

TOWN OF GROTON
Groton Board of Health
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MINUTES
May 24, 2004
Town Hall, Groton, Massachusetts

Board of Health Members Present:

Dr. Susan Horowitz, Chairman; Robert Hanninen

Others Present:

Ben Cutone, R.S.; Debra Butcher

Meeting Called to Order:

Dr. Horowitz called the meeting to order at 7:30pm. Dr. Horowitz welcomed Bob Hanninen to the Board and requested that a thank you letter be sent to outgoing member Jodi Deuger for her 3 years of service to the Town.

Minutes: Regular Sessions March 22, 2004 & April 12, 2004 - No action taken.

Permits Approved/Signed:

- *Ridgewood Avenue; William Carson
- *695 Martins Pond Road; Joanne Godwin
- *Worthen Drive, Lot 1; Jodi M. Gilson
- *230 Lost Lake Drive; William & Michelle Rushmore
- *Wharton Row, Lot 27; Groton Development Corporation
- *210 Hayden Road; James McMath
- *Longfellow Road; Benjamin Builders
- *Lowell Road, Lot 12H; Dermco

Permit(s) Tabled:

- *785 Boston Road; Samantha Realty

Bills Approved/Signed:

- *CTC Communications (BOH)-\$60.07
- *Routhier Tire-\$177.50
- *May & Hally-\$45.40
- *CTC Communications (Solid Waste)-\$33.90

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Reorganization of the Board of Health

Because Member Waterman was not present, the Board tabled this agenda item until June 14, 2004. Dr. Horowitz welcomed Mr. Hanninen to the Board and publicly thanked former member Jodi Deuger for her three years of service to the Town.

Town of Westford Recycling Committee: Present: Andrew Bergamini & Elizabeth Sawyer, Town of Westford; Tessa David, Bruce Dubey

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The two towns met to discuss the details of allowing residents from the Town of Westford access into the Groton Transfer Station to dispose of leaves and grass clippings.

Dr. Horowitz reported that Town Meeting has allowed the Board of Health to develop the guidelines in the process. She stated that the Board of Selectmen has requested that access to the Transfer Station be limited to Wednesdays through Fridays only. She stated that Saturdays are the busiest day at the Transfer Station and there was concern about the monitoring of what was being disposed of by Westford residents. She suggested that, if possible, Westford could provide the manpower from the Recycling Committee. She stated that seniors from Groton could also be a possibility for manpower.

Mr. Bergamini stated that volume of cars from Westford was hard to predict but his best estimate was around 200 cars per year. He could not commit on using committee members until he discussed it with them directly.

Mr. Dubey stated that Westford would need to issue "special stickers" to Westford to separate them from Groton residents and would need their own manpower to monitor vehicles, especially if Westford was allowed to access the Transfer Station on Saturdays.

The Board of Health agreed to revisit this discussion with the Board of Selectmen to establish whether they would support Saturday access to Westford.

100 Boston Road – Emerson Medical Building: Present: Robert Collins, Stan Dillis

Atty. Collins was present representing his client, Charles Giachetto, GDP Development LLC. He stated that his client was proposing to add two additional offices to the existing third floor of the medical building. He said that the additional office space would occupy 2,500 square feet, bringing the total office space in the building to 9,533 square feet. He said that all proposed alterations would be internal to the building.

Atty. Collins said that there was presently (8) doctors located in the building, however, they would be adding (2) additional doctors once the new offices were added on an as-needed basis. He requested that the Board allow the increase usage of the facility.

Dr. Horowitz asked Health Agent Ben Cutone for his comments. Mr. Cutone stated that the system was sized large enough to accommodate the increase as long as there were no more than 10 doctors occupying the building on a daily basis. He said that the permit was issued in 1999 and that it was now being used to its fullest extent.

The Board of Health had no problems allowing the increase. They asked that all plantings need to be removed from the leaching area.

Landfill Monitoring Proposal: Present: James Greacen, Chairman

Mr. Greacen presented the proposal numbers for the three low bidders for the landfill monitoring proposal. He stated that Pine and Swallow come the same on the three year total, but Levine Fricke has a lower year one cost.

Mr. Greacen stated that Handex's answers to some questions raised some issues for him. He said both Pine & Swallow & Levine Fricke's answers were satisfactory as long as Pine & Swallow understood that their estimate is the amount it will be paid for the work.

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After a brief discussion, the Board voted 2-0 to eliminate Handex. Mr. Greacen stated that he would request additional information from Pine & Swallow and Levine Fricke and return at the next Board of Health meeting prepared to vote on a vendor.

The Board took no further action.

89 Skyfields Drive: Present: Stan Dillis; Dillis & Mische

For the record, Dr. Horowitz disclosed that the applicant was a client of hers.

Mr. Dillis requested an informal discussion concerning an expansion for this property. He stated that his clients would like to construct a barn with a bathroom. He said that the sewage disposal system was in good working order; however, he said it was a traditional pump system and not a pressure dosed system that the Groton Board of Health's regulations require. Mr. Dillis wanted a preliminary opinion on whether the Board would allow this expansion.

Dr. Horowitz asked if the owners were planning on converting this into an apartment. Mr. Dillis stated that that was not in their plans.

After a brief discussion, the Board felt that this would be under new construction criteria and would need to meet the current regulations. They stated that it was the Board's policy to not grant variances to new construction. Dr. Horowitz felt that Member Matthew Waterman should be present during any further discussion on this. The Board took no action.

31 Bayberry Road: Present: Tammy Zemler, owner; Louis Lunn; Tony Campano; John Marriner; Joanne Guimond

Ms. Zemler requested an emergency meeting with the Board to discuss her Title 5 report "conditionally passed" by the Title 5 inspector (Tony Campano of Campano Engineering) but failed by the Board of Health's Agent Ben Cutone. She stated that her house was for sale and that she was moving out of state.

She stated that Mr. Campano performed the Title 5 report in May and determined that one of the pits had collapsed, therefore, reported that the system "conditionally passed" under the criteria of Title 5. Mr. Campano inspected the 2nd pit, distribution box and septic tank and all were in excellent condition. He instructed Ms. Zemler to have a licensed installer repair the pit and connect it to the distribution box.

After review of the Title 5 report, Health Agent Ben Cutone failed the system. He failed the system because the system was approved with two leaching pits and with only one working, he felt only half of the system was functioning and receiving an excess of the approved flow. He felt that the only resolution would be to have the leaching facility replaced in accordance with the current laws and regulations.

Tony Campano of Campano Engineering spoke on behalf of his client and stated that he felt that the system was fully functioning with one pit.

Mr. Cutone stated that he felt the Board must consider the protection of the new homeowners and their use of the system. He said that if the system was approved or the leach pit is allowed to be repaired, there would be a possibility that the new owners would be in front of the Board of Health within 6 months asking why their system was in failure.

For the record, Debra Butcher stated that Member Matthew Waterman was in full agreement with Mr. Cutone's recommendation.

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Member Robert Hanninen made a motion to accept Mr. Cutone's recommendation. The motion carried unanimously.

Dr. Horowitz requested that Mr. Cutone review the plan as soon as possible to accommodate the seller.

OTHER BUSINESS

Dr. Horowitz tabled all other business until the next meeting.

The meeting adjourned at 8:35pm.

GROTON BOARD OF HEALTH

Dr. Susan Horowitz, Chairman

Matthew Waterman

Robert Hanninen

Respectfully Submitted,
Debra A. Butcher