

Harvard Board of Health Meeting Minutes
Town Hall, Volunteer Meeting Room
Tuesday, April 9, 2019
Approved: May 14, 2019

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

Attending: Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BOH”) Clerk; Joan Eliyesil, Harvard Press; Neil Gorman, David E. Ross Associates; Steven Ernst & Christiana Ernst, 2 Wilroy Ave.; Emily Grandstaff-Rice, Arrowstreet; SusanMary Redinger, School Building Committee.

Ms. Levison called the meeting to order at 2:07 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS

a. Jeff Curtis: Consideration for sanctions- This discussion was tabled for a future meeting.

b. Review PHEP EAT Request application package and quotes (due to Regional Coordinator 4/26/19)- The BOH reviewed laptop quotes from Guardian, Dell, and SHI, as well as excerpts from OSD contract documents. Ms. Levison made the motion to pursue a quote for the “Lenovo Laptop 2” listed in the OSD contract documents; Mr. Philippou seconded. All were in favor.

Additionally, it was discussed that a keyboard should be purchased using petty cash. Ms. Flynn will discuss with Ms. Sobalvarro whether a quote from Guardian can be obtained for the engineering. Revisions were also made to Ms. Flynn’s draft cover letter for application.

Mr. Philippou offered to prepare a EAT Request application package for a relay communicator for the satellite phone.

c. Consideration of outreach re well testing prior to sale- Mr. Grossman advised that Attorney Barbieri has handled a few recent closings that were not compliant with the well regulations requiring water quality testing prior to sale. Attorney Barbieri indicated that the brokers involved in the closings were unaware of the new well requirements. The BOH members discussed whether Ms. Flynn’s letters to area brokers and Mr. Grossman’s request that Title 5 inspectors distribute the BOH’s handout was sufficient. It was agreed that adequate outreach efforts were made.

d. Review of 2020 budget feedback- This item was tabled for a future meeting.

e. Discussion regarding outreach to other NABH towns regarding waste hauler permitting- Ms. Levison recently learned that Stow is not permitting waste hauler and asked the other BOH members whether it might be helpful to reach out to abutting BOHs to compare waste hauler permitting practices. Mr. Grossman indicated that he does not believe this is necessary. The other BOH members agreed.

f. Discussion on BOH role regarding rentals in private homes- Ms. Levison asked the members whether they believe the BOH should become involved when they learn that private homes are renting out spaces as accessory apartments. Mr. Philippou indicated that he doesn't think that it should be a BOH issue if the use is in compliance with the septic permit. Mr. Grossman advised that if the property is being used for more than a single family, two septic tanks or separate compartments are required for compliance. No decision was reached by the members on whether they would like to follow-up on such issues when hear about them.

g. Clerk and Health Agent Update

- Ms. Flynn advised that she received clarification from Ms. Natoli about the Safeneedledisposal.org materials discussed at the last meeting; Safeneedledisposal.org will be providing Ms. Natoli with printed materials only. Ms. Flynn also asked the BOH whether they would like to link a recently uploaded PDF describing the medicine drop box at the Public Safety Building to the BOH webpage regarding safe disposal of medicines. Ms. Levison asked that Ms. Flynn confirm with Ms. Natoli that the PDF will be permanently maintained on the website so that the URL can be linked.
- Ms. Flynn advised that she received an updated Year-to-Date Budget report. Ms. Levison asked that it be discussed at the next BOH meeting.
- Mr. Grossman reported that he contacted MassDEP for guidance on the manganese and arsenic levels at the Harvard Plaza PWS.
- Ms. Flynn, Mr. Grossman, and Ms. Levison advised of known upcoming vacations.
- Ms. Levison advised that a friend on Eldridge Road indicated she suspects she has high sodium levels in her water. Ms. Levison's friend will test her water and share the results with the BOH. Ms. Levison suggested they reach out to a former BOH Clerk who lives in the area to request she also test her water and share the results. Mr. Grossman offered to contact the prior Clerk. Ms. McCarthy suggested the MassDOT Highway Salt Remediation Program be referenced to residents with elevated sodium results.

OLD BUSINESS

a. Discussion regarding preparing the 2019 Emergency Dispensing Site (EDS) Plan- Ms. Levison offered to reach out to Mr. Price after she has the opportunity to review the draft documents.

b. Hildreth Elementary School Building Committee- Continued carpet variance request hearing- Susan Mary Redinger and Emily Grandstaff-Rice were present to continue the carpet variance hearing. Ms. Grandstaff-Rice confirmed for Ms. McCarthy that the Innovation Lab, which is located over half of the Media Room, has two sinks. All other classrooms in the building, some of which are above the administrative offices, also have sinks. Ms. Grandstaff-Rice indicated that many of the sinks are ADA accessible, so it would be hard to include a catch tray. Mr. Grossman noted that this is not necessarily a bad thing, as rot is often found in the cabinets under a faucet. She also reported that the sinks are not automatic shut off, as she had indicated at the last meeting, and explained that sinks are included in the classrooms at the encouragement of the State to facilitate science education.

Ms. Grandstaff-Rice indicated that there will be back-up power, so there are no concerns of pipes freezing. She also stated that the school will be built on a concrete slab that will not hold moisture at the same rate as a wood frame; a dehumidification system will detect, monitor and counteract the humidity. Mr. Philippou indicated he would like to see an alarm or log for water that egresses in to the building. Ms. Grandstaff-Rice indicated that there are no external gutters in the plan; all are internal and duplicated within the wall. She indicated that this is preferable

because they can be easily maintained, and stated that part of the larger issue at hand the history of a lack of maintenance. Mr. Philippou raised concerns with whether the roof drains could handle torrential rains or whether the drains could fail with ice dams. Ms. Grandstaff-Rice indicated that the roof is designed to be insulated against the temperature differentials that cause ice dams. Ms. McCarthy requested references of other towns who have used internal gutters; Ms. Grandstaff-Rice agreed to provide the same. At the members' request, Ms. Granstaff-Rice pointed out the areas over which the roof is the least pitched.

Ms. Levison stated that she could appreciate the reasoning for the use of carpet in all areas except for the administrative space. Ms. Grandstaff-Rice offered the use of non-carpet flooring in the administrative offices. She indicated that by doing so, they would be compromising acoustics for privacy under the doorways.

Ms. Redinger indicated that she has learned from past mistakes and understands the concerns of the BOH. She also indicated that she has a lot of faith in the architects and the construction company, and that if the internal gutters fail, there will be a lot more concerns than just the carpet.

Ms. McCarthy made a motion to approve the carpet variance. Mr. Philippou made a motion to approve use in the Media Room, Quiet Room, & Guidance Room; Ms. McCarthy seconded. Mr. Grossman indicated that he doesn't think carpet in a professional space with a separate entrance would be a problem. Mr. Philippou voted in favor; Ms. McCarthy against; Ms. Levison abstained. Mr. Philippou made a motion to approve the carpet variance for the Guidance, Media, and School District/Superintendent Offices only; Ms. McCarthy seconded. All were in favor.

c. Continued variance request hearing for 2 Wilroy Ave.- Mr. Gorman reported that since the last meeting, a walk-through was performed at the property. He indicated that the building contains two, approximately 100 sq. ft. bedrooms on the first floor, a full kitchen, and a half bath, with two more bedrooms on the second floor. Mr. Gorman indicated that his clients are currently working on preparing a legal agreement for a shared well at 4 Highland Avenue, as requested by Mr. Grossman. Mr. Grossman stated that one of his big concerns is that the applicant is not the owner of the land, and that the agreement will need to be recorded along with the Trustees' Certificate. The BOH members requested Ms. Flynn send Mr. Gorman the Trustees' Certificate for Still River Realty Trust as an example which was reviewed by Town Counsel. Mr. Grossman also noted that a deed notice will need to be recorded which states the property is a seasonal structure. Mr. Grossman stated that he is fine with a shared well as long as it is recorded with the property owner.

Mr. Gorman reviewed the variance and local approval requests listed in his letter of March 22, 2019. Mr. Grossman reminded the BOH members that Title 5's goal is to always reach full compliance when possible, and stated that he believes they could increase compliance by installing in the rear of the Willard Shores Association Property. Mr. Gorman pointed out to the members that one of the existing systems in that area needed a variance for offset for ledge. Mr. Philippou made the motion to approve the variances as requested in the letter of March 22, 2019; Ms. McCarthy seconded. Ms. Levison asked Mr. Grossman to discuss the inlet and outlet; Mr. Grossman indicated these would not change, but thinks the BOH could do better with groundwater reduction and offset from ledge with wells downgradient of the system. The members asked Mr. Gorman how a 3 foot to groundwater offset would affect the plans. He indicated that a few more trees would need to come down and that the parking would be a bit encroached upon. Ms. Levison made a motion to amend Mr. Philippou's motion to allow for a 3

foot to groundwater offset; Mr. Philippou seconded. Ms. McCarthy asked Mr. Gorman if they would need to refile with the Conservation Commission; Mr. Gorman did not think that would be necessary, but will consult with Ms. Allard. Mr. Philippou commented that he believes it is beneficial to keep this system close to the camp because other properties might need to install in the rear of the Willard Shores Association property. Mr. Philippou and Ms. Levison were in favor; Ms. McCarthy abstained. Mr. Gorman indicated he would prepare a revised plan for submittal to Mr. Grossman and Ms. Allard.

d. Update from the Transfer Station Committee- Mr. Philippou reported that the last meeting included a discussion with Town Hall staff members regarding the current flow of sales of transfer station stickers and how they foresee flow will be with the implementation of SMART.

e. Update from the MVP Committee- Ms. McCarthy reported that the community outreach meetings are scheduled for April 11th and April 25th.

f. Continued review of draft marijuana sales regulation- This discussion was tabled for a future meeting.

g. Continued review of draft tobacco and marijuana use regulation- This discussion was tabled for a future meeting.

h. Review Action Items- The action items from the last meeting were reviewed.

PERMITS

- The septic permit application package was reviewed and a permit was issued for 47 Myrick Avenue.
- Stable permit applications for 58 Old Mill and 44 Littleton County Road were approved. The stable permit application package and comments from the Conservation Agent were reviewed for 78 West Bare Hill Road, and a permit was issued. The BOH adopted Ms. Allard's request and asked that Ms. Flynn's cover letter enclosing the permit indicates the BOH strongly recommends moving the manure dumpster to the east side of the barn if there is access for the hauling company to do so.
- The trash hauler application package for Mr. Trashman was reviewed and issuance of a permit was approved. The BOH members asked that Ms. Flynn's cover letter enclosing the permit request the waste ban materials notice include the contact information for the Harvard Board of Health.

APPROVAL OF MINUTES-

Ms. Levison made the motion to approve the draft minutes of March 26, 2019, as amended; Mr. Philippou seconded. The vote was unanimous.

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

ADJOURNMENT- Ms. McCarthy moved to adjourn the meeting at 4:26 p.m.; Mr. Philippou seconded. The vote was unanimous.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Draft minutes of 3/26/19
- Review PHEP EAT Request application package and quotes
- Hildreth Elementary School Building Plan
- 2 Wilroy Ave. "Streets" file
- 47 Myrick Lane, Septic Permit
- Stable permit applications for 58 Old Mill, 44 Littleton County Road, and 78 West Bare Hill
- The trash hauler application package for Mr. Trashman