

Harvard Board of Health Meeting Minutes
Zoom Meeting
Tuesday, January 11, 2021
Approved: January 25, 2021

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

Attending: Alison Flynn, Clerk, Harvard Board of Health (“BOH”); Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Joan Eliyesil, The Harvard Press; Jack Maloney, Dillis & Roy; Dan Meznick, potential buyer, 94 Ayer Road.

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

Ms. Flynn read aloud the Remote Meeting Preamble.

PUBLIC COMMENT- None.

NEW BUSINESS

a. 94 Ayer Road: Consideration of requests for local upgrade approval and Title 5 variances- Mr. Maloney presented on behalf of potential buyer, Mr. Meznick, who is considering purchasing the property which consists of a two-unit residential structure on a shared driveway. Mr. Maloney explained that the property recently failed its Title 5 Inspection with a failed cesspool, and the proposed plan includes installation of a Presby system with a treatment plant, and a new well. Mr. Maloney further explained that due to site constraints, including Bowers Brook and wetlands, the new system is proposed in the only upland area and requires local upgrade approvals, Title 5 variances, and well variances as listed on the submitted request letter and local upgrade conditions form. Mr. Maloney and Mr. Meznick indicated that at the suggestion of the Conservation Commission (“ConCom”), they first explored the possibility of a land swap or easement with the property owner of 96 Ayer Road, but that property owner’s bank has not been cooperative. Mr. Grossman advised that his concern was with finding a suitable site given the proposed location’s 60 min/inch perc rate, distance to the wetlands, and poorly sited well, and indicated that extreme time should’ve gone into making an arrangement with the abutter. Mr. Grossman also advised that ConCom has asked why a tight tank is not being proposed, and explained that a tight tank is a solution of last resort for Title 5 where a system cannot be installed with variances in accordance with Title 5. Mr. Grossman advised the BOH on the benefits and disadvantages of having a tight tank versus the proposed system. Ms. Levison made a motion to decide on the permitting of the septic prior to discussion of the well; Mr. Mitchell seconded. All were in favor by roll call vote. Mr. Mitchell made a motion to approve the septic plan as proposed on Plan 6482-SDS; Ms. Levison seconded. All were in favor by roll call vote.

Ms. McCarthy expressed concern regarding the location of the proposed well and its proximity to Ayer Road. Mr. Grossman advised that as a newly drilled well, it will be required to meet the full requirements for water quality testing. My Grossman also recommended the BOH require VOC analysis to ensure no contamination from the nearby autobody repair shop; Mr. Mitchell agreed. Ms. McCarthy questioned the anticipated depth of the well. Mr. Grossman indicated the nearest well is 300 feet deep. Ms. McCarthy stated she is not worried about leachate from

the road at that depth. Mr. Grossman also noted the proposed 78 foot offset from the leaching field as a reduction from the required 100 foot offset. Ms. Levison recommended Mr. Meznick test water quality more frequently because of the proposed proximity to potential contaminants. The BOH members advised Mr. Meznick that VOC contamination can be mitigated, and might require a deed restriction. Mr. Mitchell made the motion to grant the well permit as requested with a condition of VOC requirements; Ms. Levison seconded. All were in favor by roll call vote.

b. Discussion regarding preparation of best practices for water quality samplers of private wells- Mr. Mitchell volunteered to work with Mr. Grossman to prepare draft best practices for BOH review.

c. Initial discussion regarding preparation of financial warrant for algae monitoring of Bare Hill Pond (due 2/12/20)- The BOH members reviewed Ms. Levison's draft budget for a financial bill warrant. Ms. Levison explained that she assumed Mr. Leicher's estimated cost of \$300 per test, and anticipated 7 tests would be required in a worst-case scenario. Ms. McCarthy suggested the BOH propose testing at the Town Beach, and agree to a friendly amendment for testing at other sites if requested by others at Town Meeting. Ms. Levison will revise the draft to include funding for signs to be posted at the Town Beach and Thurston's Cove, and testing at the Town Beach.

d. Prepare answers to FinCom questions re FY22 budget (due 1/13/21)- The BOH members reviewed the draft budget answers. Ms. Levison will send Ms. Flynn the revised answers for her submission.

e. Collaboration between School District and BOH regarding COVID-19- Ms. McCarthy reported that Dr. Dwight has offered to loan School computers, tables, chairs, if needed for a vaccination clinic. Dr. Dwight also indicated that she can make available 1-2 staff members for IT support if the clinic is held over April vacation. Ms. McCarthy indicated that Dr. Dwight suggested the BOH reach out to the Select Board and Town Administrator for their endorsement of the clinic. Mr. Grossman and Ms. Levison indicated that Mr. Bragan, Chief Sicard, Mr. Cotting, and Chief Denmark have all expressed their support of the idea during Emergency Management Team meetings. Mr. Mitchell offered to contact Mr. Sklar and Mr. Maiore; Ms. McCarthy will contact Ms. Von Loesecke; Ms. Levison will reach out to Ms. Minar and Ms. Wallace; Mr. Grossman will speak with Mr. Bragan, including to express the need for back-office support from Ms. Sobolvarro and/or Ms. Doucet. Mr. Grossman indicated that NABH's preparation for the NABH 1st Responders clinic has been a lot of work.

f. Review list of drive-through EDS preparation tasks- The BOH members continued discussions regarding planning for a potential drive-through COVID-19 vaccination clinic. Ms. McCarthy and Mr. Mitchell agreed to review Ms. Levison's draft logistics plan prior to the next EDS meeting. Ms. Levison suggested that the EDS plan should be split into two sections, Program and Site logistics, with the BOH focusing on the Program and another party running the ICS. She suggested the BOH ask Chief Sicard if he would be willing to run ICS. Ms. Levison also advised that Mr. Cotting indicated that the EMS cadets and volunteers under 18 years old. will not be available because they will not yet be vaccinated. Ms. McCarthy suggested that student volunteers could assist by washing the grease markings off windows. The members also reviewed and revised Ms. McCarthy's plan for the next EDS meeting. Ms. McCarthy and Ms. Flynn will continue to revise the plan. Ms. Flynn reported that she continues to update the spreadsheet of volunteers to include their contact information and skill set. Ms. McCarthy suggested public outreach about the COVID-19 vaccine should include several Zoom forums hosted by the BOH. She proposed an initial Zoom forum could include a presentation

and Q&A with a medical expert on vaccines, and subsequent forums which would replay the initial forum and include follow-up Q&A fielded by local experts. The BOH agreed to begin working on the outreach plans once the SB is committed to support a vaccination clinic. Mr. Grossman noted that DPH has indicated a group is focused on marketing the vaccine. Ms. Levison reported that the COA has received lots of questions regarding when the vaccine will be available.

g. Update from Deer Management Subcommittee: Minutes review- This discussion was tabled.

h. Update from Land Use Boards Meeting of 12/15/20- Mr. Grossman and Ms. McCarthy reported the Land Use Boards discussed ongoing issues with Pine Hill Village and cell towers, and that site work has begun at Pine Hill Village.

i. Update from recent DPH COVID-19 Conference Calls & enforcement of new and revised orders issued by Governor Baker- Ms. McCarthy noted the number of referrals to the Contract Tracing Collaborative have been astronomical; Ms. Levison noted 7,000 in the prior day. Ms. Levison asked for confirmation of the approved number of seats for Carlson's Cider Barn; Mr. Grossman noted that the approval is 66 which equates to 16 people with the current COVID-19 restrictions. Mr. Grossman advised that Ms. Braley has sent COVID-19 guideline updates to those who hold food service permits in Harvard.

j. Update from the Emergency Response Team- Ms. Levison reported that all Harvard fire fighters, EMS, and police are signed up for COVID-19 vaccination, and whether COVID-19 vaccination will be required of Town Hall employees is still being considered. Ms. Levison also reported that the six weeks of pooled testing being offered to schools will follow-up with antigen testing of positive pools; the state has asked Harvard if it will continue to use PCR testing for follow-up of positive pools as a study. Ms. Levison stated that Dr. Dwight has reiterated her offer to include Town Hall employees in the pooled testing. Mr. Grossman stated that the School is paying for the testing. Ms. Levison stated that Dr. Dwight's advice for a vaccine clinic based on her experience with the pooled testing is to over-plan. Ms. Levison stated that she is unaware if Harvard has any CARES Act funds available.

k. Clerk and Health Agent Update- Ms. Flynn reported that Alpha Graphics indicated the town-wide mailing in support of recycling will go to post on Friday.

OLD BUSINESS

a. Status update regarding COVID-19 Protocols of the Immaculate Heart of Mary School- The Members acknowledged that revised protocols were received from the IHMS the day of the meeting. Ms. Levison they were improved from the prior version received. Ms. McCarthy volunteered to work with Ms. Flynn to prepare comments for the School.

b. PFAS update, including continued discussion re MassDEP Private Well PFAS testing program- Mr. Mitchell reported that he received the report from the 10/27/20 sampling of the Pond Road wells, but Mr. Kilhart has not yet received the results from the follow-up test. Mr. Mitchell indicated that he learned that field blanks were collected, the results of which were Non Detect. Ms. Levison suggested that a list of target wells for DEP sampling might be derived by looking at the history of fires in Harvard; Ms. McCarthy agreed. Mr. Mitchell indicated that it would be helpful to reach out for assistance with GIS when identifying target wells. Mr. Mitchell

offered to reach out to the new Army consultant to explain the BOH's concerns that the privacy of private well owners is protected when reporting results.

c. Continued preparation of the Annual Town Report submission (due 1/25/20)- Ms. McCarthy indicated that Ms. Flynn will circulate the draft ATR submission for comment. Ms. Flynn and Ms. McCarthy will then work to revise and submit the final version.

d. Status of Transfer Station Appointment- Ms. McCarthy indicated that she has not received an update from Ms. Von Loesecke. Ms. Levison stated that it is important so that the issue of sharing RDP points does not fall off the radar. She also noted that a poll was posted to NextDoor asking residents if their waste disposal and recycling practices would change if the Town was to mail Transfer Station stickers to each taxpaying household. Mr. Mitchell volunteered to follow-up with Mr. Sklar and Mr. Maiore.

e. Continued review of draft algal bloom procedures- Ms. McCarthy suggested the procedures include a clear sequence of communication following observation of an algal bloom. Ms. McCarthy will send her limited comments to Ms. Levison for revision prior to submission to the algae working group for comment.

f. Review Action Items- Action items were reviewed.

PERMITS

- 57 Westcott Road: Stable Permit- Ms. Levison made the motion to approve the permit; Ms. McCarthy seconded. Ms. McCarthy and Ms. Levison were in favor; Mr. Mitchell abstained, as he is the property owner.
- 47 Ann Lees: Septic Permit- Mr. Grossman stated no objections to the local upgrade approval. Mr. Mitchell made the motion to approve the plan as submitted; Ms. Levison seconded. All were in favor by roll call vote.
- 175 Littleton County Road: Septic permit- Mr. Grossman advised that the application is for new construction in full compliance. Ms. Levison made the motion to approve the plan as submitted; Mr. Mitchell seconded. All were in favor by roll call vote.
- Waste Not, UMM Hauling, Mr. Trashman: Waste Hauler Permits- Ms. Flynn advised that the submitted application packages are fully compliant with the regulations. Ms. Levison made the motion to approve the permits; Mr. Mitchell seconded. All were in favor by roll call vote. Ms. Flynn confirmed that, as requested, UMM resubmitted an application package, including permit fee, because their application package was not fully compliant by the end of December.
- D&D Disposal: Waste Hauler- Ms. Flynn advised that the application is for hauling of temporary roll-off dumpsters only, and confirmed that the abbreviated supporting documents are as required of D&D Disposal for the same permit in prior years and of Mitrano this year. Ms. Levison made the motion to approve the permit; Mr. Mitchell seconded. All were in favor by roll call vote.
- GW Shaw & Son: Waste Hauler- Ms. Flynn advised that the application package is mostly complete with the exception that their communication to customers who set out visible waste ban materials includes a telephone call with photographs of the set out. The members agreed that this is a reasonable method for educating the customer, and suggested that GW Shaw & Son include in the conversation that Harvard customers can contact the BOH with questions. Ms. Levison made the motion to grant the permit, ask

GW Shaw to inform such customers to contact the BOH with questions; Mr. Mitchell seconded. All were in favor by roll call vote.

- EL Harvey- Ms. Flynn advised that EL Harvey's examples of marketing materials and customer notification of violations of the waste ban do not fully meet compliance with the regulation, the customer lists include residential customers who are not recycling, commercial generator exemption forms were submitted for all commercial customers indicating that they are sorting at EL Harvey, and an internal e-mail forwarded to Ms. Flynn indicates that EL Harvey is not providing recycling services in Harvard. She indicated that EL Harvey was invited to the meeting, told on Friday that someone would be in attendance, but did not receive confirmation upon follow-up today. Ms. Flynn advised that she was told by EL Harvey that they recently sold their residential clients to Mr. Trashman. Mr. Mitchell made a motion to deny the permit to EL Harvey based on inability to comply with the regulation. Ms. Levison seconded the motion. All were in favor by roll call vote.

MINUTES

The BOH members reviewed and revised the draft Minutes of December 14th at 1PM. Ms. McCarthy made the motion to accept the minutes as amended; Ms. Levison seconded. All were in favor by roll call vote.

The BOH members reviewed and revised the draft Minutes of December 14th at 7PM. Ms. Levison 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 not discussed.

ADJOURNMENT- Ms. Levison made the motion to adjourn at 9:11 p.m.; Mr. Mitchell seconded. All members were in favor by roll call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- 94 Ayer Road: Proposed SDS plan, variance request letter, and local upgrade conditions form
- Draft budget for the algae warrant article
- Draft COVID-19 vaccination clinic logistics plan
- Draft Plan for EDS Meeting (1/15/21)
- Revised IHMS COVID-19 protocols
- Waste hauler application packages of EL Harvey, Waste Not, Mr. Trashman, D&D Disposal, GW Shaw & Son, and UMM Hauling, Inc.
- 47 Ann Lees: Proposed SDS plan, application, variance request letter, and proposed permit

- 175 Littleton County Road: Proposed SDS plan, application, and proposed permit
- 57 Westcott Road: Stable permit application and memorandum from ConCom
- Draft minutes of 12/14/20 at 1PM and 7PM