

BOARD OF HEALTH
MINUTES OF MEETING
April 9, 2009

The Board of Health held a meeting on Thursday, April 9, 2009 at 8:00 a.m. in the Town Hall Meeting Room. Members present were Tom Philippou, Lorin Johnson and Jack Spero. Others present were Shanna Large (Clerk), Wendall Willard (218 Still River Road), Adam Horowitz (53 Woodchuck Hill Road), Worth Robbins (115 Massachusetts Avenue), Joseph Hutchinson (25 Westcott Road), Peter Warren (52 Lancaster County Road), and Debra Skauen-Hinchcliffe (221 Still River Road).

The Meeting was called to order at 8:00 a.m. Business was as follows:

Russo, Ayer Road Project –

Lorin discussed with the Board the meeting he attended with DEP, GPR, Inc, Lou Russo, and Ira Grossman. Most of the discussion centered around the nitrogen loading, proposed wells, surrounding conservation land, and the sensitive receptors. The DEP encouraged further studies and they felt Ira was steering GPR and Mr. Russo in the correct direction as to what its regulations require. After the discussion, DEP told GPR to contact their legal department regarding the Conservation Covenant for use of the abutting land.

Town Center Septic Project-

Lorin and Jack updated the Board regarding a meeting they attended on Tuesday, April 7, 2009 with several Selectmen and members of the Town Center Septic Group. A request was made from the group for a unified opinion regarding the proposed Town Center Septic. The Board agreed to discuss this soon, possibly at its next meeting. Jack stated that they feel without the Boards approval this project may not fly. Tom questioned whether there is a compelling need for the system at this time. Peter Warren stated there is a need, for example the Unitarian Church, the Congregational Church, the Harvard General Store, as well as several Town buildings like the Hildreth House and the Old Library to name a few. Tom stated he was fairly certain that none of these properties have failed systems and he is not adverse to having a town center septic installed as long as it does not affect his taxes.

Adam Horowitz stated that they have invested over a million dollars in the General Store and reviving the town center. Without the proposed septic, he feels they can not last for more than 5 years and others in the center will have septic issues within that time. Tom stated that the Board of Health is not tasked with solving the septic issues of the town rather to review plans and make sure they meet Title 5 regulations.

The Board is concerned about homeowners who have installed a system that is currently functioning and now they would be charged a betterment and be required to hook up even though their system is working properly. They continue to be concerned about the amount of people who will hook up to the system to make the cost affordable and are questioning the boundary lines of the proposal. Each Board member expressed some concerns/issues regarding the proposed system and what they can do to help owners with new Title 5 systems who would be required to hook up.

Harvard General Store –

Lorin stated that they discussed the 1971 permit for the General Store and the current situation with the DEP. They felt Ira had a correct read on the permit with a limit of 5 employees and that the Press moving into the building would constitute a change in use. DEP agrees that back calculating a system of this age is not appropriate and the design and capacity does not prevail, only what is stated on the permit.

Lorin questioned Adam as to whether he was counseled by Ira concerning the business possibilities before buying the General Store. Adam stated that he was advised and that he was comfortable with the grandfathered activities held within the General store. Jack stated that the town system would not even be functioning until 2011 if it does proceed from this point. Adam stated he is aware of this and that is why he applied to sell wine and beer at the store as a part of their strategic thinking.

At this time the Board is in the process of considering the General Store's request and the regulations affecting it and are still looking for any materials around other buildings and their permitted use. This topic will be discussed again at the Board's next regular meeting on April 14, 2009. Any findings regarding other buildings will be made available to Adam before the next meeting.

Tom Philippou made a motion to adjourn the meeting at 8:55 a.m. Jack Spero seconded. The vote was 3-0 to approve.

Respectfully submitted,

Shanna Large, Clerk