



Needham Public Health Division



Board of Health Meeting Minutes DRAFT

Date: April 14, 2023

Location: Rosemary Public Services Administration Building – Charles River Room 500
Dedham Avenue, Needham MA 02492 & via Zoom

Members: Edward Cosgrove, PhD, Chair; Kathleen Ward Brown, ScD, Member; Member; Tejal K. Gandhi, MD, MPH, Member; Robert A. Partridge, MD, MPH, Member; Stephen Epstein, MD, MPP, Member

Staff Present: Timothy Muir McDonald, Director of Health, and Human Services; Tara Gurge; Ginnie Chacon-Lopez; Hanna Burnett, Diana Acosta; Carol Read; Julie McCarthy; Michael Lethin; Rebecca Hall; Lydia Cunningham; Cindi Melanson; Lynn Schoeff; and Karen Shannon.

Welcome & Public Comment Period

Dr. Cosgrove called the meeting to order at 9:00AM and initiated a roll call. Present were Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

According to Chapter 107 of the Acts of 2022, as an act relative to extending certain states of emergency accommodations, as passed by the General Court, and signed into law by Acting Governor Karyn Polito, on July 16 2022, revised Section 20 of Chapter 20, the Acts of 2021. In so doing, provided modifications to the Massachusetts Open Meeting Law, which allow for flexibility to hold remote only, and hybrid meetings, while preserving public access and, where appropriate, public participation. Currently, that additional flexibility will expire on March 31, 2025, unless additional legislative action occurs. As part of today's hybrid meeting, all votes will occur via a roll call.

Review of Minutes – (Feb. 16th, March 13th, March 17th)

Upon motion duly made by Dr. Gandhi, and seconded by Dr. Brown, it was voted to approve the minutes of February 16, 2023, as submitted. Motion passed: Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Gandhi, it was voted to approve the minutes of March 13, 2023, as submitted. Motion passed: Dr. Brown – Y, Dr. Partridge – A, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.



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Upon motion duly made by Dr. Gandhi, and seconded by Dr. Brown, it was voted to approve the minutes of March 17, 2023, as submitted. Motion passed: Dr. Brown – Y, Dr. Partridge – A, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

Needham Housing Authority Modernization & Redevelopment Initiative, Reg Foster, Chair of the Needham Housing Authority

Reg Foster, Chair of the Needham Housing Authority (NHA), gave a brief presentation on the NHA's goals and objectives for the redevelopment of Linden Chambers.

Dan Chen, BH+A Architect/Engineering Team, stated that one of his team's principal areas of experience is elderly, affordable housing. Linden Chambers currently contains 152 undersized studios, separated into two clusters. There are many shortcomings of this site as an elderly housing project, such as access. This is a State affordable housing property. As such, a one-bedroom unit is expected to increase in size to approximately 575-600 s.f. There are some wetland conditions on the site.

Mr. Chen displayed some conceptual ideas for the project. There should be approximately 86 parking spaces on site. Wetland buffers are delineated on the plans. The project will be phased, with an intention to replace all 152 existing studio units by bringing them up to modern standards, by increasing unit sizes and providing adequate amenities. New senior/disabled units are proposed to be built, with an exploration into family units. These would equate to approximately 80-100 new units. Barriers to access will be removed, ensuring that all 2+ story buildings have elevators. The design will fit into the Linden Chambers neighborhood and meet Needham's sustainability targets.

Mr. Chen stated that, in terms of Board of Health topics, he would like to discuss ambulance and EMT access to residents, elderly transportation locations on the site, and a community room to promote senior healthy eating and social support groups.

Mr. McDonald noted that the Public Health Division has received a number of housing complaints from Linden Chambers, due to building issues, so higher quality units would be an improvement.

Dr. Epstein stated that there are different issues to address between low income and elderly units. It will be important to determine how elderly residents will be able to move from one building to another, in order to access a community room for example. It will be very expensive to move toward an all-electric project. This may not be the most cost-effective proposal for residents.



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Dr. Brown stated that there can be issues with heat pumps for indoor air quality. There needs to be sufficient makeup air in these spaces. She would like to see as much green space as possible surrounding this area. Mr. Chen stated that the current site plan is around 0.7, when the minimum is approximately 0.5. A central green area will be sought if parking is found to be appropriate.

Dr. Gandhi asked if there will be ways for the population of these units to enjoy the outdoor space. Mr. Chen stated that courtyards for these kinds of projects are usually quite large. Dr. Gandhi asked about the challenges of this project. Dr. Chen stated that the height, shape, and style of these buildings may be a challenge.

Dr. Epstein noted that this project could be an opportunity to create a community kitchen to be used by the Traveling Meals program.

Dr. Partridge asked about EMT and ambulance access for residents. Mr. Chen stated that this will be considered in concert with fire access to the building. There may be access toward the rear of the building, while also minimizing non-pervious surfaces on the site.

Mr. McDonald asked if the team had considered making this a larger project, as there seems to be a growing need for this type of housing. Mr. Foster stated that the maximum number of units was determined to be approximately 300-330, but this would require more massive building in this residential neighborhood.

Board of Health Vote

Revise Article 11: Biosafety Regulations in Needham

Ms. McCarthy reviewed Section 11.3 – Needham Biosafety Committee with the Board. Also, for Section 11.5.6, Town Counsel suggested that certain educational institutions at BSL1, could be exempt from the regulations. Mr. McDonald noted that the Board previously stated that it would like all participants to register. The Board agreed with the language as presented.

Mr. McDonald noted that Dr. Gandhi asked about zoning and interplay with the Board of Health's regulations. The Board has the right to restrict certain levels of biological laboratory functioning throughout Needham. These regulations would require that BSL4 is off the table throughout Needham and BSL3 is off the table without a rigorous variance process. The Planning Board could technically allow the use of a BSL3 lab, but the operation could not occur without a permit to operate from the Board of Health. This would likely not be an imminent concern in Needham, as there are few BSL3 labs located throughout the State.

Dr. Brown recused herself from this item.



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Upon motion duly made by Dr. Epstein, and seconded by Dr. Gandhi, it was voted adopt Article 11: Biosafety Regulations with the proposed amendment to Section 11.3. Motion passed: Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

Update on Claxton Field and Environmental Testing Results

Mr. McDonald noted that the test results confirmed that remediation is needed on site. This will be the same remediation as originally considered. Remediation will move forward at this time. The field can be used, according to DEP, before the geotechnical membrane and additional fill are placed. Additional tests on the perimeter of the site were requested.

Accessory Dwelling Units – Board of Health Policy Position

Mr. McDonald stated that the Council on Aging issued its in support of this policy. A letter stating the Board's policy position has been drafted with certain changes recommended. The Public Health Division and the Board previously disagreed with the definition of the word "family," as presented in the policy. The suggestion is not to define "family." The Town's bylaw has limits on the length of rentals.

Dr. Epstein stated that the original idea for this policy has to allow seniors to age in place. This was to allow seniors to remain as independent as possible, for health reasons. If the ADU is being suggested due to financial reasons, this becomes a slippery slope. This may be a concern to address at Town Meeting.

Upon motion duly made by Dr. Gandhi, and seconded by Dr. Brown, it was voted to support the Board of Health's policy position letter. Motion passed: Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

Comprehensive Food Safety - Informing the Public

Ms. Gurge presented a project of Ecom Lu's, a Certificate of Excellence Restaurant Grading initiative, along with the finalized draft of the grading document. This is a food safety grading system which will be shared only with the restaurants. Restaurant performance will be measured against the Food Safety Standards, allowing staff to pinpoint violations. If establishments meet the requirements, receiving a 90 or above grade, they will receive a Certificate of Excellence to post in their front window. This is to incentivize restaurants to be more proactive on their food safety protocols. The certificate would last until the next routine inspection.

Dr. Epstein suggested that the level of inspection excellence be maintained over a certain period of time in order to receive a certificate.



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Dr. Gandhi suggested monitoring those businesses that have English as a second language. Ms. Gurge agreed that education will be a main component and a pilot program will be undertaken first. The program will not begin until feedback is received. Ms. Gurge noted that the information about which restaurants have received certificates will be posted on the Public Health website, so that the public can be informed.

Dr. Partridge suggested this be named the Needham Food Safety Excellence Program.

Town of Needham General By-law Banning Most Single-Use Plastic Bags with Green Needham

Green Needham Volunteers Kathy Raiz and Rob Fernandez presented to the Board. Mr. Fernandez explained that this will be presented through a citizens petition to be voted on at Town Meeting in May. The proposal is to remove plastic shopping bags which can be distributed by retailers and restaurant in Town. Ms. Raiz stated that this will eliminate both thick and thin plastic bags from all retailers, no matter the size.

Dr. Epstein displayed a reusable bag and asked if it qualifies. Ms. Raiz stated that reusable bags would not be eliminated. Dr. Epstein stated that many reusable bags are made of plastic, and some have hard plastic inserts. Ms. Raiz stated that reusable bags with stitching are generally made out of polypropylene and would be acceptable.

It was noted that the Board is being asked to enforce this item. Mr. McDonald suggested that this be completed through complaint-driven enforcement. This bylaw would not begin until January 1, 2024, if adopted at Town Meeting.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted to endorse the draft bylaw, assuming it will be amended as discussed. Motion passed: Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove - Y, and Dr. Epstein – Y.

Staff Reports & COVID Update

The Board agreed to review the staff reports by question only, due to lack of time.

Dr. Cosgrove asked if the Board has the authority to end the Rice Barn issue at this time. Ms. Gurge stated that she believes this is appropriate at this time. Staff has not seen any improvements completed at this time. The Board agreed to address this at its next meeting.

Brief Updates

- **SAPHE Working Group**



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Mr. McDonald noted that the Chair of the Board is invited to the SAPHE working group. If there is a change in Chair during reorganization, the Board should decide if it wants Dr. Cosgrove to continue attending these meetings.

- **May 2023 Town Meeting, and Opioid Stabilization Fund, Town Meeting Warrant Article**

Mr. McDonald noted that funds from this will go into an account, but Town Meeting approval will be needed to move money out of the account. A community engagement process will begin in June to create a five-year spending plan.

- **Board of Health Letter to Select Board about Alcohol Licenses**

The Board discussed the alcohol regulations. Mr. McDonald noted that an alcohol compliance check was run on Wednesday and there were only two failures, decreased from the 11 found in December. The two failures were repeat failures. Town Counsel has stated that there are no number of failures that can result in revocation, per the ABCC's rules. Dr. Epstein stated that enforcement needs to be considered differently.

Board of Health Re-Organization

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted that Dr. Gandhi become the Chair of the Board of Health, and Dr. Brown become the Vice Chair of the Board of Health. Motion passed: Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove – Y, and Dr. Epstein – Y.

Upcoming BOH Meetings

- **May 12th from 9:00 – 11:00 a.m. at TBD. at Public Services Administration Building (PSAB)**
- **June 9th from 9:00 – 11:00 a.m. at TBD . at Public Services Administration Building (PSAB)**
- **July 14th from 9:00 – 11:00 a.m. at TBD . at Public Services Administration Building (PSAB)**

Adjournment

Upon motion duly made by Dr. Brown, and seconded by Dr. Gandhi, it was voted to adjourn the meeting Dr. Brown – Y, Dr. Partridge – Y, Dr. Gandhi – Y, Dr. Cosgrove – Y, and Dr. Epstein – Y. Motion passed 5-0.

The meeting was adjourned at 10:58AM.



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Attachment:
April 14, 2023 meeting packet