



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

**MEETING MINUTES
June 17, 2013**

Board of Health Members Present:

Dr. Susan Horowitz, Member
Jason Weber, Chairman

Others Present:

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

Members Absent:

Robert Fleischer, Member

Meeting Called to Order:

Chairman Weber called the meeting to order at 7:02 pm in the Town Hall.

Chairman Weber took time to review some of the changes to the Sewage Disposal System Regulations that were originally proposed in 2011.

871 Boston Road – Groton Convenience Store – Present: Piyush Patel

Mr. Patel said that he had done a lot of work six (6) months ago to correct violations cited with the exception of the holding tank. He said that he tried to contact the original installer who was no longer in business. He said that issue was that the Certificate of Compliance had never been registered. He said that they had a closing date set for July 1 and because this was not completed, the Selectmen were holding up the liquor license paperwork. He asked if the Board would grant permission for the liquor license to move forward if he mailed out the COC the next day.

Chairman Weber asked who the current owner was and who the purchaser was. Mr. Patel said that Ghanshyam Realty Trust was the owner and he, Mr. Patel was the buyer.

Mr. Grossman suggested that the Board allow the liquor license application to continue moving forward as long as they are provided with proof of the current owner's signature on the certification paperwork and a copy of the certified mail receipt to DEP. Chairman Weber asked if Mr. Patel could provide the Board with those copies. Mr. Patel said "yes, tomorrow."

Chairman Weber moved that as soon as the Board was in receipt of a copy of the owner's signature on the certification paperwork and a copy of the certified mail receipt, they would notify the Selectmen that the Board of Health requirements had been satisfied so the sale could continue to go through. Member Horowitz seconded the motion. The motion carried unanimously.

145 Raddin Road – Present: David Lariviere, owner

Mr. Grossman said that the owner was requesting permission to replace an existing shallow well which required variances; one of them being a variance from the well's close proximity to the road. Mr. Lariviere said that he was a new owner and had been told the well was installed in 1988. He said that there was currently no water servicing the property due to the well needing to be reinstalled. Mr. Grossman added that they were going into this blindly

as there had been no water quality test done prior to closing because of lack of water. Member Horowitz asked why they wouldn't require a deep well. Mr. Lariviere said that the only place to put a deep well would be on the slope where tree removal and excavation would be required. Mr. Grossman said that offsets could be requested for a deep well adding that shallow wells don't provide quality. He said that if he had to make a recommendation to the Board it would be that a deep well be installed in the same place as the shallow well. Mr. Lariviere asked if an annual water test could be done. Chairman Weber said that their regulations don't allow for shallow wells and because this wasn't an emergency due to the fact that no one was living there, it was an unusual circumstance for them to be in. Member Horowitz asked how close to the road it was. Mr. Grossman said "10ft." Member Horowitz asked if the home was bought without water. Mr. Lariviere said that he had been told it needed to be cleaned out and had been winterized.

Member Horowitz asked what additional requirements they could put on an approval. Mr. Grossman said water quality testing, a deep well be installed should it fail again and if the water quality shows anything elevated, a deep well be required. He also suggested that use of additional treatment systems not be allowed.

Chairman Weber moved to approve the request for a replacement shallow well with the following conditions:

- 1. Frequent water testing;**
- 2. A deep well be installed should the shallow well fail again;**
- 3. If anything showed up in the water test that exceeded drinking water standards, a deep well must be installed as no treatment systems would be allowed to be used.**

Mr. Grossman said that things that would exceed drinking water standards and or would cause the well to clog again included coliform bacteria, nitrates & ammonia, high sodium and/or high iron.

Chairman Weber withdrew his motion and discussion ensued.

Member Horowitz moved to accept the letter from Mr. Lariviere as written and to allow a point well to fix the existing point well with the condition that if any water quality issues were found that a deep well, with variances to include the 10ft offset variance, be allowed and required. Member Weber seconded the motion. The motion carried unanimously.

366 Lost Lake Drive – Present: Luke Johnson, owner

Mr. Grossman said that at the last meeting he was allowed time to digest the Form of Intent submitted by Mr. Johnson. He said that no progress had been made to date. An application for the demo/rebuild of the dwelling had not been applied for, the fence issue remained unresolved and there was more clean-up to be done. Mr. Johnson said that he had not applied for permits yet as he was still deciding what he wanted to do. He said that his plan was to clean out the house then apply for the demo permit. He hoped to have the house cleaned out within a couple of months. Member Horowitz noted that Mr. Johnson would already be behind his timeline as listed on the Form of Intent.

Chairman Weber mentioned that the fence had not been attended to as of yet. Mr. Grossman said that any fence over 6ft required a building permit which had not been applied for. Member Horowitz suggested that the fence be taken down at the same time as the house as it was in disrepair. She noted that this was per a letter from the Building Inspector. Mr. Johnson objected adding that Mr. Tusino said it didn't need to come down. Mr. Grossman pointed out that Mr. Johnson was referring to a discussion he had had with a previous Building Inspector. The current Building Commissioner said that the fence was not repairable. Chairman Weber said that there was a difference in opinion with regard to the fence adding that it could be left as a status update. Member Horowitz said that the remainder of debris around the house could also be taken care of over the summer when the house was demolished. Mr. Johnson pointed out other properties around town adding that he didn't believe "everything" needed to be removed. Member Horowitz said that the Board was not interested in comparing properties. Chairman Weber added that it was the Board's expectation that all would be completed as the building was demolished.

Discussion ensued as to whether a deadline could be given to apply for the demo permit. Mr. Grossman suggested firming up "end of summer" as stated in the Form of Intent submitted by Mr. Johnson. It was decided that they

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use the calendar definition of end of summer. Chairman Weber said that September 21st was an appropriate deadline where as the Form of Intent stated that the house would be demolished and a foundation installed by the end of summer. Mr. Johnson asked where those dates came from. Mr. Grossman said that the timeline was provided in the Form of Intent Mr. Johnson submitted. Mr. Johnson said that he created a flexible schedule with no dates. Chairman Weber told Mr. Johnson that he provided them with a timeline with seasons. Mr. Johnson reiterated that it was flexible. Chairman Weber said that flexible dates were a concern for him. The meeting was continued until August 5th for a status update.

Old/Other Business

88 Pleasant Street

Member Horowitz moved to accept the variance request for the ceiling height at 88 Pleasant Street. Chairman Weber seconded the motion. The motion carried unanimously.

Minutes

Member Horowitz moved to accept the minutes of May 6, 2013 as edited. Chairman Weber seconded the motion, The motion carried unanimously.

The meeting was adjourned at 9:10pm.

Respectfully submitted,

Dawn Dunbar
Land Use Assistant