

MEETING MINUTES
December 8, 2003
Town Hall, Groton, MA

Board of Health Members Present:

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

Others Present:

Debra Butcher

Meeting called to order:

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

Minutes:

Regular Session Minutes of November 10, 2003 were approved as written.

Permits Signed/Approved:

- *Autumn Leaf Drive, Lot 7; Candlelight Realty Trust
- *8 Flavell Road, Alan Young

Bills Signed/Approved:

- *Ayer Auto Parts-\$94.30
- *Routhier Tire-\$155.00
- *Rick Lamarre & Son, Inc.-\$3,122.46 (invoice #3BX00001)
- *Barnes Distribution-\$645.87
- *ZEP Manufacturing-\$103.89
- *Belmont Springs-\$27.00
- *Covanta-\$5736.42
- *CTC Communications (BOH)-\$60.66
- *Reliable Office Products-\$41.28
- *CTC Communications (SW)-\$30.28
- *Groton Electric Light-\$79.84
- *Groton Electric Light-\$6.95
- *Groton Electric Light-\$33.06

Meeting Minutes: December 8, 2003

Page 2

- *Moison Ace Hardware-\$58.46
- *U. Mass Memorial (Lipton Health Center)-\$1625.00
- *GeoInsight (Surrenden Farm)-\$772.60

36 Willowdale Road/William St. George: Present: Kathy Mageau, abutter, Medora King, abutter

Mr. St. George was not present for the hearing concerning trash and refuse on his property.

Chairman Horowitz read an email from Health Agent Ben Cutone. Mr. Cutone stated that he drove by the property on 12/8/03 and witnessed the same "trash" that he witnessed previously. He stated that there were cars present on the property which appeared to be active vehicles and not abandoned. He stated that at the time of his inspection, there did not appear to be a public health threat. He reported that the inspection was done from the road as he did not walk the entire property.

Ms. Mageau stated that his yard was a "mess" and contained at least 15 bags of trash which created an odor to neighbors. She stated that she has witnessed abandoned cars on the property. Ms. King stated that she has seen at least 8-10 neglected cats around the property as well. Dr. Horowitz requested that the Humane Society be contacted regarding the stray cats.

Debra Butcher stated that the owner of the auto repair business (Andy's Auto) has given permission for the Board's agent to access the back of this property to view the rear of 36 Willowdale Road.

The Board requested that the Police and Fire Departments be contacted for assistance under their jurisdiction. They requested follow-up from Mr. Cutone after he re-inspects.

Moose Trail, Lot 48

The hearing was continued from November 24, 2003 in order for Member Deuger to visit the site.

The Board discussed the site condition and the proposed impervious barrier for the breakout. The Board felt that the applicant did not demonstrate the ability to construct this in accordance with the plan. Chairman Horowitz stated that this site was the "epitome" of the reasons why the Board denies variances for new construction.

Meeting Minutes: December 8, 2003

Page 3

Member Waterman said that he had concerns on why there was nobody present for the hearing.

Member Waterman made a motion to DENY the requested 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 pea stone 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. The applicant was proposing to install a barrier for the breakout stabilization.

The motion was approved unanimously.

22 Redskin Trail: Present: Richard Mavilia. Michael Mavilia

Mr. R. Mavilia stated that his property currently shares a well with his brother's property. He requested the following variances in order that he could drill a new well:

Town of Groton's Well Variances 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.

Health Agent Ben Cutone's memo stated that the site had limitations due to the proximity of the lake. He stated that he supported the approval of the variances.

Chairman Horowitz stated that she visited the site and would rather have town water utilized. She said that she would like to see a major effort from abutters to extend town water down the road. Dr. Horowitz said that she spoke with the Water Department and understood that town water was approximately 800 feet from the connection, however, she would like to wait until town water was available.

Mr. R. Mavilia stated that he needed to have a resolution quickly because he had poor water pressure. He stated that his water is frequently "shut off" and he would like to "cut the ties" with his brother.

Meeting Minutes: December 8, 2003

Page 4

Member Jodi Deuger stated that Mr. Mavilia would be better off if he spent the money to tie into town water. Member Waterman stated that he had concerns over the costs associated with the connections and who would pay for it. Member Deuger recommended that the neighbors share the cost.

Discussion continued regarding the connection costs and the timeframe to connect. Mr. Mavilia stated that most of the homes were occupied and had private wells that were operating properly. He stated that his neighbors wouldn't be inclined to abandon a working well nor would be willing to incur costs to tie into town water.

Member Jodi Deuger made a motion to approve the requested variances. VOTE: Member Waterman-Aye; Member Deuger-Aye; Chairman Horowitz-No. The motion approved by majority vote.

Board of Assessor's Present: Edward Kopec, Hugh McLaughlin, Sylvia Sangiolo; Assistant Assessor Rena Swezey, Office Administrator Rebecca Scribner

The Board of Assessor's requested the meeting to discuss seasonal camps at Lost Lake.

Assessor Hugh McLaughlin gave a presentation on the Board of Assessor's jurisdiction and how inspections and assessments are performed. He requested information from the Board of Health on those occasions when his office personnel witnessed Title 5 violations and/or failures. Chairman Horowitz stated that the Board of Health welcomes information and would appreciate any effort to inform the Board of Health of septic systems failures.

Discussion continued regarding transfer of properties and when it triggers a Title 5 inspection and the impact to property values when the sale involves a "cash sale".

Dr. Horowitz recommended that the Assessors work closely with the Growth Management Advisory Committee regarding growth impacts as well.

Both departments agreed to work together, report inspection reports when action is required under their individual jurisdiction and have a follow-up meeting.

Meeting Minutes: December 8, 2003

OTHER BUSINESS

- Surrenden Farm – Dr. Horowitz requested that the applicant attend the Board's meeting on January 12, 2004 to review the soil remediation plan. Discussion continued on the data and testing information. Dr. Horowitz asked that a letter be sent to Mr. Falzone requesting that all data be submitted directly to Dr. Sundstrom and that GeoInsight have direct oversight on all soil testing and earth removal. She also asked that the letter contain a question as to which law firm had primary oversight of the project. She requested that the Earth Removal Committee, Planning Board and Conservation Commission receive a copy of the letter.

The meeting adjourned at 9:30pm.

GROTON BOARD OF HEALTH

Dr. Susan Horowitz, Chairman

Jodi Deuger, Member

Matthew Waterman, Member

Respectfully Submitted,
Debra A. Butcher