

**Harvard Board of Health Meeting Minutes**  
**Town Hall, Main Meeting Room**  
**Tuesday, September 24, 2019**  
**Approved: October 8, 2019**

*Board of Health Members present:* Libby Levison; Tom Philippou, Chair.

*Attending:* Alison Flynn, Board of Health (“BOH”) Clerk; Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Jane Tompsen, 23 Lovers Lane; Jamie Schwadel and Ashley Owens, 166 Littleton Road; Bob Kody, Envision Homes.

Mr. Philippou called the meeting to order at 7:02 p.m.

**PUBLIC COMMENT-** None.

**NEW BUSINESS**

a. 23 Lovers Lane: Continuation of hearing for the Fitness of Human Habitation (7:05 p.m.)- Ms. Tompsen explained that she has been addressing significant health problems for the last six months which have kept her from accomplishing all that she would have liked. She provided the Board with a summary document, dated September 24, 2019, which describes her current efforts to address the property’s conditions. She indicated that her biggest challenge is to follow-through to secure the building before winter, and to continue to empty things out. Ms. Tompsen confirmed that she is considering selling the property, as she has had multiple inquiries and is unsure that she has the stamina to follow-through with all that is required to avoid condemnation. Mr. Grossman noted that he observed significant improvements in the landscaping including mowing and tree and shrub removal that will ensure rotting does not continue. He also indicated that the garage door continues to be down and the entrance doors appear to be secure. Mr. Grossman and Ms. Tompsen agreed that the vast majority of the items in the breezeway have been cleared out. Ms. Tompsen stated that her brother, Dave Tompsen, and contractor Jeff Powers, plan to repair gaps to ensure animals and rain cannot get in. She estimated that work would be done by mid- to late-October. Mr. Philippou made a motion to continue the condemnation hearing until November 12<sup>th</sup>, with a tentative time of 3 p.m.; Ms. Levison seconded. The members requested Ms. Tompsen provide e-mailed updates to the BOH on October 7<sup>th</sup>, October 21<sup>st</sup>, and November 11<sup>th</sup>; she agreed. All were in favor of continuing the hearing until November 12<sup>th</sup>.

b. 166 Littleton Road: Discussion regarding camper/trailer- Jamie Schwadel and Ashley Owens presented a request to keep a trailer on the property while renovations are being done, and asked whether an application for temporary housing would be appropriate. Ms. Schwadel explained that the primary purpose of the trailer is to have a conditioned space in which to meet with the contractors, have something to eat, and use a bathroom, but they would like to also be able to stay in the trailer during construction if the BOH approves. They explained that the trailer includes 1.5 baths, including a half bath with a private outside entrance which contractors can use without entering the living space. An invoice and receipt from RM Ratta for pumping the trailer holding tank was provided. Mr. Grossman explained that approval of temporary housing would require tie-in to the septic system and a potable water supply that would not freeze in colder months. Ms. Schwadel and Ms. Owens indicated that septic installer, Ryan Smith, was aware of the concerns and would be starting the install next week. At Mr.

Grossman's suggestion, they agreed to move the trailer to connect more easily to the septic tank and water line. The BOH members stated the trailer was allowed to be used as a construction trailer pending application and issuance of a building permit for temporary housing when the septic and water are tied in.

c. 47 Sherry Road: Consideration of bedroom deed restriction- Bob Kody with Envision Homes presented the building plans and a proposed four-bedroom deed restriction for the BOH's consideration. Mr. Kody explained that the property owners hold a permit for a four-bedroom septic system and the building plans currently have a 10-room count, including a finished playroom and exercise room in the basement that may or may not be complete at this time. After considering the plans, Ms. Levison made the motion to accept the forthcoming four-bedroom deed restriction; Mr. Philippou seconded. No further discussion as needed. All were in favor.

d. Report from All Boards Meeting (9/18/19)- Mr. Philippou reported on his attendance at the All Boards Meeting. He indicated that the upcoming budget process would be essentially the same as the prior year, with the exception of earlier response dates. A schedule of dates would be received in the next couple of weeks. He also reported that when asked about what issues the BOH would be focusing on in the upcoming year, he indicated mosquitoes and PFAS were of particular concern.

e. Clerk and Health Agent Update-

- Ms. Flynn presented invoices received from D'Boss and Sons for work completed at 8 Willow Road in compliance with the CSMP loan, as well as the Nashoba Associated Boards of Health for the 2<sup>nd</sup> Quarter. Ms. Levison made the motion to approve the invoice of D'Boss and Sons for payment pending issuance of the Certificate of Compliance; Mr. Philippou seconded. All were in favor. Ms. Levison made the motion to approve the 2<sup>nd</sup> Quarter invoice of NABH; Mr. Philippou seconded. All were in favor.
- Ms. Flynn advised that Mr. Bragan forwarded the draft marijuana sales regulation to Town Counsel on September 19, 2019.
- Ms. Flynn shared the e-mail received from Finance Director, Lori Bolasevich, inquiring whether the Town can rescind unused funds in the Community Septic Management Program. The members requested Ms. Bolasevich be invited to the next meeting for an in-depth discussion.

## **OLD BUSINESS**

a. Discussion re scheduling an extra meeting for long range planning- Mr. Philippou and Ms. Levison agreed a separate meeting is not necessary at this time. Mr. Philippou suggested a long-range plan might include continued updating of the trash hauler regulations as recycling processes evolve. Ms. Levison suggested the BOH continue to consider the best methods of communication with the Town.

b. Prepare comments to the Rural Life Preservation Special Permit bylaw- The proposed by law was reviewed and comments were prepared. Ms. Flynn will prepare a memo to the Planning Board reflecting the same. Ms. Levison hopes to further review the bylaw prior to the Planning Board's September 30<sup>th</sup> meeting, and will send any additional comments directly to Ms. Allard and Mr. Ryan.

c. Update re EEE risk assessment and messaging- The BOH members considered the current risk assessment and messaging, and agreed that no revision to messaging is needed at this time. Ms. Flynn advised that Mr. Bragan would like to be included as a recipient to the HHAN alerts. Mr. Grossman suggested Mr. Bragan e-mail the HHAN communication coordinator directly. Ms. Flynn will provide him with the e-mail for the same.

d. PFAS update- The BOH discussed the e-mailed communication from the Army received on 9/23/19 which stated letters to 196 private well owners in Harvard would be mailed out at the end of the week. Ms. Levison advised that she learned of free seminars held by the BU School of Environment Health on PFAS every other Friday from 12:45- 1:45 p.m. She expected to receive additional information on the seminars to share with the BOH members. Ms. Levison also asked that a future agenda item include a summary by Mr. Grossman of the environment and fire history of properties in the Ayer Road area

e. Consider revisions to Article III: Private Wells- The members agreed to table this discussion to a future meeting when all members are present.

f. Continued discussion regarding emergency preparedness meeting- Ms. Levison reported that the Open House will be held on Saturday, October 5<sup>th</sup>, between 10 a.m. and 1 pm. The Open House will include information tables, snacks, and activities for kids set up by the COA and emergency services groups. Ms. Levison indicated she will attend and provide BOH handouts at an information table.

g. Discussion of FY20 budget feedback- The members agreed to table this discussion to a future meeting when all members are present.

h. Update from Deer Management Committee (Meeting 9/12/19)- Mr. Philippou reported on his attendance at the meeting of September 12<sup>th</sup> which included a PowerPoint presentation to the Conservation Commission of the next steps to be taken. He indicated that the presentation emphasized that if hunting is to be allowed, safety is a priority.

i. Update from the Transfer Station Committee- Mr. Philippou reported that an update was not necessary.

j. Update regarding trash hauler regulation enforcement and RDP points- Ms. Levison agreed to provide Mr. Philippou with the RDP point chart to assist in his contact with Mr. Kilhart.

k. Review action items- Action items from the last meeting were reviewed.

## **PERMITS**

Septic permits were issued for each of the following:

- 262 Ayer Road- A permit for a new system was issued.
- 11 Partridge Hill Road- A permit for the replacement of the d-box was issued.

## **APPROVAL OF MINUTES-**

Ms. Levison made the motion to approve the minutes of 9/10/19 as amended; Mr. Philippou seconded.

**ITEMS FOR THE NEXT AGENDA-** Items for the next agenda were discussed.

**ADJOURNMENT-** Mr. Philippou made the motion to adjourn at 8:52 p.m.; Ms. Levison seconded. All were in favor.

***Respectfully submitted,***

***Alison Flynn, Clerk***

*Documents Referenced:*

- Agenda
- 23 Lovers Lane- Summary document dated 9/24/19
- 166 Littleton Rd.- Invoice and receipt from RM Ratta
- 47 Sherry Road- Building plans
- 8 Willow Road- Invoice from D'Boss and Sons
- NABH 2<sup>nd</sup> Quarter Invoice
- E-mail from Lori Bolasevich of 9/24/19
- Rural Life Preservation Special Permit bylaw (version 6.0)
- Draft minutes of 9/10/19