

Harvard Board of Health Meeting Minutes
Zoom Meeting
February 12, 2024
Approved: February 26, 2024

Board of Health Members present: Libby Levison; Sharon McCarthy; Christopher Mitchell

Others Attending: Alison Flynn, Board of Health Clerk; Jim Garreffo, Health Agent, Nashoba Associated Boards of Health; Dan Wolfe, David Ross Associates; Kevin O'Malley, property owner, 8 Wilroy Ave.; Gary Baer; Evan Carloni, Innovative Septic Design.

CALL MEETING TO ORDER

Ms. McCarthy called the meeting to order at approximately 4:01 p.m. Ms. Flynn provided abbreviated remote meeting instructions.

PUBLIC COMMENT

None.

(Mr. Mitchell joined the meeting at 4:05 p.m.)

NEW BUSINESS

8 Wilroy Ave.: Private Wells variance request hearing

Mr. Wolfe presented a Private Wells variance request on behalf of his client, Mr. O'Malley. Mr. Wolfe explained that Mr. O'Malley's property is part of the Willard Shores Association where most of the properties have recently upgraded their septic systems, and a few have replaced their wells. Mr. Wolfe explained that the updated septic design plan for 8 Wilroy Ave. includes replacement of the existing water source, which is essentially a pump at the Pond, with a new artesian drilled well. Mr. Wolfe explained that the proposed location of the well is 54 feet from the Pond, a reduction from the 100-foot required offset. Mr. Wolfe indicated that the proposed location was determined as the best location because it is convenient for the hookup to the house and any other location would likely be in excess of 200-300 feet from the house and that resulting water line would cross multiple existing water and sewer lines for other systems. Mr. Wolfe confirmed that he has also submitted for approval from the Conservation Commission. Mr. Garreffo agreed that the locations of the existing systems of the Association create a difficult design situation and stated that the proposed location is a reasonable request. Mr. Garreffo indicated that the BOH asks that 10-feet of casing be placed into competent bedrock, and this should not be a problem in the proposed location. Further, Mr. Garreffo stated that the proposed location will meet Title 5 off-sets. Mr. Garreffo confirmed that the proposed well location should not impact the ability of any other property owners in the Association to upgrade their systems.

Ms. McCarthy asked any abutters present to raise a hand if they had comments. Seeing none, Ms. Levison made a motion to grant the requested variance for the well offset of 54 feet to 8 Wilroy Ave. contingent on the Conservation Commission's approval on Thursday night; Mr. Mitchell seconded. All were in favor by roll call vote.

79 Shaker Road: Local Upgrade approval requests

Mr. Carloni presented a proposed design plan for the upgrade of an existing failed septic system on behalf of his clients, the property owners of 79 Shaker Road. Mr. Carloni explained that they are requesting a reduction of the 100-foot offset from a wetland required in the local regulation down to 50 feet; and a reduction down to two feet from groundwater with the approved use of a Presby system. Mr. Carloni indicated that the groundwater reduction request is to avoid use of a retaining wall and to keep fill away from the neighboring property line. Mr. Carloni confirmed that he will also be meeting with the Conservation Commission about the proposed design plan. Mr. Garreffi stated that the site is difficult to design for an upgrade because the location of the existing well and wetlands pushes design options to one corner of the property. He explained that the proposed location for the septic field has good, sandy soil, and moving up the grade further found less amenable soil conditions and would require more fill which would send more runoff into the buffer zone. Mr. Carloni stated that the proposed plan currently includes an impervious barrier to help control the breakout area along a corner of the leach field. Mr. Carloni indicated that none of the neighboring wells are within 100 feet of the proposed leach field.

Mr. Mitchell made a motion to approve the request for the groundwater offset for the Presby system and offset to 50 feet from the wetlands; Ms. Levison seconded. All were in favor by roll call vote.

Consider attendance at MACC Annual Conference workshop “Considerations in Permitting Artificial Turf Fields”

The Members considered their availability to attend the workshop. As no Member had the availability to attend, they requested Ms. Flynn reach out to Ms. Allard to see if someone from ConCom would attend. Alternatively, Ms. Flynn will contact MACC to see if they will share the workshop slides.

Consider preparation of memorandum or outreach to other Town committees regarding synthetic turf

Ms. Levison indicated that she still plans to prepare a response to the letter sent by Mr. Leicher. Mr. Mitchell agreed to send her an additional resource. The group agreed that it might be more impactful if multiple Boards present comments together. Ms. Levison indicated that she'll prepare draft bullet points for comment by Ms. McCarthy and Mr. Mitchell. Mr. Mitchell indicated that he forwarded the group information from an ecologist regarding the artificial turf recently approved by the Reading ConCom because it claims that it does not contain PFAS. Ms. McCarthy suggested the next steps would be to go informally to representatives of the Pond Committee, ConCom, and HCIC to express the bulleted concerns before speaking with Ms. McWatters about shared concerns.

Consider date for Styrofoam take back event

Ms. Levison reported that Gold Circuit, the company who will recycle two types of #6 styrofoam, will collect the styrofoam stored from the event for \$300. She indicated that Gold Circuit will provide large plastic bags for the storage in the DPW salt shed. Ms. Levison proposed the event be held on June 1st or June 15th. Ms. Levison stated that she will continue to check town event calendars before selecting a date.

Report from attendance at New England Public Health's the Sale of Flavored Tobacco Products webinar (1/25/24)

Ms. Levison reported on her attendance at the webinar. She indicated that she was surprised and angered to learn that vapes contain lithium-ion batteries and that manufacturers do not provide instructions on disposal. Ms. Levison said 5 disposable vapes are thrown out every second across the US, and 150 million vapes each year. She stated that the amount of lithium ion is enough to power 6,000 Teslas. Ms. Levison added that the pods are also hazardous waste because they contain nicotine. She stated that she will be making posters for the Townwide cleanup to help identify and separately collect vapes for proper disposal and is considering a Letter to the Harvard Press. Ms. McCarthy suggested it might also be worth a public health ad in the Harvard Press. Mrs. Levison plans to swap out one of the messages for Public Health Week. Ms. Levison will also speak to Mr. Kilhart about disposal.

Consider Region 2 PHEP Spring Supplies Survey

Ms. Flynn indicated that the BOH received an email from Region 2, Public Health Emergency Preparedness offering bariatric chairs, bariatric cots, transport chairs, and pocket translators for Emergency Dispensing Sites. Mr. Mitchell agreed that pocket translators would be helpful and offered to discuss whether the other supplies would be of use to the Ambulance Department. Mr. Garreffo indicated that he believes it would be acceptable for the BOH to request the supplies and share them with other Departments. Mr. Mitchell will reach out to Mr. Cotting to see if he believes any of the supplies would be helpful, including 2 or 3 of the pocket translators.

Report from attendance at Select Board meeting (2/6/24) and discussion regarding communication over proposed cuts

Ms. McCarthy stated that she is not sure her comments regarding insufficient communication on the budget were impactful. Ms. Levison suggested that e-mailed communications should always copy a Board of Health Member and Ms. Flynn. Mr. Mitchell stated it would be appropriate if an e-mail request does not receive a response from a volunteer board, the sender should follow up. Mr. Mitchell suggested a follow-up memorandum to the Select Board reminding of miscommunication during the prior budget season when the update on the NABH assessment was not noted and miscommunication during this budget season. Ms. Flynn suggested the memo include the Finance Committee and all support staff for both Boards. Ms. McCarthy volunteered to prepare a draft memo for circulation with assistance from Ms. Flynn.

Report from DPH Local Boards of Health webinar (2/6/24)

Ms. McCarthy reported that a lot of the webinar focused on the MA TRAIN portal for continuing public health education. Ms. Levison added that in addition to the courses which were available from the Local Public Health Institute there are now thousands of additional courses available.

Clerk & Health Agent Update, including but not limited to:

- **Consideration of invoice, dated January 31, 2024 from The Great Exchange in the amount of \$39.00 for office supplies.** This item was taken out of order after Public Comment. Ms. Levison made a motion to approve the invoice; Ms. McCarthy seconded. Both were in favor by roll call vote. Mr. Mitchell had not yet joined the meeting.
- Ms. Flynn indicated that Ms. McCarthy received an invitation for the BOH to participate in the H2C on March 2nd. Ms. Flynn screen-shared the e-mail. Ms. McCarthy volunteered to set up a reference table with materials on vector-borne diseases and emergency preparedness; the Members agreed. Ms. Levison will work on a design for the table runner. Ms. Flynn will contact AlphaGraphics to find out the turnaround time for production. The Members agreed to consider ordering a banner if there is money left in the budget as of

May 20th.

- **Status of funding for bereavement groups/consider additional alert.** Mr. Garreffi reported that NABH has secured grant funding to support the bereavement groups for an additional 6 months. He indicated that they will continue to look for grant opportunities to extend the service further.
- Ms. Levison reported that she and Ms. Bedard provided information to the Harvard Press about the implications of the possible closing of the Nashoba Valley Medical Center.

PERMITS

Review of septic permits recently issued by the Health Agent

Mr. Garreffi indicated that he will prepare permits for the two properties discussed earlier tonight.

Review of stable permit applications

Ms. Flynn indicated that the seven stable permits up for discussion were provided to the Board Members in their "Permits" preparation e-mail sent earlier today, as well as any comments provided by the Conservation Agent. Mr. Garreffi advised that he reviewed the applications from a public health standpoint noting whether they are close to wells, septic, property lines, and whether they are likely to cause nuisance conditions, and was able to drive by the sites to see them with most of the snow melted. He indicated that he did not note any concerns with the applications from a public health standpoint. Ms. Levison noted that the applications reviewed were for:

- 184 Old Littleton Road
- 103 Prospect Hill Road
- 219 Bolton Road
- 14 Whitney Farm Lane
- 49 Tahanto Trail
- 44 Littleton County Road
- 162 East Bare Hill Road

Ms. Levison made a motion to approve the applications for the addresses she listed; Mr. Mitchell seconded. All were in favor by roll call vote.

Waste hauler permits

Ms. Flynn indicated that she included in the preparation package e-mailed communications with the waste haulers who have not yet submitted complete application packages for 2024. She reminded the Board that applications were due December 1st and 2023 permits expired on December 31st, and asked whether they would like her to take alternative actions other than to continue to follow-up for compliance. The BOH Members agreed that as renewal applications are now over two months overdue, Ms. Flynn should communicate to the haulers that if their applications are not completed before the next meeting, the BOH will treat their applications as "new" and require the additional \$100 fee required for "new" applications. Ms. Flynn will also follow-up with Dr. Dwight's assistant regarding the Schools' hauler.

OLD BUSINESS

Consider amendments to the Board of Health Fees regulation

The BOH Members continued to revise the proposed amendments. In preparation for the next meeting, Ms. McCarthy asked Ms. Flynn to rate the level of administrative work that she puts in to each application.

(Mr. Mitchell exited the meeting at approximately 6:00pm.)

PFAS Update

This item was not discussed.

Review draft flow chart regarding water quality requirements

This item was not discussed.

Continued annual review Bare Hill Pond Algal Bloom Protocol, including advisory templates

This item was not discussed.

Further discussion re scheduling EDS Trailer clean-out

This item was not discussed.

Update re installation of satellite phone bases at EDS and Public Safety Buildings

This item was not discussed.

Review Action Items

Action Items were not reviewed.

MINUTES

The Members considered the draft Minutes of January 22, 2024. Ms. Levison made a motion to approve the Minutes of January 22nd as amended; Ms. McCarthy seconded. All were in favor by roll call vote.

DISCUSS ITEMS FOR NEXT AGENDA

Items for the next agenda were discussed.

ADJOURNMENT

Ms. Levison made a motion to adjourn at 6:10 pm; Ms. McCarthy seconded. All were in favor by roll call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- 8 Wilroy Ave: Proposed plan and variance request letter
- 79 Shaker Road: Proposed SDS plan, LUA request letter & form
- Proposed amendments to the Fees regulation
- Ms. McCarthy's notes re the LBOH call of 2/6/24
- Ms. Levison's notes from the tobacco webinar
- Great Exchange Invoice
- Email from Ms. Leicher to Ms. McCarthy dated 2/8/24 re HC2
- PHEP email of 2/2/24 re regional purchases
- Action Items from 1/22/24
- E-mailed communication with Win-Waste re status of waste hauler permit applications
- E-mailed communication regarding Jet-A-Way and status of waste hauler permit applications
- E-mailed communication with EL Harvey regarding status of waste hauler permit applications
- E-mailed communication with Waste Management regarding status of waste hauler permit applications
- E-mailed communication with Baker Commodities regarding status of waste hauler permit applications
- Stable Permit Application and comments from Ms. Allard regarding 184 Old Littleton Road
- Stable Permit Applications and comments from Ms. Allard regarding 103 Prospect Hill Road
- Stable Permit Application and comments from Ms. Allard regarding 219 Bolton Road
- Stable Permit Application and comments from Ms. Allard regarding 14 Whitney Farm Lane
- Stable Permit Application and comments from Ms. Allard regarding 49 Tahanto Trail
- Stable Permit Application and comments from Ms. Allard regarding 44 Littleton County Road
- Stable Permit Application and comments from Ms. Allard regarding 162 East Bare Hill Road