

**Harvard Board of Health Meeting Minutes**  
**Tuesday, February 27, 2018**  
**Approved: March 20, 2018**

*BoH Members present:* Libby Levison; Tom Philippou.

*Attending:* Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BoH”) Clerk; Dawn and Robert Hamel, owners of Brown Road, Lot 1.

*Mr. Philippou called meeting to order at 7:03 p.m.*

*The meeting was briefly suspended from 7:07- 7:14 p.m. while Ms. Levison attended the Board of Selectman meeting regarding the Townwide Cleanup.*

**PUBLIC COMMENT-** None.

**NEW BUSINESS-**

- a. Review of Emergency Dispensary Site (“EDS”) facility set up drill of February 20, 2018, and discussion regarding outreach for potential volunteers- The BOH members were very pleased with the drill and the turnout by other town groups. They discussed potential methods of outreach to Harvard residents who might be willing volunteer to participate in an EDS in the event that out-of-town Medical Reserve Corps members are unavailable. It was suggested that the BOH might ask The Harvard Press to run an article requesting volunteers, and that the individual BOH members might reach out to town service groups to ask for volunteers. Ms. Flynn reported that Pat Natoli, CERT Director, requested that she and the Fire Chief be updated on the BOH efforts in volunteer outreach.

Ms. Flynn also reported that Ms. Natoli had inquired whether there are any emergency preparation funds available to share with the Fire Department at this time. Mr. Philippou indicated that he learned that it was expected to cost the BOH \$2,000- \$2,500 to purchase an additional base station and antenna for the satellite phone, to be installed at the Bromfield School, and that Dave Woodsum, Harvard’s Electrical Inspector, would be available for installation. Ms. Levison moved to continue with the purchase and installation of a base and antenna for the satellite phone to be installed at the Bromfield School; Mr. Philippou seconded. It was agreed to that the BOH members would reassess Ms. Natoli’s inquiry regarding available funds after the purchase and installation was complete, and any unforeseen expenses were identified.

- b. Discussion regarding expanded coffee roaster business at the “Appleworks” building- Mr. Grossman reported that Mr. Van Sipe of Muddy Water Coffee Roasters (“Muddy Water”) recently applied to

NABH for a Mobile Food/Coffee Truck Service Permit. Mr. Grossman reminded the BOH members that Muddy Water is not approved to have any liquid form of coffee at the space at the 325 Ayer Road, "Appleworks" building, and is concerned the mobile food permit application could reflect a change in Mr. Van Sipe's intended usage of the Appleworks space. It was agreed that Mr. Van Sipe will be invited to a BOH meeting to discuss his plans.

- c. Review proposed protective zoning bylaws and preparation of any comments for the Planning Board (Marijuana bylaw, agri-tourism bylaw)- The BOH members reviewed the proposed protective zoning bylaws. Mr. Grossman advised that he does not believe the BOH needs to regulate the sale of marijuana at this time, as he believes the State will. The BOH members prepared the following comments regarding the Agritourism bylaw: 1) Please include discussion of noise & noise control, hours of operation, and lighting restrictions; 2) Please define "farm guesthouses"; and 3) Please address how you expect to monitor and enforce §F(9).
- d. Update from Health Agent & BoH Clerk-
- 58 Blanchard Road- Ms. Flynn advised of her telephone conversation with the homeowner earlier today in which Ms. Mezidor-Philippe requested an additional 6 weeks extension, and stated she is planning to remove the mattresses over the coming weekend. The BOH members and Mr. Grossman confirmed they had not taken photographs over the weekend; Mr. Grossman indicated he drove by the house to check on status on Monday, but did not exit his vehicle. Mr. Philippou proposed a 30 day extension on time; Ms. Levison agreed. Ms. Flynn will call Ms. Mezidor-Philippe to advise of today's discussion, and will send an Order to Correct to confirm the extension on time.
  - 28 Deerfoot Trail- Ms. Flynn reminded the BOH that the standing Order to Correct allowed an extension on time which expires on February 28<sup>th</sup>. Mr. Grossman indicated that he would drive by the property to check on status. Mr. Philippou made the motion for Mr. Grossman to do so and notify Town Counsel that the BOH would like to proceed with the next appropriate legal action if the conditions of the Order were not met. Ms. Levison seconded. A vote was taken; it was unanimous.
  - Ms. Flynn advised that the BOH, through the Town Clerk, had received a second Public Records Request from Ms. Finch, and was having difficulty locating the document. She will continue to search for the document before responding to Ms. Finch by the March 12<sup>th</sup> deadline.
  - MAHB Cannabis Workshop- Ms. Flynn reported that Mr. Philippou expressed interest in attending the MAHB Cannabis Workshop. The budget was reviewed and it was agreed that Mr. Philippou would attend. Ms. Levison made a motion to approve the registration fee for Mr. Philippou; Mr. Philippou seconded. A vote was taken; it was unanimous.
  - Ms. Flynn reported she received a voicemail message from a man identifying himself as Jeff Landry of the Northern Worcester County Board of Health, asking if a BOH member might be interested in discussing landlord tenant issues at one of their meetings in Fitchburg. Ms. Flynn was unable to find any information about the organization online. Neither BOH member was interested.

- Ms. Flynn reported in searching for the document requested by Ms. Finch she found a large amount of unfiled documents in a file cabinet, including a 2016 check for septic permit. It was agreed that she should mail the check back to the excavating company, requesting a new check.

#### **OLD BUSINESS-**

- a. Prepare additional comments for draft groundwater protection overlay district bylaw- The BOH members agreed to send the following additional comments to the Planning Board: 1) Please include a reference to the stable permit when discussing a manure management plan (i.e. “subject to approval by the Board of Health of a manure management plan as required on the stable permit application”); 2) Please consider including a threshold for storage of deicing materials, at §G(1)(h,k), herbicides, and pesticides, at §G(1)(j), so that the Bromfield School and Library, and other sites in Town, are allowed to store non-bulk materials on-site. The BOH also recognizes the possibility that a maintenance facility for Craftsman Village Harvard might also fall in to Ayer’s overlay district; and 3) Please define any acronyms at the time of their first use (e.g. GWPOD and SPGA).

*The meeting was briefly suspended from 8:28- 8:35 p.m. while Ms. Levison and Mr. Philippou attended the Board of Selectman meeting regarding the Transfer Station Committee.*

- b. Further discussion re application for Health Foundation of Central MA grant- Ms. Levison reported that she e-mailed earlier today describing her meeting with Amy Shei, of the Health Foundation of Central MA, regarding a potential application for an Activation Grant. Ms. Shei offered several suggestions which require additional research and coordination with third parties before the BOH will be able to fully consider whether the project is feasible. Given applications are due April 5<sup>th</sup>, the BOH members agreed that they will not be ready to apply this grant year.
- c. Review action points from last meeting- the action points were reviewed and discussed.

**PERMITS-** The septic permit application for the following property was reviewed and issued:

- Septic-
  - Brown Road, Lot 1- New owners, Dawn & Robert Hamel, appeared before the BOH. A transfer permit with a one year extension was issued.
- Stable-
  - 277 Still River Road, Sheila Anderson- The BOH members reviewed the application and agreed that burying manure in an 8 foot hole, in the presence of a very high water table, is not an appropriate manure management plan. Ms. Flynn will send Ms. Anderson copies of the DEP webpages regarding horse-keeping and water quality, and request Ms. Anderson re-submit an improved manure management plan. She will also be invited to attend a BOH meeting.

- 252 Bolton Road, Michele Klein- The BOH members reviewed the application and unanimously voted to issue a stable permit.
- 121 Slough Road, Mark Brown- The BOH members reviewed the application and unanimously voted to issue a stable permit.
- 14 Whitney Lane, Whitley Lane Farm- The BOH members reviewed the application and unanimously voted to issue a stable permit.
- 44 Littleton County Road, Priscilla Endicott- The BOH members reviewed the application and unanimously voted to issue a stable permit.
- 42 Old Mill Road, Victoria LoChiatto- The BOH members reviewed the application and unanimously voted to issue a stable permit.
- Waste Hauler
  - The BOH members reviewed the application package of Waste Management of Massachusetts, Inc. Ms. Flynn noted that Mr. Hill indicated that while the existing marketing materials and waste-ban materials rejection notices do not specify “contact BOH” at this time, they would be willing to revise them. It was decided that a conditional permit would be issued, with the request that the materials be updated by August 1<sup>st</sup>.
  - The BoH members decided that Ms. Flynn should write Waste Not to allow for compliance by August 1<sup>st</sup> as all other hauler’s issued permits had been given this extension on time.
  - D&D Waste- Ms. Flynn reported Darren Brosseau’s question regarding whether he would need a permit if he decided to restrict his work in Harvard to only roll-off dumpsters. Ms. Flynn and Mr. Grossman will investigate further and advise Mr. Brosseau of their findings.
  - Ms. Flynn reported that Nancy Venezia called to ask whether paper shavings bags are recyclable. Fiore told her that they did not think they were and referred her to the BOH. Ms. Flynn will call her back to confirm that as long as the bags are paper, they should be recyclable.

#### **APPROVAL OF MINUTES-**

- February 13, 2018- Draft minutes were reviewed and revised. Mr. Philippou made the motion to accept the minutes as amended, conditioned on Ms. McCarthy’s approval; Ms. Levison seconded. A vote was taken; all were in favor.
- February 20, 2018- Draft minutes were reviewed and revised. Mr. Philippou made the motion to accept the minutes as amended, conditioned on Ms. McCarthy’s approval; Ms. Levison seconded. A vote was taken; all were in favor.

**ADJOURNMENT-** Mr. Philippou moved to adjourn the meeting at 9:10 p.m.; Ms. Levison seconded. A vote was taken; all were in favor.

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

*Documents Referenced:*

- Draft protective bylaws
- Stable permit application package for 42 Old Mill Road, Victoria LoChiatto
- Stable permit application package for 44 Littleton County, Priscilla Endicott
- Stable permit application package for 277 Still River Road, Sheila Anderson
- Stable permit application package for 252 Bolton Road, Michele Klein
- Stable permit application package for 121 Slough Road, Mark Brown
- Septic permit for Brown Road, Lot 1
- Waste hauler permit application package for Waste Management