

MEETING MINUTES
Special Session
Approved
June 25, 2007
Town Hall, Groton, Massachusetts

Board of Health Members Present:

Jason Weber, Chairman; Dr. Susan Horowitz

Member Absent:

Robert Hanninen

Others Present:

Debra Butcher; Ben Cutone, R.S. (arrived at 8am)

Meeting Called to Order:

Chairman Weber called the meeting to order at 7:35am.

Septic Permits Approved/Signed:

*Chestnut Hill Road; G. Nichols Construction (hearing)

Bills Approved/Signed:

*Verizon (SW)-\$18.33

*Poland Springs-\$71.98

*Groton Herald-\$126.00

*Verizon (BOH)-\$40.31

44 Chestnut Hill Road Present: Mark Donohoe, Acton Survey & Engineering; Edna White; Mrs. Nichols; Mrs. Janet Herget; Janeta O'Hara; abutter (53 Chestnut Hill Road)

Mr. Donohoe submitted the certified mail receipt cards for the record. He presented (3) sewage disposal design options for the Board's consideration for an existing three bedroom dwelling. Mr. Donohoe stated that he was proposing a Presby Enviro-Septic Treatment system designed in accordance with Title 5. He said that the gravity flow would decrease the mound flow and allowed access to the rear portion of the property. Mr. Donohoe stated that the plan, as designed, had no adverse affects to public health.

Mr. Donohoe reported that percolation tests were not conducted due to the moist soils on the site. He stated that the percolation rate was established via a sieve analysis.

He requested the following variances:

Town of Groton's Local Regulations

Section I.A.5 - Minimum of five feet of pervious material between the bottom of the leaching facility and the ground water elevation. *Five feet required; four feet provided.*

Section I.A.9 - Walls and barriers are not allowed to adjust the side slope requirement and offset. *Impervious barrier at 10' offset from system.*

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

150% of primary area..

Section I.I.3 - All abutters and their abutters must be notified by the applicant of any variance request by a copy of a variance request letter sent to their usual place of address, by certified mail, return receipt requested, at least 10 days prior to the hearing date. Return receipts are to be provided to the Board of Health at the hearing. *Less than the required 10 day notification period allowed.*

Chairman Weber requested comments from the audience. Abutter Ms. O'Hara stated that she felt "overwhelmed" by the design plan allowing the wall size and the amount of fill required. She stated that she supported the simplified plan instead. She said that she was also concerned that the letter she received stated that the plan was for a four-bedroom dwelling instead of a three-bedroom design. Mr. Donohoe stated that the design before the Board reflected a three-bedroom design. Member Horowitz assured Ms. O'Hara that the applicant could not enlarge the house without a design for a four-bedroom house.

Chairman Weber stated that he preferred Option No. 3. He questioned whether a wall was required for that design. Mr. Donohoe stated "no".

Member Horowitz stated to the audience that the Board of Health doesn't normally conduct special sessions but in this case, the sale of the house needed to be expedited. She stated that any approval given to the variances would need conditions in order to minimize any impact to the environment and the neighbors.

Member Horowitz requested that the Board recess until 8am until Health Agent Ben Cutone arrives.

Ben Cutone arrived at the meeting at 8am.

Chairman Weber requested comments from Health Agent Ben Cutone. Mr. Cutone stated that he reviewed the plan and reported that it met all State regulations. He stated that he supported the plan using a Presby Enivo-Septic System due to the topography of the land. He also reported that there were certain benefits using this type of system regarding breakout. He said that if this type of system were not used, a very expensive retaining wall would be required.

Discussion followed regarding percolation tests. Dr. Horowitz stated that she was concerned about the 30-minute percolation rates. Mr. Cutone said that due to the fill amounts, 30-minute percolation rates were needed. He said that overall, this system was the best for this site.

Dr. Horowitz questioned who would be installing the system. Mr. Donohoe stated that Nichols Construction would be installing the system and he has worked with him in the past. Debra Butcher questioned whether they were licensed through Nashoba Associated Boards of Health. The applicant stated "yes".

Discussion followed regarding the inspection requirements for the system. Mr. Donohoe stated that a representative from the manufacturer would conduct annual inspections up to three years after construction. The Board felt that more inspections would be needed to ensure safety.

Member Horowitz questioned whether the system would be pressure dosed. Mr. Donohoe stated "no" because Presby systems don't require it.

Chairman Weber made a motion to approve Option No. 3 (Acton Survey & Engineering, Plan No. 6582-SDS, ½) with the following conditions:

Conditions of Approval:

- 1. *The addition of a swale.*
- 2. *A Title 5 inspection for the first (5) years of the system..*

Mr. Cutone reported that as part of the Certificate of Compliance, the plan must be recorded on the deed.

The motion was approved 2-0.

OTHER BUSINESS

Moison Ace Hardware - Appreciation Letter

The Board voted to sign the appreciation letter to be mailed to Mr. Sargent and requested that a notice is placed in the newspaper stating where residents may purchase town trash bags. The Board requested that this matter be placed on the agenda for July 16, 2007.

NERAC Portable Radio

William Shute requested authorization from the Board of Health to pick up a portable radio with programmable emergency frequencies. The Board voted 2-0 to allow Mr. Shute to pick up the radio on their behalf. Chairman Weber drafted and signed an authorization letter.

The meeting adjourned at 8:20am.

GROTON BOARD OF HEALTH
(Members in attendance)

Jason Weber, *Chairman*

Dr. Susan Horowitz, *Member*

Respectfully Submitted,
Debra A. Butcher