

**Harvard Board of Health Meeting Minutes**  
**Town Hall, Main Meeting Room**  
**Tuesday, October 8, 2019**  
**Approved: October 22, 2019**

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

*Attending:* Alison Flynn, Board of Health (“BOH”) Clerk; Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Anya Kane, 72 Bolton Road; Lori Bolasevich, Finance Director.

Mr. Philippou called the meeting to order at 2:03 p.m.

**PUBLIC COMMENT-** None.

**NEW BUSINESS**

a. 72 Bolton Road: Room count discussion (2:05 p.m.)- Ms. Kane presented her family’s proposed plans for renovation of an existing two-bedroom home with an installed septic system with a three-bedroom capacity. She explained that they plan to add a second story to the existing one story home to include a master bedroom, master bath, and a space that will be used as a home office. Mr. Grossman stated that he would be okay with the proposed plan if the homeowners record a three-bedroom deed restriction. The BOH members explained to Ms. Kane that in order to alleviate the need for a bedroom deed restriction, the office space could not allow for privacy. Ms. Kane asked whether removing the door from the office space, and adding a door at the bottom of the staircase to the second floor would alleviate the need for a deed restriction. The BOH members indicated it would.

b. Discussion re history of environmental and fire events on Ayer Road- Mr. Grossman informed the members that a representative from the Army would be reviewing the NABH files for Ayer Road properties north of Route 2 to investigate any possible sources of PFAS contamination. Mr. Grossman provided the BOH members with a brief overview of environmental contamination events that he was aware of which occurred in the area of concern for possible PFAS contamination. Ms. Levison advised the group of a conversation she had with former Fire Chief Peter Warren regarding fire events at the Ernst Goat Farm in which he indicated AFFF foam was not used.

c. Discussion with Finance Director regarding status of the Community Septic Management Program funds- Ms. Lori Bolasevich attended the meeting at the request of the BOH in follow-up to her e-mail of September 24, 2019 in which she inquired whether the Town could rescind the \$69,430 unissued debt for the Board of Health’s Community Septic Management Program voted at the April 6, 2013 Annual Meeting if no longer needed. She explained that the unissued debt is considered as part of the Town’s overall debt, like using the Town’s credit line. The BOH members agreed that they do not want the Town to rescind the funds at this time, as it is likely that interest in the Community Septic Management Program will continue.

d. Discussion re responsibility of BOH concerning Foxglove Apartments- The members expressed appreciation that Chief Sicard forwarded the letter of the Council on Aging to the BOH, and discussed the BOH’s role in Foxglove Apartment’s current status given there is

currently no on-site manager. Ms. Flynn will contact Deb Thompson to suggest concerned residents contact the BOH or NABH with any public health concerns with the property.

e. Advertising Recycle Your Reusables- Ms. McCarthy volunteered to hang posters for the event at the General Store, 5 Sparks, Westward Orchard, Harvard Outdoor Power, Moore's, Bolton Orchards, & Shop and Save. Ms. Levison will provide handouts to the library and Transfer Station, and will post to NextDoor Harvard. Ms. Flynn will add a notice to the BOH webpage.

f. Clerk and Health Agent Update-

- 23 Peninsula- Mr. Grossman reported that he learned that the listing agent for 23 Peninsula Road was inappropriately marketing the deed restricted 2-bedroom home as 4-bedrooms. Ms. Flynn and Mr. Grossman are working to get this corrected. The BOH members requested Ms. Flynn send the listing agent a formal letter indicating the BOH is prepared to pursue the matter further with the licensing board if not immediately corrected.
- Ms. Flynn advised that an invitation was received from the 2019 UMASS Tick-borne Disease Symposium. Ms. Levison and Ms. McCarthy indicated they will attend. Mr. Philippou will attempt to, as well. Ms. Levison will contact Mr. Garreffo to invite him to join them.
- Ms. Flynn advised that MAHB e-mailed an urgent request for adoption of a resolution & advocacy favor of the bills limiting the sales of vaping products. It was agreed to table this discussion for a future meeting.
- Ms. Flynn presented a request for approval of a restrictive covenant regarding water quality at 273 Littleton Road. After discussion of the background of the water testing and remediation, Mr. Philippou executed the same. Ms. Levison reported as to her attendance at the Quarterly DPH seminar held on the day prior.

## **OLD BUSINESS**

a. Discussion re DEP guidance: PFAS in Private Well Drinking Water Supplies FAQ- Ms. McCarthy advised that she e-mailed MaryJude Pigsley to note an error in the listing of the PFAS chemicals on the guidance document. The BOH members agreed to review the document carefully prior to the next meeting and each suggest one possible revision.

b. Discuss town-wide mailing re recycling- The BOH reviewed the portions of the trash hauler regulation which mandate what is required of the BOH to provide for public education on recycling and prepared a draft town-wide mailing. Ms. Flynn will contact Irene Congdon and Tessa David to identify the state-approved printer working with DEP on recycling mailings, and contact the same for a quote.

c. 23 Lovers Lane: Update- The BOH members reviewed the update received from Ms. Thompsen regarding her progress since the last meeting, and noted that her progress was good. Mr. Philippou intends to contact Ms. Thompsen to offer his personal experience in marketing a home prior to investing in improvements.

d. Update re EEE risk assessment and messaging- Ms. Levison reported on her participation in a DPH webinar the day prior; Dr Brown, State Epidemiologist, reported in the webinar that the EEE risk would not go down until after a killing frost. The BOH requested Ms. Flynn revise the BOH alert banner to advise that mosquitos are still present and to continue with personal protection until after the first killing frost. Mr. Philippou suggested the BOH write Governor

Baker to advise that ground spraying for mosquitos is not a viable option in some communities, and offered to draft such a letter. Ms. McCarthy suggested MAHB might provide Harvard with the names of like-minded communities who may be willing to sign on to the letter to Governor Baker; she will contact Marcia Testa regarding the same.

e. PFAS update- Ms. Levison reported she learned from multiple friends that they have received letters from the Army offering PFAS testing. She also reminded the BOH members that the next meeting of the Army's Restoration Advisory Board (RAB) is scheduled to be held on October 17, 2019 at 6:30 p.m. at Ayer Town Hall.

f. Consider revisions to Article III: Private Wells- The BOH members made further revisions to the draft. Ms. McCarthy made the motion to accept the revisions as recorded; Ms. Levison seconded. The members agreed that the amended article would go into effect on November 1, 2019. Ms. Flynn offered to prepare a summary for The Press.

g. Discussion regarding draft marijuana sales regulation- The draft regulation was reviewed and revised. Ms. Flynn will notice a hearing for the next BOH meeting.

h. Discussion of FY20 budget feedback- The FY20 budget feedback was reviewed. The members agreed to brainstorm who they would like to invite for speakers.

i. Update regarding trash hauler regulation enforcement and RDP points- Mr. Philippou and Ms. Levison indicated there was no update to report.

j. Report regarding Community Services Open House- Ms. Levison reported on her attendance at the Community Services Open House, and noted continued resident interest in EEE risk. She also shared that Detective Danielle Fortunato provides education in the schools regarding vaping and would be interested in working with the BOH to identify education materials.

k. Report regarding Recycling Forum- Ms. Levison reported that the Recycling Forum went very well. She also indicated the Transfer Station Committee discussed organizing a Styrofoam recycling event if they are able to find the volunteers and funding necessary.

l. Update from NABH Quarterly Meeting (10/3/19)- Ms. Levison reported on her attendance at the meeting. She also learned that we should expect increased fees from NABH next year.

m. Update from Deer Management Committee- Mr. Philippou indicated there was no update to report.

n. Update from the Transfer Station Committee- Mr. Philippou and Ms. Levison indicated there was no update to report.

o. Review Action Items- Action items from the last meeting were reviewed.

## **PERMITS**

Septic permits were issued for each of the following:

- Whitney Road, Lot 2- New.
- 201 Bolton Road- Transfer permit.

- 318 Littleton Road, Lot 1- Ms. Levison made the motion to approve the variances as noted in the letter of September 9, 2019, and on Plan L-13700; Ms. McCarthy seconded. All were in favor.
- 13 Westcott Road- Ms. McCarthy made the motion to approve the variances as noted in the letter of September 10, 2019, and on Plan Variances as noted on the plan. SM makes motion to accept requested in letter of 9/10/19, and plan revised September 1, 2019; Mr. Philippou seconded. All were in favor.
- 169 Littleton County Road- New, in full compliance.

**APPROVAL OF MINUTES-**

Ms. Levison made the motion to approve the minutes of 9/24/19 as amended; Mr. Philippou seconded. Ms. McCarthy abstained. All were in favor.

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

**ADJOURNMENT-** Ms. Levison made the motion to adjourn at 4:36 p.m.; Mr. Philippou seconded. All were in favor.

*Respectfully submitted,*

*Alison Flynn, Clerk*

**Documents Referenced:**

- Agenda
- 23 Lovers Lane- Summary document dated 10/7/19
- 72 Bolton Road- Building plans
- E-mail from Lori Bolasevich of 9/24/19
- Restrictive Covenant for 273 Littleton Road
- MAHB Resolution
- PFAS in Private Well Drinking Water Supplies FAQ
- Excerpts from the Harvard “Trash Hauler” regulation
- FY20 budget submittal and feedback
- Permit application package for Whitney Road, Lot 2
- Permit application package for 201 Bolton Road- Transfer permit.
- Permit application package for 318 Littleton Road, Lot 1
- Permit application package for 13 Westcott Road
- Permit application package for 169 Littleton County Road
- Draft minutes of 9/24/19