

Harvard Board of Health Meeting Minutes
Tuesday, June 27, 2017
Town Hall

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

Attending: 42 Blanchard Rd., homeowners, Anne & Rob McWaters; Ira Grossman, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BoH”) Clerk.

Ms. McCarthy called meeting to order at 7:02 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS-

a. Meetings with citizens/companies/town staff

- 42 Blanchard Rd., homeowners Anne & Rob McWaters: Deed restriction request

Mr. McWaters explained they would like to do an addition, adding two rooms: a family room and a dining room. The homeowners came to request a 4 bedroom deed restriction. They will be going from 8 rooms to 10 rooms, which will include three bedrooms upstairs, with and a guest bedroom on the first floor, as well as an office on the first floor that has a door, windows, and a closet. The basement is also finished.

Ms. Levison expressed that the BoH members are not concerned about the McWaters’ intended use of the property, but are concerned about how the property might be marketed in the future.

Mr. Philippou moves to accept a 4 bedroom deed restriction on the property. Ms. Levison seconds. A roll call vote is taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.

Mr. McWaters asked that the BoH notify the Zoning Board of Appeals (“ZBA”) that they have been given approval by the BoH to go ahead with their plans pending a 4 Bedroom Deed Restriction. Mr. Grossman agreed to communicate the same to the ZBA.

b. CSMP/Mears: Application, 33 Ann Lees Road. Ms. Flynn reported that she has received the online application, tax returns, and mortgage information for Thomas Mears, Jr. Mr. Grossman indicated that the NABH has received engineering plans and seen soil testing at his office. The BoH members reviewed the online application and noted that four questions were unanswered. Ms. Levison indicated that she suspected there was a continuing problem with the online form which did not allow Mr. Mears’ daughter, who has been assisting him with the application process, to complete the questions. It was decided that Ms. Flynn will follow-up with Mr. Mears’ daughter to request the answers to the questions, as well as to clarify whether Mr. Mears is seeking reimbursement for the engineering work, and to confirm that the BoH will be receiving three sealed bids from potential installers.

c. *PHEP Steering Committee Updates*- Ms. Levison indicated that she and Ms. McCarthy are not receiving e-mails directly from the PHEP Steering Committee. Mr. Philippou indicated that he thinks by updating our 24/7 Emergency Call-Down List, this will be corrected. It was also discussed that Katrina Stanziano, Region 2 PHEP Regional Coordinator, indicated she would be reaching out in July to set up a time to visit each Board of Health. Ms. McCarthy indicated that mid-September would be a good time for such a visit.

d. *Update from Health Agent and BoH Clerk*-

- Mr. Grossman presented his draft comments to the Harvard Zoning Board of Appeals regarding the Sweeney Properties Harvard LLC, 202 Ayer Road. Ms. McCarthy moved to accept the draft comments. Ms. Levison seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.
- Mr Grossman told the Board he has received a permit for a new well at 311 Still River Road.
- A new construction on Prospect Hill Road submitted a Deed Restriction for radon in the water, Ms McCarthy signed the deed restriction.

OLD BUSINESS-

a. *8 Willow Rd.: Update*- Mr. Grossman met with Kevin Ritchie from Civil Solutions and Rob Ratta at the property to perform the testing. Mr. Young's wife and teenage children were also present. Mr. Grossman reported that they dug into a portion of the leaching area and observed gray and mottled material; an indicator of high groundwater. Mr. Ritchie agreed with Mr. Grossman that this was a failed system, and Mr. Ratta noted that he would pass the system. Mr. Grossman reported that the information from the site visit all correlates with previous findings.

Ms. McCarthy requested Mr. Grossman draft a letter on behalf of the BoH, documenting his findings that it is a failed system.

b. *MassToss/DEP suggestions: Discuss next steps*- The BoH members learned that the Selectman are planning on evaluating Pay-As-You-Throw and Transfer Station programs. Ms. McCarthy will meet with Kara Minar to share what was learned from MassToss/DEP at the last BoH meeting, including the potential for reduction in cost of operating the transfer station if solid waste is reduced. Ms. McCarthy will also express the BoH's willingness to take the lead on the issue. Mr. Philippou suggested we invite Stu Sklar and Kara Minar to a BoH meeting.

c. *BoH activities/goals 2017*- Ms. Levison suggested an additional 1-hour meeting be scheduled to address this issue, as well as the BoH website update. It was agreed that such a meeting would be posted on Thursday after a date and time could be confirmed.

d. *Tobacco 21: Discuss next steps*- Mr. Grossman explained that while it is not required that the BoH have a public hearing before adopting regulations, he suggests inviting the public to a BoH meeting to express their opinions regarding Tobacco 21 for consideration. Ms. McCarthy suggested that the 2nd meeting in September would be a good time for such a meeting so that more residents are available to attend. Mr. Philippou suggested the BoH website be updated to advise that the BoH is considering implementing Tobacco 21, linking the draft regulation language, and indicating that the public will be invited to attend the 2nd BoH meeting in September to share comments. The BoH clerk is to allot 1 hour

for public comment on Tobacco 21 at that meeting. Mr Philippou suggested we add information about Tobacco 21 to the BoH website; Ms McCarthy agreed.

e. *37 Pine Ridge Rd./Still River Realty Trust: Discuss documenting deed restriction* – Ms. Flynn reported that she spoke to Mr. Bragan about the issue earlier today. Mr. Lanza had not spoken to Mr. Bragan about the issue at the Special Town Meeting. Mr. Bragan indicated that he would call Mr. Lanza to discuss the process for legal notification of deed restriction.

f. *58 Blanchard Rd.: Update*- The property owners had been given an extension until June 9, 2017 to address the rubbish in their yard. Ms. Levison asked for an update. Mr. Grossman will observe and photograph the current status in preparation for sending the homeowners a follow-up letter.

g. *Article IV: Update*- Further discussion was unnecessary, as Ms. Flynn had advised the BoH members of status through e-mail.

h. *BOH Website*- Tabled.

i. *Discussion of Tick Issues*- Tabled.

j. *Review Action Points of last meeting*- Action Points were reviewed.

k. *Desk coverage: 7/11/17*- Mr. Philippou will cover the BoH desk for office hours on Tuesday 7/11/17, while Ms. Flynn is away.

PERMITS

- 42 Blanchard, moving tank- issued.
- 32 Candleberry Lane, D-Box, - issued.
- 40 Woodside Rd.- Mr. Philippou made a motion to accept a variance of for the local regulations for the number of test holes on Plan L-13166, last updated 5/12/17. Ms. McCarthy seconded. No further discussion was needed. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.

APPROVAL OF MINUTES

- 5/2/17- Mr. Philippou moved to accept the Minutes of 5/2/17 as amended. Ms. Levison seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.
- 5/9/17- Mr. Philippou moved to accept the Minutes of 5/9/17 as amended. Ms. Levison seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.
- 5/23/17- Ms. McCarthy moved to accept the Minutes of 5/23/17 as amended. Ms. Levison seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.
- 6/13/17- Mr. Philippou moved to accept the Minutes of 6/13/17 as amended. Ms. Levison seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.

ADJOURNMENT- Ms. McCarthy moved to adjourn at 9:03 p.m. Ms. Levison and Mr. Philippou seconded. A roll call vote was taken: Ms. McCarthy, aye; Ms. Levison, aye; Mr. Philippou, aye.

**Respectfully submitted,
Alison Flynn, Clerk**

Documents Referenced:

- *42 Blanchard Road "Streets" file;*
- *Draft Minutes for 5/2/17, 5/9/17, 5/23/17, and 6/13/17;*
- *CSMP/Mears: Application*