

Board of Health Meeting Minutes

October 16, 2006

Approved

Board of Health Members Present:

Jason Weber, Chairman; Robert Hanninen

Member Absent:

Dr. Susan Horowitz

Others Present:

Ben Cutone, R.S.; Debra Butcher

Meeting Called to Order:

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

Minutes:

The regular session minutes of October 2, 2006 were approved as modified.

Septic Permits Approved/Signed:

None Submitted

Bills Approved/Signed:

- *Advanced Security Systems-\$18.33
- *Airgas-\$25.50
- *Ayer Auto Parts-\$260.20
- *Michael Moore (Employee) Hoisting License Renewal-\$60.00
- *Moison Ace Hardware-\$52.45
- *Verizon Long Distance (SW)-\$.03
- *Covanta Haverhill-\$6,115.35
- *E.L. Harvey-\$4,466.88
- *Belledue & Co.-\$15.96
- *Kelly Printing Supplies-\$96.85
- *Verizon Long Distance (BOH)-\$.32
- *Nashoba Associated Boards of Health-\$5,910.75
- *North Central Regional Solid Waste Cooperative-\$1,720.00

47 Shenandoah Road Present: Neil Gorman, Ross Associates; David Jewett, owner

Mr. Gorman submitted the certified mail receipts for the record. Mr. Gorman reported that the property consisted of a two bedroom dwelling on a small lot with a shared driveway. He stated that they were proposing to construct a 4,000 gallon tight tank in the only location that met the required setback distances. He stated that the depth of the tank was necessary to maintain the minimum slope requirements of the sewer line as well as minimizing the disturbance to the adjacent steep slope. Mr. Gorman said that the existing system was under the deck structure and would be removed during construction.

Mr. Gorman requested an additional variance for the tank installation:

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310 CMR 15.405 Local Upgrade Approval

310 CMR 15.405(1)(b) - Increase in maximum allowable depth of system components from 36 inches to 72 inches below finished grade.

Chairman Weber requested comments from Health Agent Ben Cutone. Mr. Cutone stated that he felt

the proposed location of the system was the best solution. He said that if the Board approved the variance, State approval would need to be obtained prior to the issuance of a permit.

Chairman Weber asked what type of system currently existed. Mr. Gorman stated that a cesspool was presently there.

Mr. Cutone stated that the tight tank would have an alarm notifying the homeowner when the tank was 2/3 full. Member Hanninen questioned whether this property has been reviewed by the Conservation Commission. Mr. Gorman replied that he has spoken with them and it was recommended to amend the Order of Conditions. He was told by the Commission to obtain the "blessing" from the Board of Health first.

Member Hanninen felt that it was an improvement over what presently existed and was better for the lake area. He recommended that any approval be conditioned that the house shall remain as a two-bedroom dwelling and deeded as such.

Member Hanninen made a motion to approve the 4,000 gallon tight tank for 47 Shenandoah Road and allow the maximum allowable depth of the system components from no more than 36 inches up to 72 inches for the finished grade with the following conditions:

1. Conservation Commission approval must be obtained.
2. The house shall remain as a (2) bedroom dwelling.

The motion was seconded by Chairman Weber and approved unanimously.

Health Agent Ben Cutone stated that the two bedroom recorded deed restriction would be noted as a requirement for certification on the permit.

Groton Convenience Store: Present: Vimuben (Gary) Patel; owner; Bob Patel

Health Agent Ben Cutone stated that the Board of Health was notified by the Department of Environment Protection recently that the Beauty Salon located at 871 Boston Road was discharging waste to an on-site leaching facility. He stated that this was in violation of the State Environmental Code and that all waste is required to be discharged to an on-site industrial waste water holding tank. He stated that the site has been out of compliance since 1995.

Mr. Cutone advised Mr. Patel in a certified letter that he had 30 days after receipt of the letter to meet with the Board to discuss a possible solution.

Mr. Patel stated that he has owned the store for two years now and it has been financially tight for him to operate his store since the opening of Shaw's Supermarket. He stated that it might be necessary to close his store because he couldn't afford to make any changes to his septic system. Mr. Patel questioned whether sewer would be available to him in the near future. Mr. Cutone stated 'no'.

Mr. Cutone stated that it was Mr. Patel's responsibility as owner of the property to comply with all State and Local regulations.

Chairman Weber asked Mr. Cutone what is expected from Mr. Patel to comply. Mr. Cutone stated that Mr. Patel would need to hire an engineer to design plans, submit all necessary paperwork and fees for permitting and then the cost of the installation of the tank. He stated there may be costs for plumbing changes as well. Mr. Cutone stated that a rough estimate for the entire process would be \$10K to \$15K.

Member Hanninen felt that the process needed to move forward and suggested that the Board establish a timetable for Mr. Patel and made a motion to accept the following timeline:

1. As of January 16, 2007, Mr. Patel must inform the Board in writing of the name of the engineering firm he has hired to design the industrial waste water holding tank to serve the hair salon.
2. As of April 16, 2007, Mr. Patel must obtain a septic permit for the industrial water waste holding tank from the Board of Health.
3. As of October 16, 2007 a Certificate of Compliance must be obtained for the industrial waste water holding tank and it must be registered with the Massachusetts Department of Environmental Protection.

The motion was seconded by Chairman Weber and approved unanimously. Mr. Cutone will draft the approved timeline in writing to Mr. Patel.

OTHER BUSINESS

Baler Update

Debra Butcher reported that the Selectmen signed the contract to purchase the baler at their meeting on October 10, 2006. She stated that the contract has been sent to the vendor for their review and signature. She also stated that the vendor will submit a performance bond, as the contract required, that will be held in the Town Treasurer's office until the work has been completed.

Special Town Meeting – October 23, 2006

Debra Butcher reminded the Board of the upcoming Special Town Meeting and that the Board's article is Article 3 for the Inter-municipal Mutual Aid agreement. She also reminded the Board that the Town Clerk's article for funding for the Town of Groton's Code Book was Article 11. She stated the Board of Health has submitted regulations this year that would require town approval for funding for them to be updated in the Code Book. She stated that the Town Clerk would appreciate their support in the passage of this article.

Amanda's Way – Request for Comments – Special Permit Modification

The Board voted unanimously to send the following comments:

The new house design needs to be in full compliance with the current septic system permit and design issued by the Board of Health.

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Brooks Orchard – Memo from Planning Board

In response to the Planning Board's request to provide additional information concerning the chemical spill stated in their September 26, 2006 memorandum to the Planning Board, the Board members present requested to contact Member Horowitz and voted unanimously to send the following comments:

The Board of Health is looking into the details of the chemical spill which we stated to you in our September 26, 2006 memorandum and will advise.

Mill Run Plaza – Request for Comments- Site Plan Review

The Board voted unanimously to send the following comments:

The Board of Health has no comments at this time.

Water Department – Request for Comments – Site Plan Review

The Board voted unanimously to send the following comments:

The Board of Health is asking whether the Department of Environmental Protection has been notified or are they required to be notified for this project.

Rocky Hill – Request for Comments – Special Permit Modification

The Board voted unanimously to send the following comments:

The Board of Health has no issues with the proposed changes as long as there is no increase in the total bedroom count for the project.

HEALTH AGENT UPDATE

Presby Enviro-Septic Leaching System – Sewage Disposal System Upgrade Design

Health Agent Ben Cutone provided information on some new technology, approved by the Department of Environmental Protection on May 22, 2006, for remedial use for septic systems (copy attached) and whether the Board of Health would continue to require approval under their local regulations for certain variances.

After some discussion and review of the document, Member Hanninen recommended that engineers still be required to come before the Board of Health until such time that the local regulations were modified.

5 Ridge Road

Health Agent Ben Cutone questioned whether the members had received emailed pictures of the site taken on October 11, 2006. He reported that he sent a certified letter to the homeowners notifying them that they must have their property free of refuse and trash within 30 days of receipt of the letter and that the Board of Health will be discussing this order at their November 20, 2006 meeting at 8:30pm.

366 Lost Lake Drive

Health Agent Ben Cutone stated that he is still waiting for direction from Town Council since he provided an update on the recent site status to him. He stated that the condition of the property remains the same.

Nashoba Associated Boards of Health – Quarterly Meeting

Member Hanninen stated that he attended the meeting on Thursday, October 12, 2006 and that the agency was in good financial standing at this time. Debra Butcher stated that FY08 budgets will be due soon and it was necessary for us to find out whether the Nashoba Associated Boards of Health will level fund their assessment costs to Groton.

The meeting adjourned at 9:00pm.

GROTON BOARD OF HEALTH

Jason Weber, Chairman

Robert Hanninen

Respectfully Submitted,
Debra A. Butcher

