

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**November 9, 2021**  
**Approved:**  
**November 30, 2021**

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

*Attending (Including but not limited to):* Alison Flynn, Clerk, Harvard Board of Health (“BOH”); Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Scott DeSantis, property owner, 25 Mill Road; Mykal Mendes, Beta Group, Inc.; Jake Basnett & Lindsey Hazel, 63 East Bare Hill Road; Kerri Greene, Chair, Agricultural Advisory Committee.

Ms. Levison called the meeting to order at 7:04 p.m.

Ms. Flynn read aloud the remote meeting preamble.

*Ms. Levison asked whether the BOH members would consider an extra meeting the week of Nov 15th. They agreed.*

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

a. Consider Agricultural Advisory Committee’s comments on the proposed Private Wells amendments- The BOH members considered the Agricultural Advisory Committee’s comments on the proposed amendments, and agreed to change the language of the required signage from “Water Unsafe” to “Water not safe for human consumption”, and to add a definition for “habitable structure”.

b. 25 Mill Road: Status of building permit application and resolution of PFAS findings- Mr. Grossman stated that the BOH has not yet endorsed the building permit pending follow-up discussion on PFAS findings. Mr. Grossman stated that he did not receive an appropriate response from DEP to his repeated requests for guidance. Mr. Mitchell stated that he left a voicemail message for Ms. Pigsley, but also did not hear back. Mr. Grossman noted that while he does not objection that the second sample was pulled by a Licensed Site Professional (“LSP”), this was not in accordance with the Private Wells regulation. Mr. Mitchell suggested the regulation amendments include acceptance of sampling by LSPs; the others agreed. Mr. DeSantis volunteered to have a third PFAS sample pulled prior to occupancy. Ms. Mendes suggested this would be reasonable, and noted that the average of the PFAS results is still under the MCL. She offered reassurance that the June sample was taken after at least 3 well volumes were pumped, approximately 1,200 gallons, consistent with the EPA & MCP guidelines, and that the sample was collected pursuant with MA DEP and EPA guidelines for PFAS sampling. She further stated that she personally collects PFAS samples 1-2 times per month, and is very confident in Alpha’s certification of the results. The BOH members agreed that initial sign-off of

the building permit is appropriate and agreed to reassessment after the third set of results are received prior to occupancy. Ms. Levison noted that the property address included in Ms. Mendes's report is not consistent.

c. Private Wells regulation amendment hearing- Ms. Levison opened the hearing at 7:34 pm. The BOH members considered the additional proposed amendments which were discussed under New Business items A and B. Mr. Mitchell made a motion to approve the amendments as discussed; Ms. McCarthy seconded. There were no public comments. All were in favor by roll call vote. Ms. Levison closed the hearing at 7:41 p.m.

d. 63 East Bare Hill Road: Consider building permit application and room count- Mr. Grossman advised that the pending building permit application proposes to finish the upstairs space to include two bedrooms and an office. He reported that the existing home already includes one finished bedroom downstairs on a three bedroom approved septic. Mr. Grossman advised that it would be appropriate to approve a bedroom deed restriction before approving the building permit application. He further confirmed that the "office" meets the requirements for a bedroom since it is greater than 70 square feet. The BOH Members explained the purpose of recording a bedroom deed restriction is to notify brokers and future property owners of the limitations of the septic system. The property owners were agreeable and provided a draft 3-bedroom deed restriction. Mr. Mitchell made a motion to approve requested deed restriction for 63 East Bare Hill Road; Ms. McCarthy seconded. All were in favor by roll call vote.

e. Consider change to BOH Meeting Schedule and adding a November meeting- Possible changes to the meeting schedule were discussed. Ms. Levison and Ms. Flynn will prepare a Doodle Poll to assess availability.

f. Prepare comments on the Select Board's draft Code of Conduct for Appointed & Elected Volunteers- The BOH reviewed the draft Code of Conduct and prepared comments. Ms. McCarthy suggested that the Land Use Boards (LUB) compile comments. Ms. Flynn will send the BOH comments to Mr. Ryan with this request.

g. Update from Land Use Boards (LUB) Meeting (11/9/21)- Mr. Grossman reported that there was discussion regarding various outstanding issues at 351 Ayer Road including its PFAS findings in the shared well, and ongoing enforcement issues with the Building Commissioner and ConCom. Mr. Grossman stated that continued BOH follow-up is needed regarding the pool repairs and the shared well. He indicated that he and Ms. Flynn have not received a response from any of the shared well owners, and will follow-up. Mr. Grossman stated that Trail Ridge, Pine Hill Village, and Craftsman Village will all need to meet 40B permit conditions prior to receiving occupancy permits, and that Trail Ridge is currently the subject of legal disputes because of their failure to execute these requirements in a timely manner. He reported that there are currently discussions of another 40B project beginning on Ayer Road, but that nothing has been confirmed. Ms. McCarthy reported that there were also additional discussions of the LUB staff relocating to the Hildreth House in the fall of 2022.

h. Discuss current COVID-19 status- Ms. Levison advised that she recalculated weekly vaccination percentages from Mr. Garreffi's summary using the population data received in July from Ms. Kenney. Ms. Levison stated that by her calculations, 91% of the population, excluding the 5-11 age group, is totally or partially vaccinated, and 85% of the population is totally or partially vaccinated if you include the 371 children ages 5-11. Ms. Levison will send her calculations to Mr. Garreffi and Ms. Montgomery with her explanation.

i. Update regarding plans for a COVID-19 vaccination clinic for the Harvard Public Schools- Ms.

McCarthy advised that Mr. Garreffo is investigating the possibility of running a 5-11 vaccination clinic at the elementary school. Mr. Grossman advised that they are considering a regional approach with the largest schools first.

j. Update from recent DPH COVID-19 Conference Calls- Ms. Levison reported that last week's call was largely regarding MAVEN and Color training. She indicated that a mobile vaccination clinic can be requested if the municipality has more than 15 people interested. Ms. McCarthy volunteered to contact Ms. Thompson to gauge whether Foxglove and/or Bowers Brook Apartments would be interested in assistance arranging for a booster clinic. Ms. McCarthy reported that this week's call discussed changes to contact tracing protocol which will require just one call per case except in areas of high transmission.

k. Clerk and Health Agent Update-

- Ms. McCarthy asked about the e-mail received about a textile collection program which benefits Big Brothers & Big Sisters. Ms. Levison advised that she does not think this option needs to be pursued as there are already multiple textile recycling options available in Harvard.
- Ms. Flynn asked the BOH Members to consider approving the The Harvard Press's invoice for all five COVID-19 ads, to be submitted for payment after the last ad is printed. Mr. Mitchell made the motion to process the invoice for payment once all five ads are printed; Ms. McCarthy seconded. All were in favor by roll call vote.
- Mr. Mitchell volunteered to attend the next RAB meeting.

## **OLD BUSINESS**

a. Consider revisions to Bare Hill Pond Town Beach Algal Bloom Procedures- The BOH Members agreed to discuss this at a meeting next week. Ms. McCarthy suggested that the fluorometer readings and cell count analysis begin in July. The members agreed to cell count analysis until three more readings are received in the low range.

b. Continued discussion regarding FY23 budget submission- The Members agreed to email Ms. Levison their suggested ideas for activities by Sunday so she can begin working on the budget.

c. Update re stable permit applications insert- The BOH reviewed and revised the draft stable permit insert. Ms. Levison advised that the price for a double-sided insert would increase by \$0.02 per insert. Ms. Levison brought to the BOH's attention that there is a chicken farm in Town producing enough eggs for commercial sale; she suggested the BOH may need to consider a threshold number of chickens necessitating permit application in the future.

d. Continued discussion re planning for winter emergency preparedness- Mr. Grossman advised that he has been unable to connect with the Fire Chief.

e. Continued preparation of COVID-19 press ads and townwide mailings- Mr. Mitchell agreed to prepare an ad for The Harvard Press issue of 11/19.

f. Prepare plan for public outreach- This item was tabled until the next meeting.

g. Update regarding BOH Administrative Assistant job description & request for additional hours- Mr. Mitchell reported that at the Personnel Board meeting, the BOH Administrative Assistant was reappointed from Grade 4 to Grade 5. Ms. Levison stated that she will discuss the request for extra hours with Mr. Sklar this week.

h. Update re status of lobbying NABH for a sustainability expert shared among towns- This item was tabled for a future meeting.

i. Arbovirus risk status update and further discussion regarding denial of Application for Municipality Opt-Out of SRMCB Spraying- This item was tabled for a future meeting.

j. Report from UMASS Extension "Tick Topics" webinar- Mr. Mitchell reported that he watched the video and learned that the tick population is more dependent on weather than the deer population. .

k. PFAS update, including but not limited to continued discussion re MassDEP Private Well PFAS testing program- The BOH Members agreed to post the link to the EPA Press Release on the webpage.

l. Review Action Items- Ms. Levison stated she will measure the kiosk before approaching Parks & Recreation about the dial sign. Ms. Levison also stated that she will bring the draft hauler townwide mailing back to the BOH for review before sending it to Ms. Aloise. Ms. Grossman advised that Mr. Hayes inspected 126 Poor Farm Road and will prepare a determination shortly.

## **PERMITS**

- 140 Stow Road- Mr. Mitchell made a motion to approve the request for use of the innovative technology; Ms. McCarthy seconded. All were in favor by roll call vote.
- Lot 4 Prospect Hill Road- Mr. Grossman stated that he sees no issues with the design request. Mr. Mitchell made a motion to approve the requested use of the innovative technology; Ms. McCarthy seconded. All were in favor by roll call vote.

**MINUTES**- None.

**ITEMS FOR NEXT AGENDA**- Items for the next two agendas were discussed. Mr. Grossman and Ms. McCarthy advised that they are unavailable on 11/23/21. Ms. McCarthy suggested the BOH move the meeting from 11/23 to 11/30. The Members agreed.

**ADJOURNMENT**- Mr. Mitchell made the motion to adjourn the meeting at 8:48 p.m.; Ms. McCarthy seconded. All were in favor by roll call vote.

***Respectfully submitted,***

***Alison Flynn, Clerk***

Documents Referenced:

- Agenda
- Comments on the Private Wells regulation from the Agricultural Advisory Committee
- Draft revisions to the Private Wells regulation
- 25 Mill Road: Water quality results from April 2021 & Beta Group, Inc. report of 7/14/21
- 63 East Bare Hill Road: Septic permit and proposed renovation plans

- Select Board's draft Code of Conduct
- Draft stable insert & A. Flynn e-mail regarding cost
- EPA Press Release re PFAS dated 10/18/21
- 140 Stow Road: SDS application, proposed SDS plan, Local Upgrade Conditions form, variance request letter, unsigned Permit
- Lot 4 Prospect Hill Road: SDS application, proposed SDS plan, variance request letter, and unsigned permit