

Wellesley Board of Health
Remote Meeting via Zoom
Meeting Minutes
March 17, 2022, 10:00 AM

Present:

Board:

Shepard Cohen, MPA, Chair
Marcia Testa Simonson, MPH, PhD, Vice Chair
Linda Oliver Grape, PA-C, MPH, Secretary

Staff:

Deadra Doku-Gardner, MS, Administrator
Leonard Izzo, MS, RS, CHO, Director
Cheryl Lefman, MA, Community Health Coordinator
Ann Marie McCauley, Public Health Nursing Supervisor
Joyce Saret, Senior Community Social Worker
Vivian Zeng, REHS, RS, CP-FS, Senior Environmental Health Specialist

In attendance:

Walter Chen, Resident
Harry Coxall, Resident
Zachary Coxall – Resident
Dennis Deschino, Property Manager, Washington St.
Shira Doron, MD, Resident
Laura Grossman, Resident
Mark Hiayat, Manager, Blue Moon
Corain McGinn, Attorney representing Blue Moon
Kitty Huang, Jin's Restaurant
Beth Sullivan Woods, Select Board
DJ Wilson, Tobacco Control Director, Massachusetts Municipal Association
Shine Zhen, Resident

Note: Additional unidentified callers were present

The meeting was called to order at 10:03 a.m.

The Board of Health approved the meeting minutes dated March 3, 2022.

Chair report

Shepard Cohen reported that he attended the Wellesley Club Town Affairs meeting that took place on March 14, 2022. Both he and Linda Oliver Grape attended.

Mr. Cohen reported that a Human Relations Services contract discussion will be taking place in the next week.

Director report

Leonard Izzo provided an overview of recent COVID related activity. Mr. Izzo noted that he has been in contact with the Department of Public Works (DPW) regarding COVID wastewater testing. Additional information will be provided as it becomes available.

Linda Oliver Grape inquired as to Wellesley College's water and wastewater. Leonard Izzo reported that the college has their own water system although they do receive some water from the town wells. The sewerage goes thru the Massachusetts Water Resources Authority (MWRA)

Mr. Izzo reported that he will be attending the Human Resource Board meeting scheduled for March 22, 22 at 7p.m. to discuss the salary range for the Health Communication Specialist position. Mr. Izzo has a likely candidate for the position.

1. Community Health

a) COVID update

Ann Marie McCauley reported on positive COVID cases over the last two weeks beginning February 27th thru March 12th- the numbers are down to 1.4% positivity. Ms. McCauley reported that that this is the lowest positivity rate that there has been to date. She reported that most of the cases in town continue to be coming in from the colleges. Ms. McCauley noted that the cases reported are only from those who have had a positive PCR test. Home tests are not reportable.

Ms. McCauley reported that she has scheduled three COVID vaccination three clinics in the coming months. Links are available on-line to sign up. Anyone interested in a vaccine is welcome to come.

d) Private Schools and Colleges

Ann Marie McCauley reported that both Babson and Wellesley College are doing surveillance testing. Babson is coming back from spring break and an

increase in cases is expected. Mr. Izzo reported that there still has been no reported of any severe cases coming out of the colleges.

e) Mental Health

Joyce Saret reported on the successful “Grab and Go” food programs as well as the climate change program.

2. Environmental Health

a) Housing

Leonard Izzo reported that a housing issue came in last night. He noted that we continue to have a few active housing cases.

b) Camp Seminar

Leonard Izzo reported that a camp orientation program was held on-line yesterday (Zoom).

c) Body Art

Vivian Zeng reported that there are two potential body art applicants. Additional information will be provided as it becomes available.

d) Food Establishment

Vivian Zeng reported that there are close to a dozen new food establishment coming to town, some replacing those that closed over the last two years. Ms. Zeng reported that Truly Yogurt has purchased a building and will be moving and expanding.

b) Tobacco Variance Request - BLUE MOON

Leonard Izzo provided a summary of the variance request for a Board of Health variance. Mr. Izzo reported that Blue Moon locations sell smoking and vaping supplies and had intended to open a new location at the vacant storefront of a former convenience store at 9 Washington St. The initial application was submitted in December 2021 and was denied as the location would be located within 500 feet of another tobacco-license holder. Mr. Izzo elaborated on the Town of Wellesley Tobacco regulations updated last year to include a requirement that no tobacco retailer can open within 500 feet of another tobacco retailer. Marcia Testa Simonson

reported that the regulation was passed in May 2021 for a reason and the rationale was that the community did not want a cluster of businesses like this. The board deliberated on this last May.

DJ Wilson provided additional information reporting that the Wellesley regulation does not provide for a variance. He also noted that the town specifies not more than ten tobacco permits in the community at a time. And no location can be an adult only retail store. In addition, Vivian Zeng reviewed the business model intended for Wellesley (no vaping products, no flavored products).

Attorney McGinn reported that he represents the owner and manager of the Blue Moon location. The owner has been operating for ten years and the locations have never had a violation. All employees receive one to two weeks of training and protocols are required. Everyone 30 or under is asked for identification. No flavor tobacco will be sold and only nicotine products, no liquid products. Mr. McGinn elaborated that the retail location is a destination for tobacco, glass wear and quality retail products. Attorney McGinn noted that this is “not a dingy location”.

Both residents and business owners were given an opportunity to speak. Those who spoke were in opposition of the retail location as a neighbor for a variety of reasons. Shepard Cohen reported that the only issue to be addressed by the Board of Health is the issue of the distance between the proposed shop and the tobacco retailer, which is within 500 feet and the other retailer. Mr. Cohen clarified that the Board of Health does not have the option to grant a variance

Linda Oliver Grape reported that she had the opportunity to visit locations over the past weekend. She noted that she did not like the language of the music being played in the stores and did not feel it appropriate. She did find the locations clean and orderly.

Marcia Testa Simonson suggested that the owner seek another place in Wellesley where a tobacco permit can go. This Washington Street location is not the only location in Wellesley. Leonard Izzo noted that they can go elsewhere so long as it adheres to the 500-foot rule as well as the restriction on the school/ educational institution restriction.

The Board of Health unanimously voted to deny a variance request based on 10c of Chapter 18 of the Wellesley Board of Health regulations. All three members voted no to grant a variance request.

d) Office Space

Leonard Izzo reported that the Select Board, Recreation Board and Board of Health will be meeting to discuss office space issues.

The Board of Health adjourned to executive session for review of contracts and to discuss human resources issues.

The meeting was adjourned at 11 a.m.

The next Board of Health meeting will be announced.

Respectfully submitted,

Deadra Doku Gardner, Administrator