

**MEETING MINUTES**  
***Approved***  
**June 4, 2007**  
**Town Hall, Groton, Massachusetts**

Board of Health Members Present:

Jason Weber, Chairman (arrived at 7:45pm); Dr. Susan Horowitz; Robert Hanninen

Others Present:

Ben Cutone; Debra Butcher

Meeting Called to Order:

In Chairman Weber's absent; Member Horowitz called the meeting to order at 7:35p.

Minutes:

The minutes of May 21, 2007 were approved as amended.

Septic Permits Approved/Signed:

- \*Quail Ridge Road, Lot 5A; Fox Meadow Realty
- \*Quail Ridge Road; Lot 4A; Fox Meadow Realty
- \*Robin Hill Road, Lot 19; Fox Meadow Realty
- \*Robin Hill Road, Lot 23; Fox Meadow Realty

Bills Approved/Signed:

- \*Advance Security Systems-\$18.33
- \*Ayer Auto Parts-\$7.02
- \*E&R Cleaners (3 invoices @ \$23.75)-\$71.25
- \*Groton Electric Light-\$42.38
- \*Groton Electric Light-\$168.70
- \*New England Plastics Corp.-\$1080.00
- \*P.N. Laggis Company-\$151.44
- \*Unifirst-\$13.12
- \*Verizon (SW)-\$18.25
- \*Custom Courier-\$77.52
- \*Verizon (BOH)-\$38.93
- \*Levine Fricke-\$1500.00
- \*Community Healthlink-\$1625.00

Reorganization of the Board

The Board of Health unanimously voted Jason Weber as Chairman.

54 Ridgewood Avenue Present: Glenn Kinnear, owner; Atty. Rob Anctil

The meeting was continued from May 14, 2007 in order that Attorney Anctil could submit a "Title 5 Bedroom Count Deed Restriction" for the Board to review.

Attorney Anctil provided the Board with his draft for a deed restriction. The Board felt that the draft was far more encompassing than what was currently being used by the department. Member Horowitz suggested that the Board use Attorney Anctil's version as a template in the future.

Attorney Anctil requested that the Board amend their "Conditions of Approval" vote for Condition No. 2 of their letter dated March 21, 2007 and vote to accept the "Grant of Title 5 Bedroom Count Deed Restriction".

*Condition No. 2. The building shall not be increased in height, footprint, square footage, sewerage flow or bedrooms.*

Member Hanninen made a motion to remove the height, footprint & square footage requirement of Condition No. 2 in the Board of Health's letter dated March 21, 2007 and accept the "Grant of Title 5 Bedroom Count Deed Restriction" document submitted by Attorney Anctil. The motion was approved 2-0.

***Chairman Jason Weber arrived at the meeting at 7:45pm.***

124 Mill Street Present: Mr. & Mrs. Theron Truax Jr.

The meeting was continued from May 21, 2007 in order that Health Agent Ben Cutone could conduct a site inspection.

Mr. Cutone reported that he conducted the site inspection on Friday, May 25, 2007 with Mr. Truax present. He said that the inspection revealed mostly stacked wood pallets with a few unregistered trailers, a pick-up truck and some other spare parts for machinery. He reported that he did not observe any items that he would consider hazardous. He stated that some of these items fell under the jurisdiction of the Police Department and added that there was no detection of odors or leakage from the vehicles.

Member Horowitz stated that she received information that there was a camper with people living it connected to the sewage disposal system. Mr. Cutone stated that during his inspection, he saw no evidence of a connection because there were no visible signs of pipes.

The Board concluded that the items found on the site were considered useful to Mr. Truax. Based on the information provided to the Board, Member Horowitz made a motion to lift the notice of non-compliance letter dated April 18, 2007. The motion carried unanimously.

The Board voted unanimously to send a response to the Board of Assessors, with copies to the Board of Selectmen and Zoning Officer, notifying them that the Board of Health has determined that no public health violations currently exist on the property.

Groton Country Club Present: Jesse Johnson, Ross Associates

Mr. Johnson requested an informal discussion with the Board to discuss the existing sewage disposal system at the Groton Country Club. He stated that his firm has been hired by the Groton Community Foundation to provide a feasibility study regarding the potential construction of a Community Center. He said that as part of his research, he needed to determine the viability of the existing on-site system.

Mr. Johnson provided copies of the 1982 sewage disposal as-built and permit that allowed for installed capacity for a 13,000 gallon septic tank and a Title 5 flow allocation of 8,290 gallons per day. He stated that at that time, the Nashoba Associated Boards of Health agent made a determination that the system could support the installation of 47 snack bar seats.

Mr. Johnson reported that a Community Center could be sustained on the property due to unused capacity. He stated that he would be looking at a type of facility to accomplish all levels of service to the public and was inquiring whether the Board of Health would allow the use of the existing sewage disposal system if a Title 5 passes.

Health Agent Ben Cutone cautioned the Board on whether this would be considered a "change in use" under Title 5 guidelines. He stated that the original system was designed as a function hall. Mr. Cutone stated that the Board could make a good argument either way.

Mr. Johnson stated that preliminary discussions were for a 300-person capacity function hall with a

maximum of 200 parking spaces.

Member Horowitz questioned why he was present. Mr. Johnson stated that there were some financial hurdles that needed to be resolved but he wanted the Board of Health to be aware of all possibilities for the town. Mr. Cutone stated that it was his recommendation that Mr. Johnson speak with the Board.

Member Horowitz recommended that Mr. Johnson explore a sewer connection option. Discussion followed regarding tearing down the existing building and incorporating the sewer capacity into another building. Chairman Weber stated that the proposal is a "bet that the existing system would last". Mr. Johnson stated that if the system failed, he would still need to plan and budget for a replacement of the system.

Mr. Johnson thanked the Board for their input and will report back to the committee overseeing this project.

## OTHER BUSINESS

### Hughes-Ortiz, 60 Boston Road – MEPA Comments

The Board voted unanimously to send the following response for the reconstruction of a garage, driveway/parking expansion and associated storm water recharge system. Comments are due by June 12, 2007.

*The Board of Health requires that this property be connected to the town's municipal sewer system by June 18, 2007 and written confirmation of the connection submitted to the Board. The applicant must meet with the Board if the sewer connection is not completed by the required deadline.*

### Monarch Path

The Board reviewed the latest information submitted from Mr. Buhlman on the wells and the history of the land. The Board voted to send the following comment:

*All wells located on the property at 12 Gilson Road, Groton, Massachusetts must be rendered safe so that accidental injury does not occur. The wells must be fully abandoned by a licensed well driller according to the Town of Groton's Well Regulations by October 15, 2007.*

Debra Butcher will send a copy of the letter to the Groton Planning Board.

### Donelan's Supermarket of Groton

The Board received a complaint about an odor coming from a dumpster located at the rear of the store. The Board discussed the complaint and was disturbed about it. The Board requested that there be random site inspections done and recommended that the dumpster be emptied more than the customary once per week during the summer months.

*The Board voted unanimously to send a letter to Donelan's stating the following:*

1. *The Board of Health's Agent will be keeping an eye on the situation through random site inspections of the dumpster area.*
2. *The Board encourages Donelan's to consider emptying the dumpster more often than once per week during the summer months.*
3. *The Board will review the inspection reports for compliance at future Board of Health meetings.*

### Nashoba Boards of Health – Executive Board

The Board unanimously voted Robert Hanninen as their representative on the Executive Board.

### West Groton Water Supply District – Special Permit

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

1. *The Department of Environmental Protection should approve this project.*
2. *Ensure that the road to the facility is safe for the transport of hazardous materials.*
3. *Drivers transporting hazardous materials to the facility shall be instructed in safe transport techniques (i.e. speed).*
4. *Best management practices shall always be employed for all hazardous materials.*
5. *All Material Safety Data Sheets (MSDS) should be forwarded to the Fire Department and the Local Emergency Planning Committee (LEPC).*

Tobacco Control Collaborative Program

The Board voted unanimously to participate in the tobacco control collaborative program led by the Leominster Boards of Health and to support the program in the implementation of the requirements of the Board of Health's Tobacco Control Enforcement program.

Pay As You Throw Program – Moison Ace Hardware

Bruce Dubey notified the Board that Moison Ace Hardware will no longer be selling town trash bags as of June 15, 2007.

FY08 Goals and Objectives

Member Horowitz requested that the Board discussed their FY08 Goals & Objectives at their next meeting on June 18, 2007.

HEALTH AGENT UPDATE

366 Lost Lake Drive

The Board reviewed the court documents submitted by Town Counsel.

The meeting adjourned at 9:30pm.

GROTON BOARD OF HEALTH

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Jason Weber, Chairman

Dr. Susan Horowitz

Robert Hanninen

Respectfully Submitted,  
Debra A. Butcher