



TOWN OF BURLINGTON, MA
BOARD OF HEALTH
MINUTES
Virtual Meeting - Cisco WebEx

TUESDAY, MAY 25, 2021

Board Members Present: Ed Weiner, PhD, Chairman; David McSweeney, Vice Chairman; and Dr. Wayne Saltsman, MD, PhD; and Andrea Sheehan

Board Members Absent: Maribeth Welch

Staff Members Present: Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Christine Mathis, Environmental Engineer; and Sarah Courtemanche, Board of Health Admin.

Dr. Weiner called the Board of Health meeting to order at 7:01 PM. This will be a remote meeting of the Burlington Board of Health.

Dr. Saltsman recited the Pledge of Allegiance.

Mr. McSweeney read a statement that due to the current State of Emergency for the COVID-19 virus the Governor has issued an Executive Order on March 12, 2020 authorizing remote meetings under M.G.L c. 30A, Section 20. This meeting is being held via Cisco WebEx as a virtual/electronic meeting. Residents can join the meeting via the WebEx meeting number or by the phone number published on the Town of Burlington website. Residences can also leave questions on the BCAT Facebook page or they can call the Board of Health office. All votes will be taken by a roll call vote.

Approval of Minutes: None

Citizen's Time: No one called in.

Chairman's Report:

Dr. Weiner stated that it has been over a year since we started remote meetings and preparing and chairing remote meetings is not easy and we are all in this together. We are slowly opening the Town back up and we will hopefully be meeting in person soon.

Applications:

Application for a Special Permit – 25 Network Drive, Nordblom Company

Application for a Minor Engineering Change – 15, 25, 35 and 45 Network Drive, Nordblom Company

Ms. Lumenello stated that we can discuss these two applications together but they will be voted on separately.



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Ms. Mathis stated that this proposal is for a new building that will hold office, lab, R&D and manufacturing for life science. This site was previously approved for an office building in 2014. The Minor Engineering Change will address changes in parking, walkways, drive aisles and storm water management improvements.

Attorney Robert Buckley from Riemer & Braunstein LLP, Todd Fremont-Smith from Nordblom Development, Frank DiPietro and Marissa Valentino from BSC Group, Rob Barbosa and Amy Foley from the Richard Group and Margaret Hanley, LSP appeared for the Special Permit and Minor Engineering Change on Network Drive. Mr. Fremont-Smith gave a presentation of the proposal. The proposed building will have two sides and will be separated by a fire wall. Once a tenant is selected, they will come back for a permit from the Board.

Ms. Foley presented the GMP specification sheet and added that this building will have a robust infrastructure.

Ms. Valentino stated that the building will be multi-level. There is a drop off on the westerly and easterly side of the site. They will add a new detention system for the roof runoff and also utilize the existing catch basins. They will be installing new utilities and there will be a slight decrease in impervious surface.

Ms. Hanley stated that on the Southeast side of Network Drive there is an area of uplands that were undeveloped. This was not cleared until 2001. The groundwater is 15' to 20' below the ground surface and proposed floor area. This area is not located within Zone II and there was no area of concern. This is up gradient of the VOC Plume area. Mr. DiPietro added that the drainage is a closed system.

Dr. Weiner asked if a vapor intrusion system would be added. Ms. Hanley replied it is not needed per the data but they will be adding it to the building as well as 6" of subgrade material. The Release Abatement Measure (RAM) is not required but the excavated soil is subject to the Mass DEP Similar Soil Policy Provision.

Ms. Lumenello asked if there would be one or two tenants in this building and will they have dedicated utilities including elevators. Mr. Fremont-Smith replied two and each side will have their own utilities and elevators including at least one passenger and one freight. Ms. Foley stated that elevators are not any different from that of an office building. The materials are contained and wrapped and there will most likely be a warehouse area on the lower level and there will be separate waste storage.

Dr. Saltsman stated that higher rent was mentioned a few times and the Board of Health is not interested in rent, we are here to make sure the community is safe.

Mr. McSweeney asked if there will be above ground retention basins. Mr. DiPietro stated that there will be catch basins but the impervious surfaces and parking has been reduced so the runoff will be reduced also. Mr. McSweeney asked if the building will have a basement or slab. Mr. Fremont-Smith replied it will be a slab on grade.

Dr. Weiner asked if the applicant had reviewed the 15 conditions. Mr. Fremont-Smith replied yes. Dr. Weiner stated that condition #6 should be modified so that according to the LSP, the applicant has agreed to put in a passive vapor barrier system. Ms. Lumenello stated that condition #6 will be changed to read "The



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applicant will install a passive vapor barrier system”. This will be on both the Special Permit and Minor Engineering Change.

There were no questions from the audience.

MOTION: Dr. Saltsman made a motion to approve the Special Permit for 25 Network Drive, Nordblom Company. The motion was seconded by Mr. McSweeney and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

MOTION: Dr. Saltsman made a motion to approve the Minor Engineering Change at 15, 25, 35, and 95 Network Drive, Nordblom Company. The motion was seconded by Ms. Sheehan and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Application for a Special Permit – 1 North Avenue, Desktop Metal, Inc.

Ms. Mathis stated that Desktop Metal is located on 63 Third Avenue and they are looking to move into 1 North Avenue. They are proposing using wood flour or sawdust to make 3-D wood products. They would be occupying two suites and these are separated from the other tenants by 8” thick concrete fire walls.

Holly Lynch and Kevin Li from Desktop Metal appeared for any questions.

Dr. Weiner asked if the applicant had seen and agreed to the conditions. Ms. Lynch replied yes to both.

There were no questions from the audience.

MOTION: Mr. McSweeney made a motion to approve the Special Permit for 1 North Avenue, Desktop Metal, Inc. The motion was seconded by Dr. Saltsman and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Application for a Special Permit and Site Plan – 59, 61 and 63 Middlesex Turnpike, Nouria Energy Corporation

Attorney Bill Proia from Riemer & Braunstein LLP, Luke DiStefano from Bohler Engineering, Kevin Trainor, LSP, Michael Durant and Tom Healy from Nouria Energy appeared for the Special Permits and Site Plan for 59-63 Middlesex Turnpike.

Ms. Mathis stated that the site currently houses a Shell station and convenience store. They are proposing to raze both structures and build a new gas station with new canopy, pumps, underground storage tanks and stormwater management improvements. They will also construct a new convenience store.

Mr. Trainor stated that there are historic contaminate release conditions and all have been closed out with a permanent solution. Most of these were surface spills by the pumps. There were some contaminants in the monitoring wells that were up gradient of this site so a downgradient status was added.

Mr. McSweeney asked if there is a substantial change in grade on this site, what are the improvements to the storm water management and what is the status of the current underground storage tanks. Ms. Mathis stated



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that the storage tanks are about 20 years old but are located in double walled containers. Mr. DiStefano stated that there is a gentle grade on the site but there is a steep drop to the brook in the back of the site. The stormwater management is a comprehensive plan to promote additional infiltration and pre-treatment on site.

Dr. Weiner asked with the proposed infiltration, what is the downgradient status. Mr. Trainor stated that the DPS levels are very low. Dr. Weiner asked if a vapor barrier will be installed since there are contaminants on site. Mr. Trainor stated that they will install a passive vapor barrier system. Dr. Weiner asked if the applicant has seen and agreed to the 16 conditions with the change to #3 that the Applicant will install a passive vapor barrier system. Attorney Proia replied yes to both.

MOTION: Mr. McSweeney made a motion to approve the Special Permit and Site Plan for 59, 61, and 63 Middlesex Turnpike, Nouria Energy Corporation with the 16 conditions including #3 as modified. The motion was seconded by Dr. Saltsman and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Permits:

Biological Safety Permit – 60 Blanchard Road, Translate Bio, Inc.

Robert Spielvogel and Wei He from Translate Bio, Inc., Christine Kressirer, Paul Paldino and Bob Fortier from Azzur appeared for the Biological Safety Permit.

Ms. Mathis stated that AMRI has a Bio Safety Permit using Translate Bio's intellectual property. This will be a second location for Translate Bio with Azzur at 60 Blanchard Road. When Azzur was approved, there was a condition that every proposed tenant receive approval from the Board of Health. This is their first tenant.

The Biological Safety Permit presentation was given by Ms. He, Mr. Spielvogel and Mr. Paldino. Mr. Paldino stated that Azzur will provide facility, maintenance, cleaning, warehouse and quality control. There will be extensive training including emergency and waste management and the entire site has access control. This will be a Bio-Level 1.

Ms. Mathis stated that we still need a finalized Health and Security Plan prior to occupancy.

Mr. McSweeney asked what the planned opening date was. Mr. Paldino replied they are hoping for July 1st.

Ms. Sheehan asked how the training is documented. Mr. Paulding stated that the training records are kept onsite and no badge is issued until the training is complete.

There were no questions from the audience.

MOTION: Dr. Saltsman made a motion to approve the Biological Safety Permit for 60 Blanchard Road, Translate Bio, and Inc. with the proposed conditions. The motion was seconded by Ms. Sheehan and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Discussion:



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● ***Remote Meeting Participation & Return to In-Person Meetings***

Ms. Lumenello stated that the State of Emergency will end June 15, 2021. The Governor has submitted legislation to extend the order for remote open meetings until September 1, 2021. The Town also has a policy for remote participation with criteria.

Dr. Saltsman stated that this is not new, this policy was established 2 years ago. Ms. Lumenello replied that was correct, the Select Board wanted each Board to vote on utilizing the policy. Dr. Weiner stated that we have been assured we have the technology to do this. Mr. McSweeney stated that there are some criteria including that there needs to be a quorum of the Board in person and that the remote person is clearly audible.

MOTION: Dr. Saltsman made a motion to adopt the Remote Meeting Participation Policy for the Board of Health. The motion was seconded by Mr. McSweeney and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Staff Reports

Environmental Engineer

Ms. Mathis presented her report and asked if there were any questions.

Mr. McSweeney asked if there was follow up on the Fox Hill sump pump issue. Ms. Mathis replied that this was a repeat offense. An order letter and fine were issued. Mr. McSweeney stated that there was also an issue with a paved driveway. Ms. Mathis stated that they paved their driveway over gravel that was used for runoff, so they are going to add a "t" to direct the water where it is not paved. Mr. McSweeney asked what Blow Blow Bar is. Ms. Mathis replied it is a haircut salon and she spoke at length to the owner to make sure she was following the proper protocols.

Dr. Saltsman stated that the Performing Arts at the High School has been devastated by COVID and asked if there are alternate venues available for performances. Ms. Mathis stated that they have already had events outdoors.

Dr. Weiner stated that the Household Hazardous Waste Day in the fall is scheduled for September 18th with all the same vendors.

MOTION: Dr. Saltsman moved to approve the Environmental Engineer's report. The motion was seconded by Dr. Saltsman and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Director of Public Health

Dr. Weiner stated that the Director's report will include the Health Agent, Supervisory Nurse and Associate Health Inspector's report.

Dr. Weiner asked if the AED machines were expired. Ms. Lumenello replied that the pads and batteries are checked and replaced as needed on a monthly basis but the machine does not expire.



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Ms. Lumenello presented her report:

- The Emergency Order will be lifted on June 15th. The COVID restrictions including masks are lifted on May 29th. Our positive COVID numbers are very low and the last positive case was a week ago. DESE has other standards that the schools need to follow.
- The Burlington vaccination rate is comparable to the State averages as of May 20th: Ages 12-19 Burlington is 31% and the State is 6%, Ages 20-29 Burlington is 50% and the State is 39%, Ages 30-49 Burlington is 55% and the State is 52%, Ages 50-64 Burlington is 67% and the State is 65%, Ages 65-74 Burlington is 81% and the State is 80% and Ages 75+ Burlington is 76% and the State is 79%.
- DEP has recently set the standard for PFAS to 20 parts/trillion but the EPA standards are 70 parts/trillion. The DEP required testing for all communities with their own water supply and in Burlington PFAS is 40 parts/trillion. We are above the DEP standards but below the EPA. People who are immune compromised or women who are pregnant or nursing should not drink the water and should go on the EPA website to see which bottled water is safe.

Dr. Weiner stated that the Board of Health does not test the water. The DPW under the direction of the Board of Selectmen makes, tests and certifies the water and we are still waiting on some of the test results. Ms. Lumenello stated that the Town is required to perform mitigation measures and they are working on it including installing a carbon system on Mill Pond and they have connected to the MWRA in Lexington. A letter will be sent to all residents explaining the situation. Ms. Mathis stated that the links to the DEP can be found on our website.

Mr. McSweeney asked how the partnership is with the DPW and asked why we are hearing about PFAS now. Ms. Lumenello stated that John Sanchez let her know what was going on before sending out the letter to residents. The communication is very good. Ms. Lumenello added that PFAS has been around for a long time and they only recently started testing for it. PFAS is an emerging contaminant that is used in a lot of things but they have only just started testing for it.

Dr. Weiner stated that he has been asked that the Board of Health appear on a float for the July 4th parade. Ms. Lumenello stated that she has not heard from anyone yet.

Dr. Weiner stated that Michael Murray will be giving us an update at the next meeting on Winnview I.

MOTION: Dr. Saltsman moved to approve the Director of Public Health report which included Supervisory Nurse, Health Agent and Associate Health Inspector's reports. The motion was seconded by Mr. McSweeney and unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)

Adjourn

MOTION: Dr. Saltsman moved to adjourn the Board of Health meeting at 9:28 PM. The motion was seconded by Ms. Sheehan unanimously approved. On a roll call vote, Mr. McSweeney, Dr. Saltsman, Ms. Sheehan and Dr. Weiner voted in favor. (4-0-0)



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*Respectfully Submitted by Dawn Cathcart,
Recording Clerk*



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DOCUMENTS REVIEWED AT MEETING – TUESDAY, MAY 25, 2021

Agenda

Approval of Minutes: None

Citizen's Time: None

Chairman's Report: None

Applications:

- *Application for a Special Permit – 25 Network Drive, Nordblom Company* – 5/25/21 Memo from C. Mathis, Environmental Overview Presentation, 4/7/21 Memo from Reimer & Braunstein, 4/6/21 Application for Special Permit
- *Application for a Minor Engineering Change – 15, 25, 35, and 45, Nordblom Company* – 5/4/21 Memo from Reimer & Braunstein, 5/4/21 Application for Minor Engineering Change
- *Application for a Special Permit – 1 North Avenue, Desktop Metal, Inc.* – 5/25/21 Memo from C. Mathis, Forust Presentation, 5/12/21 Memo from H. Lynch, 3/15/21 Application for Special Permit
- *Application for a Special Permit and Site Plan – 59, 61, and 63 Middlesex Turnpike, Nouria Energy Corporation* – 5/25/21 Memo from C. Mathis, Proposed Site Plan from Bohler Engineering, 4/6/21 Memo from Reimer & Braunstein, 4/5/21 Application for Special Permit and Site Plan

Permits:

- *Biological Safety Permit – 60 Blanchard Road, Translate Bio, Inc.* – 5/25/21 Memo from C. Mathis, BioSafety Meeting Presentation 5/26/21

Discussion:

- *Remote Meeting Participation & Return to In-Person Meetings* – 5/5/21 Email from B. McDonough, 8/12/19 Town of Burlington Remote Participation Policy

Staff Reports: Environmental Engineer's Report and Director of Public Health's Report (Includes Health Agent, Supervisory Nurse and Associate Health Inspector's reports)