

TOWN OF GROTON
Groton Board of Health
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MEETING MINUTES
March 6, 2006
Town Hall, Groton, Massachusetts

Board of Health Members Present:

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

Others Present:

Ben Cutone, R.S.; Debra Butcher

Meeting Called to Order:

Chairman Hanninen called the meeting to order at 7:35pm.

Minutes:

The regular session minutes of January 17, 2006 were approved as amended.

Septic Permits Approved/Signed:

- *34 Park Drive, John & Barbara Benson
- *Sand Hill Road, Brad Bobzien
- *711 Martins Pond Road; Brian Logue
- *674 Townsend Road; James Claffey

Bills Approved/Signed:

- *Belledeu & Co. -\$220.16
- *Shattuck Oil-\$215.44
- *Shattuck Oil-\$282.63
- *E.L. Harvey-\$2682.90
- *Covanta-\$5513.97
- *Advance Security Systems-\$18.33
- *ApparelMaster-\$96.60
- *Moison Ace Hardware-\$73.38
- *WB Mason-\$171.04
- *WB Mason-\$42.29
- *WB Mason-\$139.98
- *WB Mason-\$58.22
- *Groton Electric Light-\$215.71
- *Groton Electric Light-\$55.19
- *Groton Electric Light-\$7.02

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993 Boston Road

At the request of the applicant, the Board of Health voted to continue the public hearing to March 20, 2006 at 8pm. The Board took no further action.

34 Park Drive: Gary Prime, P&S Land Development; John & Barbara Benson, owners

Mr. Prime stated that he was requesting (2) variances for an upgrade of the septic system. He stated that the variances requested did not reduce the level of environmental protection for the site. Mr. Prime reported that it was his attempt to site the system near the tree line where soils were more suitable.

Mr. Prime requested the following variances:

Town of Groton's Local Regulations

Section I.E.7 - Minimum of 20 feet must be available between any property line and the entire perimeter of any proposed leach area. *Twenty feet required; fifteen feet provided and approved.*

Section I.F.1 - Leach beds and pits will be sized at 150% of Title 5 requirements. Leaching areas based on percolation rates greater than 14 minutes/inch shall have a reserve area of 150% of the primary area. *100% of title 5 proposed and approved.*

Chairman Hanninen requested comments from Health Agent Ben Cutone. Mr. Cutone stated that the engineering plan fully complied with Title 5 and was protective of public health. It was his opinion that the system was being proposed in the best possible location.

Member Horowitz questioned how many bedrooms existed. Ms. Butcher stated that the Assessors' office show that the dwelling had three. Member Horowitz stated that she had no problem with the plan as long as the dwelling remained as a three bedroom.

Member Weber stated that as long as public health was being protected, he was willing to support the variances.

A motion was made by Member Horowitz to approve the (2) requested variances with the condition that the dwelling shall not exceed (3) bedrooms. The motion was approved unanimously.

6 Integrity Way: Present: Dana McKiel, homeowner

Mr. McKiel requested that the Board of Health grant him a deed restriction for the bedroom count of his home so he could finish off his basement with a new study, media room and play area making the total room count 13 or under Title 5 calculations, a six bedroom home. He stated that his home was built in 2001 with an approved 5 bedroom septic system but was constructed with 4 bedrooms.

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Chairman Hanninen requested comments from Health Agent Ben Cutone. Mr. Cutone stated that he would support a decision by the Board of Health allowing a deed restriction on the dwellings' deed.

Chairman Hanninen made a motion to grant a restriction for five (5) bedrooms for this dwelling until such time that the sewage disposal system is upgraded to accommodate more bedrooms and that the homeowner record a deed restriction notice on the deed.

The motion was approved unanimously.

89 Boathouse Road Present: Buxton Shippy, Architectural Designers & Planners; Nicholas Rosa, homeowner

Mr. Shippy requested that the Board grant relief from having to upgrade the septic system at this property. Mr. Shippy stated that the existing building has five rooms with one bedroom, three of which were used for sleeping. He stated that the proposed modification would have five rooms and (2) bedrooms, two of which would be used for sleeping. Mr. Shippy stated that when the modification was completed, there would be a decrease in the occupancy. He stated that it was his judgment that there was no need to upgrade the system.

The Board asked if there was a need to contact the Zoning Board of Appeals. Mr. Shippy stated that there were no zoning issues. He stated that his client needed to work with the Conservation Commission and Building Inspector only.

Chairman Hanninen requested comments from Health Agent Ben Cutone. Mr. Cutone stated that it was his opinion that the sewage disposal system needed to be upgraded due to the fact of its location adjacent to the lake and that there were no records on the existing sewage disposal system. Mr. Cutone stated that Title 5 requires the septic system to be upgraded when there was an increase in bedrooms.

The Board agreed that the hearing should be continued once a Title 5 was conducted by a licensed Title 5 inspector.

Groton Residential Gardens: Present: Robert Walker

The hearing was continued from February 21, 2006 in order to obtain comments from the Groton Planning Board and Conservation Commission concerning the installation of an irrigation well.

Mr. Walker referenced the Planning Board's memo stating that they had no comments concerning the well. He referenced the Conservation Commission memo that advised that work within 100 feet of the certified pool required a filing and permit from them prior to any activity. He stated that the Conservation Commission stated that locating the irrigation well in front of Unit 3 was proposed within the 100-foot buffer zone. Mr. Walker disagreed and stated that it would be located outside the 100-foot buffer zone.

Mr. Walker referenced the letter from Fay, Spofford & Thorndike concerning the evaluation of water problems at 10 Anthony Drive. Discussion followed regarding surface water and groundwater level increases along Anthony Drive.

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Mr. Walker requested that the Board approve his request for an irrigation well. Chairman Hanninen felt that adding more water to an already existing water problem at the site would make the situation worse. He stated that the water was not currently draining properly.

Discussion followed concerning the use of town water for irrigation. Mr. Walker stated that the alternative to use town water would put a strain on the public water system.

Member Horowitz suggested that Mr. Walker investigate the use of rain barrels where rain water was collected and distributed back into the ground.

Member Horowitz recommended that the Board table further discussion until the drainage issues with this site were resolved with the Town. She made a motion to continue until such time that the issues were resolved. The motion carried unanimously.

OTHER BUSINESS

Lead Arsenic Testing

Member Horowitz requested that Health Agent Ben Cutone obtain information on the costs for testing

for lead arsenic.

593 Regulations

The Board voted to conduct a public hearing at their April 3, 2006 meeting.

Underground Storage Tank Regulation

The Board voted to conduct a public hearing at their April 3, 2006 meeting.

Well Regulations, ANR Regulations, Storm Water Management Regulations

The Board requested that these regulations be on the next Board of Health meeting on March 20, 2006. The Board requested that the current language on ANR regulations be placed in their next packet.

Capital Planning Meeting Present: Bruce Dubey

Chairman Hanninen stated that he would attend the next Capital Planning meeting with Mr. Dubey. He asked if Mr. Dubey had obtained (3) required quotes for the baler. Mr. Dubey stated he did and they came in at \$51K, \$54K & \$57K.

Mercury Assessment and Disposal Program

Chairman Hanninen reported that he received a letter from Cuoco & Cormier indicating that Covanta Energy has hired them to conduct a free mercury assessment for the Groton Dunstable Regional School District and invited the Town to participate. The Board voted unanimously to participate and requested that the results be forwarded to them.

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Trust for Public Land Steering Committee

Chairman Hanninen stated that the Selectmen have appointed him to the Committee as the Board of Health representative.

HEALTH AGENT UPDATE

366 Lost Lake Drive

Health Agent Ben Cutone stated that he drove by the site today (3/6/06) and there was no change in the condition. Debra Butcher stated that she has requested an update from Town Counsel on the court filing.

95 Main Street

Health Agent Ben Cutone stated that the property was publicly listed for sale for \$650K.

The meeting adjourned at 10:00pm.

GROTON BOARD OF HEALTH

Robert Hanninen, Chairman

Dr. Susan Horowitz

Jason Weber

Respectfully Submitted,
Debra A. Butcher

