

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**Monday, April 13, 2021**  
**Approved: May 11, 2021**

*Board of Health Members present:* Sharon McCarthy, Chair; Chris Mitchell; Libby Levison.

*Attending (Including but not limited to):* Alison Flynn, Clerk, Harvard Board of Health (“BOH”); Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); David Freihofer, 41 Shaker Road; Will Thompson and Ladan Miremedi, 259 Stow Road; Joan Eliyesil, The Harvard Press.

Ms. McCarthy called the meeting to order at 7:01 p.m.

Ms. Flynn provided instructions for remote meeting participation.

**PUBLIC COMMENT-** None.

**NEW BUSINESS**

a. 204 Ayer Road: Discuss Local Upgrade Approval and possible need for Public Water Supply- Mr. Grossman advised that the property owners are requesting local upgrade approvals for installation of a Geomat system at the site of the former bowling alley in anticipation of property sale. Mr. Grossman indicated that the site is somewhat limited due to the existing well location and wetlands at the back of the property, but the proposed leaching area at front of the property has fairly good soil. He advised that he does not have objections to the requested reductions in groundwater offset requirements to the inverts of the septic tank and pump chamber at the back of the building, and the leaching area groundwater offset requirement reduction from 4 feet to 3 feet at the front of the building. Mr. Mitchell agreed that the proposed plan represents a significant improvement to the conditions of the site. Mr. Grossman noted that as the Geomat system does not allow for parking or driving over it, the parking area will also need to be modified.

Mr. Grossman also advised that he has explained to the engineers that a public water supply (PWS) may be required in the future depending on the property’s use. He indicated that the design, for a 900 gallon/day flow, is suggestive of an intended use that would typically require a PWS versus the existing private well. Mr. Grossman confirmed that use as a bowling alley would qualify for a PWS. The septic permit notes that a PWS may be required in the future, and water quality testing for private well is needed at sale.

Mr. Mitchell made the motion to approve the local upgrade approval as submitted; Ms. Levison seconded. All were in favor by roll call vote.

b. 41 Shaker Road: Consider application and bids for the Community Septic Management Program- Mr. Grossman advised that he reviewed and compared the three sealed bids received in the Board of Health office. He indicated that two of the bids were all-inclusive for the septic work, tree removal, loam & seeding, and the third allowed for additional undetermined fees should loam and additional fill be required. Mr. Grossman express concern that this third bid, from RM Ratta, left room for significant cost increases if additional materials are deemed

necessary. Homeowner, Mr. Freihofer stated that he would prefer the bid be awarded to GT Smith as Mr. Smith has already performed the soil testing. Mr. Freihofer also confirmed that he is not asking for engineering services to be tied into the betterment.

Ms. Levison made a motion to approve the bid for \$32,000 via the Community Septic Management Program for septic work to be performed by GT Smith; Mr. Mitchell seconded. All were in favor by roll call vote.

c. 259 Stow Road: Room count discussion, including consideration of possible 3-bedroom deed restriction- Mr. Grossman advised that the existing house has four bedrooms with a three-bedroom septic approval. The BOH reviewed the layout plans uploaded with the homeowner's building permit application and agreed that the existing plans reflect four bedrooms. Mr. Thompson stated that they have no interest in using more than three bedrooms and are agreeable to recording a three-bedroom deed restriction.

Ms. Levison made a motion to approve a three bedroom deed restriction; Mr. Mitchell seconded. All were in favor by roll call vote. The members further agreed to authorize Mr. Grossman to sign off on the associated building permit for remodeling of the kitchen and reinsulating of walls in the downstairs room prior to recording of the deed restriction.

d. Discussion on drought tracking- Mr. Mitchell stated he will reach out to the US Geological Survey for a recommendation of source for reliable drought tracking and will report back to the BOH Members. The Members anticipated a need to follow drought concerns this year. Ms. Levison noted that the Massachusetts Association of Conservation Commissions has a drought alert that might also be helpful.

e. Consider preparation of recommendation to the Parks & Recreation Commission regarding COVID-19 precautions at the Town Beach for Summer 2021- Ms. McCarthy advised that, in communication with Mr. O'Shea about his proposed program, she suggested signs be placed at the water's edge reminding residents to stay 6 ft. apart and put on masks when not in the water. Ms. Levison stated that DPH advised that lifeguards should not be responsible for enforcing social distancing, and should be focused on saving lives. Ms. Levison suggested the BOH work with The Harvard Press on advertising the reporting mechanism for residents observing COVID-19 violations at the beach; Ms. McCarthy agreed that the BOH could consider submitting a Letter to the Editor or a Consider This piece if necessary. It was agreed that the BOH will ask Mr. O'Shea to also post a sign on the bath house informing residents who wish to report a breakdown in COVID-19 protocols to e-mail the BOH, NABH, or the Department of Labor Standards; Ms. Flynn will e-mail him regarding the same. Mr. Grossman confirmed that snack shacks are not allowed at this time. Mr. Grossman also advised that the Beach Operator is responsible for determining whether the beach can be opened within COVID-19 precautions. The BOH members agreed to endorse the Beach Operator's decision to open consistent with the recommendation of the signage discussed. Ms. Levison asked that Ms. Flynn also request Mr. O'Shea advise the BOH once a Beach Director has been confirmed.

f. Consider preparation of recommendation regarding COVID-19 precautions for reopening the Transfer Station's "Take-it-or-leave-it" area- Ms. McCarthy stated she received a resident inquiry as to why the area is not open, and she believes event standards allow for the area to be open at this time. Mr. Grossman and Ms. Levison indicated that this issue has been discussed on multiple occasions at the Emergency Response Team meetings and that the Transfer Station facility operators have decided not to open because of their concern that there is not sufficient monitoring to prevent lingering in the area. Ms. Levison also noted that a DPH call included

discussion that Transfer Station swap shops should be allowed to remain open as an essential service and promoter of recycling. Mr. Mitchell volunteered to draft a memo to the Select Board stating that the BOH is aware that the State says the area can be opened, that members of the community are requesting it be reopened, and the BOH would like the SB to consider doing so.

g. Consider BOH participation in Town-wide Cleanup, including distribution of materials- Ms. Levison advised that a drive-through supply handout is scheduled for Wednesday April 28 and Saturday, May 1<sup>st</sup> at Westward Orchard and asked the BOH members to consider handing out arbovirus information. The members agreed. Ms. McCarthy and Ms. Flynn will prepare the handouts. The Board members agreed to assist with distribution.

h. Update from recent DPH COVID-19 Conference Calls & enforcement of new and revised orders issued by Governor Baker- Mr. Grossman reported that the NABH nurses completed vaccinations of homebound residents this week with the J&J vaccine. He indicated that is important to note that the concerns with the J&J vaccine are with women aged 18-48, are extremely rare and are seen six to thirteen days post-vaccination. He indicated that residents with concerns or symptoms should be advised to contact their physicians. Ms. McCarthy indicated she was pleased that the capability to review for variants is ramping up. The members confirmed that they are unable to join the Schools' Zoom meeting regarding Prom. Ms. McCarthy stated that she sent comments to Dr. Dwight regarding Prom, and to a parent who wrote the BOH regarding Celebration.

i. Update from the Emergency Response Team- Ms. Levison reported that Ms. Thompson indicated 29% of Harvard residents who are 65+ are fully vaccinated, and she is hoping to reopen the Hildreth House porch with socially distanced seating.

j. Clerk and Health Agent Update- Mr. Grossman reported that there were no updates from the Land Use Meeting, and that Craftsman Village and Pine Ridge are slowly progressing. Mr. Grossman also advised that the State approval of a regional clinic to be held at Devens was announced that day. He indicated that NABH expects the clinic to be 1 day a week beginning in May, and that Mr. Garreffo has contacted the Emergency Managers to request assistance. Ms. Levison and Mr. Mitchell expressed interest in volunteering; Mr. Grossman will relay the message to Mr. Garreffo. Ms. Levison stated that Ellen Leicher is organizing a talk on trash and recycling with a speaker from Keep MA Beautiful on 5/13 at 7pm and would appreciate members of the BOH attending; Ms. Levison plans to attend.

## **OLD BUSINESS**

a. 23 Lovers Lane: Continued condemnation hearing of 9/24/19- Ms. McCarthy noted that an e-mailed update regarding status was included in the meeting preparation packet. Ms. Levison made a motion to allow an 8 week extension on time; Mr. Mitchell seconded. All were in favor by roll call vote.

b. Continued preparation of the Application for an Alternative Mosquito Management Plan- Ms. McCarthy provided an update from the meeting attended by herself, Ms. Minar, Mr. Bragan, Mr. Kilhart, Mr. Ryan, and Ms. Flynn at which the application was discussed and reviewed. Ms. Sharon reported that Mr. Bragan advised that Bolton is paying \$59,000/year for participation in the Central Mass. Mosquito Control Program. She also indicated that she will be working with Chris Ryan to request GIS services from MRCP, and that Mr. Kilhart provided information regarding the DPW's ditch maintenance activities. Ms. McCarthy noted that she has contacted

someone at the Division of Fish and Wildlife regarding what is and isn't allowed for mosquito control at the Oxbow National Wildlife Refuge and Nashua River Watershed. It was agreed that the BOH will finalize the opt-out form at the April 27<sup>th</sup> meeting so that the SB can have it on their agenda the following week. The members reviewed and revised the draft application further. It was agreed that previous Press releases and handouts should not be attached at initial application. Ms. Levison agreed to prepare a table of the BOH's standard responses to DPH risk levels. Ms. McCarthy will prepare a Gantt chart of when these outreach activities occur. Ms. McCarthy will also reach out to Mr. Leicher to inquiry about the Bare Hill Pond Watershed Management Committee's thoughts on spraying. Mr. Grossman advised that the Groton BOH voted to suggest the SB opt-out, but does not think the opt-out application is being prepared. The members agreed to hold an additional meeting for the purposes of further application revision on Wednesday from 5pm- 6pm.

c. Update from COVID-19 vaccination clinics- Ms. Levison reported that everyone was very pleased with the second dose clinics.

d. Continued discussion regarding preparation of best practices for water quality samplers of private wells- Ms. Levison made a motion to table this topic until a future meeting; Mr. Mitchell seconded. All were in favor by roll call vote.

e. Continued review of draft algal bloom procedures-The members agreed to table this topic for a future meeting.

f. PFAS update, including but not limited to continued discussion re MassDEP Private Well PFAS testing program- Mr. Mitchell and Ms. Levison provided a report from their call with staff from the Worcester DEP which discussed areas of concern for PFAS contamination. Ms. Levison plans to speak with longtime Harvard residents to help identify historical uses of properties where sampling may be prudent.

g. Review Action Items- Action items were reviewed.

## **PERMITS**

- 204 Ayer Road: LUA- Ms. Levison made the motion to approve the permit with variances as previously discussed; Mr. Mitchell seconded. All were in favor by roll call.
- Lot 3 Pinnacle Road: Transfer- Ms. Levison made the motion to approve the permit; Mr. Mitchell seconded. All were in favor by roll call.
- Lot 3 Prospect Hill Road: New- Mr. Mitchell made the motion to approve the permit with the variance as requested and previously approved at a prior meeting; Ms. Levison seconded. All were in favor by roll call vote.
- 288 Ayer Road: LUA- Mr. Grossman stated he has no objections to the variances as requested. Mr. Mitchell made the motion to approve the variance as requested; Ms. Levison seconded. All were in favor by roll call vote.
- 42 Bolton Road: Stable- Mr. Grossman stated he has no concerns with issuance of the permit. Ms. Levison made a motion to approve the permit; Mr. Mitchell seconded. All were in favor by roll call vote.

## **MINUTES**

The BOH members reviewed and revised the draft Minutes of March 22, 2021. Ms. Levison made the motion to accept the minutes as amended; Mr. Mitchell seconded. All were in favor by roll call vote.

The BOH members reviewed and revised the draft Minutes of March 30, 2021. Mr. Mitchell made the motion to accept the minutes as amended; Ms. Levison seconded. All were in favor by roll call vote.

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

**ADJOURNMENT-** Ms. Levison made the motion to adjourn at 9:23 p.m.; Mr. Mitchell seconded. All members were in favor by roll call vote.

***Respectfully submitted,***

***Alison Flynn, Clerk***

**Documents Referenced:**

- Agenda
- Draft Application for an Alternative Mosquito Management Plan
- E-mailed update from 23 Lover's Lane
- Draft minutes of 3/23/21 and 3/30/21
- 259 Stow Road: Layout plans (first and second floor) uploaded to ViewPoint
- 204 Ayer Road- Proposed SDS plan, permit, variance request letter, LU
- Lot 3 Pinnacle Road: Proposed permit
- Lot 3 Prospect Hill Road: Proposed permit
- 288 Ayer Road: Proposed SDS plan, LU Conditions form, proposed permit
- 42 Bolton Road: Stable permit application