



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

MEETING MINUTES
July 2, 2012

Board of Health Members Present:

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

Others Present:

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

Meeting Called to Order:

Chairman Horowitz called the meeting to order at 7:03 pm in the Town Hall.

Permits Signed

247 Whiley Road; 6 Weymissset Road

Minutes

Member Fleischer made a motion to accept the minutes of June 18, 2012 as amended. Member Weber seconded the motion and all were in favor with a unanimous vote.

366 Lost Lake Drive

Present: Luke Johnson, owner; Christian Walzel, abutter

Mr. Grossman explained that he had driven by the property and was not overly impressed with the progress. It had been determined at the meeting the month prior that the area between the house and Lost Lake Drive would be cleaned up as well as all the vehicles removed. Chairman Horowitz asked why the cars had not been removed. Mr. Johnson said that because he had to take care of some personal matters out of town he had lost some time. He also said that the hot days had caused him to work at a slower pace. Mr. Grossman added that the Pine Trail property had been accumulating more stuff which he was concerned about. Mr. Walzel, an abutter said that he too shared Mr. Grossman's concerns. Mr. Johnson said that the new house on Pine Trail was being used as a work area. Chairman Horowitz asked if the already cleaned up area on the Lost Lake property could be used as a work area instead of the Pine Trail property.

Chairman Horowitz said that the goal for the next two (2) weeks was to make sure all the cars were removed and to finish cleaning up the area that had been described earlier and was assigned a month prior. She said that he had not progressed like he should have and if this goal was not attained within the next two (2) weeks; they would have no other choice but to file paperwork with the courts.

Member Fleischer made a motion that the goal for the next two (2) weeks was to get the quadrant between the house and Lost Lake Drive cleaned up as well as have all the vehicles removed. Member Weber seconded the motion and asked what the intent of the car with wood panels and the green car was. Mr. Johnson said that someone was interested in the car with wood panels and the green car was

salvageable. Member Fleischer reminded Mr. Johnson that he was not permitted to run a salvage yard. Chairman Horowitz agreed and added that it could be looked at as a zoning violation.

All were in favor of the above motion.

6 Weymisset Road

Present: Arthur Prest, homeowner; Matt Bombaci, engineer

Chairman Horowitz said that she wanted to disclose the fact that she currently serves on another committee with Mr. Prest. There were no issues.

Mr. Bombaci said that he was before the board on behalf of Mr. Prest to seek variances in order to upgrade the septic system at 6 Weymisset Road. Mr. Grossman had no objections to the proposed. Mr. Bombaci requested the following variances:

Town of Groton Sewage Disposal Regulations

Section I (E)(1):

Required: Leaching facilities must be located at least one hundred (100) feet from any wetland.

Requested: Leaching facility located a minimum of eighty-four (84) feet from Knopp's Pond.

Section I (E)(6):

Required: A minimum of thirty-five (35) feet must be available between the edge of any street and leaching areas.

Requested: Leaching area located five (5) feet from the right-of-way property line.

Section I (E)(7):

Required: A minimum of twenty (20) feet must be available between any property line and leaching areas.

Requested: Leaching area located five (5) feet from the right-of-way property line.

Town of Groton Well Regulations

Section IV:

Required: Leaching facility to be located 100 feet from well.

Requested: Leaching facility located eighty-four (84) feet from existing well and sixty-seven (67) feet from proposed suction pump.

Local Upgrade Approval

310 CMR 15.405 (1)(A):

Required: 10-foot setback from leaching area to property line.

Requested: Leaching facility located 5-feet from right-of-way property line.

310 CMR 15.405 (1)(B):

Required: 120-foot setback from leaching area to crawl space.

Requested: Leaching facility located 14.5-feet from crawl space.

310 CMR 15.405 (1)(F):

Required: 100-foot setback from leaching area to well.

Requested: Leaching facility located eighty-four (84) feet from existing well and sixty-seven (67) feet from proposed suction line.

310 CMR 15.405 (1)(K):

Required: Two deep holes per disposal area.

Requested: One deep hole that adequately characterizes the soil.

Member Weber made a motion to accept the requested variances in the two (2) letters both dated June 13, 2012 for 6 Weymisset Road. Member Fleischer seconded the motion. Chairman Horowitz reminded Mr. Prest that the 2-bedroom must remain a 2-bedroom home.

Member Fleischer read the following standard conditions:

Standard Conditions:

The Board of Health granted the variance with the following conditions:

1. *The applicant must submit any proposed change in the above referenced plans to the Board of Health for its review and approval before the change is implemented.*
2. *The applicant is responsible for obtaining any other permits (including but not limited to) those required by the Board of Selectmen, Conservation Commission, Building Inspector, DPW Director, Planning Board, Stormwater Advisory Committee, and Zoning Board of Appeals.*
3. *Any construction (or related activity) within 100 ft of a wetland or resource protection area requires approval of the Groton Conservation Commission.*
4. *It is the applicant's responsibility to insure that the contents of this approval are made known to all contractors who perform work at this site.*
5. *It is the applicant's responsibility to contact Dig Safe prior to the commencement of any work at the site.*
6. *Compliance with Title 5 shall be within 2 years from the date of the sewage disposal system failure unless otherwise ordered to "upgrade" at a sooner date. The applicant must comply with the requirements of Title 5 for a "failed" system pursuant to section 15.305.*
7. *Any change in use or increased sewage flow is not to be made without prior approval of the Board of Health and any other applicable Board or Commission.*
8. *The existing 2-bedroom house is to remain a 2-bedroom house with no increase in the number of bedrooms, unless expansion plans are reviewed and approved by the Groton Board of Health.*
9. *This variance shall not be in effect until a certified copy of a Notice of Decision is recorded at the Middlesex South Registry of Deeds. Evidence of such recording shall be submitted to the Board of Health by the applicant.*

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

Groton Convenience Store

Present: Store Manager

The store manager explained that the owner, Mr. Patel, was out of the country and thus why he was present. Mr. Grossman said that he was looking to get the public water supply back into compliance and the multiple violations corrected. Chairman Horowitz asked if they had corrected any of the violations. The store manager said that he had spoken with a water systems company and Bain Pest Control. He said that Mr. Patel was returning on July 19th and that he had tried to contact him but he didn't have great cell coverage. Member Weber inquired as to where Mr. Patel was. The manager said that he was in India near Bombay. Member Weber commented on how the presence of cell phone coverage was in India and asked if he had tried to contact him by mail or other means. The manager said that he had stopped selling food and coffee until he could reach the owner to get permission to sign a contract with Small Water Systems.

Mr. Grossman said that the State was about to issue an enforcement agreement for the public water supply and that the Board could discuss not reissuing the food service permit in October if full compliance is not met.

Member Weber made a motion to continue the discussion until August 6, 2012 with a condition that once contracts are signed those contracts are to be brought into Town Hall. Member Fleischer seconded the motion. All were in favor with a unanimous vote.

14 Ridgewood Ave.

No one was present

Mr. Grossman explained to the Board that Mr. Swett, the owner, had stopped by Town Hall to ask how he would go about getting an emergency well permit so that he could have his shallow well replaced because he had no water. Chairman Horowitz asked Mr. Grossman to go out and take a look at the property.

Winthrop Place

Mr. Grossman explained that he was ready to file the paperwork in housing court for the violations at Winthrop Place as instructed by the Board but decided to give the owner one last chance to correct the violations. He said that the violations had been corrected and recommended that the Board consider the case closed. There was a brief discussion as to what was going to happen to the family living in the inadequately sized apartment. Ms. Dunbar explained that the tenant had been advised by Fran Stanley, Housing Coordinator, as to options and steps he could take to try to allow his family to continue to occupy that unit.

Member Weber made a motion that the violations at Winthrop Place, 371 Main Street, had been resolved. Member Fleischer seconded the motion and all were in favor with a unanimous vote.

Rocky Hill Subdivision

Mr. Grossman said that he had obtained an escrow agreement for the shared system at Dave Moulton's Rocky Hill subdivision. He said that the Board of Health had to be signatories on the agreement. It was asked that the document be sent to Town Counsel for review.

Chairman Horowitz adjourned the meeting at 8:05pm.

Respectfully submitted,

Dawn Dunbar
Land Use Assistant