

BOARD OF HEALTH
MINUTES OF MEETING
May 8, 2007

The Board of Health held a meeting on Tuesday, May 8, 2007 at 7:30 p.m. in the Hildreth House. Members present were Tom Philippou, Lorin Johnson, and Sean Doocey. Others present were Shanna Large (Clerk), Ira Grossman, R.S. (NABH), Jeff Brown & Dick Seamans (49 Madigan Lane), Gil Smith & Justin Smith (58 Bolton Road), and Kathy Bunnell (Harvard Post).

The Meeting was called to order at 7:30 p.m. Business was as follows:

Seamans, 49 Madigan Lane – Deed Restriction Discussion

Mr. Seamans came before the Board to discuss the renovation and possible need for a deed restriction for the above property. Mr. Seamans stated that they need to convert an area downstairs into a first floor master bedroom and bath with closets, add a bathroom that is more accessible to the pool, and convert a space over the garage into an artist studio for his wife. The Board reviewed the renovation plans and discussed the room count.

The Board stated that Mr. Seamans would need to have a four-bedroom deed restriction since the room count will be 10 rooms. The Board discussed with Mr. Seamans the need to have an engineer put together plans for the installation of a five-bedroom Subsurface Disposal System to be installed upon failure of the current SDS or when the property changes hands. Mr. Seamans stated that he is willing to do this in order to make the renovations needed to his property.

Tom Philippou made a motion to grant a four-bedroom deed restriction for 49 Madigan Lane contingent on submission of new Title 5 compliant plans for a five-bedroom house with a statement regarding the installation of this system being installed if the current Subsurface Disposal System goes into failure or upon change of ownership. Sean Doocey seconded. The vote was 3-0 to approve.

Schmidt, 58 Bolton Road - Discussion

Gil Smith came before the Board to discuss his possible purchase and expansion of the above property. The house currently has a three-bedroom Subsurface Disposal System (SDS), which the current owners have a permit to upgrade. Mr. Smith went over his plans with the Board regarding expansion of the existing dwelling. The Board reviewed the plans and questioned Mr. Smith about the room count and his plans for the basement. After a brief discussion the Board felt that with the proposed change in size and expansion of the dwelling, a new four-bedroom Title 5 compliant SDS should be installed before renovation begins. Ira stated that there should be no problem getting a four-bedroom SDS on this lot and he could schedule testing soon to help the installation process.

The Board advised Mr. Smith to call Dan Wolfe, the engineer for the current upgrade, and discuss a new four-bedroom SDS.

Village at Harvard – ZBA Comments

Ira stated that the Zoning Board of Appeals (ZBA) contacted the Board for comments regarding the above property. Ira explained that a lot of the 40B's are coming to the ZBA with lofts and the Board should discuss this issue with the ZBA. Even with the best condo documents there is still a concern that the lofts will be converted into extra bedrooms therefore impacting the Subsurface Disposal System. The Board discussed this issued and decided to invite Chris Tracey, chairman of the ZBA, to its May 22, 2007 meeting.

Ellingwood, Still River Road Lot 3 – Discussion

Ira informed the board about the discussion he had with Al Barbieri, the attorney for the abutter Dan West. According to a letter received from Attorney Barbieri there is no easement on the property, only a driveway covenant for each owner to use and maintain the current shared driveway. Ira stated that the proposed Subsurface Disposal system for the above property will not impede on the driveway and should not be an issue.

Wade, 62 Westcott Road - Discussion

The Board discussed the above orchard land property with Ira. The Board's standing policy is to have testing of orchard lands for pesticides when the property changes hands. Lorin stated that he believes the Board should be advisory instead of regulatory and only recommend testing instead of requiring it. Ira stated that the Board's policy has been to require the testing and he feels the Board should decide whether to keep this as a policy, adopt it as a regulation, or decide to strike the orchard testing policy altogether. The Board will revisit this discussion at its next meeting.

Permits Signed:

Westchester Corp., Old Mill Road, Lot 1A- Installation of new Subsurface Disposal System for a four-bedroom single-family dwelling.

Minutes:

Tom Philippou made a motion to approve the minutes of 4/24/07 as amended. Sean Doocey seconded. The vote was 3-0 to approve.

Sean Doocey made a motion to adjourn the meeting at 9:00 p.m. Lorin Johnson seconded the motion. The vote was 3-0 to approve.

Respectfully submitted,

Shanna Large, Clerk