



TOWN OF BURLINGTON, MA
BOARD OF HEALTH
MINUTES
TOWN HALL MAIN MEETING ROOM

TUESDAY, JANUARY 24, 2023

Board Members Present: Ed Weiner, PhD, Chairman; Gayle Damore; and Andrea Sheehan

Board Members Absent: David McSweeney, Vice Chairman; and Maribeth Welch

Staff Members Present: Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Michael Greene, Associate Health Director; and Christine Mathis, Environmental Engineer

I. Open Meeting/Pledge of Allegiance

Dr. Weiner called the Board of Health meeting to order at 7:00 PM.

The Pledge of Allegiance was recited.

II. Approval of Minutes:

MOTION: Ms. Sheehan made a motion to approve the Board of Health Minutes of November 22, 2022. The motion was seconded by Ms. Damore and voted 3-0-0.

III. Citizen's Time:

There were no citizen's coming forward.

IV. Chairman's Report:

Dr. Weiner stated that at tonight's meeting we will discuss topics, policies, and programs that will impact both this Board and the Town of Burlington for years to come. Since those agenda items may involve quite a bit of discussion time, I'm going to put off my comments and impart my report.

V. Applications:

Site Plan & Special Permit Applications, 15 Burlington Mall Road (aka 5 Burlington Woods Drive), Proposed Life Science Building Renovation and Life Science Use

Attorney Mark Vaughn from Riemer & Braunstein, Michael Manship from Vivo Architecture, Robin Dorogusker, Tony Ecker (attending remotely), and Brad Pennington (attending remotely) appeared for the application at 5 Burlington Woods Drive.



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Ms. Mathis stated that the proposal is to retrofit an existing building for life science uses. The modifications to the Site Plan include a loading dock, upgrades to stormwater, parking lot adjustments, and a slight decrease in impervious surface. It's my understanding that the stormwater system is a series of deep sumps which connect to an underground infiltration unit.

Mr. Vaughn stated that the building (located at 5 Burlington Woods Drive) is to the right of the Marriott Hotel and is about 105,000 square feet. We filed for the standard fare of Special Permits from the Planning Board that we would need for this particular reutilization of the building. The changes to the building will include a loading dock that would be in the corner of the building, filling some of that parking area to allow for the appropriate control rooms, landscaping improvements, and a reduction in parking because life science / laboratory tends to have less of a parking demand than traditional office. We don't have any issues with the proposed conditions to be sent to the Planning Board.

Mr. Manship stated that the additions underneath the existing footprint are to provide space for the necessary pH rooms, control rooms, and various utility rooms for life science usage.

Dr. Weiner asked if they have any tenants. Mr. Manship replied no.

Ms. Mathis stated that one of the proposed conditions that you'll be voting on is that when tenants are identified they need to come before the Board and get a Biological Safety Permit if applicable. At some point prior to construction, when plans are more hashed out, the applicant needs to come back and provide additional details regarding the treatment and management of wastewater in the centralized pH system, the management of chemical / hazardous waste storage, and on-site security measures.

Ms. Lumenello reminded the applicant that we recently changed our regulations and so it is now a requirement for property owners to notify the Board of Health 30 days prior to a tenant taking occupancy if they're going to require a Biological Safety Permit from us.

Ms. Mathis added that the centralized pH system will have to file for hazardous materials above and beyond what the individual tenants file for, so that your tenants would be regulated for hazardous materials use and storage, as would whoever the owner or the owner's agent who will be managing the centralized pH system.

MOTION: Ms. Sheehan made a motion to approve the listed conditions for the Site Plan & Special Permit Application at 5 Burlington Woods Drive for Life Science Building Renovation and Life Science Use. The motion was seconded by Ms. Damore and voted 3-0-0.

VI. Discussion:

Community Public Health and Scientific Faculty (CPHSF)

Dr. Weiner stated that Ms. Lumenello, Mr. Greene, and myself have worked on this and we're at a point where we're willing to identify people that we'd like to have on this faculty. We are hoping that the scientific



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community, the elected community, and others within our community will also become part of this faculty. It's an experiment and something that the corporate world does. The only difference is that it's a volunteer faculty.

Mr. Greene stated that we do have an application and once the rest of the Board signs the cover letter that we put together, we will start sending it out to Public Health and scientific folks in the community. Hopefully, we can get some quality trainers and some good speakers together.

Ms. Damore stated that it's a great idea because we have a plethora of expertise within our own community, and they can help share knowledge on different topics when needed.

Ms. Lumenello stated the application will be posted on the Town website.

MOTION: Ms. Damore made a motion to approve the creation of the Community Public Health and Scientific Faculty (CPHSF). The motion was seconded by Ms. Sheehan and voted 3-0-0.

BOH Meeting Requirements

Dr. Weiner stated that because of the COVID-19 pandemic, we were mandated to make many changes to ensure that all services were maintained and keeping our town government to fully engaged to meet the needs of our community. Among these temporary changes was the utilization of new electronic advances that allowed for remote discussion hearings and meetings. This technology as we have seen is not perfect and has minimally met our needs. The technologies do not allow for non-verbal communication and participants at times, due to the remote technology, can be difficult to hear and sometimes poorly understood. In the best interest of the Town of Burlington, I'm proposing the following (since these mandated accommodations will end in March): all hearings will be live and available for BCAT viewing by all interested individuals (no change); citizen's time will be available for appropriate in-person or remote participation, however, it will be limited to a maximum of five minutes; all business requests, discussions, and hearings of the Board of Health will require individual in-person participation; and Board of Health members will be able to participate remotely if appropriate as approved by the Chairman (limited remote public comments may be acknowledged by the Chairman). These changes will support the primary role of the Board of Health to ensure community public health, wellness, safety, and quality of life for the Burlington community.

Ms. Sheehan asked if there was something being reviewed by Ms. Mathis or anybody else, are we still going to require those people to come in. Dr. Weiner replied yes.

Ms. Mathis asked if a large group appeared before the Board, could several participate in-person with others participating remotely. Dr. Weiner replied yes, but they better have somebody who can answer the question appropriately. If we have a non-scientific person here and an issue of biotech comes up, I think someone needs to be here that we can look at, because if someone is attending remotely, I can't tell if that person is who they say they are.



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MOTION: Ms. Sheehan made a motion to approve the changes to the Board of Health Meeting Requirements. The motion was seconded by Ms. Damore and voted 3-0-0.

FY24 BOH Budget

Ms. Lumenello stated that everything is level funded and the only thing that has gone up is salaries because of contractual obligations. The FY24 Budget is the same as the FY23 Budget with no changes at all. The staff is looking for grant opportunities, and other than the \$300,000 grant from DPH, we also received another \$100,000 in other grant opportunities. Some of these grants are going to continue from FY23 into FY24.

Dr. Weiner asked if we know when the subcommittee is yet. Ms. Lumenello replied no, the meeting before Ways & Means is March 15, 2023, and so the subcommittee will be before that. However, I haven't been contacted by them yet.

Dr. Weiner stated that I don't expect we'll have any problem at Town Meeting because everything is level funded.

MOTION: Ms. Damore made a motion to approve the FY24 Board of Health Budget. The motion was seconded by Ms. Sheehan and voted 3-0-0.

VII. Staff Reports:

Environmental Engineer

Ms. Mathis presented her report.

- Working on the Biological Safety Permit renewals with Mr. Greene

MOTION: Ms. Sheehan made a motion to approve the Environmental Engineer's report. The motion was seconded by Ms. Damore and voted 3-0-0.

Associate Director of Public Health

Mr. Greene presented his report.

- Biosafety Permit renewals – finding some are coming in with new protocols
 - ProtaGene, a biotech company, will be having two new protocols (one is very similar to an existing protocol that was approved)
- Viral Hemorrhagic Fever Contact monitoring was discontinued on January 11, 2023



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Dr. Weiner asked if we had a specific date picked out for the Health Fair. Mr. Greene replied that we are aiming for May 20, 2023.

MOTION: Ms. Sheehan made a motion to approve the Associate Director of Public Health's report. The motion was seconded by Ms. Damore and voted 3-0-0.

Director of Public Health

Ms. Lumenello presented her report (includes the Health Agent and Associate Health Inspector's reports).

- Completed a quarterly report (Q2)
- Received applications for part-time Administrative Assistant

Dr. Weiner asked if we are having a swimming pool seminar series. Ms. Lumenello replied yes, and Ms. Hardy is currently working on that.

Ms. Lumenello stated that Ms. Johnson received a \$5,000 grant for Retail Program Standards.

Ms. Lumenello stated that regulations for the housing code will be changing and so Ms. Hardy, Mr. Greene, and myself are going to be attending a training on the new regulations in April. Ms. Sheehan asked what the changes in the housing code are going to mean for Burlington residents. Ms. Lumenello replied that there are no significant changes, but the housing code affects people who are tenants. If a tenant has issues that need to be addressed and the landlord isn't fixing them, they would call the Board of Health, and we will come out and do an inspection. If it's covered under the regulations, then we would write an order letter to the landlord to have it fixed.

Ms. Lumenello stated that we're going to invite our Board, the Select Board, and the Town Administrations from each of the towns under the Shared Services Grant to the February 15, 2023 Kick Off Meeting at 3 PM. Mike Hugo from the Massachusetts Association of Health Boards was invited to do a short presentation on the grant. One of the requirements is that all the towns have to sign the inter-municipal agreement. The MAHB had given us a template and I made some changes. Once Town Counsel reviews the agreement, it needs to be signed by the Chairman of the Board of Health and Town Administrator from each town. I'm hoping that after the Kick Off Meeting we can get that agreement signed.

MOTION: Ms. Sheehan made a motion to approve the Director of Public Health's report (which included the Health Agent and Associate Health Inspector's reports). The motion was seconded by Ms. Damore and voted 3-0-0.

VIII. Adjourn:

MOTION: Ms. Damore made a motion to adjourn the Board of Health regular meeting at 7:45 PM. The motion was seconded by Ms. Sheehan and voted 3-0-0.



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*Respectfully Submitted by Eric Bergeron,
Recording Clerk*



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DOCUMENTS REVIEWED AT MEETING – TUESDAY, JANUARY 24, 2023

I. Open Meeting/Pledge of Allegiance/Agenda

II. Approval of Minutes: November 22, 2022 Board of Health Minutes

III. Citizen's Time: None

IV. Chairman's Report: None

V. Applications:

Site Plan & Special Permit Applications, 15 Burlington Mall Road (aka 5 Burlington Woods Drive), Proposed Life Science Building Renovation and Life Science Use

1/18/23 Ms. Mathis memo; 1/18/23 Security Plan; 12/19/22 Site Redevelopment Plan from Allen & Major Associates, Inc.; 12/19/22 Site Preparation & Erosion Control Plan from Allen & Major Associates, Inc.; 12/19/22 Layout & Materials Plan from Allen & Major Associates, Inc.; 12/19/22 Utilities Plan from Allen & Major Associates, Inc.; 12/27/22 Riemer & Braunstein memo; 12/27/22 Application for Approval of a Special Permit; 12/27/22 Application for Site Plan Approval; 1/18/23 Ms. Mathis appearance letter

VI. Discussion:

Community Public Health and Scientific Faculty (CPHSF)

Community Public Health and Scientific Faculty (CPHSF) Application

BOH Meeting Requirements

Burlington Board of Health Remote and In-Person Meeting Requirements from Dr. Weiner

FY24 BOH Budget

FY23 Budget Coversheet; 1/19/23 FY24 BOH Budget

VII. Staff Reports:

Environmental Engineer's Report, Associate Director of Public Health's Report, and Director of Public Health's Report (Includes Health Agent's Report, and Associate Health Inspector's Report)

VIII. Adjourn: None