



## BOARD OF HEALTH

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### MINUTES

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Tuesday, November 12, 2013  
Hildreth House

*Thomas Philippou, Chair      Lorin Johnson      Sharon McCarthy*

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*Board members present:* Tom Philippou; Sharon McCarthy; Lorin Johnson

*Also present:* Bob Kody, Envision Homes; Dan Wolfe, Ross Associates; Eric & Kristen O'Brien, Still River Road; Jan Whitney, Still River Road; Joan Eliyesal, The Harvard Press; Ira Grossman, NAHB; Paige O'Brien, Clerk

This meeting was called to order at 7:00 p.m.

#### **Community Septic Management Program**

HBOH is still waiting on the approval vote of the MA Water Pollution Abatement Trust which will take place at the Trust's next board meeting on November 14. Mr. Philippou made a motion to accept the application paperwork as final drafts pending some edits. Ms. McCarthy seconds; vote, aye, unanimous.

#### **37 Peninsula Road, Wind**

The engineer firm and builder representing the property owner presented the plans for a new structure similar to the cottage it is replacing. There is space designed to be an office on the second floor that could easily be construed as a 3<sup>rd</sup> bedroom. Due to the preexisting deed restriction the board was satisfied that there was no increase in bedroom count or flow. The property has a 2-bedroom deed restriction. After a brief discussion, the Board agreed that the dr provides sufficient protection.

#### **105 Stow Road, The Elms**

The Board of Health was recently copied on a letter to Women's Institute for Housing and Economic Development from MassDEP addressing the "potential classification of [105 Stow Road] as a community public water system". The letter states that the property owner, Chelmsford Housing Opportunities for Intergenerational and Community Endeavors, Inc. (CHOICE), have determined that it wouldn't be feasible to permit a public water supply (PWS) but is willing to reduce the occupancy to 24 or less (a PWS, by definition, must serve at least 25 year-round residents). The letter further indicates that "a draft Drinking Water System Occupancy Deed Restriction based on [Title 5] Deed Restriction was submitted to MassDEP for review." DEP will accept that the project does not constitute a PWS if the restriction is recorded properly prior to receiving occupancy approval from the Town of Harvard. Mr. Grossman's concern is how the DEP would propose deed language that would not be discriminatory in nature and wonders how this will be enforced. Mr. Grossman will contact and open a dialogue with Hancock Associates, one of the groups that initially met with MassDEP.

#### **50 Turner Lane, Tomassian**

It has been brought to the attention of the Board that activity continues at this seasonal residence. Mr. Grossman will draft a letter to the property owners addressing this issue and advise them to meet with the Board and the Zoning Enforcement Officer to discuss conversion to year-round use.

## **7 Still River Road, O'Brien**

Property owner Eric O'Brien requested that the Board reconsider their requirement to connect to the town sewer. In September, Mr. O'Brien was granted a 60-day extension to allow him time to contact DEP and explore the possibility of continuing to use his Presby system. Mr. O'Brien reports that the Local Approving Authority or LAA (aka, Harvard Board of Health), has the capability to assign of any kind of time frame it considers appropriate. Mr. O'Brien suggested an indefinite extension provided proper pumping records were provided. DEP maintains that connecting to town sewer continues to be in the best interest for the health and safety of the Harvard Center community. It also mandates a connection as part of their i/a approval language. However, Mr. Philippou made a motion to extend a 6 month extension that would allow the Board time to contact DEP and collect research data that supports this disposition. Mr. Johnson seconds; vote, aye, unanimous.

## **Mosquito Control**

Mr. Philippou is designing a community survey that will be offered on the BOH homepage. Mr. Philippou will also prepare a statement for the website that would accompany the Powerpoint slides created by Central Mass. Mosquito Control Program. The presentation is very informational, but it is provided by the same organization that will implement the effort, should the town vote in its favor.

## **Permits**

- 25 Jacob Gates Road, Marolda; SCR Septic Tank; Mr. Philippou made a motion to tentatively approve local upgrade 15.405(1)k pending receipt of letter from David E. Ross Associates. *Proposed: One soil evaluation hole has been performed within the absorption area.* Mr. Johnson seconds; vote aye, unanimous.
- 16 South Shaker Road, Hill; Local Upgrade Approval; invert offset less and 12" to high GW; Watertight "boots" required.
- 56 Park Lane, Andrew; SRC D-box
- 120 Bolton Road, Williams; Local Upgrade Approval
- 231 Ayer Road, Jill Realty Trust; New

## **Approval of Minutes of October 22, 2013**

Ms. McCarthy made a motion to accept the minutes as amended, Mr. Philippou seconds; vote aye, unanimous.

## **25 Fairbank Street**

Mr. Philippou made a motion to grant the property owners another extension for connecting to town sewer. Mr. Johnson seconds; vote, aye, unanimous. The new deadline for connection is December 20, 2013.

## **Adjournment**

Mr. Philippou moved to adjourn meeting at 8:30 p.m., motion seconded by Mr. Johnson. Vote: aye, unanimous.

The next scheduled board meeting is Tuesday, November 26, 2013  
7 p.m. at Hildreth House.

*Minutes prepared and submitted by Paige O'Brien.*

## *Documents Cited*

- Letter from DEP to Women's Institute for Housing and Economic Development