



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

MEETING MINUTES
April 2, 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

Nashoba Associated Boards of Health

Permits Signed

Cherry Tree Lane, Lot 12

Minutes Approved

Member Horowitz made a motion to accept the minutes of February 6, 2012 as amended. Member Weber seconded the motion and all were in favor with a unanimous vote.

144 Shelters Road

Present: John and Karen Murphy; Bob Tupper, the Wash Well Company

Mr. Murphy explained that they had a 31 year old, 38-42 foot deep shallow well located on their property which experienced some problems in January 2012 due to a hole in the pipe. Mr. Murphy dug up the casing and was able to get the water running again. Mr. Tupper of the Wash Well Company said that he was looking to pull up the existing piping, measure it, put new piping in the same location as well as install a new screen and pit to house the well.

Mr. Grossman asked for a copy of the notice sent to the abutters and the proof of certified mailing. Mr. & Mrs. Murphy did not have the requested. Mr. Grossman told the Board members that their well regulations did not allow for shallow wells and added that he was not in favor of wash wells downgrading to leach fields. Chairman Fleischer said that their regulations did not allow for pumps to

be located at a pit. Member Weber asked what the distance to town water was. Mr. Grossman said that it was greater than 500 feet.

Member Horowitz said that because they did not have the proper paperwork and because notification had not been sent to the abutters, they needed to come back to a future meeting with a complete application.

Member Horowitz made a motion to continue the discussion until their next meeting on May 7, 2012, at which time the applicant is to provide the Board with the following:

- 1. The correct paperwork including proper notification to all abutters within 300 feet**
- 2. The cost difference between a shallow well and a deep well**
- 3. A water quality test**

Member Weber seconded the motion.

Member Weber suggested that they provide the owners with some sort of expectation before they left the meeting. Member Horowitz said that their regulations did not allow for shallow wells but that the Board had approved variances like this in the past.

Mr. Tupper asked the Board what they considered down gradient. He said that wash wells are designed to be below the water table which in this case was 30 feet about the lake. He said that the customer had used the existing well for 30 years with no problems. Member Horowitz told the applicant that the Board was not saying they wouldn't allow it but that because the proper paperwork was not in front of them she was not willing to make a decision that evening. Mr. Tupper argued that he had never needed to request variances in the past and didn't know why this situation was any different. Member Horowitz disagreed.

Member Weber asked the applicant if they could continue using their well in its current state for another month. Mr. Murphy said that it would be okay for another month and apologized for misunderstanding the notification and paperwork process.

All were in favor of the above motion with a unanimous vote.

366 Lost Lake Drive

Present: Luke Johnson, owner

Mr. Johnson said that since the last meeting he had continued cleaning up the backside of the garage. He said that he hoped Mr. Grossman had been by the property to take a look. Mr. Grossman agreed that the last goal set by the Board had been met. Member Horowitz said that she drove by the property and thought the area visible from the road looked neat and tidy. She said that she drove around the back of the house and it appeared to be falling in and asked Mr. Grossman if that was in fact what she was seeing. Mr. Grossman agreed and added that the Building Commissioner had also been working with Mr. Johnson on the deterioration of the house. Mr. Grossman said that the Board could work on the possible condemnation of the house or wait and continue working on the clean-up. Chairman Fleischer said that the clean-up had been successful thus far when goals were set and asked for a suggestion as to what the next goal should be. Member Horowitz suggested taking everything inside of the fence and cutting it into a pie. She asked if Mr. Grossman would meet with Mr. Johnson to outline the next area. Mr. Grossman asked how much of the pie the Board wanted to assign as the next goal. Member Horowitz suggested breaking it into quarters. After a brief discussion, Member Horowitz asked if one quarter of the pie was an attainable goal to reach before their next meeting on May 7th.

Mr. Huslander an abutter said that he was happy to see that progress had been made but pointed out that Mr. Johnson had been accumulating stuff on his Pine Trail property. Member Weber asked that everyone stay focused on the goals that had been given and that they would deal with one property at a time.

Member Weber made a motion that prior to the Board's next meeting on May 7th, Mr. Johnson would:

- 1. Clean-up one quarter of the property located at 366 Lost Lake Drive.**
- 2. Mr. Grossman would meet with Mr. Johnson to map out the quadrants of the property and agree on a one quarter piece of the property.**

Member Horowitz seconded the motion.

Mr. Huslander asked what the definition of clear was. Mr. Grossman replied "down to ground with reasonable expectations."

All were in favor with a unanimous vote.

371 Main Street – Winthrop Place

No one was present.

Mr. Grossman said that he did a re-inspection of the property. He said that the family living in the apartment without the minimal square footage according to Chapter 2 was still occupying the unit. He told the property manager that it was unacceptable and that the Board expected someone to be present that evening. No one was present to represent 371 Main Street.

Member Horowitz made a motion to start the housing court proceedings. Member Weber seconded the motion and all were in favor with a unanimous vote.

Member Horowitz asked if tenants would be forced out if they proceeded down this road. Mr. Grossman said that they would but they had been notified. Chairman Fleischer asked how long the process usually takes. Mr. Grossman said that it usually takes about three (3) weeks and that advance notice would be given. He added that they had been told that they could request a variance from the local regulations which would also be placed on the deed. Member Horowitz asked if they could talk with the housing coordinator to see if there is somewhere else the family could move to. Mr. Grossman said that he would speak with Fran Stanley, the Housing Coordinator.

11 Cedar Road

No one was present.

Mr. Grossman explained that in 2005 a letter was sent to the homeowners notifying them of the SDS failure and to date subsequent letters had gone unanswered including a letter to attend the meeting that night. Member Horowitz asked if the recommended next step was court. Mr. Grossman said yes but suggested that this along with other properties in the Lost Lake area be "ice boxed" until a future town meeting votes on town sewer in the lake area. Member Horowitz agreed and asked that a letter be sent to 11 Cedar Road seeking an update and to request a water quality test to check the status of the water.

184 Duck Pond Drive

Present: Brian DeFreitas, homeowner; Steve McAleen, contractor

Mr. McAleen explained that the homeowner wanted to add a bathroom and finish off an area in the home to make a mudroom. Mr. Grossman said that the bathroom required a variance for a pump prior to the septic tank. Mr. McAleen was asked if he had a variance request letter. He showed the Board a document provided by the plumber which was determined to not provide enough information.

Member Horowitz made a motion to continue the hearing until May 7th due to incomplete paperwork.

Mr. McAleen asked if he could provide Mr. Grossman with the correct information that next day. Mr. Grossman said that if it was a grinder pump he didn't have an issue.

Member Horowitz withdrew her original motion and re-motined to offer a conditional approval if the applicant provides Mr. Grossman with the required information. Member Weber seconded the motion and all were in favor with a unanimous vote.

After some discussion, Member Horowitz asked that in light of the incomplete applications before the Board that evening that no applicant be placed on the final agenda until all paperwork was filed and that a checklist be developed outlining the variance process for applicants.

Lost Lake Sewer Commission

Town Sewer Presentation

Present: Carol Quinn and Angela Garger of Lost Lake Sewer Advisory Committee

Ms. Quinn explained that they had put together a PowerPoint presentation in conjunction with Woodard and Curran in advance of upcoming community outreach presentations they had scheduled.

Some of the feedback provided was as follows:

1. Ms. Quinn said that grinder pumps would need to be additionally purchased because it was not a gravity fed system. Mr. Grossman said that would cost property owners an additional \$10,000. Mrs. Garger said she didn't think it was possible to install a gravity system due to the hilly terrain.
2. Mr. Grossman asked if a two (2) bedroom was going to be paying the same as a six (6) bedroom. Member Weber suggested charging by bedroom count. Mr. Grossman said that some towns use a three (3) bedroom as an EDU and charge more for each additional bedroom.
3. Member Horowitz asked if sewer was planned on in the Four Corners area. Ms. Quinn said that it was included in the plan. Member Weber asked if commercial use must also pay their share. Ms. Quinn said "yes."
4. Ms. Quinn said they were considering some sort of a connection grace period for those that had just upgraded their septic systems. Member Weber suggested using a designated number of years to connect. Mr. Grossman said that if they didn't mandate connection, it would be a tracking nightmare for the sewer department. Member Horowitz asked if connection was going to be mandatory. Ms. Quinn said that she would think that most people would fall into a mandated situation. Mr. Grossman said that a mandatory connection should be determined now. Ms. Quinn said they would work on a well-defined mandate.

5. Member Weber suggested having residents sign up prior to town meeting or they may have no guarantee.
6. Mr. Grossman asked if they knew what Ayer Treatment Plant was going to be charging and said that they really needed that number finalized sooner rather than later.
7. Member Horowitz said that the timeline reflected a 2014 construction start date and asked how real that timeframe was. Mrs. Garger said that if everything fell into place (design, engineering and funding), 2014 was an attainable goal.

Old/Other Business

148 Lost Lake Drive

No one was present.

Mr. Grossman said that Mr. Coviello had been in contact with him and had requested an additional month to comply.

Member Horowitz made a motion to allow Mr. Coviello an additional month to obtain a Certificate of Compliance at 148 Lost Lake Drive. Member Weber seconded the motion and all were in favor with a unanimous vote.

Member Horowitz made a motion to adjourn the meeting at 9:10pm. Member Weber seconded the motion and all were in favor with a unanimous vote.

Respectfully submitted,

Dawn Dunbar
Land Use Assistant