

MEETING MINUTES
APPROVED
October 15, 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 minutes of September 17, 2007 were approved as written. The minutes of October 1, 2007 were approved as amended by Member Horowitz.

Sewage Disposal Permits Signed/Approved:

- *Cherry Tree Lane, Lot 56; Landwest, Inc.
- *Fieldstone Drive, Lot 49; Landwest, Inc.
- *Cherry Tree Lane, Lot 38; Landwest, Inc.
- *Cherry Tree Lane, Lot 41; Landwest, Inc.
- *Cherry Tree Lane, Lot 39; Landwest, Inc.
- *43 Common Street; Donald Black
- *23 Indian Road; Collins Family Trust
- *25 Indian Road; Collins Family Trust
- *23 Radio Road; Brian Pittenger
- *29 Crosswinds Drive; Eileen Beaton

Bills Signed/Approved:

- *Advance Security Systems, Inc.-\$18.33
- *Airgas-\$26.10
- *Dennis K. Burke (heating oil)-\$245.43
- *Dennis K. Burke (heating oil)-\$198.60
- *E&R Cleaners-\$23.75
- *E&R Cleaners-\$23.75
- *Moison Ace Hardware-\$33.96
- *Myette Power Equipment-\$33.59
- *New England Baling Wire-\$1,275.00
- *Poland Springs-\$9.44
- *Shattuck Oil (3 invoices \$129.88 each)-\$389.64
- *Verizon Wireless-\$33.43
- *E.L. Harvey & Sons-\$4,759.92
- *Covanta-\$6,655.38
- *Nashoba Associated Boards of Health-\$5,910.75
- *North Central Regional Solid Waste Cooperative-\$660.00

-
Public Hearing – Regulation for the Disposal of Wood Waste

The Board voted unanimously to reschedule the public hearing to November 19, 2007 at 7:30pm. The public hearing notice did not get published in the newspaper.

60 Boston Road

Health Agent Ira Grossman stated that he spoke with the engineer and the owner has a contact with a drain layer to connect the property to sewer. The Board requested that the work be completed by the agreed to date of November 15, 2007.

Police Chief Donald Palma

Chief Palma introduced himself to the Board members and asked how he could be of assistance to the Board. He said that he hopes that both the Board and he will enjoy a long and happy relationship with ongoing dialogue.

Member Horowitz stated that she is a member of the Local Emergency Planning Committee and stated that former Police Chief Mulhern attended many of the meetings. Chief Palma stated that he would also attend meetings.

Health Agent Ira Grossman stated that he will be in contact with the Chief concerning bioterrorism and emergency dispensing sites.

176 Shelters Road Present: Nancy Robinson, owner

Ms. Robinson submitted the certified mail receipt cards for the record.

Ms. Robinson stated that as part of her sewage disposal works construction permit, she needed to provide a certification that her well was decommissioned. She stated that in 2002, she had her well decommissioned by an unlicensed well driller without a permit. She requested that the Board vote to waive the requirement under the Well Regulations that a well needed to be decommissioned by a licensed well driller.

Town of Groton's Well Regulations

Section X: Deconstruction Requirements

Only registered well drillers may decommission abandoned wells, test holes, and borings.

The Board requested comments from Health Agent Ira Grossman. Mr. Grossman stated her well was a small point well pulled out by the excavator when he installed the new septic system. He stated that he spoke with the contractor about installing the well without authorization. Mr. Grossman reported that there were no risks involved to public health if the variance was granted.

The Board agreed that there were no public health concerns. Chairman Weber made a motion to approve the variance.

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

Underground Storage Tank Regulations - Discussion Present: Michael O'Brien & Tim Osterman, Osterman Propane; George MacGregor, Jr.

The discussion was continued from October 1, 2007 in order for the Board to review a modified version of the regulation in which propane tanks were exempted.

Chairman Weber questioned whether the audience had a chance to review the document with the language change. The audience stated "yes".

Michael O'Brien asked the Board to explain why they wanted propane in the regulations.

Member Hanninen stated that the regulation needed to protect the public health and safety of the residents and that if tanks were not placed in proper locations, it would result in a problem. He said that the Board of Health needed to know the locations of where the tanks were going in order that they were not encroaching upon the septic system (both primary and secondary) and the well.

Mr. O'Brien stated that propane tanks do not impose a health risk and that they were not in the Board's charter. He presented two code books (NFPA 58, Liquefied Petroleum Gas Code & National Fuel Gas Code) that state that this belongs under the Fire Chief's jurisdiction.

Health Agent Ira Grossman stated that the Board of Health has the power to regulate underground tanks and tracking their installation location was another layer of protection for residents.

Discussion continued concerning the primary differences between the code books and the town regulation. Chairman Weber requested that Mr. Grossman prepare a "one page" handout detailing those differences for the public hearing scheduled for November 5, 2007.

OTHER BUSINESS

797 Boston Road – Proposed Rezoning – Comments to Planning Board

The Board reviewed the rezoning application and voted to send the following comments:

1. No soil testing has been performed so the Board of Health does not know what the subsurface sewage disposal capacity is or if fill will be required.
2. It is a concern that the "drain" will have a negative impact on the subsurface sewage disposal system.
3. Minimum of 1,000 gallons per day is required for a restaurant.
4. No irrigation wells will be allowed.
5. Floor drains in the proposed underground parking or elsewhere are not allowed as per Board of Health regulations.
6. Subsurface sewage disposal leaching areas should not be placed under a paved area.
7. Monitoring wells are required to be installed.
8. Origin of any soils must be reported and a soil sample for chemical/metal content will be required.
9. The Board understands that the site will be served by town water.

149 Lowell Road – Cell Tower Lease – Comments to Planning Board

Member Horowitz stated that she learned from LEPC meetings that the tower has hazardous waste and that it met reportable levels.

The Board reviewed the special permit modification and voted to send the following comment:

The applicant is requested to make sure there is state and local compliance with Superfund Amendment Reauthorization Act (SARA) Tire III reporting requirements.

Central Mass Mosquito

Member Horowitz stated that she is aware that townspeople are again concerned about mosquitoes. Debra Butcher obtained a new quote from them and the quote to service Groton was \$69K. The Board requested that the proposal be given to the Selectmen's office for their review.

Landfill Monitoring Contract

Chairman Weber stated that the last quarterly monitoring was completed and that funding was needed to finish out the fiscal year (January-June 2008). He stated that the Board could then go out to bid for a three year contract. Debra Butcher will follow up with the Town Accountant and report back.

- Special Town Meeting – October 22, 2007

Chairman Weber stated that he spoke with the Town Moderator to inform him that the Board would be making a formal amendment concerning the Town Charter proposing to change the Board of Health from an elected board to an appointed one. He stated that he was currently in the process of drafting the appropriate language.

Member Horowitz stated that she spoke with Selectmen Peter Cunningham and that the Selectmen have signed the charter in preparation of town meeting.

Member Horowitz requested that Debra Butcher prepare of list of all regulations and policies voted and adopted by the Board of Health.

Member Hanninen made a motion that the Board of Health go to Special Town Meeting and amend the town charter to keep the Board of Health as an elected board because "it offers the most accountability of service" to Groton residents.

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

The Board also voted unanimously to have Chairman Weber speak in support of the article pertaining to Chapter 43D if called upon by the Moderator.

FY08 Goals & Objectives

-
The Board reviewed their goals & objectives for FY07 for completion and discussed new goals for FY08. The Board requested to combine their goals with the Recycling Committee and notify the Selectmen's office that the Board has gone through their goals specific to the Board of Health.

HEALTH AGENT UPDATE

23 Radio Road

The Board voted unanimously to amend the date of the subsurface sewage disposal works construction permit to October 15, 2007. Member Horowitz initialed the change directly on the permit.

466 Martins Pond Road

Health Agent Ira Grossman notified the Board of an unauthorized solid waste disposal violation at this property. He said that he has ordered the owner to appear at the next meeting on November 5, 2007. He stated that the owner has a history of previous disposal violations and said that the Board could file either a civil or criminal complaint against the property owner.

-
The meeting adjourned at 10:00pm.

GROTON BOARD OF HEALTH

Jason Weber, Chairman

Dr. Susan Horowitz

Robert Hanninen

Respectfully Submitted,
Debra A. Butcher