

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

Regular Session Minutes June 6, 2005 Town Hall, Groton, Massachusetts

Board of Health Members Present:

Dr. Susan Horowitz, Chairman; Dr. Robert Hanninen; Jason Weber

Others Present:

Debra Butcher; Ben Cutone, R.S.

Meeting Called to Order:

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

Reorganization of the Board of Health:

The Board welcomed newest member Jason Weber. Dr. Horowitz made a motion to nominate Dr. Hanninen as Chairman. The motion was seconded by Member Weber and approved unanimously.

Minutes: The minutes of May 3, 2005 & May 16, 2005 were tabled.

Permits Signed/Approved:

- *61 Longley Road; Elizabeth Martineau
- *286 Hill Road; Kevin Molloy
- *40 Lost Lake Drive; Mark Patnode
- *7 Hemlock Park Drive; Marex Properties

Bills Signed/Approved:

- *Advance Security Systems-\$18.33
- *Airgas-\$24.50
- *Apparel Master-\$77.28
- *Belmont Springs-\$49.87
- *Casey & Dupuis-\$45.11
- *Global Petroleum-\$179.33
- *Groton Electric Light Dept.-\$7.08
- *Groton Electric Light Dept.-\$25.29
- *Groton Electric Light Dept.-\$66.69
- *Mobile Consultants-\$9.60
- *Mobile Sales & Service-\$50.00
- *Verizon-\$26.54
- *Covanta-\$4604.27
- *Lamarre & Son-\$5253.93
- *Verizon (Board of Health)-\$52.56

9 Cypress Road: Present: Stan Dillis, Ducharme & Wheeler; Brian Logue; direct abutters/neighbors

Mr. Dillis stated that the property is located in the Lost Lake area and consists of three bedrooms on an 8,000 square foot lot. He stated that the system was in failure and needed to be replaced. He said that one of the requested variances was to allow a reduction of the soil absorption system location (9 Cypress Road) from a private water supply well (11 Cypress Road) to be 51 feet away. He stated that the owner of 11 Cypress Road has declined to connect to town water so consequently a variance was needed. Mr. Logue stated that it was his intent to purchase the property and rebuild.

He requested the following variances:

Town of Groton's Local Regulations

Section I.C.1 - All plans, including as-built plans, for subsurface sewage disposal systems submitted to the Board of Health or its agent must be drawn to a scale of one (1) inch to twenty (20) feet.

Section I.C.(10)(b) - Rail systems, or approved equal, shall be provided for all pump systems to allow for removal of the pump for maintenance, repair or replacement.

Title 5 Local Upgrade – Minimum Setback Distances

310 CMR 15.405(1)(a) - Reduction of system location setbacks for property lines. Request to reduce the septic tank offset from a property line from 10' to 5' and to reduce the offset between the leaching trenches and the property lines from 10' to 7'.

310 CMR 15.405(1)(b) - Reduction of leaching field location setback from a slab from 10' to 7' and reduction of the septic tank location setback from a slab, from 10' to 9.5'.

310 CMR 15.405(1)(h) - Reduction of soil absorption system location setback from a private water supply well from 100' to 51'.

310 CMR 15.284 - Installation of a DEP approved for remedial use Bio-Microbics Modular FAST H.S. 0.5 treatment unit with a 35.4% reduction in the required subsurface disposal area.

Dr. Horowitz was very concerned about the design plan and questioned why the owner of 11 Cypress Road would not connect to town water. Mary Bicheler of 11 Cypress Road stated that connecting to town water was not in her best interest because of the cost of water.

Abutter Roger Magaletta of 5 Cypress Road stated that the proposal to rebuild a larger home on that lot was designed too big.

June 6, 2005 meeting minutes

Page 3

Abutter Mark Donaldson of 20 Cypress Road questioned whether a new system could be located where the old system currently existed. Mr. Dillis stated that the design to relocate the system was for the protection of abutting wells.

Member Horowitz questioned whether the applicant would explore the use of a tight tank. Mr. Dillis stated that a tight tank would only be appropriate if there were no alternative resolution for a system.

Chairman Hanninen questioned whether the well has been tested. He stated that he didn't like systems constructed close to well locations. Member Horowitz felt that there could be legal ramifications if approval was given to allow the construction of a system close to a well. She requested town counsel be contacted for an opinion. She suggested that any approval contain a condition that disallows any increase in the footprint and bedroom count.

Health Agent Ben Cutone arrived at 7:50pm.

Chairman Hanninen requested comments from Health Agent Ben Cutone about the possibility of a tight tank. Mr. Cutone stated that tight tanks were very costly to maintain. He recommended that the well on 11 Cypress Road be tested prior to system construction. Mr. Logue agreed to pay for the cost to test the well at 11 Cypress Road.

Abutter Mark Kick of 176 Lost Lake Drive stated that he was a Geologist. He stated that the wells in that area were shallow to bedrock. He was very concerned about the Board allowing a "huge" mansion to be built and the impact to the neighborhood.

Health Agent Ben Cutone recommended that a site walk be conducted to determine bedroom count.

Chairman Hanninen made a motion to continue the hearing until an inspection was conducted to determine the number of bedrooms of the dwelling, to seek a legal opinion on allowing a septic system to be located 51' from an abutters' well and to investigate the possibility of an alternative system. The motion was seconded and approved unanimously.

366 Lost Lake Drive: Present: Lawrence Johnson, owner

The Board sent a certified letter requesting that Mr. Johnson be present to discuss possible remedies to correct the ongoing violations on his property. Mr. Johnson stated that he felt he was making progress with the cleanup and was currently working on fencing. He apologized that his efforts were not satisfactory to the Board.

Chairman Hanninen requested an update from Health Agent Ben Cutone. Mr. Cutone stated that Mr. Johnson had cleared the side of his barn as ordered by the Board, however, he has relocated a large amount of material to a previously cleared part of the driveway. Mr. Cutone also reported that neighbors have reported that he is

June 6, 2005 meeting minutes
Page 4

bringing more wood to the property and he witnessed what appeared to be new wood pallets in his driveway. Member Horowitz stated that she conducted a drive-by of the property and there appeared to be new pallets in front.

Chairman Hanninen requested that Health Agent Ben Cutone continue to check the property every two weeks and that Mr. Johnson provide the Board of Health with bi-weekly reports (via email or letter) on his progress. Mr. Johnson agreed. Member Horowitz asked Mr. Cutone to continue photographing the property as well.

Chairman Hanninen requested that Mr. Johnson provide the Board of Health with the following:

1. List of items that have been removed and items new to the property.
2. Plan on where fencing was being located.
3. Bi-weekly status reports via email to Board of Health Administrator.

Chairman Hanninen stated that the Board of Health expects the property to be totally cleaned up by September 21, 2005.

Member Horowitz made a motion to require that Mr. Johnson comply with the above actions. The motion carried unanimously.

National Incident Management System (NIMS): Present: William Shute

Mr. Shute provided the Board with a new security approach and requested their support for Federal, State and local governments in order to work more effectively to prepare and respond to domestic incidents and homeland security. He stated that the Town of Groton must vote to officially accept NIMS as the standard for incident management and town departments should utilize this command system to manage incidents. He stated that first responders must also take an on-line course "IS7000" and pass the test. He stated that there was no cost to the town.

After a brief question and answer period, Member Horowitz made a motion to support the program. The motion was approved unanimously.

OTHER BUSINESS

Recycling Center Safety Present: Diane Barletta; Bruce Dubey, Transfer Station Supervisor

The Board received a letter from Ms. Barletta expressing her concern about the safety of residents, i.e. adults and children, while recycling at the Transfer Station without a safe curb-like barrier at the drive up area.

She stated that there was a high risk of danger when vehicles are backing up to unload their disposables. She said that she has witnessed many children assisting their parents at the center and felt it was unsafe for them without proper safety measures in place. She suggested that a curb be constructed to help minimize the risk and to place barriers or guard rails along the recycling stall areas.

June 6, 2005 meeting minutes Page 5

Transfer Station Bruce Dubey appreciated Ms. Barletta's concern but stated that it would be difficult to install anything along the stall areas because it would prevent tractors to maneuver around those areas. He said it would also be difficult to change the traffic flow patterns. Member Weber recommended "weighted" based signs be placed along the driveway to help direct pedestrian traffic.

The Board was concerned about child safety and discussed whether it would be worth the investment to explore ways to make it safer. Ms. Barletta stated that she would forward research information on injury data particular to recycling centers which may give the Board some injury prevention ideas.

North Central Regional Solid Waste Cooperative – Board of Health Representative

The Board recommended that Tessa David be Groton's representative.

Nashoba Paddler Camp Variance

Member Horowitz made a motion to renew and approve Nashoba Paddler's 2005 camp variance. The motion was approved unanimously.

105 CMR 430.370 Toilet Facilities:

The operator of each recreational camp for children shall provide at least two toilets or privy seats for each sex, and:

1. For each camp other than a day camp where the number of persons of one sex is in excess of 20, the operator shall provide one additional toilet or privy seat for each additional ten persons or fraction thereof of that sex.
2. At a day camp where the number of persons of one sex is in excess of 60, the operator shall provide one additional toilet or privy seat for each additional 30 persons or fraction thereof of that sex.

The Nashoba Paddler proposes to offer a porto-potty with hand washing facilities at the beginning

and end of the day at the facilities' base for the day camps.

The Board requested that monthly pumping records be submitted to the Board of Health office.

Samantha Realty Trust – Special Permit – Comments to the Planning Board

The Board unanimously voted to send the following comments:

The Board of Health is very concerned about the increased sewage flows on such a small lot located within a Zone III water resource protection district. Engineering plans for the proposed increased use have not yet been reviewed.

-
-
-

June 6, 2005 meeting minutes

Page 6

Worker's Credit Union – 308 Main Street – Site Plan Review – Comments

-
The Board unanimously voted to send the following comments to the Planning Board:

It is the Board of Health's understanding that this project will be served by town water and sewer. The Board of Health would like to offer to the Sewer Commission any assistance required for determining Title 5 flows.

Lost Lake Fish Advisory

Health Agent Ben Cutone updated the Board on the recent announcement from the Department of Public Health concerning fish contaminated with mercury levels at Lost Lake. The Board recommended that the Lakes Region be notified and provide colorful laminated signs at all entries of the lake.

Squannacook Hills 40B: Present: Gordon Newell, West Groton Water Supply District; Bruce Clements; Michelle Collette

The Board of Health discussed the potential for danger to drinking water posed by the project to build a 24-unit subdivision in a nitrogen sensitive area. Mr. Newell stated that the proposed 40B project was not in the Zone II area and would provide the Board will a map showing the Zone II delineation for the Town Forest well site.

Summer Meeting Schedule

The Board scheduled the following meetings for the summer months:

Monday, July 18, 2005
Monday, August 1, 2005
Monday, August 15, 2005

The meeting adjourned at 10:15pm.

GROTON BOARD OF HEALTH

Robert Hanninen

Dr. Susan Horowitz

Jason Weber

Chairman

Respectfully Submitted,
Debra A. Butcher