the BOH would be needed for microblading. After consultation with the Building Department, it was determined that microblading would need to be conducted in an area zoned for tattooing.

**Motion:** Mr. Walendziewicz moved to approve Director of Public Health Report. Seconded by Dr. Weiner and approved. (4-0-0)

**Adjourn**
**Motion:** Dr. Saltsman moved to adjourn at 8:05pm. Seconded by Mr. McSweeney and approved. (4-0-0)

Respectfully Submitted,

Manisha Parwani  
Recording Clerk
BURLINGTON, MA BOARD OF HEALTH

DOCUMENTS REVIEWED AT MEETING – TUESDAY, MAY 8, 2018

Agenda
Minutes:  April 10, 2018 Regular meeting
Applications:
Application for Site Plan Approval – Burlington Mall, 75 Middlesex Turnpike (former Sears automotive and Sears retail); Applicant – Burlington S&S, LLC & Bellwether Properties of MA
Application for Site Plan Approval – 181 Cambridge Street; Applicant – Mammoth Acquisition Company, LLC
Permits: Well Installation Permit Application – Irrigation Well 53 Fairfax Street
Discussion: 11 Central Avenue, Kennel License Recommendation
Staff Reports: Environmental Engineer’s Report; Health Agent’s Report; Director of Public Health’s Report