

TOWN OF GROTON

Groton Board of Health
173 Main Street
Groton, MA 01450
(978) 448-1120
FAX: 978-448-1130

e-mail: dbutcher@ci.groton.ma.us

MINUTES May 16, 2005 Town Hall, Groton, MA 01450

Board of Health Members Present:

Dr. Susan Horowitz, Chairman; Robert Hanninen

Member(s) Absent:

Matthew Waterman

Others Present:

Debra Butcher, Ben Cutone, R.S.

Meeting called to order:

Chairman Horowitz called the meeting to order at 7:50pm.

Minutes:

The regular session minutes of April 4, 2005 & April 19, 2005 were approved.

Permits Signed/Approved:

- *Forest Drive, Lot B47; Robert Lacombe
- *Forest Drive, Lot B42; Robert Lacombe
- *Whiley Road; Lot 1; Robert Lacombe
- *474 Chicopee Row; Arnold & Carol Antak
- *Brownloaf Road; Lot 7; Joanne O'Neal (transfer: D. Morton)
- *622 Chicopee Row; Timothy & Michelle King
- *432 Townsend Road; Suzanne Bullett
- *Kemp Street; Lot 11A; Todd Niemaszzyk
- *213 Whiley Road; Lauren Sellars

Permits – Voted to be signed outside Board of Health meeting:

- *245 Lowell Road; Meredith & Benjamin Scarlet (transfer: Gibbet Hill LLC)
- *Shattuck Street, Lot 2; Meredith & Benjamin Scarlet (transfer: Gibbet Hill LLC)
- *Shattuck Street, Lot 4; Meredith & Benjamin Scarlet (transfer: Gibbet Hill LLC)

Bills Signed/Approved:

- *Airgas-\$23.70
- *ApparelMaster-\$77.28
- *Ayer Auto Parts-\$31.86
- *Covanta Haverhill-\$3832.29
- *Lamarre & Son-\$4914.36
- *Levine Fricke-\$1023.50

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Recycling Committee: Present: Tessa David, Michael Brady, Bruce Dubey

Ms. David stated that the Recycling Committee was present to discuss the North Central Regional

Solid Waste cooperative project that she was involved with and to sign the solid waste contract with Covanta. She stated that she was meeting with the Selectmen later that evening and would have the Selectmen sign the contract as well.

The Board of Health members signed the contract with Covanta for a ten year contract beginning July 1, 2005.

Ms. David stated that the State of Massachusetts has made grant money available to initiate the establishment of regional waste cooperatives and that several of Groton's neighboring towns have joined together to form the North Central Regional Solid Waste Cooperative. She stated that the purpose of the cooperative is to provide group buying power to its member towns in areas of solid waste removal. She stated that there is no cost to join this year and the town could begin receiving benefits immediately and asked that the Board of Health support joining the cooperative. She requested that the Board appoint a Board of Health representative to them. Chairman Horowitz suggested that the Board table the appointment until after the town election. Debra Butcher will schedule discussion for the Board's June 6, 2005 meeting.

The Board of Health expressed their complete support. Member Hanninen motioned to join the cooperative and the vote carried unanimously. Chairman Horowitz requested that the newspapers be contacted and to have the Recycling Committee discuss the program on Jane Bouvier's show "Around Town". Tessa David and Michael Brady agreed to be on the show.

3 Violet Road: Present: Judith Graves, Ross Associates

Ms. Graves presented an engineering plan for a 4,000 gallon tight tank to serve this dwelling. She stated that due to the prohibitive lot size and excessive slopes on the site, a tight tank was the best design option.

Ms. Graves requested the following variances:

310 CMR 15.405(1)(b) - Reduction of the required offset from slab to holding tank from 10 feet to 2 feet.

Tight Tank Construction - 4,000 gallon tight tank

Chairman Horowitz asked what presently existed and if the property was for sale. Ms. Graves stated a "cesspool" exists and that the property has already been sold. Chairman Horowitz asked Health Agent Ben Cutone if he had been to the site. Mr. Cutone stated he did testing on the site. He stated that the Assessors' office has this property listed as a two bedroom dwelling. Mr. Cutone agreed that the proposed design was the best option to serve this property.

Chairman Horowitz requested that the Board condition the approval that the property never get any larger than it presently is, including the footprint. Member Hanninen

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agreed and made a motion to approve the above requested variances with a condition that the maximum footprint of the dwelling remain the same and that the dwelling remain as a two bedroom house. The motion carried unanimously.

41 Old Ayer Road: Present: Judith Graves, Ross Associates

Ms. Graves requested the following local upgrade approvals:

Town of Groton's Local Regulations:

Section I.A.5 - Minimum of five feet of pervious material between the bottom of the leaching facility and the ground water elevation and/or any impervious layer. The offset above

ground water may be increased depending upon climatic and/or site conditions encountered. *Five feet required; four feet provided.*

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 be to be steeper than 3:1 (horizontal-vertical). Walls and impervious barriers are not allowed to adjust the side slope requirement and offset. *Fifteen feet required; ten feet provided.*

Ms. Graves stated that she has obtained an Order of Conditions from the Groton Conservation Commission. She submitted abutters' notices for the record.

Chairman Horowitz stated that she didn't support any retaining walls for this site. She requested comments from Health Agent Ben Cutone. Mr. Cutone stated that due to the slow percolation rate and a high groundwater table, the variances were required to replace the existing system. He said that the plan was in full compliance of Title 5.

After a brief discussion concerning the ground elevations, Member Hanninen made a motion to approve the requested variances. The motion carried unanimously.

34 Saddle Lane: Present: Jonathan Kopera, owner

Mr. Kopera was present requesting that the Board of Health amend his septic system plan from a three bedroom dwelling to a four bedroom dwelling. He stated that the house was built in 1983 as a four bedroom home and the septic system had sufficient capacity to support a four bedroom.

Chairman Horowitz requested comments from Health Agent Ben Cutone. Mr. Cutone stated that the he reviewed the building permit plans and the dwelling was approved in 1983 as a four bedroom house. He stated that from the information provided on the sewage disposal system plans and using Title 5 criteria, the septic system was large enough to accommodate a four bedroom house and was functioning well. He supported the homeowner's request to amend the permit.

Chairman Horowitz stated that since the septic system was in good working order, she would support the request. She stated, however, if problems came up in the future, the system would need to be upgraded according to Title 5 and local standards.

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Member Hanninen agreed and made a motion to approve the change from a three bedroom dwelling to a four bedroom dwelling. The motion carried unanimously.

OTHER BUSINESS

Tobacco Compliance – Chairman Horowitz stated that she spoke with Police Chief Mulhern and they are willing to assist with tobacco compliance checks.

Pineridge Court 40B Application- The Board of Health voted unanimously to submit the following comments to the Zoning Board of Appeals:

- The preliminary plans for this project show inadequate soil testing for the leaching facility.
- The Board of Health has not received septic system engineering design plans at this point.
- The applicant has requested no Title 5 or local variances to date.

366 Lost Lake Drive – Health Agent Ben Cutone stated that no progress has been made. He stated that items that were cleared from the initial area of concern has been filled with wood products and

unregistered vehicles are still on the premises. The Board of Health requested an update from the Police Department on the vehicles. They also requested that a letter be sent (certified mail) to Mr. Johnson stating that the Board would be discussing possible legal remedies against him at its next meeting on June 6, 2005. They requested that Town Counsel be notified of this action.

Transfer Station – Diane Barletta letter – The Board briefly discussed Ms. Barletta's letter concerning traffic safety at the Transfer Station. They requested that Ms. Barletta attend the next meeting.

The meeting adjourned at 9:15pm.

GROTON BOARD OF HEALTH

Dr. Susan Horowitz
Chairman

Matthew Waterman

Robert Hanninen

Respectfully Submitted,
Debra A. Butcher