

Harvard Board of Health Meeting Minutes
Town Hall, Volunteer Meeting Room
Tuesday, May 14, 2019
Approved: May 28, 2019

Board of Health Members present: Libby Levison; Sharon McCarthy; Tom Philippou.

Attending: Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BOH”) Clerk; Joan Eliyesil, Harvard Press; Bruce Leicher, Bare Hill Pond Watershed Management Committee (“Pond Committee”).

Ms. Levison called the meeting to order at 7:05 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS

a. 40 Bolton Rd.- Closed Loop Geothermal Variance Request- A variance request for two geothermal boreholes within the 100 foot minimum distance to the existing water well was considered. The BOH members reviewed the variance section of the newly revised Well regulation and confirmed that the only avenue to grant a variance is after a legal notice of a hearing is published and provided to the abutters. Ms. Flynn will write the applicant to request confirmation whether other sites for the boreholes were considered, and if so, that legal notice will be required for a variance hearing. The members also agreed to consider revising the regulation in the future to waive the requirement for legal notice for geothermal boreholes.

b. Update from Restoration Advisory Board Meeting of 4/25/19- Ms. Levison reported on the recent Restoration Advisory Board (“RAB”) meeting which addressed the Army’s investigation of PFAS contamination at and around Devens. Ms. Levison indicated that she spoke with MaryJude Pigsley of MassDEP who encouraged her to talk to Bob Simeone of the Army about testing more sites in Harvard. Mr. Simeone was receptive to this idea and suggested Ms. Levison provide him with a list of sites that she would like tested. Ms. Levison indicated that Mr. Simeone also shared with her that the owner of Harvard Plaza was approached for testing, but declined. Ms. Flynn advised the BOH members that since the RAB meeting, she e-mailed the owner of Harvard Plaza to inform him that the BOH strongly suggests he take the Army up on the offer to test for PFAS. Ms. Levison also reported that she learned at the RAB meeting that Bowers Brook flows north before joining Cold Spring Brook and flowing toward the northeast. She also shared that she learned that Devens’ Shabokin well at the end of Harvard’s Depot Road was shut down in the spring of 2019 after testing results were 23 ppt, and noted that this is the closest Public Water Supply to Harvard that has been shut down due to PFAS. Ms. Levison noted that the next RAB meeting is scheduled for July 25th and suggested a BOH member should attend.

c. Additional PFAS testing in Harvard- The BOH members were in agreement that they would like to request the Army do additional testing in Harvard. Ms. McCarthy stated that she does not feel she has enough information to make the judgement of where to test, but that she would want representative samples taken from wells that are deeper and shallower. Ms. Levison suggested the BOH ask for testing of all the PWS on Ayer Road, plus 8-10 additional private wells, including a property on Myrick Lane and properties on Depot Road. Ms. Levison noted that there has been no testing on the west side of Ayer Road near the town line. Mr. Grossman

indicated that locating records documenting well depths of those drilled before 1989 is unlikely. Ms. McCarthy offered to review the well drilling records and spearhead the preparation of a list of additional sites to target for testing. The members agreed that once they have received a commitment from the Army to approach the property owners for testing, the BOH members will discuss whether outreach by the BOH to the property owners is appropriate.

d. Reordering of tick removal spoons- Ms. Levison reported that the supply of tick removers is currently very low. The members agreed that Ms. Flynn should place an order for an additional 100 tick removers.

e. Dates for DEP/DPH PFAS forum & initial planning- Ms. Levison advised that the forum was scheduled for June 19th at 7 p.m. in Upper Town Hall and summarized her telephone conversation with DPH and DEP regarding the format. Ms. Levison has prepared an announcement for The Harvard Press, which agreed to run it for two weeks prior to the forum. Ms. Levison will contact Harvard Cable to request recording and advertising. Ms. McCarthy will post the event on NextDoor. Ms. Levison will make a poster for Ms. Flynn to post around Town and to request the management companies for Bowers Brook Apartments and Foxglove Apartments consider posting. Ms. Levison indicated that DEP and DPH will bring handouts and she asked them to provide the BOH with links to be referenced on the BOH webpage.

f. Planning for additional public forums- Ms. Levison reminded the BOH members that the FY2020 budget allows for two paid speakers and suggested the members brainstorm topics for future discussion. Ms. McCarthy indicated that she was impressed with Newton Public Schools' efforts to address vaping. Ms. McCarthy agreed to reach out to Linda Dwight to see whether the Schools might be interested in co-sponsoring a talk in October.

g. Discuss vape education- Ms. Levison suggested that the BOH consider obtaining vaping education posters to be hung in public locations to help educate adults as to what vaping products look like. The BOH members agreed and requested Ms. Flynn order vaping education posters from MA Clearinghouse to be hung around Town.

h. Attendance at Deer Management Committee Outreach Meetings (5/23 & 6/13)- Ms. Levison reported about that she learned of upcoming Deer Management Committee Outreach Meetings. Mr. Philippou indicated he may be able to attend the first meeting; Ms. Levison and Ms. McCarthy will not be able to attend.

i. Dissemination of TURI grant announcement- Ms. Levison suggested she send the TURI grant announcement to Dr. Dwight and the Schools Trust. All members were in agreement.

k. Clerk and Health Agent Update-

- Ms. Flynn advised the members that she forwarded a memo from Jim Garreffo announcing the Tick Testing Discount available. Ms. Levison added that a Letter to the Editor and a press release were sent to The Harvard Press for consideration.
- Ms. Flynn advised that it was brought to her attention that 28 Deerfoot Trail has a new, large shed on the property. Mr. Grossman indicated he would drive by the property, and would refer the issue to the Building Commission if warranted.
- Ms. Flynn requested the review and execution of bedroom deed restriction for 9 Warren Avenue. Ms. McCarthy signed on behalf of the BOH.

- Ms. Flynn advised that confirmation of the HHAN contacts were requested. Mr. Philippou agreed to continue on as key contact for alerts.
- Mr. Philippou volunteered to participate in the satellite phone test scheduled for the next day.
- Mr. Grossman reported that arsenic has been found in the soil at the new Hildreth Elementary School site, and he was contacted to advise whether it can be removed and dumped at the Stow Road pit. He advised that the levels are below the hazardous waste guidelines. Ms. Levison added that she was approached regarding renovations to the Bromfield School kitchen floor, which likely contains asbestos. Mr. Grossman indicated that it is the contractor's responsibility to ensure that the tiles are tested for asbestos, and that it is the contractor's responsibility to provide notice if remediation is required.
- Ms. Levison advised that she informed Ms. Doucet that she was willing to serve on the BOH for another term.

OLD BUSINESS

- a. Update on Emergency BoH meeting on 4/18/19 on PFAS- Ms. Levison provided Ms. McCarthy with a brief update about the BOH meeting held on 4/18/19.
- b. Resident concerns regarding private mosquito spraying- The BOH discussed concerns expressed by three residents regarding mosquito spraying in Town. Bruce Leicher, of the Pond Committee, was also present to participate in the conversation, though he was expressing his personal opinions as he has not had the opportunity to discuss the issue with the Pond Committee. The BOH members and Mr. Leicher were in agreement that it is important that any substances being applied must be used in accordance with the EPA guidelines for the product, and discussed preparing a letter to the Select Board requesting the Town inform the commercial companies spraying in Harvard that compliance is expected. Mr. Leicher offered to draft the letter if the Pond Committee is in agreement, and the Boards will then request that the ZBA and Conservation Commission also consider co-signing.
- c. Discussion re participating in Garden Club Plant Sale (5/18)- Ms. Levison and Ms. McCarthy volunteered to attend the Garden Club Plant Sale with handouts and tick spoons.
- d. Update regarding PHEP EAT Request application package submitted & discussion of next application (due to Regional Coordinator 5/24)- Mr. Philippou volunteered to obtain a quote for submittal for accessories to the satellite phone.
- e. Review of 2020 budget feedback- This topic was tabled for a future meeting.
- f. Follow-up from Tick Talk- Ms. Levison raised a concern over numeric analysis of the data reported in The Harvard Press. The BOH members agreed that a correction at this point in time is unnecessary.
- g. Discussion regarding preparing the 2019 Emergency Dispensing Site (EDS) Plan- This topic was tabled for a future meeting.
- h. Update from Land Use Boards meeting (5/14)- Ms. McCarthy reported as to her attendance at the LUB meeting, including MRCP's participation in preparing permitting guidelines for Harvard.

- i. Update from the Transfer Station Committee- Mr. Philippou provided an update from the Transfer Station Committee, including that a town-wide mailing was sent out, the bags are being redesigned, and that WasteZero will be proving the Town with a website shortly. Mr. Philippou also reported that overall, the Committee has received positive feedback from residents to date.
- j. Update from the MVP Committee- Ms. McCarthy reported that she was unable to attend the last public forum due to illness, but that a listening session would be held at the end of the month where the consultants would present their findings and draft report.
- k. Continued review of draft marijuana sales regulation- Ms. Flynn advised that the meeting packet contained a document which merged the MAHB's newest sample regulation with the BOH's working draft regulation, including the Planning Board's comments. Mr. Philippou indicated he will reach out to Cheryl Sbarra for comments.
- l. Continued review of draft tobacco and marijuana use regulation- Ms. Levison and Mr. Philippou agreed to review the draft regulation, and if no comments were offered, the legal notice for the hearing would be set for the second meeting in June. The BOH members asked Ms. Flynn to respond to Dr. Hartman that the BOH would be happy to have a discussion with him at a meeting, with clarification of what it is that he would like to discuss. The BOH members agreed to proceed with the hearing, including before a discussion with Dr. Hartman.
- m. Review Action Items- Action items were not reviewed.

PERMITS

None.

APPROVAL OF MINUTES-

Mr. Philippou made the motion to approve the draft minutes of April 9th, as amended; Ms. Levison seconded. The vote was unanimous.

Mr. Philippou made the motion to approve the draft minutes of April 23rd, as amended; Ms. Levison seconded. The vote was unanimous.

ITEMS FOR THE NEXT AGENDA- Items for the next agenda tabled.

ADJOURNMENT- Ms. Philippou moved to adjourn the meeting at 9:17 p.m.; Ms. McCarthy seconded. The vote was unanimous.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Draft minutes of 4/9/19 and 4/23/19
- 40 Bolton Rd.- Closed Loop Geothermal Variance Request letter and proposed plan
- 9 Warren Ave.- Bedroom deed restriction