

Town of Concord  
Board of Health

Minutes of the Meeting  
Wednesday, September 30, 2020

**1. OPEN MEETING**

Dr. Deborah Greene, Chairman opened the public meeting stating that it was being held on the Zoom platform in accordance with the Town's Policy Directive and Guidelines issued on April 1, 2020 as amended. She read a brief statement outlining meeting protocol and noted that the meeting was being recorded and would be available for later viewing on the Town's website. All Board votes will be taken via roll call and Dr. Deborah Greene conducted an attendance roll call.

Roll Call for Meeting: Dr. Deborah Greene, Chairman – present  
Jill Block, present  
Mark Haddad, present  
Alma Healey, present  
Raymond Considine, present

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

Audience: Jane Hotchkiss, Select Board Liaison; Mark Leidner, PE, Civil Design Group, LLC for Quarry North Road, LLC, 48Y Fitchburg Tnpk; Chris Claussen, Quarry North Road, LLC; Bill Henchy, Attorney for the Applicant, 48Y Fitchburg Tnpk.

**2. PUBLIC HEARING – DEFINITIVE SUBDIVISION**

The Board met with Mark Leidner, PE, Civil Design Group, LLC for the owner, Quarry North Road, LLC for a proposed Definitive Subdivision at 48Y Fitchburg Turnpike (PCL: 3419).

Background & Discussion

Public Health Director Susan Rask explained that this proposal to create a one lot subdivision was solely for the purpose of preserving frontage for approximately 15 acres of land that would otherwise become landlocked by the creation of the proposed project in Sudbury (lots 28.77). The proposed plan<sup>1</sup> prepared by Sullivan Connors and Associates dated August 21, 2020 will be presented to the Concord Planning Board on November 10, 2020. The plan meets all of the requirements of a standard Town of Concord Subdivision other than no building are being proposed, which means no soil testing for onsite sewage disposal and no proposed water – but, the road will be 22' feet wide; all storm water will be treated to Zone II (Groundwater Conservancy District) standards.

Board members inquired about the protection of Concord Conservation land that was up behind the area that the project was being considered. The applicant reiterated that at this time, the only reason it was before the

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Board was to create the one lot 15 acre subdivision to preserve frontage; at this time, Mr. Leidner said there were no plans to develop the Concord tract. When and if that were to occur down the line, all applicable Town rules and regulations would have to be adhered to as well as meeting with all appropriate boards and committee in order to move forward.

Following further discussion, Mark Haddad moved to APPROVE the proposed one lot Definitive Subdivision submitted by Quarry Road North, LLC located at 48 Y Fitchburg Turnpike; plans designed by Civil Design Group , LLC, dated August 21, 2020 revised September 4, 2020 with the following conditions:

1. All future onsite sewage disposal systems shall be designed, permitted and constructed in accordance with:
  - a. Title 5 of the State Environmental Code, 310 CMR 15.000, Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of onsite sewage treatment and Disposal Systems and for the Transport and Disposal of Septage, and
  - b. Concord Board of Health Regulation, Chapter 3.0 Wastewater Management
  - c. Sewage design flow will be restricted to 440 gallons per day (Zone II/GWCD)
2. The applicant must ensure that any future dwellings be connected to public water if it is made available. Any wells for domestic drinking water, irrigation purposes, or heat pump use, shall be designed, permitted and constructed in accordance with the Concord Board of Health Regulation, Minimum Standard for Private and Semi-Public Water Supply.
3. If any portion of this lot is deemed outside of the Groundwater Conservancy District, then site design to the extent feasible, locate any potential pollution sources, (such as onsite sewage disposal systems) outside of the District boundaries.
4. No underground fuel storage systems shall be installed without a variance granted by the Board of Health in accordance with Section 4 of the Underground Storage Tank Bylaw adopted by the April 1993 Town Meeting.
5. Tree stumps and wood wastes generated by land-clearing operations shall not be buried on site. (DEP's solid waste regulations 310 CMR 16.05(3) (d) and 310CMR 19.013 (1) (h) prohibit stump dumps on lots being developed by sale.

Mr. Considine seconded the motion. All VOTED in favor. Roll Call for the Vote (Block, Considine, Haddad, Healey, Greene – YES; Motion carried 5-0).

### **3. DISCUSSION – COVID-19 UPDATES**

Public Health Director Rask updated the Board on the first weeks of Concord Schools being opened and the protocols that were activated early on when a student tested positive at one of the Middle Schools. Ms. Rask said the protocols worked pretty well – they were notified on a Thursday night and by Friday all necessary parties were in quarantine and tested. The schools were cleaned and reopened on Monday.

Mark Haddad expressed his appreciation (as a parent of a middle school aged student) of the way that Dr. Laurie Hunter and the Public Health Director handled it and how information was disseminated to parents. Mr. Haddad felt that many parents were nervous of the unknown sending kids back to school, but that how it was handled with a positive case alleviated some fears.

Jill Block asked if there were different protocols used by the private and public schools as it related to relaying information. She stated that a friend's child is a student at The Fenn School and had reached out to Ms. Block (as a Board of Health member) expressing that information did not seem to be forthcoming from School Administration when it realized it had Covid-19 positive students. Dr. Greene interjected that her son was a student there and felt that parents of the 9<sup>th</sup> grade class affected were all notified very quickly and out of an abundance of caution the entire 9<sup>th</sup> grade class was in a 14 day quarantine. Dr. Green felt that the communication was excellent and was very impressed by it.

Dr. Greene took this opportunity to give a shout out and kudos to Public Health Nurse, Tricia McGean for her tireless efforts working, educating and basically organizing and managing the Covid-19 contract tracing and follow up. Her stamina is impressive and she has put countless hours into ensuring that the right thing is being done ~ she has done the Town of Concord proud.

Jill Block suggested that we work on getting the message out more strongly to groups and students that are participating in after school programs at the High School and/or sports teams that are able to participate to wear masks and social distance. Ms. Block was at the High School for another reason and she said it was clear that Covid-19 protocols were not being adhered to. Board members asked if it was after normal school hours when the infractions were observed; Ms. Block said it was clearly the golf team after a match and regardless, after hours is just as important in her opinion.

PHD Rask said that School Administration has been very open to feedback because they are trying to do the right thing and keep kids and its employees safe, so she will reach out and reiterate the Board's concerns.

Dr. Greene noted that several area schools (Sudbury/Natick) were going completely remote due to situations where groups of students were partying in the woods, etc. and rather than try to figure out who was in contact with whom – School Administrations took a hard line and closed the schools for remote learning only for the quarantine period. The ripple effect of poor choices by some can truly have an impact on the entire community.

#### **4. DISCUSSION – REORGANIZATION OF THE BOARD**

Dr. Greene asked Administrative Assistant Karen Byrne to review the summary of information she provided to Board members as it related to electing a new chairperson for the upcoming year.

##### Background

It is customary that the Board elect a new Chairperson in either April or May (before or after the meeting following the Annual Town Meeting). Historically, the Board of Health rotates the chairperson's role so that each member services twice during their tenure and it routinely coincides with a Board member fulfilling his/her first year on the Board. This year (2020) all Board members appointments were extended due to the delay in Town Meeting because of the Covid-19 Pandemic.

Ms. Byrne explained that although there were no official rules stating that each member of the Board should serve as Chairman during their term by doing so individual members have an opportunity to attend the Board of Selectmen Monthly Chair Breakfast Meetings which are geared toward 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 that the Board may tackle during the year.

In recent years, Board members have generously extended their respective role as Chair due to scheduling conflicts, inability to commit for a variety of reasons and/or delays in new members being appointed following the end of a term or resignation of a member. This year, Members may consider extending the Chairmanship (through the spring of 2021) for continuity purposes as the Town and the Health Division continues to work through the ever changing fluid situation of the Covid-19 Pandemic; but that it was obviously the Board's final decision.

Following a few minutes of discussion, consensus was that if she was willing to serve, continuing Dr. Greene's Chairmanship until the spring of 2021 was the preferred choice. Mark Haddad said that he could not really fathom another member steering the Board through the many layers of the pandemic. Mr. Haddad moved to nominate Dr. Deborah Greene to serve as Chairman for the Board of Health for another term through the spring of 2021. Ray Considine seconded it. All VOTED in favor. Roll Call for the Vote (Block, Considine, Haddad, Healey, Greene – YES; Motion carried 5-0).

## **5. BOARD CALENDAR & MINUTES**

The Board reviewed the calendar for upcoming meetings. The next regularly scheduled meeting is Tuesday, October 20, 2020 via the Zoom Platform.

The minutes from the August 18, 2020 minutes were reviewed and discussed. Dr. Greene moved to APPROVE the minutes as amended. Jill Block seconded it. All VOTED in favor. Roll Call for the Vote (Block, Considine, Haddad, Healey, Greene).

## **6. BOARD MEMBER REPORTS**

Jill Block noted that she had a direct line to the Finance Committee (her husband Wade Rubenstein was a member) and a question had been asked how much longer the Town anticipated holding meetings via the Zoom Platform. Jane Hotchkiss, BOS Select Board Liaison noted that she did not see this particular way to hold meetings (Zoom) ending any time quickly. She anticipated it would be in place for a while and it was a way that allowed for participation and adherence to the guidelines. Even if meetings were able to be held indoors – in Concord it was unlikely CDC and State Guidelines could be maintained for crowd size and social distancing.

## **7. STAFF REPORTS**

PHD Rask stated that last of the EEE/WNV Arbovirus reports had been submitted for the season and gratefully it was a very mild season (not what had originally been predicted) – it was a saving grace in a year of Covid-19.

Select Board member Ms. Hotchkiss asked the Public Health Director if she had any luck getting the contractors at the Symes Development on Main Street to follow Covid-19 guidelines and protocols. Ms. Rask said that the two additional times that she had gone to inspect, the crews were properly distanced and were wearing face coverings. Ms. Rask noted that both Health and Building Divisions were being called often by abutters and other interested parties stating numerous violations. Ms. Rask said both departments have been responding in a timely manner.

The meeting adjourned at approximately 8:15 p.m.

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Respectfully submitted by,

Karen M. O’Keefe – Byrne  
Administrative Assistant  
Concord Board of Health

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Dr. Deborah Greene

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Mark Haddad, Esq.

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Jill Block

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Alma Healey, RN

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Raymond Considine