

MEETING MINUTES
November 24, 2003

Board of Health Members Present:

Dr. Susan Horowitz, Chairman; Jodi Deuger, Matthew Waterman

Others Present:

Benjamin Cutone, R.S. (arrived at 8:15pm); Debra Butcher

Meeting Called to Order:

Chairman Horowitz called the meeting to order at 7:30pm.

Minutes: The acceptance of the regular session minutes of November 10, 2003 was tabled so the Chairman could read them.

Permits Approved/Signed:

- *21 Island Pond Road, Lot 1; Granite Bridge LLC
- *Whitney Pond Road, Lot 1; Habitat for Humanity

Bills Approved/Signed:

- *Schwaab-\$53.55

Whitney Pond Road; Lot 1: Present: Daniel Wolfe, P.E.; June Adams Johnson, Brad Bigelow, Alan Marks, abutter

On behalf of Habitat for Humanity, Mr. Wolfe presented a sewage disposal plan for this site. He stated that the property would need an offset variance to a paper street (Wolfe Trail) that would never be constructed under the current bylaws for roadways. Mr. Wolfe stated that the "paper street" would be owned by the future homeowners as part of the lot with no vehicular traffic along the right-of-way.

Ms. Adams Johnson stated that the house would consist of three bedrooms and would be sold for \$60,000 to a qualified low-income family. She stated that the land was donated by the Groton Conservation Trust and construction should begin next Spring.

Mr. Wolfe requested the following variance:

Groton Board of Health Regulations

- Section I.E.6 - Minimum offset from the sewage disposal system to the sideline of a road shall be 35 feet. A ½-foot offset is provided.

Mr. Wolfe said that he reviewed the plan with the Board's Health Agent who didn't have any concerns with it. Chairman Horowitz asked the other Board members if they had any concerns. Member Jodi Deuger stated that she had none and said that back in August, she gave her support when the site was in its preliminary stage. Member Matthew Waterman had questions concerning why the reserve area was being proposed under the driveway. Mr. Wolfe stated that the primary system would be better placed on the outside of the driveway and free from traffic. Discussion continued regarding water runoff.

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Abutter Alan Marks of 22 Whitney Pond Road stated that he also had concerns regarding runoff onto his property. He stated that the road frequently washes out during heavy rains and feared that his property would be impacted by the construction.

Dr. Horowitz asked if town water would be brought to the site. Mr. Wolfe stated "yes". He said it would be brought from Lone Lane.

Member Waterman recommended that a condition be placed on the permit stating that the infiltration trench be installed at the lowest point of the property line. This would allow loose gravel to absorb any runoff from the lot and prevent it from flooding abutting properties. Member Waterman made a motion to accept the variance subject to the condition concerning the infiltration trench. The motion was seconded by Member Deuger and approved unanimously.

Moose Trail, Lot 48: Present: Joel Williams, P.E., Dresser, Williams & Way; Steve Anisse; Atty. Medieros

Mr. Williams stated that the design plan was for a three bedroom home (28' x 38') on a tough lot. He said that it was their proposal to install an impervious barrier so that the break-out slope can be stabilized. He said that the slope is approximately 30 feet from the leaching facility. He requested the following variance:

Subsurface Sewage Disposal Regulations:

Section I.E.9 - Minimum of 15 feet must be available between the edge of a soil absorption system and an adjacent side slope, measured from the top of the peastone elevation in the soil absorption system. The finished side slope is not to be steeper than 3:1 (horizontal-vertical). Walls and impervious barriers are not allowed to adjust the side slope requirement and offset. *Applicant is proposing to install the barrier so the breakout slope can be stabilized.*

Chairman Horowitz stated that the Earth Removal Committee has concerns about this plan. She said that the slope by-law was put into effect for specific reasons such as this site. She stated that a house constructed near her home had a retaining wall and was an "abomination" and she wanted to stop that type of construction.

Member Waterman reviewed the plan and had the following concerns/comments for the record:

1. Show testing data in the reserve area.
2. Had concerns with the number of bends in the sewer pipe.
3. Add the breakout grade to the profile including the retaining wall.
4. Provide a copy of the floor plan for the record.

Member Deuger asked what other options were available. Chairman Horowitz stated that the applicant should extend town water and place the septic system elsewhere on the site. Member Deuger asked where town water ended. Mr. Williams stated that it was over 1000 feet away. She asked what could the applicant do to build on this lot. Chairman Horowitz stated that sites such as these were the reason why the Board of Health denied variances to new construction and that the variances should be denied and the land remain vacant.

Chairman Horowitz stated that she would like to speak to the Water Department and Earth Removal Committee prior to any decision.

Attorney Medieros stated that his client wanted to minimize any impact to the Earth Removal Committee and the Conservation Committee which is why the plan was designed with only one variance.

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Chairman Horowitz said that she didn't believe the land should be built on. She said that if the applicant got rid of the well, there would be more land to work with.

Member Deuger recommended that the applicant research having town water extended. Attorney Medieros stated that the suggestion could be cost prohibited.

Chairman Horowitz recommended that the Board continue the discussion so Member Deuger could visit the site. Member Deuger made a motion to continue the hearing until December 8, 2003 at 7:45pm. The motion was seconded by Member Waterman and approved unanimously.

22 Redskin Trail: Present: Richard Mavilia

Mr. Mavilia requested that the Board grant him variances in order for him to drill a new well for this property. He stated that he currently shares his well with another property. He stated that he had contacted the Water Department but town water was not available.

Chairman Horowitz asked where town water was. Health Agent Ben Cutone stated that it was well over 1000 feet away as certified by the Water Superintendent.

Mr. Cutone stated that he walked the site with the applicant and verified the variances were as follows:

Well Regulations 5.0:

Less than 100 feet from the leaching facility; 100 feet required, 60 feet provided.

Less than 50 feet from the property line; 50 feet required; 10 feet provided.

Less than 100 feet from surface water, 100 feet required; 48 feet provided.

Mr. Cutone stated that because of the site limitations, he had no concerns with the approval of these variances.

Chairman Horowitz stated that she would like to speak with the Water Department prior to making any decision. She stated that she would like town water extended. She suggested that neighbors be notified to see if they would contribute to the expense of extending town water.

Mr. Mavilia stated that he would prefer a well over town water.

Member Deuger made a motion to continue the hearing to December 8, 2003. The motion was approved unanimously.

Woodard & Curran: Present: Robert Rafferty & Emily Ferrazza; Sewer Commissioners: Harlan Fitch, James Gmeiner & Karl Johnson

Mr. Rafferty presented the preliminary state of the Wastewater Needs Assessment study performed during the summer from data collected back to 1997. He stated that the study was only partially completed and the final report should be presented to the Town sometime in early 2004.

He discussed the following preliminary findings:

1. Presentation and explanation of the data studied for Groton's wastewater needs.
2. Presentation of a town map showing areas likely unsuitable for onsite sewage disposal systems.
3. Alternatives considered for the area including an onsite septic system management plan, cluster/decentralized systems, and possible expansion of the sewer district.

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Mr. Rafferty asked the Board of Health for their view of town-wide challenges for problem septic areas. The Board stated that Lost Lake, West Groton and portions of Boston Road were areas that the Board was seeing failures in. The Board of Health stated that setbacks that they would like to see preserved and are of concern in minimizing public health issues were with wells, surface water and wetlands.

OTHER BUSINESS

1. Surrenden Farm – The Board of Health voted unanimously to not allow the applicant to move forward to the next phase of soil remediation beyond the single-family condominium lots.
2. 499 Boston Road – Health Agent Ben Cutone updated the Board with a complaint received on an overflowing dumpster on the property. He asked that the Board allow him to send an order letter to have the dumpster removed. The Board agreed and voted unanimously to have the legal order sent to the homeowner.
3. Board of Assessors – The Board requested that the Board of Assessors meet to discuss properties at Lost Lake.

The meeting adjourned at 9:20pm.

GROTON BOARD OF HEALTH

Dr. Susan Horowitz
Chairman

Jodi Deuger

Matthew Waterman

Respectfully Submitted,
Debra A. Butcher