

Harvard Board of Health Meeting Minutes
Tuesday, July 24, 2018
Approved: September 11, 2018

BoH Members present: Libby Levison, Chair; Sharon McCarthy.

Attending: Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BoH”) Clerk; Bruce Ringwall, GPR, Inc.; Matthew Brace, Coil Brothers LLC, (“Coil Bros.”); Rory Fazendeiro, Coil Bros.; Matthew Zipoli, MD, Coil Bros.; John Goll, Coil Bros.; Patrick McCarty, PE, McCarty Companies; Amanda Risch, Esq., Fletcher Tilton, PC; Molly Cutler, 56 Stow Road; Bobby Cutler, 62 Slough Road; David Brown, 114 Slough Road; Nicholas Deane, Appleworks LTI Harvard.

Ms. Levison called the meeting to order at 7:00 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS

a. 53 Turner Lane: seasonal conversion discussion- Attorney Amanda Risch was present to represent the homeowner in requesting BOH sign off on the seasonal conversion of the property in anticipation of meeting with the Zoning Board of Appeals (“ZBA”). Mr. Grossman advised that the BOH’s prior concerns regarding habitability of the property have been addressed, and Atty Risch provided a 2017 contract with CSI Culley Septic for pumping of the tight tank. Ms. McCarthy made the motion to accept a three bedroom deed restriction for a seasonal home, and approve the seasonal conversion; Ms. Levison seconded. Ms. Flynn was asked to communicate the same to the ZBA, along with the request that the Assessors card be rectified to reflect three bedrooms. A vote was taken. It was unanimous.

b. 325 Ayer Road Potential Tenant: Coil Brothers, LLC- Mr. Matthew Brace, of Coil Bros., presented a brief background regarding the business, including an overview of the extraction process and the company’s interest in moving in to vacant space at the “Appleworks” building at 325 Ayer Road. Mr. Brace indicated that the company will be selling only to wholesalers, and would expect no more than 2-3 customers visiting per day. He explained the extraction system is completely closed loop and hydrophobic with 95% of the carbon dioxide used, recycled. Any water used would be limited to that of the 3-4 expected employees for drinking, washing hands, and using the bathroom. He indicated there may also be infrequent washing of glassware, though the glass jars used for storage will come sterile from a pharmaceutical company.

Mr. Deane advised that since the agreement regarding water usage was signed with the BOH in December, one tenant with four employees has vacated the Appleworks building. He also presented updated Water Meter Readings for the Appleworks tenants.

Mr. Grossman advised that Coil Bros.'s proposed use is consistent with the tenancy approval guidelines established for the "Appleworks" building. Ms. Levison requested that Coil Bros. let the BOH know if the number of employees increases above four. Mr. Brace agreed to the requests. Mr. Grossman also advised that Mr. Deane should check with DEP's Public Water Supply division to confirm that Coil Bros.'s intended use is not barred. Mr. Deane indicated that he will have WhiteWater do this. Ms. Levison also suggested that Coil Bros. discuss their business with the Police Department. Mr. Brace responded that he has already reached out to the Police Chief to schedule a meeting.

Ms. McCarthy made the motion to approve the tenancy of Coil Brothers; Ms. Levison seconded. No further discussion was needed. A vote was taken; it was unanimous.

c. 67 Slough Road: Bedroom deed restriction consideration– Mr. Grossman reminded the BOH members that at the last meeting, the proposed revised floor plan was reviewed and it was agreed that a bedroom deed restriction should be signed. The homeowners provided an executed bedroom deed restriction for the members to co-sign. Ms. McCarthy made the motion to execute the bedroom deed restriction; Ms. Levison seconded. No further discussion was needed. A vote was taken; it was unanimous.

d. Drought monitoring- Mr. Grossman indicated that reports indicated conditions were slightly dry as of last week and expected to be normal by this Thursday. The BOH members agreed to revisit the issue at the next meeting.

e. Discuss DPH's new statewide public information campaign regarding vape pens and e-cigarettes- Ms. McCarthy reported that she reached out to Dr. Dwight regarding the new campaign, and that Dr. Dwight indicated the schools will be addressing vaping. Ms. McCarthy will send her the name of the doctor who offered speaker services at our Tobacco 21 hearing. Mr. Grossman indicated that Westford has enacted a regulation which bars vaping in public spaces. The BOH members discussed the possibility of proposing a similar bylaw to Town Meeting.

f. Update from Conservation Commission meeting- Ms. Levison reported that all Conservation Commission ("ConCom") members were supportive of the idea of posting tick warning signs at trail heads, but there was not unanimous support of the examples of signs brought to the meeting. ConCom will continue to discuss the sign design and will update the BoH.

g. Update from Pond Committee meeting- Ms. Levison and Ms. McCarthy updated Mr Grossman on the discussion of potential use of synthetic turf at the Pond Road Field. The BOH members expressed their continued concern over use of synthetic turf, and confirmed with Mr. Grossman that the only activities performed in Zone 1 of a Public Water Supply should be those pertinent to the Public Water Supply. The BOH members indicated that the turf group was advised they would need to get permission from DEP. Ms. McCarthy made the motion to protect the Town Wells on Pond Road by endorsing DEP's restriction on activities within Zone 1 around a Public Water Supply; Ms. Levison seconded. A vote was taken; it was unanimous.

h. Update from Nashoba Associated Boards of Health meeting- Ms. Levison reported regarding her attendance at the most recent NABH meeting. She will be meeting in September with Jim Garreffa and Amy Shei to continue discussion of a grant application.

i. Update from Health Agent & BoH Clerk

- 23 Lovers Lane- Ms. Flynn advised that she sent a letter to the homeowner reminding her of her agreement to attend the 8/14/18 meeting to provide a status update to the Board
- Ms. Flynn advised that two beavers were caught as a result of issuance of the permit issued on June 13th for the culverts at Ann Lees Road and Crufts Lane.

OLD BUSINESS

a. 114 Slough Road: homeowner request for reconsideration of sewer connection exposure requirement- Mr. Ringwall and Mr. Brown presented the original building permit application for a detached garage and office which was approved without BOH input, an As-built plan, and photographs of the visible elements, as supplemental documentation for consideration. Mr. Brown requested reconsideration of the request for excavation for complete exposure. Mr. Grossman advised that the supplemental documentation has confirmed that he no longer feels it's necessary to expose the pipe via excavation. Ms. McCarthy made the motion to approve the four bedroom deed restriction, previously executed by Ms. Levison, for recording by Mr. Brown; Ms. Levison seconded. A vote was taken; it was unanimous.

b. Continued discussion of synthetic turf, environmental and health impacts- It was decided that this discussion should be continued until Mr. Philippou could be present.

d. Continued follow-up from Tick Talk- Ms. Levison indicated that she will be meeting with an educator at Hildreth Elementary School to discuss presenting tick awareness to students. Ms. Levison suggested the BOH might consider sponsoring an elementary school assembly as an alternative "Tick Talk" in 2019.

e. Update travel plans- Updated travel plans were discussed. Ms. Levison suggested if the meeting of 8/28/18 can be held an hour earlier, she would be available via Skype. This scheduling change will be discussed further at the next BOH meeting. Ms. Levison deputized Ms. McCarthy to act as Chair in the event that she is unreachable while away.

f. Further discussion regarding revisions to well regulations- Mr. Grossman drafted revised well regulations for the BOH members' review, and Ms. McCarthy prepared comments. Ms. Flynn will add line numbers to Ms. McCarthy's version and will send the document back to Mr. Grossman for his revision prior to recirculating to all members for their comment.

g. Continued discussion regarding scheduling of EDS drill- Ms. Flynn advised that she clarified with Public Health Emergency Preparedness Coordinator for Region 2 which spaces at the Bromfield School would be needed for a full facility set-up drill and communicated the same to Dr. Dwight. Once she hears back from Dr. Dwight on availability, Mr. Grossman will confirm the time for the flu clinic with the Community Health Nurse.

h. Review action points from last meeting- the action points were reviewed.

PERMITS

- No permits were reviewed or signed.

APPROVAL OF MINUTES

- 6/26/18- Ms. McCarthy made the motion to accept the minutes as amended; Ms. Levison seconded. A vote was taken; it was unanimous.

TOPICS FOR NEXT MEETING AGENDA- topics for the next meeting were discussed. Ms. Flynn will reach out to Irene Congdon for advice on trash hauler compliance.

ADJOURNMENT- Ms. McCarthy moved to adjourn the meeting at 9:06 pm.; Ms. Levison seconded. The vote was unanimous.

***Respectfully submitted,
Alison Flynn, Clerk***

Documents Referenced:

- Agenda
- "Streets" file: 53 Turner Lane
- "Appleworks Water Meter Readings", dated 7/24/18
- "The Impact of Cannabis Processing and Septic Usage", Prepared by Coil Brothers, LLC
- "Streets" file: 67 Slough Road
- "Streets" file: 114 Slough Road
- Draft minutes of 6/26/18