

BOARD OF HEALTH
MINUTES OF MEETING
May 22, 2007

The Board of Health held a meeting on Tuesday, May 22, 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), Chris Tracey (204 Bolton Road), Rhonda Sprague (160 Prospect Hill Road), David Hearne (Harvard Realty), Frank Carlson (41 Bowers Road), Debra Skauen-Hinchliffe (221 Still River Road), and Kathy Bunnell (Harvard Post).

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

Village @ Harvard – Discussion – Chris Tracey, ZBA chairman

Chris Tracey, chairman of Harvard Zoning Board of Appeals (ZBA), came before the board to discuss the 40B process in general and any thoughts or comments regarding the proposed projects already in town like the Massachusetts Housing Opportunities Corporation on 262-264 Ayer Road and 15 Littleton Road. Mr. Tracey gave an overview to the Board of how a 40B works and the power of the ZBA as the granting authority. Mr. Tracey stated that he would never want to grant a Board of Heath (BOH) variance without having input from the BOH even though the ZBA is allowed to under 40B.

The Board discussed with Chris the plans for the Village at Harvard. The major concern of the Board is the loft space indicated on the plans. These loft spaces, now considered bedroom spaces by the Board, would push the room count to well beyond the proposed septic capacity and could create an environmental hazard. Ira stated that the system is currently designed to full capacity and the more flow the faster the system will fail because it is not designed for the extra loft space. Ira stated that MHOC can ask for a deed restriction and define each condo within the master and unit deeds but this may not protect against the building out of the loft space and conversion into bedrooms by the owners.

Mr. Tracey took a moment to compare the room counts on the various plans, which have been submitted to the ZBA. With a current bedroom count of 51 and a potential for 13 more with the conversions of lofts to bedrooms, the septic increase would be 23%. This could cause a huge failure of the Subsurface Disposal System (SDS) and could be a potential health hazard . Mr. Tracey also stated that in the condo documents he has seen there is no reserve money to pay for any failure of the SDS.

Mr. Tracey asked the Board if they would approve a SDS permit for this project as it stands right now. The Board all agreed that they would not sign any permit for the SDS with these outstanding questions regarding lofts.

Ira stated that MHOC will need to do another test hole in the leaching area to meet Title 5 requirements. At this time no appoint has been scheduled for this testing.

The board decided to issue a memo to MHOC regarding the bedroom count and ask them to attend the next meeting, June 12, 2007, to discuss this issue.

Trail Ridge – Discussion

Chris discussed the Trail Ridge property with the Board. The builders came to the ZBA with the desire to turn a deck into a heated sunroom with a six foot wide cased opening. Chris wanted to know if the Board had a problem with this change. After a brief discussion the Board decided that this would not be a problem but each unit should be clearly defined in the unit and master deeds.

Sprague for Wade, 62 Westcott Road - Discussion

Rhonda Sprague, agent for the above property, came before the board to discuss soil testing for an old orchard. In the past the Board's policy has been to require soil testing for any orchard property when it changes owners and/or uses. Lorin stated that he sprayed the property but stopped in the 70's. He also stated that he does not see the need for the soil testing or the board's policy of requiring it. Rhonda stated that the owner is not able to afford the testing so it would fall on the buyers. Tom stated that the board should provide a letter notifying the new owners that the property was used as an orchard at one time and there might be concerns regarding the soil. After further discussion between the board and the agent it was decided that the board would construct a draft letter that will be given to any purchasers of previous orchard lands. It was demonstrated to the Board that in case the parties separate they have knowledge of the previous use of the property.

Turf Links –

After receiving a compliant from a concerned citizen about the spraying of town land done by the Turf Links company, the Board decided to send a letter to the company requesting an explanation of what was sprayed, why it was not staked properly, and why the Board was not notified of the spraying.

Stable Permit Fee - Discussion

Shanna updated the Board regarding the stable permit fee that was suspended at the March 27, 2007 meeting. After speaking with Tim Bragan, Town Administrator, Shanna stated that the board can ask for a warrant article for the stable permit fees and if it passes, they can begin charging the fees. This issue might be addressed at a special town meeting in the fall but that has yet to be determined. Shanna will keep the Board updated.

Saxl, 25 Depot Road - Discussion

Ira updated the Board regarding the above property. Recently a Housing compliant was made by the tenant who rents the property and Ira went out to make a Housing Inspection. Ira will supply the Board with a copy his findings at the above property.

Permits Signed:

Getty, Kevin - 72 Massachusetts Avenue – Increase in flow for a six bedroom single-family dwelling. Installation of 1500 gallon tank and Presby Enviro-Septic System.

Larrabee, Bryce – 15 Under Pin Hill Road – Local upgrade for existing three-bedroom single-family dwelling. Installation of 1500 gallon tank, 1000 gallon dosing chamber, and Presby Enviro-Septic System.

Brindisi, Larry – 20 Shaker Road – Single Component replacement for existing four-bedroom single-family dwelling. Installation of a Distribution Box.

Arany, Kati – 265 Old Littleton Road – Single Component replacement for existing dwelling. Installation of 1500 gallon tank.

Minutes:

Sean Doocey made a motion to approve the minutes of 05/08/07 as presented. Lorin Johnson seconded. The vote was 3-0 to approve.

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

Respectfully submitted,

Shanna Large, Clerk