

## Harvard Board of Health Meeting Minutes

### Zoom Meeting

November 30, 2021

Approved: January 10, 2022

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

*Others Attending:* Alison Flynn, Board of Health (BOH) Administrative Assistant; Ira Grossman, Health Agent, Nashoba Associated Boards of Health; Erik & Emil Rhodin, Jack Visinewski, Lot 1 Under Pin Hill Road; Dan Wolfe, David E. Ross Associates; Eric Sechman; Nick Deane, 325 Ayer Road.

*Ms. Levison called the meeting to order at 7:01 pm. Ms. Flynn read aloud the remote meeting preamble.*

**PUBLIC COMMENT-** None.

### **NEW BUSINESS**

a. Lot 1 Under Pin Hill Road: Consideration of septic variance request (revision of existing permit)- Mr. Visinewski stated that upon excavation, the installers ran into unexpected ledge. The homeowners requested a revised permit to include a variance from the required 25 foot offset from ledge. Mr. Visinewski stated that a deep hole test in the area proves that there is the depth needed; Mr. Grossman echoed his confidence that the required soil is present. Further, Mr. Grossman confirmed that the design plan includes a reserve area and meets full compliance. Ms. McCarthy made a motion to grant the variance for less than 25 feet to bedrock; Mr. Mitchell seconded. All were in favor by roll call vote.

b. Consider Safewell's request for extension as an Approved Sampler- Ms. Flynn advised that while Safewell requested the discussion be included on the agenda, she did not receive a response to her request for notice if Safewell would not be able to attend the meeting. Mr. Grossman stated that Safewell has not acted in a manner consistent with the Private Wells and Best Practices for Samplers including: failing to submit results in a timely manner, sampling outside of their approval period, and offering to sample after their own installation of treatment equipment. Ms. Flynn confirmed at least some of these occasions were after Safewell received a copy of the Private Wells Regulation and Best Practices documents from her via e-mail. Ms. McCarthy made a motion to deny the request for extension of the approval period and invite Safewell to join a meeting to defend or clarify these deficiencies should they wish to reapply; Mr. Mitchell seconded. All were in favor by roll call vote.

c. 325 Ayer Road: Consider request for approval of tenancy of Eric Sechman- Mr. Sechman asked the BOH to consider approval of his tenancy as Sechman Financial Services at 325 Ayer Road. He explained that he intends to be in the office most days of the week, and anticipates hiring a half-time assistant who will join him in the office. He also stated that he estimates he will see 0-2 clients in the office per week, as most of his appointments are virtual at this time. He described his activities as typical office work with similar equipment. Mr. Deane stated that the suite of interest was previously occupied by PJ Albert which was assigned the equivalent of 1 person. The BOH Members and Mr. Grossman stated Mr. Sechman's intended use would be the equivalent of 1.5 persons, and confirmed that a financial service office meets the desired uses.

The Members requested Mr. Deane provide an updated headcount of tenants for Mr. Grossman's review. Mr. Mitchell made the motion to approve Mr. Sechman's tenancy if there is capacity in the building's total headcount for 1.5 equivalent; Ms. McCarthy seconded. All were in favor by roll call vote.

d. Update from discussion with MassDEP Worcester- Mr. Mitchell reported that he had a very good conversation with MaryJude Pigsley of DEP Worcester. He stated that they discussed the BOH's concern for residents testing their wells for PFAS outside of the DEP sampling program. Mr. Mitchell stated Ms. Pigsley provided assurances that unless there was something obvious about the site which suggested it was the source of the contamination, the residents reporting PFAS above the MCL would be issued a down-gradient status and not be put into the Mass. Contingency Program. Mr. Grossman stated this is consistent with his hopes that residents outside the testing program would be treated equally. He confirmed that both the local Private Wells regulation and the Plumbing Code requires treatment with a whole house system, and that the DEP reporting requirements only apply to compounds with MCLs. Mr. Grossman also confirmed that he is aware of WPI and UMASS pooling PFAS data.

Mr. Mitchell also reported that Ms. Pigsley is trying to contact Harvard in connection with DEP's review of closed landfills that may not be in compliance with requirements. Ms. Levison stated that she previously advised Ms. Pigsley to contact Mr. Kilhart with Mr. Grossman in copy. Mr. Mitchell stated Mr. Bragan offered to reach out to Ms. Pigsley; Mr. Mitchell will let Ms. Pigsley know.

e. Discuss residents' requests for composting in town- Ms. Levison reported that she has received resident inquiries about whether the Town could have a composting site. Since there is no space for this at the Transfer Station, another location is needed. Ms. Levison has asked the Planning Board to keep the need for a location in mind. Ms. McCarthy will share this interest at the next Land Use Boards meeting.

f. Discuss current COVID-19 status- Ms. Levison noted that the most recent case report from NABH indicates there are currently 20 cases in Town, and that this is an increase from the prior report.

g. Report from COVID-19 vaccination clinic for the Harvard Public Schools- Ms. McCarthy reported that NABH did a great job at the pediatric clinic. Ms. Levison stated that 152 children were vaccinated, and the second clinic will be held on December 10<sup>th</sup>.

h. Discuss plans for mobile booster vaccination clinic for Foxglove and/or Bowers Brook Apartments- Ms. Levison reported that a clinic at Foxglove Apartments is anticipated to be held during the week of 12/20/21. She stated she is working with Ms. Thompson to identify Foxglove residents who are interested in a booster, and will reach out to Bowers Brook if the mobile clinic coordinators think they have the capacity. Ms. Levison also shared that Mr. Garreffi does not expect to hold NABH booster clinics just yet.

i. Update from recent DPH COVID-19 Conference Calls- Ms. McCarthy reported that the MHOA has posted graphics prepared by the public health volunteer corps which may be helpful for the BOH's outreach. She indicated the calls reported on sports clusters, especially with ice hockey & football, and that it is too early to have field data on Omicron. Ms. McCarthy stated that international travel guidance expected from CDC on Thursday. She also reported that as contact tracing is winding down, the BOH may want to consider a townwide mailing on MassNotify.

j. Clerk and Health Agent Update, including but not limited to:

- Ms. Flynn requested the Board's consideration of AlphaGraphic's Invoice No. 4308, dated 11/15/21, in the amount of \$1,043.92. She explained that as the State denied payment from CARES funding of the \$1.22 overage, the BOH would be expected to cover the difference. Mr. Mitchell made the motion to approve payment of the invoice, including the \$1.22 overage to be paid directly by the BOH; Ms. McCarthy seconded. All were in favor by roll call vote.
- Ms. Flynn requested the BOH Members consider The Harvard Press's Invoice No. 8754, dated 11/20/21, in the amount of \$168.00 for legal notices. Ms. McCarthy made the motion to approve the invoice; CM seconded. All were in favor by roll call vote.
- Ms. Flynn requested the BOH consider reimbursing Ms. Levison for her purchase of smiley face and name tag stickers for the pediatric vaccination clinic. Mr. Mitchell made the motion to reimburse Ms. Levison in the amount of \$21.70; Ms. McCarthy seconded. Mr. Mitchell and Ms. McCarthy were in favor; Ms. Levison abstained.
- Ms. Flynn asked the BOH to consider their December meeting schedule. Ms. Levison made a motion to move the second meeting in December to 12/20/21 and limit the agenda items. Mr. Mitchell stated he would be available for a meeting at 7pm. Ms. McCarthy advised that she will be unable to attend a meeting on 12/27/21.
- Mr. Grossman advised that 37 Peninsula Road is applying to the ZBA for conversion to year-round use. He agreed to prepare draft comments for review by the BOH.

## **OLD BUSINESS**

a. 126 Poor Farm Road: Continued discussion regarding Title 5 compliance- Mr. Grossman advised that the building permit was filed as requested, a determination letter from the Building Commissioner was provided, and a letter from a Title 5 Inspector was submitted for the BOH's consideration. He acknowledged that the Building Commission stated the structure is consistent with a home office. Ms. Levison noted that a Title 5 Inspection Report was not provided. Mr. Grossman confirmed that one is not required. Mr. Mitchell stated that based on the Building Commissioner's determination that the building meets the requirements for a single family's use, he is comfortable with a deed restriction; Ms. McCarthy agreed. Mr. Mitchell made a motion to approve the request for a 3-bedroom deed restriction; Ms. McCarthy seconded. Mr. Grossman suggested that the restriction includes additional language that states the building will only be used as a home office with employees who are residents of 126 Poor Farm Road; the Members agreed. Ms. McCarthy made the friendly amendment to the motion. Mr. Grossman confirmed that there are no more inspections needed before the septic system is closed. All members were in favor of the motion by roll call vote.

b. Final approval of FY23 budget submission- The BOH members reviewed and revised the draft budget spreadsheet and narrative. Mr. Mitchell agreed to double check the numbers to confirm consistency between the two documents. Ms. McCarthy made the motion to approve the budget; Mr. Mitchell seconded. All were in favor by roll call vote.

c. Continued discussion re planning for winter emergency preparedness- Mr. Grossman agreed to follow-up with Chief Sicard on his request for a meeting.

d. Continued preparation of COVID-19 press ads and townwide mailings- Ms. Levison confirmed that the vaccination card ad will run in The Harvard Press on December 10<sup>th</sup>, and the ad regarding holiday caution will run on December 17<sup>th</sup>. Ms. Levison will prepare a draft townwide mailing regarding MassNotify,. Ms. McCarthy agreed to review the MDPH resources for useful graphics.

- e. Continued preparation of a townwide mailing in support of the hauler regulation- Ms. Levison will continue to work on a draft.
- f. Update regarding request for additional hours for BOH Administrative Assistant- This discussion was tabled for a future meeting.
- g. Update re status of lobbying NABH for a sustainability expert shared among towns- This discussion was tabled for a future meeting.
- h. PFAS update, including but not limited to continued discussion re MassDEP Private Well PFAS testing program, update from RAB Meeting of 11/18/21, and MassDEP guidance on regulatory actions- Mr. Mitchell agreed to forward the slides from the RAB Meeting.
- j. Review Action Items- Action items were reviewed.

## **PERMITS**

- Under Pin Hill Road, Lot 1, re-permitting w/a new variance- Ms. McCarthy made the motion to approve the permit as earlier discussed; Mr. Mitchell seconded. All were in favor.
- 2 Hillcrest Drive, LUA- Mr. Grossman advised this permit is for an upgrade with 2 foot groundwater reduction. Mr. Mitchell made the motion to approve as requested; Ms. McCarthy seconded. All were in favor by roll call vote.
- 341 Ayer Road, LUA- Mr. Grossman advised that the requested variance is for groundwater reduction for a Presby System. Mr. Mitchell made a motion to approve the request as submitted; Ms. McCarthy seconded. All were in favor by roll call vote.
- 108 West Bare Hill Road- Mr. Grossman stated that he has no issues with this application for a sewer line replacement. Mr. Mitchell made the motion to approve the permit; Ms. McCarthy seconded. All were in favor by roll call vote.
- 17 Blanchard Road- Mr. Grossman advised that this permit will state a Certificate of Compliance cannot be issued without compliance with the water quality requirements for conveyance. Ms. McCarthy made a motion to approve the permit; Mr. Mitchell seconded. All were in favor by roll call vote.
- Lot 4 Prospect Hill Road, Transfer- Mr. Mitchell made the motion to accept the request for transfer of the permit; Ms. McCarthy seconded. All were in favor by roll call vote.

## **MINUTES**

The Members reviewed and revised the draft Minutes of 10/26/21. Mr. Mitchell made the motion to approve the Minutes as amended; Ms. McCarthy seconded. All were in favor by roll call vote.

The Members reviewed and revised the draft Minutes of 11/9/21. Mr. Mitchell made the motion to approve the Minutes as amended; Ms. McCarthy seconded. All were in favor by roll call vote.

The Members reviewed and revised the draft Minutes of 11/16/21. Ms. McCarthy made the motion to approve the Minutes as amended; Mr. Mitchell seconded. All were in favor by roll call vote.

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

**ADJOURNMENT-** Mr. Mitchell made the motion to adjourn the meeting at 9:20 p.m.; Ms. McCarthy seconded. All were in favor by roll call vote.

***Respectfully submitted,***

***Alison Flynn, Clerk***

**Documents Referenced:**

- Agenda
- Draft Minutes of 10/26/21, 11/9/21, and 11/16/21
- Draft FY23 budget spreadsheet & narrative
- Under Pin Hill Road, Lot 1- unsigned permit, application, variance request letter, cover letter, and revised SDS plan
- 2 Hillcrest Drive- unsigned permit, application, variance request letter, SDS plan, LU conditions form
- 341 Ayer Road- unsigned permit, application, variance request letter, SDS plan, LU conditions form
- 108 West Bare Hill Road- application, unsigned permit
- 17 Blanchard Road - application, unsigned permit
- Lot 4 Prospect Hill Road - application, unsigned permit