



## HARVARD SEWER COMMISSION

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### MINUTES

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Wednesday, January 9, 2013  
Town Hall Meeting Room

*Cindy Russo, Chair*      *Kyle Hedrick*      *Richard Maiore*

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#### *Present*

Commissioners: Cindy Russo, Chair; Kyle Hedrick; Rick Maiore

Others: Tim Bragan, Town Administrator; Scott Hayward, The Harvard General Store; John Osborne, The Harvard Press; Sidney Blackwell, The Harvard Press; Robert McGinty + Rick Curtin, 11 Fairbank Street; Rhonda Sprague, Harvard Realty (Mass. Ave); Wendell Willard + Don Wasiuk, Harvard Custom Woodworking (Pond Road); Whit Sprague, Prospect Hill Rd; Paige O'Brien

The meeting was called to order by Ms. Russo at 9 a.m.

#### **Public Comment**

- Wendell Willard, with a business located at 5 Pond Road, inquired about the process of applying for Change of Use of a commercial property. Ms. Russo explained that legislation states that if a property owner seeks to apply for Change of Use, all requests must first be brought before The Commission. Mr. Maiore responded by recommending that the first step be to define what Change of Use is. If a business were to change its commercial activity, a Change of Use is not required unless the change affects the flow rate. Ms. Russo proposed that The Commission craft a process by which property owners can approach The Commission and have them determine if the alteration qualifies as a Change of Use for their specific purposes.
- Rhonda Sprague posed a question about her property on Mass. Ave. (Harvard Realty) and Mr. Maiore suggested and offered that he sit down with her to go over the details.
- Rick Curtin, 11 Fairbank Street, and his partner Bob McGinty have converted the former "Inn" into condominiums and reports that four local people have bought the units. He pointed out that they have been "waiting patiently since August" to complete this process and would like to not hold up their new condo owners any longer. They are currently unable to obtain Occupancy Permit. He stated that based on the letter they received from The Commission that encouraged everyone to hook-up as soon as is practical, they have connected. Mr. Curtin asked The Commission what he and Mr. McGinty need to do now in order to gain Mr. Vallente's approval to secure the Occupancy Permit. The Commission sought clarification about how the property could be connected when a drain layer was not licensed and a permit was not granted. Mr. Curtin and Mr. McGinty formed the conjecture that because their drain layer had submitted an application and because they had paid the \$1000 to hook up, they could move forward with the physical connection. After a brief explanation of the correct procedure regarding connection (prerequisite of an approved drain layer and signed permit), The Commission decided to move forward noting that the main objective is to swiftly get district property owners connected securely. On a motion by Mr. Maiore to approve Patriot Excavating as drain layer #3 and seconded by Mr. Hedrick, The Commission voted unanimously to do so. The Commission then unanimously approved the property owner's application permit on a motion by Mr. Hedrick and seconded by Mr.

Maiore. After a sign-off from the electrical, plumbing and town inspectors, the property owners need to submit as-builts (2 hard copies and 1 electronic) directly to Mr. Bragan.

**Decision: Change of Use Application – The Harvard General Store, 1 Still River Road**

The Commission reviewed the Change of Use proposal letter drafted by Ms. Russo. Mr. Hedrick requested that a line be removed that potentially suggested future approvals. With this amendment Mr. Hedrick made a motion to approve the letter granting Change of Use requested by Mr. Hayward. Mr. Maiore seconded the motion and The Commission voted aye, unanimous.

**Consider letter to Pat Walrath, Holy Trinity Finance Committee**

Mr. Hedrick noted that the guidelines he used used for betterment assessments were based on the specifications of the Code of Massachusetts Regulations (314 CMR 7.15 Calculation of Flows) and not Title. Ms. Russo used Title 5 and determined that they came to the same conclusion. Mr. Hedrick moved to accept the letter. The motion was seconded by Mr. Maiore; vote, aye, unanimous.

**Update on drain layer applications and licenses**

Apart from Patriot Excavating, approved earlier in the meeting, there we no drain layer applications submitted for review.

**Update on system construction and connection schedule**

Mr. Bragan presented The Commission with the cover letter of the informational packet to be sent to district property owners. The date of the letter was revised to reflect today's date. Mr. Bragan stated that the application permit to be enclosed with this packet will be printed on a contrasting color for easy visibility. The Commission decided to meet once a week over the next two weeks to accommodate the inquiries and application submissions that will increase due to the delivery of the packet.

**Decision to approve abatement: 18 Fairbank Street**

Mr. Maiore made a motion to approve letter of abatement for sewer betterment request by the property owner of 18 Fairbank Street, seconded by Mr. Hedrick; vote aye, unanimous.

Mr. Hedrick motioned to adjourn at 9:50 a.m.; Mr. Maiore seconded; vote aye, unanimous.

The next scheduled Commission meeting is Wednesday, January 16, 2013  
9 a.m. in the town hall meeting room.

*Respectfully submitted by Paige O'Brien*