

**TOWN OF GROTON**  
**Groton Board of Health**  
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**MEETING MINUTES**  
**April 3, 2006**  
**Town Hall, Groton, Massachusetts**

Board of Health Members Present:

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

Other Present:

Ben Cutone; Debra Butcher

Meeting Called to Order:

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

Septic Permits Signed/Approved:

\*Forest Drive, Lot B52B; Robert Lacombe

Bills Signed/Approved:

\*Groton Electric Light-\$6.88  
\*Groton Electric Light-\$52.50  
\*Groton Electric Light-\$212.21  
\*Moison Ace Hardware-\$101.25  
\*Routhier & Sons-\$590.00  
\*Tank Recyclers-\$193.00  
\*UMass (Herbert Lipton)-\$1625.00

Public Hearing – Underground Storage Tanks Present: Fire Chief Joseph Bosselait; Craig Auman, Conservation Commission

Chairman Hanninen opened the public hearing at 7:30pm and read the legal notice posted in the Groton Herald. He read comments submitted from the Conservation Commission into the record.

Member Horowitz stated that she reviewed the regulations in its entirety and stated that the Board agreed to keep language in the regulations concerning the Board's involvement in the permitting process.

Discussion followed regarding the Board's involvement and the need to review all applications in respect to well and septic locations. Fire Chief Joseph Bosselait felt that the Board needed to remain in the permitting process through a possible routing slip procedure. Chief Bosselait understood that some situations would be time sensitive and the process would be slowed down, however, it needed to go through the various approval channels.

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Chief Bosselait recommended that the Board of Selectmen provide comments at a joint meeting or by writing. Ms. Butcher will contact the Selectmen's office for comments.

Conservation Commission member Craig Auman stated that the Conservation Commission wanted to ensure that consistency among boards were maintained so tanks would be installed according each department's guidelines.

Health Agent Ben Cutone suggested that applicants hire an engineer to complete a plan for tank placement. The Board agreed with the suggestion.

The Board voted unanimously on the following amendments:

1. Section 280-1: Purpose  
ADD:  
C. All soil testing must be performed by a Massachusetts Professional Soil Evaluator at the owner's expense and witnessed by the Board's Health Agent.
2. Section 280-3: Installation of Underground Storage Tanks  
ADD:
  1. Apply for an installation and storage permit.
3. Section 280-4: Permits
  6. The storage of petroleum products or hazardous materials underground or above ground within 100 feet of wetland resource areas or within 200 feet of rivers or perennial streams is prohibited.
  11. Add: "of the application process" to the sentence.
  - B. (1) Add: At (15) years, a tightness test must be done.  
(2) Add: ... or transfers ownership of property, it would need to be inspected.

The Board voted unanimously to continue the public hearing to Tuesday, April 18, 2006 at 8:15pm.

Public Hearing – Fee Schedules and Regulations Governing Fees Present: None

Chairman Hanninen read the legal notice into the record.

Because the Board's agenda was running over, the Board voted unanimously to continue the public hearing after "Other Business" is completed.

Sand Hill Road: Present: Brad Bobzien, owner; abutters (see attached)

Mr. Bobzien requested permission to construct a wash well for a proposed new home on Sand Hill Road. He stated that he was building a home on a 52-acre parcel, which would eventually be subdivided to accommodate additional homes. He stated that the land was owned by the McGovern's and that there wasn't any immediate plan to

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develop the additional acres. Mr. Bobzien stated that many of his neighbors have wash wells and he would prefer this type of well because of cost factors and the quality of water measures because it provides more flexibility.

Chairman Hanninen read a memorandum from Water Superintendent Thomas Orcutt into the record. Mr. Orcutt asked that the Board consider that the proposed well was not within any water resource protection area and stated that it would not negatively influence any public or private wells in the area. He stated that the Board should grant the variance for a wash well.

Chairman Hanninen requested comments from the Board's Health Agent. Mr. Cutone stated that he instructed the applicant to provide the Board with information on why a shallow well should be

allowed versus a deep well. He also stated that he instructed the applicant to provide information on measures to be taken to protect the aquifer from potential run-off. He would like to see the well constructed with a heavy seal and tight cover for that reason if the Board approved the variances. Member Horowitz agreed with Mr. Cutone because it would protect the aquifer from contamination.

Abutter Ramona Tolles asked what a wash well was. Mr. Bobzien replied that it was a shallow well constructed in an area of sand and gravel so that it took advantage of natural material. He said that it was a smart choice for his family.

Abutter Paul Reilly felt that granting the variance would open the door to more construction with many more shallow wells and that the aquifer would be affected.

Member Weber questioned what the distance was to town water. Mr. Bobzien stated that it was quite a distance away and it would be costly to run town water to the site.

Member Horowitz requested a continuance so she could conduct a site walk and allow her the opportunity to speak with the Water Superintendent.

Health Agent Ben Cutone stated that the applicant needed to obtain data to protect the aquifer and should submit it to the Board. Member Horowitz made a motion to continue the hearing to April 18, 2006 at 7:45pm. The motion was seconded and approved unanimously.

Chairman Hanninen made a motion that the applicant provides data for protection of a shallow well by the well driller. The motion passed unanimously.

25 Town Forest Road: Present: Edward Odell (representing the homeowner)

Mr. Odell requested that the Board grant a deed notification on the property so the homeowners can add an additional room. He stated that the current dwelling has four bedrooms.

Health Agent Ben Cutone stated that dwelling consisted of 9 total rooms and under Title 5 definition, consisted of four bedrooms. He stated that the applicant wants the Board of Health to grant a deed notification in lieu of upgrading the sewage disposal

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system to comply with Title 5. He stated that if an addition was added, it would make the total room count be 10 rooms or a five bedroom dwelling under Title 5 definition.

Member Horowitz requested that the property remain as a four bedroom dwelling. She made a motion to grant a (4) bedroom deed notification with the following condition:

*A notification must be placed on the dwellings' deed stating that the dwelling shall not contain more than (4) bedrooms until the sewage disposal system is upgraded to accommodate more bedrooms. The deed must be recorded at the Registry of Deeds prior to signing the building permit.*

The motion was approved unanimously.

Rocky Hill – Atty. Robert Collins

Attorney Collins requested that the meeting be rescheduled to April 18, 2006. The Board took no further action.

## **OTHER BUSINESS**

Special Town Meeting Article – Surrenden Farm property

The Board of Health voted unanimously to support the article at Special Town Meeting. Ms. Butcher will send a memorandum to the Board of Selectmen and Town Moderator.

Public Hearing – Fee Schedules and Regulations Governing Fees Present: None

Chairman Hanninen opened the public hearing at 8:45pm.

Member Jason Weber made a motion to request an amendment to Section 6.0: Delinquent Accounts under Section A to include language concerning a one year treasury bill plus 10% as published by the Federal Reserve Bank.

The motion was approved unanimously. The Board voted unanimously to approve the regulation with the amendment.

Sewer Connection documents

The Board voted unanimously to adopt the sewer connection forms provided by Health Agent Ben Cutone.

FY07 Budget

Ms. Butcher stated that the Board of Selectmen voted not to approve the \$6600 for the North Central Solid Waste Cooperative at Town Meeting. She also informed the Board that the Selectmen voted to reduce the \$17K line item for landfill monitoring/engineering to \$12K. She stated that this was because the cost for landfill monitoring is lower for the second year of monitoring.

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HEALTH AGENT UPDATE

211 Whiley Road

The Board received a letter from abutters dated March 23, 2006 (attached) concerning the failed septic system at the property resulting in an odor in the area.

Member Weber questioned whether there was evidence of a sewage disposal failure on the property. Health Agent Ben Cutone stated that the Title 5 report, dated November 9, 2005, indicated that the system was in failure. Mr. Cutone inspected the area and stated that he contacted Mr. Lawrence to cover the manhole to help reduce the odor.

Chairman Hanninen recommended that the neighbors contact the Board of Health Agent as soon an odor is detected. Mr. Cutone stated that the Board could order the repair of the system within 90 days. The Board agreed and approved the motion to order an upgrade of the system within 90 days of receipt of the order.

The meeting adjourned at 9:30pm.

GROTON BOARD OF HEALTH

Robert Hanninen	Dr. Susan Horowitz	Jason Weber
Chairman		

Respectfully Submitted,  
Debra A. Butcher

