

MEETING MINUTES

Approved

July 21, 2008

Town Hall, Groton, Massachusetts 01450

Board of Health Members Present:

Dr. Susan Horowitz (acting Chairman); Jason Weber

Member Absent:

Robert Hanninen, Chairman

Meeting Called to Order:

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

Minutes:

The Board tabled the minutes of June 2, 2008 & June 16, 2008 until the next meeting.

Septic Permits Signed/Approved:

*8 Lawrence Drive, Karen Houston

*Longfellow Road; Lot 5; Donald Haberman

Bills Signed/Approved:

*Advance Security Systems-\$18.33

*E&R Cleaners-\$27.59

*Poland Springs-\$10.46

*Verizon (SW)-\$18.98

*Verizon Long Distance (SW)-\$.02

*Verizon (BOH)-\$37.68

*Verizon Long Distance (BOH)-\$.16

*North Central Regional Solid Waste Cooperative-\$6,850.00

162 Common Street: Present: Ralph Smith; Mr. & Mrs. Desharnais, 186 Common Street

Mr. Smith explained that he is the owner of 162 Common Street and subdivided a portion of his lot in order to build a home for his daughter (Robin Desharnais). He stated that due to an oversight on his part, he neglected to read the requirement on his daughter's sewage disposal system that prior to obtaining a Certificate of Compliance for the new lot; he must first obtain a Certificate of Compliance for his own property. He stated that he has owned the property for over 50 years and it was a misunderstanding that he needed to complete the requirements on the permit prior to his daughter moving into her new home. Mr. Smith requested that the Board allow his daughter to move in and grant him more time to complete all the conditions on the permit.

The Board asked Mr. Grossman if the system was in. Mr. Grossman stated that it was and there were no outstanding issues concerning the system. Mr. Grossman stated that the Board could modify the permit requirement for 162 Common Street to allow more time. Member Horowitz questioned how much time would be needed. Mr. Smith stated that he could not get the system done prior to the winter because there was a wooded lot that needed clearing. He stated that he could complete the system in the spring 2009.

Mr. Grossman stated that his permit expires in May 2010. Discussion followed concerning the permit timeframe. Acting Chairman Horowitz requested that the system be done by August 31, 2009. Member Weber made a motion to modify the sewage disposal permit dated May 14, 2007 requiring that the system be installed and certified by August 31, 2009. The motion was seconded by Member Horowitz.

VOTE: Horowitz-Aye; Weber-Aye. The motion carried unanimously. The Board also granted permission to allow Mr. & Mrs. Desharnais to move in. Mr. Grossman stated that there was arsenic noted in the water and a notice must be placed on the property deed.

10 Indian Road Present: John & Sarah Abrahamsen

Acting Chairman Horowitz stated the Board's Health Agent was in the vicinity of their home and noticed indications that the sewage disposal system was possibly in failure at 10 Indian Road. She stated that at the last Board meeting, members requested that the owners have their well tested by a certified Massachusetts laboratory for coliform, nitrates and ammonia and submit the results because the well is in close proximity to the septic system.

Ms. Abrahamsen provided a copy of the water test conducted by Nashoba Analytical. She stated that her septic system was not in failure and had no back up. She said her system was working fine.

Member Weber questioned whether the test was valid. Mr. Grossman stated that it was a fresh sample conducted by a certified laboratory with the results satisfactory.

Acting Chairman Horowitz questioned why Mr. Grossman felt that the system was in failure. Mr. Grossman provided pictures taken from an adjacent property that showed a "lush green" area and explained why he felt the system was in failure.

Acting Chairman Horowitz told the homeowners that their system should be pumped every 2 to 3 years. She asked when they bought the property. Ms. Abrahamsen stated they purchased the home in December 1997. She said that the area in question has always been "lush" green and that she felt her children were not in danger playing in that area. Member Weber said that there was no need to justify the condition of the lawn and that the Board was only concerned about health and safety per se.

Acting Chairman Horowitz recommended that the homeowners regularly pump their system and at the time of pumping, have the system checked out to see if there are any problems. Mr. Grossman stated that because of the size of their tank, it should be pumped more often. He said that there isn't enough information to order the homeowners to do anything further. The Board took no further action.

2 Pacer Way Present: Scott Carpenter, contractor

Mr. Carpenter stated that he has been contracted by the homeowner to finish the basement in this existing (4) bedroom home. He said that the Building Department required that he get approval from the Board because it would exceed the room count for the home.

Mr. Grossman stated that he has seen the plans and required that Mr. Carpenter either upgrade the system to a (5) bedroom home or file a deed restriction for a (4) bedroom home.

He recommended that the Board allow the deed restriction and permit him to sign the building application on behalf of the Board.

The Board had no concerns with this request. Acting Chairman Horowitz made a motion to accept the application for a (4) bedroom deed restriction and allow Mr. Grossman to sign the building application on the Board's behalf. The motion was seconded by Member Weber.

VOTE: Weber-Aye; Horowitz-Aye

47 Boathouse Road: The homeowners were not present for the meeting.

Mr. Grossman stated that he received a complaint from the Conservation Commission concerning the tight tank and its vicinity within the buffer zone. He said that there was no record on file indicating that the homeowner has not pumped the system since 2006 nor has he contracted with anyone for the maintenance of the tight tank. He stated that he sent a letter in June requesting the information but hasn't received any paperwork back from the homeowner.

Mr. Grossman recommended that the Board send an order letter and if there are no satisfactory results, the matter should go to Housing Court.

The Board agreed and Acting Chairman Horowitz made a motion to send an order letter to the owners of 47 Boathouse Road. The motion was seconded by Member Weber.

VOTE: Weber-Aye; Horowitz-Aye

Transfer Station Present: Bruce Dubey

Mr. Dubey stated that the baler shed building has not been started but he will follow up with the contractor this week.

Mr. Dubey reported that the Transfer Station has not been paid for recycling plastics 2 through 7. He said he is trying to set up a new bay to put colored # 2 in and have 3 through 7 in another bay where the town will get paid for # 2 plastics and the others could be co-mingled. The Board asked to have Recycling Committee Chairman Tessa David get involved and put a press release in the newspaper and on the town's website asking residents to separate # 2 plastics from 3 through 7.

OTHER BUSINESS

Special Permit – Island Pond Road – Patriot Real Estate

The Board requested to have Health Agent Ira Grossman send comments to the Planning Board on behalf of the Board of Health.

Special Permit – Bridge Street – Crystal Springs Estates

The Board requested to have Health Agent Ira Grossman send comments to the Planning Board on behalf of the Board of Health.

HEALTH AGENT UPDATE

366 Lost Lake Drive

Mr. Grossman stated that he drove by the property today and there wasn't much progress with the clean up. The Board requested that Town Counsel be notified and to move forward in getting a court receiver.

Fran's Franks & Things

Mr. Grossman reported that the unit is gone from the Boston Road site and he has no phone calls concerning this since.

107 Smith Street

Mr. Grossman stated that this land has been subdivided without notification to the town. He said that there is an open septic permit that will expire on August 1, 2008 and the owner has a buyer for the property. He said that there is neither recorded plan nor a reserve area for the septic system. The Board requested that the homeowner come in to the next Board meeting on August 4, 2008.

The meeting adjourned at 9:20pm.

GROTON BOARD OF HEALTH
Members in Attendance,

Dr. Susan Horowitz
Acting Chairman

Jason Weber

Respectfully Submitted,
Debra A. Butcher