

MEETING MINUTES
Approved
October 1, 2007
Groton, Massachusetts 01450

Board of Health Members Present:

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

Others Present:

Ira Grossman, R.S.; Debra Butcher

Meeting Called to Order:

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

Minutes:

The regular session minutes of September 17, 2007 were tabled.

Septic Permits Approved/Signed:

*Wyman Road, Lot 11A; James Kirk

*245 Reedy Meadow Road, Stephen Collins

*Cherry Tree Lane, Lot 55; Landwest

Bills Approved/Signed:

*E&R Cleaners (3 invoices @ \$23.75)-\$71.25

*Groton Electric Light Dept.-\$25.98

*Groton Electric Light Dept.-\$103.99

*Pete's Tire Barns-\$356.12

*Pete's Tire Barns-\$1191.00

*Poland Springs-\$28.56

*Verizon Long Distance (SW)-\$.12

*East Coast Electronics-\$650.00

*Verizon Long Distance (BOH)-\$.22

*New England Plastics (compost bins)-\$1080.00

Public Hearing – Outdoor & Refuse Burning Regulations: Present: See attached list.

Chairman Weber opened the public hearing and requested comments from other Board members. Member Horowitz began by making a motion that the Board separate the regulations into (2) different regulations: Outdoor Wood Fire Furnace regulations and Outdoor Refuse Burning regulations. The motion was seconded by Member Hanninen.

VOTE: Member Horowitz-Aye; Chairman Weber-Aye; Member Hanninen-Aye.

Member Hanninen made a motion to indefinitely postpone the public hearing on Outdoor Refuse Burning regulations. The motion was seconded by Member Horowitz.

VOTE: Member Horowitz-Aye; Chairman Weber-Aye; Member Hanninen-Aye.

Resident Nancy MacGregor questioned whether the Fire Chief had been notified of the public hearing and whether he would be present. Debra Butcher stated he was notified but had a fire department drill already scheduled.

Chairman Weber questioned whether there were any comments from the audience concerning the Outdoor Wood Fire Furnace Regulations. Member Hanninen read a prepared document from the Washington State Department of Ecology and from an Executive Summary from the Attorney General of New York's Environmental Protection Bureau concerning air quality as a result of wood fired boilers.

Member Hanninen stated that the Board was "here to regulate them" and not to prohibit them. Member Horowitz stated that the information that Member Hanninen referenced was significant enough for the Board to be concerned and felt that outdoor wood boilers needed to have a permit from the Board of Health. She said that the Board should be making sure that the companies that manufacture these boilers are at the "top of their game" with best practices in the industry.

Chairman Weber stated that the units should be used under the guidelines of the EPA. He stated that the challenge is on the enforcement side.

Resident Roy MacGregor questioned the requirement for the submission of a registered professional plan. He stated that this could possibly cost homeowners upward to \$5000 to meet the regulation.

Resident Richard Lewis recommended that the Board form a sub-committee consisting of a member of the Board, a member-at-large and the Fire Chief to redraft the document to make it easier and fair to homeowners.

Member Hanninen felt that Mr. MacGregor was correct that there was no need to require for a registered professional plan showing a location on the site. Member Horowitz recommended having Ira Grossman redraft the document. Mr. Grossman stated that there was a lot of redundancy in the document and that he would rewrite it.

Mrs. MacGregor recommended that the Fire Chief be involved with any revisions to the document as well. The Fire Chief was present at this time.

Mr. Lewis thanked the Board for sending out a meeting reminder notice to the public. He stated that he was not aware of any other Board in Town that did that.

Member Hanninen made a motion to continue the public hearing to November 5, 2007 at 8pm. The motion was seconded by Member Horowitz.

VOTE: Member Hanninen-Aye; Chairman Weber-Aye; Member Horowitz-Aye.

Resident Brian Lagasse invited the Board to come and see how a boiler actually works.

The Board requested that the draft be placed on the Town website and have copies available in the office. The Board also welcomed any written comments from the public.

Underground Storage Regulations-Discussion Present: Mr. Michael O'Brien, Osterman Propane; Fire Chief Joseph Bosselait; George MacGregor; Brian Lagasse

Member Hanninen reported that Ms. Butcher notified the following companies of the meeting: May & Hally, Amerigas, Eastern, Roy Bros. Oil & Propane, Suburban Propane, Knight Fuel Co. and Liberty Fuel of which (2) provided written comments in their absence. Member Hanninen read comments from Roy Bros. Oil & Propane and Eastern into the record.

Chief Bosselait stated that the regulations, as written, were more geared toward commercial-type installations and not residential ones. He recommended that the Board consider amending them because he felt that residents could not fulfill the regulations as written. Chief Bosselait stated that propane evaporates and does not leave a residual in the soils. He did agree that if the Conservation

Commission wanted to be part of the permitting process, it should be stated in the regulations.

Member Hanninen stated that the installations needed to be tracked. Chief Bosselait agreed, however, he stated that tracking them vs. regulating them was different and that enforcement would be the challenge. He stated that the Board of Health needed to determine whether propane tanks fell into the category of being a water pollutant and asked the Board to consider whether “propane tanks pollute groundwater or not?” Well contamination was reported by the DEP in a report that Mr. O’Brien gave the Board.

Member Horowitz questioned what requirements Mr. Grossman’s other towns (Shirley & Harvard) had. Mr. Grossman stated that both towns have exempted propane tanks.

Member Hanninen made a motion to continue the meeting to October 15, 2007 at 8:45pm at which time a modified version of the regulations will be considered to have propane tanks exempted from the regulations. The motion was seconded by Member Horowitz.

VOTE: Member Horowitz-Aye; Chairman Weber-Aye; Member Hanninen-Aye. The motion carried unanimously.

Station Avenue Committee – Chapter 43D Expedited Local Permitting Present: Ray Capes & Tim Hess, Station Avenue Committee & Planning Board members

Mr. Capes stated that the Planning Board was sponsoring an article at the Special Town Meeting for the adoption of this law to designate the overlay district as a priority site and was seeking Board of Health support.

Mr. Capes stated that grants of up to \$150,000 were one of the benefits of the Town opting in on this law but requires the Town to render a decision within 180 days.

Member Horowitz questioned whether there was any opposition in support. Mr. Capes stated “no”. Member Hanninen made a motion to recommend the adoption of Chapter 43D (Article 16) at the Special Town Meeting. The motion was seconded by Member Horowitz.

VOTE: Member Horowitz-Aye; Chairman Weber-Aye; Member Hanninen-Aye. The motion carried unanimously.

Groton General Store

Drew Garvin of R. Wilson & Associates sent a letter to the Board requesting an extension to November 1, 2007 for the certification of a non-hazardous wastewater tank until a preliminary agreement is reached with an abutter to install town water along their property to service the Groton General Store.

Health Agent Ira Grossman stated that the original plan was to install a Public Water Supply well, however, based on Mr. Garvin’s discussion with the Groton Water Department, town water would be the best scenario. He supported the request for the extension.

Member Hanninen made a motion to grant Mr. Garvin’s request for an extension to November 1, 2007 for the installation and certification. The motion was seconded by Chairman Weber.

VOTE: Member Horowitz-Aye; Chairman Weber-Aye; Member Hanninen-Aye. The motion carried unanimously.

OTHER BUSINESS

Moison Ace Hardware Present: Tessa David, Bruce Dubey

Debra Butcher reported that during a conversation with Mr. Sargent, he indicated that he owes the Town nothing and did not want to speak nor meet with the Board. Ms. Butcher, with input from the Town Treasurer, prepared a letter for the Board’s signature requesting payment and/or receipts indicating a refund owed to Mr. Sargent within 10 days of receipt of the letter. The Board signed the letter and requested that the letter be sent out via Certified Mail/Return Receipt requested.

Recycling Committee – Proclamation (attached)

Tessa David reported that the Board of Selectmen signed a proclamation recognizing Groton’s participation in recycling and joining MassRecycle’s campaign to educate its citizens about the importance of recycling paper for the environmental. The Board requested that this be sent to the newspaper for town recognition.

Nashoba Associated Boards of Health Quarterly & Executive Board Meeting

Member Hanninen reported that he attended both meetings and that the Nursing Service and Hospice were doing well but Environmental was well below their numbers. The Board acknowledged that it was due to the slow economy.

35 Whitewood Road – Patrick Blouin

Debra Butcher reported that she received a subpoena as keeper of the Board of Health records to appear at Lowell Superior Court on October 10, 2007. She stated that several other departments also received subpoenas as well as former Health Agent Ben Cutone. She stated that Town Counsel has been notified and the Town is awaiting direction from them.

The meeting adjourned at 10:00pm by unanimous vote.

GROTON BOARD OF HEALTH

_____ Jason Weber, Chairman	_____ Dr. Susan Horowitz	_____ Robert Hanninen
		Respectfully Submitted, Debra A. Butcher