

Harvard Board of Health
Minutes of Meeting December 13, 2011
Held in Hildreth House, 7:00 PM

Present: Jack Spero, Chairman
Lorin Johnson
Tom Philippou

Also Present: Linda Cantillon, Clerk
Ira Grossman, R.S., NABOH

The Chairman called the meeting to order at 7:00 pm.

Review Building Plans: Trail Ridge, Unit 15A/Representative: Dennis Ring

Dennis Ring, builder, was present to represent the owners of Unit 15A at Trail Ridge Condominiums. The owners are Deborah Kaegebein and Dennis Bradley.

Mr. Ring reviewed the plans for finishing the basement. He provided an affidavit from the owners stating that they are aware that the unit is only allowed and permitted for two bedroom use. The affidavit also stated that the rooms in the lower level will be used as a game room and office and that the basement bath will be for convenience purposes only.

Within the Sixth Amendment of the Master Deed documents for Trail Ridge, there is also a restriction which states that “No unit shall contain more than two bedrooms, as “bedroom” is currently defined by the Harvard Board of Health or by Title V, as may be amended, whichever is stricter.”

The Board and Mr. Grossman felt that these documents were sufficient for the purposes of meeting the two-bedroom restriction on the unit.

Mr. Spero moved to approve the building plans as submitted, “Proposed Basement Plan, Dated Nov 11, 2011, Unit 15A Trail Ridge Drive by Northwest Communities, LLC”; motion seconded by Mr. Johnson; vote: aye, unanimous.

Mr. Grossman will inform the Building Commissioner that the plans were reviewed and approved.

Appleworks Building: New Tenant – Kristos Lobster and Seafood Deli

The owner of the Appleworks Building on Ayer Road, Nick Deane, was present to discuss a proposed tenant who wants to open a restaurant in the building. Also present was Kristos Julas who is the proposed restaurant operator/owner.

Mr. Grossman had the following concerns:

There are two septic systems serving the facility and the flow is split from different areas of the building. These systems were done as repair work and did comply with Title 5 at the time. Current approvals for the systems do not match the flows associated with Title 5 and over the years, the building has housed some type of a food service business, but formal approval was never granted in past years.

There is no Board of Health approval to increase or change the “approved capacity” use of the septic systems to include food service. The system does not have an exterior grease trap per Title 5. Mr. Grossman stated that there is no approval for food service in this building and that food service is a change of use which triggers other processes.

Mr. Deane presented a menu ranging from cold to hot foods. He stated they will be using paper plates and plastic ware. Most of the business will be takeout.

A very lengthy discussion took place on restaurant items, the history of the installed systems (2) and the facility itself. Mr. Johnson asked about expansion; the reply was that the site constraints are very limiting (no land, ledge, failing percs). Mr. Deane stated that the water use averages around 500 gallons per month, but Mr. Grossman stated that water meter readings cannot be used in this case.

Mr. Philippou asked what the current approved capacity was and the permits from 1985 were reviewed. Mr. Deane stated that they are looking to possibly install a system across the street sometime in the future. Mr. Grossman did not think that would receive approval – crossing properties lines is not allowed. It would have to be a groundwater discharge permit.

Grease traps were discussed; previous food service use was again discussed, but Mr. Grossman stated that the previous use for food service had never been approved in a formal way. Mr. Philippou asked Mr. Deane if he would be willing to have a Title 5 inspection done; Mr. Deane, at this point, does not wish to do that. He stated financial concerns as the main reason

The Board decided to re-visit this at the next regularly scheduled meeting to be held on January 10, 2012. No decisions were made.

Budget Discussion

The FY13 Budget was reviewed and will be sent to the Finance Department.

Minutes

The minutes from September 27, 2011 and October 11, 2011 were reviewed. Mr. Philippou moved to approve the minutes from 9-27-11 and 10-11-11 with corrections as discussed; motion seconded by Mr. Spero; vote: aye, unanimous.

Permits

103 Bolton Road/Increase in Flow/Owner: Cooper/Eng: Norse Design. The permit was signed.

Mr. Philippou moved to adjourn the meeting at 8:40 pm; motion seconded by Mr. Johnson; vote: aye, unanimous.

The next meeting will be held on January 10, 2011.

Minutes submitted by Linda Cantillon