

**TOWN OF GROTON**  
**Groton Board of Health**  
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**MEETING MINUTES**  
**April 18, 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 7:30pm.

**Minutes:**

The regular session minutes of March 20, 2006 & April 3, 2006 were approved as written.

**Bills Signed/Approved:**

- \*ApparelMaster-\$77.28
- \*Covanta-\$3,650.01
- \*Biermann Services-\$114.14
- \*Advance Security Systems-\$18.33
- \*Groton Herald-\$112.00
- \*Nashoba Associated Boards of Health (4<sup>th</sup> quarter)-\$5,738.75
- \*Mobile Sales & Service-\$52.00
- \*Global Montello Group-\$34.19
- \*Airgas-\$24.50
- \*Belmont Springs-\$27.00
- \*E.L. Harvey & Sons-\$3,855.06
- \*Verizon (SW)-\$18.69
- \*Verizon Long Distance (BOH)-\$.28
- \*Verizon (BOH)-\$35.92
- \*Verizon Long Distance (SW)-\$.29
- \*Ayer Auto Parts-\$23.53

**Permits Signed/Approved:**

- \*293 Chicopee Row; Paul Rotker
- \*45 Hill Road; Marc Vandebulcke
- \*960 Lowell Road; Millstone Hill Realty Trust
- \*Hubbard Lane, Lot 1; Robert Lacombe
- \*8 Skinners Lane; Mary Mattera

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Executive Session

The Board of Health entered into Executive Session for the purpose of discussing strategy for pending litigation. Chairman Hanninen stated that the Board of Health would reconvene to regular session once Executive Session had concluded.

Sand Hill Road-Map & Parcel 226/2: Present: Brad Bobzien

The hearing was continued from April 3, 2006 in order that the applicant provided well construction data to the Board that was protective of the aquifer and that Member Horowitz could walk the site and speak with the Planning Board Administrator and the Groton Water Department Superintendent. The applicant requested a variance in order to construct a wash well on this site.

Mr. Bobzien provided a copy of the proposal from the Wash Well Company showing the type of wash well pump construction to be installed. He stated that the well would be installed with a 2" wash well with galvanized casing and stainless steel screen.

Member Horowitz stated that she spoke with Michelle Collette and learned that Mr. Bobzien is working with the Planning Board on an application for a special permit for flexible development to create nine lots. Member Horowitz stated that she had no problem granting the variance for a wash well as long as Mr. Bobzien ties into town water once it became available.

Discussion continued regarding flow rates and water quantity. Member Horowitz made a motion to approve the shallow well with the following conditions:

1. The shallow well must produce a minimum quantity of 15 gallons per minute.
2. The water quality shall be in compliance with the Board of Health's Well Regulations.
3. The well shall be constructed in accordance with the proposed plan.
4. When Town Water becomes available as defined by the Board of Health, the applicant must connect to the municipal water system within 90 days.

Rocky Hill

- The hearing was rescheduled by the applicant's attorney to May 2, 2006.

Public Hearing – Underground Storage Tank Regulations

The hearing was continued from April 3, 2006.

Debra Butcher reported that the Selectmen's office would like to wait until after Annual Town Meeting to meet with the Board of Health to discuss any fee schedule.

The Board made some minor changes to the regulations. Chairman Hanninen made a motion to continue the public hearing to May 15, 2006 at 8pm for the purpose of obtaining more information. The motion carried unanimously.

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OTHER BUSINESS

- Well Regulations

The Board voted unanimously to conduct a public hearing on May 15, 2006 at 7:30pm for the purpose of amending the sections on the permitting process and water quality requirements.

211 Whiley Road: Present: Robbin Lawrence, owner, abutters Lauren Sellars and Sylvia Sangiolo

Ms. Sangiolo stated she understood that the Board of Health gave Mr. Lawrence 90 days to correct the failed septic system at 211 Whiley Road and she felt that the timeline was too long because of

the offensive odor coming from the property. She stated that the odor was so offensive that it prevented her from working in her yard.

Ms. Sellars concurred with Ms. Sangiolo and added that the problem worsens during the warmer months.

Member Horowitz asked if the abutters contacted the Health Agent when the odors were present. Health Agent Ben Cutone stated that he inspected the site twice and that there was no evidence of an odor. He reported that both times he was at the site, it was windy.

Mr. Lawrence stated that the Board ordered that a Title 5 inspection be done and he complied with the Board's order. He stated that there was no odor at the property.

Discussion continued regarding the Title 5 report. Health Agent Ben Cutone instructed Mr. Lawrence to hire a civil engineer to design a new system and to submit the engineering plans to his office. He stated that the process could take a couple of months to issue a septic permit to repair the system.

Member Horowitz stated that the process could take as long as 90 days in order to issue the permit. Ms. Sangiolo felt that the timeline would take them into July when the weather was warm and the smell more offensive to the neighbors.

Chairman Hanninen questioned whether Mr. Lawrence could have the system pumped weekly. Mr. Lawrence stated that from a financial standpoint, that would be very costly to him but that he would "entertain that thought".

Member Weber questioned whether there was any alternative solutions that would help everyone involved.

Health Agent Ben Cutone stated that the Board could approve having the owner install a new 1500 gallon tank and pump the tank like it was a tight tank. The Board felt that was a reasonable alternative.

The Board requested that the Health Agent perform a site visit with Mr. Lawrence and the abutters to observe the conditions. Mr. Cutone scheduled that for Wednesday,

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April 19, 2006 at noon. The Board advised Mr. Lawrence to notify his tenants of the site inspection.

Member Horowitz made a motion that the 1500 gallon tank is in place within 45 days and that a complete subsurface sewage disposal system be in place within 90 days. The motion carried unanimously. Member Weber advised Mr. Lawrence to notify the Board of Health office if he couldn't find an engineer in a timely fashion. Health Agent Ben Cutone stated that he would expedite the permit once an engineer's design plan was received.

#### 14 Station Avenue – Local Initiative Project

The Board voted unanimously to send the following comments to the Board of Selectmen:

1. It is the Board of Health's understanding that this project will be served by town water and sewer.
2. If sewer capacity has not been set aside for this project, the applicant should consider an on-site sewage disposal system.

#### Rocky Hill – Starter Homes – Site Plan Review

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

1. It is the Board's understanding that this project is being served by town water.
2. The Board requests that the applicant provide, in writing, the historical use of the property.
3. The monitoring wells on Shelters Road should be checked to see if there are any issues the Board should be aware of.

#### Stormwater Management –Low Impact Development & Water Resource Protection District

Member Horowitz made a motion to send a letter to the Board of Selectmen and Town Moderator supporting both articles at Annual Town Meeting. The motion carried unanimously.

#### May Board of Health Meetings

The Board voted unanimously to schedule meetings on Tuesday, May 2, 2006 & Monday, May 15, 2006.

#### National Incident Management Training

Chairman Hanninen stated that he would be attending the sessions. Members Horowitz & Weber stated that they would take the training on-line.

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#### Lawrence Academy – Site Plan Review

The Board reviewed the plans for the Ferguson Building and voted unanimously to send the following comments:

1. It is the Board's understanding that this project is being served by town water and sewer.
2. The Board requests that the applicant provide, in writing, the historical use of the property.

23 Stonecleave Lane Present: Lorraine Scampini, owner; Mr. & Mrs. Slade; Mr. & Mrs. Phinney

*Member Horowitz disclosed for the record that Ms. Scampini is a client of hers.*

Mr. & Mrs. Phinney requested an opportunity to speak with the Board of Health about the pasturing of horses adjacent to their property by Ms. Scampini. Mr. Phinney stated that he was concerned about the possibility of contamination to his well. He said he had his well tested for a baseline if the issue was litigated and provided a copy to the Board. Mr. Phinney stated that he reviewed the minutes of September 6, 2006 and would encourage the Board to have Ms. Scampini create a manure plan and put a pad in place for manure storage. He said that he lived in a nice neighborhood and felt that the potential for flies and noise would degrade his property if horses were kept nearby.

Chairman Hanninen stated that he understood Mr. Phinney's concerns but that Ms. Scampini was able to use her property as agricultural land. He said that agricultural uses were acceptable unless a nuisance occurred at which time the Board would address it with her.

Mrs. Slade stated that she didn't want to live next to a mound of manure and urged the Board to require that Ms. Scampini put a platform down to store the manure.

Ms. Scampini stated that it was her plan to "drag" the manure to keep it down. She stated that (4) horses would be kept on (2) acres and she planned on piling manure in the woods to diminish flies near her neighbors.

Ms. Slade questioned whether the Board was opposed to requiring a platform. The members of the

Board indicated that they were not. Chairman Hanninen requested that Ms. Scampini be a good neighbor and keep the manure piles as far away from her neighbors as possible. Ms. Scampini stated that she didn't plan on having large amounts of manure all at once and indicated that she won't have horses present until August or September. She stated that she owns a tractor and planned on removing some the manure and bringing it to the Transfer Station.

Member Horowitz felt it was wise for Ms. Scampini to put a concrete pad in place or some sort of impervious rubber mat, i.e. matting used for foot protection. Ms. Slade requested that any pad be folded up on each side to prevent leakage.

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Ms. Scampini provided a drawing on the white board and showed where manure was being proposed to be kept and the distances to her neighbors' well and property lines. Chairman Hanninen suggested that he and Health Agent Ben Cutone walk the site to see the location. The Board scheduled the site walk for Chairman Hanninen and Health Agent Ben Cutone to visit for Tuesday, April 26, 2006 at 1pm at 23 Stonecleave Lane.

HEALTH AGENT UPDATE

Town of Boxborough – Health Agent Ben Cutone reported that he has been assigned an additional town. He stated that office hours in Boxborough were Tuesdays from 1-3pm. He stated that activity was currently low in the town.

The meeting adjourned at 9:45pm.

GROTON BOARD OF HEALTH

Robert Hanninen	Dr. Susan Horowitz	Jason Weber
Chairman		

Respectfully Submitted,  
Debra A. Butcher