

**BOARD OF HEALTH**  
**MINUTES OF MEETING**  
**February 27, 2007**

The Board of Health held a meeting on Tuesday, February 27, 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), Dan Wolfe (David E. Ross, Associates), and Kathy Bunnell (Harvard Post).

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

**Orchard Land- Discussion**

The board continued to discuss the Orchard Land and the future development of the area. Dan Wolfe talked about property in Groton and how the Groton Board of Health is asking the landowners to do testing if they want to divide their Orchard property into residential lots. Lorin asked if the testing was really regulatory and is this now a zoning issue? Ira and Tom both stressed that the chemicals that were used have a long lifespan and could cause harm. Tom stated that the board is responsible for protecting the environment and should issue warnings and notifications of potential harm. Lorin stated that he believes the board should be used as advisory and not regulatory. Ira stated that more is being learned from exposure to the chemicals that were used and he thinks the board and the owners should be aware of what is present on the land. This information can be ascertained by requiring soil testing.

**Regulations Review-**

**145-1 Approved regulations supplemental to Article XI of the State Sanitary Code.**

Tom Philippou made a motion to change the wording Article XI of the State Sanitary Code to now read Title 5 of State Environmental Code. Sean Doocey seconded. The vote was 3-0 to approve.

**145-1D Percolation rate: twenty-minute limit per inch, allowing a variance up to 30 minutes per inch.** – Tom Philippou made a motion to change the percolation rate from 20 minutes to 40 minutes and allowing a variance from 30 minutes to 60 minutes per inch. Sean Doocey seconded. The vote was 3-0 to approve.

**145-1E Percolation rates over 14 minutes per inch require leaching trenches, but a variance may be allowed for leach beds with engineered plans.** Lorin Johnson made a motion to remove regulation 145-1 E from the Article. Sean Doocey seconded. The vote was 3-0 to approve.

**145-1F Percolation test and deep test hole must meet specific design criteria and time limits. The bottom of the proposed leaching area, at all points, must be designed at least:**

- (1) Five feet above groundwater elevation as noted when the test is taken during March 1 to April 30.**
- (2) Six feet above groundwater elevation as noted when the test is taken during May 1 to May 30 or December 1 to February 29.**
- (3) Seven feet above groundwater elevation as noted when the test is taken during June 1 to November 30 and, at the discretion of the Board of Health, between July 1 and October 31.**

Sean Doocey made a motion to remove regulation 145-1F from the Article. Lorin Johnson seconded. The vote was 3-0 to approve.

**145-1G Square footage of land that must be available for leaching area:**

| Minimum for Perc Rate |       | Pits  | Trench Bed           |                | Expansion Required |
|-----------------------|-------|-------|----------------------|----------------|--------------------|
| <b>2-4 bedrooms</b>   | 0-5   | 600   | 525                  | 800            | 100%               |
|                       | 5-14  | 700   | 600                  | 1,000          | 100%               |
| Minimum for Perc Rate |       | Pits  | Expansion Trench Bed |                | Required           |
| 15-20                 |       | 800   | 800                  | —<br>(fill in) | 150%               |
| <b>5 bedrooms</b>     | 0-5   | 700   | 600                  | 1,000          | 100%               |
|                       | 5-14  | 800   | 750                  | 1,200          | 100%               |
|                       | 15-20 | 1,000 | 1,000                | —<br>(fill in) | 150%               |

The board discussed the 150% expansion area required for reserve area. Lorin Johnson felt that 150% expansion area should not be required. Dan Wolfe also stated that he thought the 150% expansion area was unnecessary. Ira stated that it was a good idea to have the reserve space so that buildings could not encroach the sds. Tom Philippou made a motion to remove the chart in 145-1G but keep the 150% expansion area and change the minimum percolation rate from 15-20 minutes per inch to a minimum percolation rate of 40 minutes per inch. Sean Doocey seconded. The vote was 2-1 to approve.

**145-3B All sites to be considered suitable for sewage disposal must have at least one groundwater test in each proposed leach area.** Tom Philippou made a motion to change “one groundwater test” to now read “two soil evaluation holes”. Sean Doocey seconded. The vote was 3-0 to approve.

**145-3D Any systems for field testing appointments have been applied for prior to April 15, 1984, will be considered under previously existing regulations.** Sean Doocey made a motion to remove regulation 145-3D from the Article. Tom Philippou seconded. The vote was 3-0 to approve.

**145-5A leaching area shall not be located closer than 25 feet to a failing percolation test (i.e., a rate greater than 30 minutes per inch) unless a passing percolation rate has been proved between the leaching area and the failing percolation test.** Tom Philippou made a motion to change the “rate greater than 30 minutes per inch” to now read “rate greater than 60 minutes per inch”. Sean Doocey seconded. The vote was 3-0 to approve.

**145-6B Larger subsurface disposal systems. The following regulations apply to all subsurface disposal systems with design flows which are greater than 2,000 gallons per day. Included in this category are systems which have design flows greater than 15,000 gallons per day and require a permit of the Board of Health in addition to DEQE approval.** Tom Philippou made a motion to change 15,000 gallons per day to now read 10,000 gallons per day and DEQE to now read DEP. Sean Doocey seconded. The vote was 2-0-1.

**145-8B Anyone found in violation of this section may be punished by a fine of not more than \$250.** Sean Doocey made a motion to add per day after \$250. Tom Philippou seconded. The vote was 3-0 to approve.

**145-42 Henceforth, no indoor carpeting of any kind will be installed, replaced or repaired in any building owned, operated or maintained by the Town of Harvard, or any of its agents, subdivisions, committees or assignees.** Tom Philippou made a motion to remove *indoor* before the word *carpeting*; change the word *will* to *shall* and append *with* to *within* after the word *repaired*. Sean Doocey seconded. The vote was 3-0 to approve.

**145-44. Fees established.**

**Board of Health fees shall be as follows:**

| <b>Service</b>  | <b>Fee</b>      |
|---|-----------------|
| <b>Installation of new residential septic systems</b>         | <b>\$100.00</b> |
| <b>Upgrades/Repairs to existing residential septic system</b> | <b>\$25.00</b>  |

Sean Doocey made a motion to add the Stable Permit fees of \$25.00 for new and \$5.00 for a renewal to the fee chart. Tom Philippou seconded. The vote was 3-0 to approve.

The board tabled various Articles in the Regulations to be reviewed in August.

Tom Philippou stated that a letter should be sent to the ZBA to discuss the offset law at a future meeting after the Town Meeting.

**Permits Signed:**

**Nichols, 86 Massachusetts Avenue** – upgrade approval for existing three-bedroom dwelling. Installation of 1500 Gallon Tank and Presby Enviro-Septic System.

**Minutes:**

Sean Doocey made a motion to approve the minutes of 2/13/07 as amended. Lorin Johnson seconded. The vote was 3-0 to approve.

Tom Philippou made a motion to adjourn the meeting at 9:30 p.m. Lorin Johnson seconded the motion. The vote was 3-0 to approve.

Respectfully submitted,

Shanna Large, Clerk