



TOWN OF GROTON
Board of Health
173 Main Street
Groton, Massachusetts 01450

MEETING MINUTES
March 19, 2012

Board of Health Members Present:

Robert Fleischer, Chairman
Jason Weber, Member
Dr. Susan Horowitz, Member

Others Present:

Nashoba Associated Board of Health Agent, Ira Grossman
Land Use Assistant, Dawn Dunbar

Meeting Called to Order:

Chairman Fleischer called the meeting to order at 7:00 pm in the Town Hall.

Invoices Signed

Verizon Wireless

Permits Signed

326 Nashua Road; Tavern Road, Lot 1; Tavern Road, Lot 3; Tavern Road, Lot 5; Tavern Road, Lot 2

Minutes Approved

Member Horowitz made a motion to approve the minutes of January 23, 2012. Member Weber seconded the motion and all were on favor with a unanimous vote.

371 Main Street

No one was present

Mr. Grossman explained that there were housing code issues dating back to February 2011. He said that he had done a couple of inspections recently that stemmed from a complaint and that the building was in poor condition. Repairs from the previous order had not been completed which prompted a call into the building maintenance manager and a request for the management company to attend the BOH meeting to discuss a timeline for seeing that the repairs get completed. Mr. Grossman asked for a recommendation from the Board as to how they wanted to proceed.

Member Horowitz asked that another letter be sent to the management company and that the matter be continued until their next meeting.

159 Wharton Row

Present: Peter Schultz, contractor; Una Cowley, homeowner

Mr. Schultz explained that his client would like to finish off an area in an already finished basement and that they were before the Board to request a bedroom count deed restriction limiting the home to a four (4) bedroom home.

Member Weber made a motion to approve the requested deed restriction for 159 Wharton Row restricting them to a four (4) bedroom, 11 room home. Member Horowitz seconded the motion. All were in favor with a unanimous vote.

366 Lost Lake Drive

Present: Luke Johnson, homeowner

Mr. Johnson explained to the Board that the corner of the property he and Mr. Grossman had discussed cleaning up, virtually everything visible from the road, had been done. Mr. Grossman had a different opinion of what had been discussed. It was his understanding that an entire side of the property was to be cleaned, the side between the road and the barn. Mr. Grossman said that the cars had been emptied but that the materials had only been moved further away from the road. Mr. Grossman did not think that substantial progress had been made. Member Weber agreed that more could have been done but that it looked like some progress had been made. Discussion ensued. Before and after pictures showing the area being discussed were looked at by the members.

Member Horowitz made a motion to continue the hearing for two (2) weeks during which time members of the board would do a drive-by of the property and that by the next meeting Mr. Johnson would remove everything along the barn/garage side of the property.

Mr. Johnson asked why he was being asked to remove everything and said that he was feeling discriminated against. He agreed that he may have things in his yard that others might not, he asked if it was stacked nicely why he had to get rid of it. Member Horowitz said that his neighbors had filed a complaint about the amount of material on the property and that the Board had to oversee that it was being cleaned up.

Member Weber said that in one (1) of the pictures it appeared as though a shed was being built. He asked if it was possible to assemble the shed and place the building materials inside of the shed before the Board's next meeting in two (2) weeks. Mr. Johnson said that he would get it done.

Member Horowitz amended her original motion to include the following:

- 1. Continue the hearing for two (2) weeks;**
- 2. Prior to the next meeting, the Board members would do a drive-by of the property to see it for themselves;**
- 3. Construct the shed and move salvageable materials into the shed;**
- 4. Clear the ground and everything that is visible from the street.**

Member Weber seconded the amended motion. All were in favor with a unanimous vote.

It was discussed that the possible condemnation of the home at 366 Lost Lake Drive would be discussed that their next meeting in two (2) weeks.

14 Paul Revere Trail

Present: John Sullivan and Paul Watkins, owners

Mr. Grossman explained that Mr. Sullivan and Mr. Watkins had been asked to come to the meeting to update the Board on any progress that had been made with regard to the failed septic system located at 14 Paul Revere Trail.

Mr. Sullivan explained that they had hired an engineer and performed the test holes but that they had not done anything further. He said that they had been following the Board's order to not occupy the unit but that they had been to the property to take the boat out. He said that they were still hoping that town sewer would be coming soon.

Mr. Watkins said that they had been inquiring as to what the timeframe was for town sewer. He said that if town sewer does not pass at a future town meeting, which they heard could be as early as the fall, they would go ahead with the installation of a tight tank. Member Horowitz asked if they could update the Board every 4-6 months and reminded the owners that they were not to occupy the premise until it was in compliance with Title 5. Chairman Fleischer added that they were not to use the property even for day trips. Mr. Sullivan said that "they don't use the structure."

8 Hazelwood Ave

No one was present

Mr. Grossman explained that the home was being used as a year round home but that the property had a failed SDS. This failure was going on for over 3 years with no testing and no plans to upgrade. The homeowner had also filed for an abatement with the Assessor's office claiming it was not being used as a year round home.

Member Horowitz made a motion to bring 8 Hazelwood Ave to housing court for noncompliance with Title 5. Member Weber seconded the motion and added that he recommended not reevaluating the property until it was brought into compliance with Title 5.

Discussion ensued. Mr. Grossman suggested sending another letter ordering that the system be brought into compliance with Title 5 with timeframes and proceed to housing court should the owner not comply.

Member Horowitz withdrew her motion.

Member Horowitz made a motion to send 8 Hazelwood Ave an order to comply letter with the following timeframes:

- 1. 2 months to present plans for permitting**
- 2. 1 month after plans are submitted to obtain a permit**
- 3. 2 months after permit is obtained to install the system and obtain a Certificate of Compliance**

Member Weber seconded the motion. All were in favor with a unanimous vote.

Old/Other Business

Clover Farm

Member Horowitz made a motion to incorporate town counsel's recommendations into the two (2) letters and that upon reading them, permission would be granted to Mr. Grossman and Mrs. Dunbar via phone or email to send the letters. Member Weber seconded the motion and all were in favor with a unanimous vote.

Member Weber made a motion to adjourn the meeting at 8:40pm. Member Horowitz seconded the motion. All were in favor with a unanimous vote.

Respectfully submitted,

Dawn Dunbar
Land Use Assistant