



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

**MEETING MINUTES
September 21, 2015**

Board of Health Members Present:
Robert Fleischer, Chairman
Jason Weber, Member
Susan Horowitz, Member

Others Present:
Ira Grossman, Health Agent
Regina Beausoleil, Interdepartmental Assistant

Meeting Called to Order:
Chairman Fleischer called the meeting to order at 6:00PM

102 Townsend Road – Attorney Peter Knox, Robert and Effie Stewart, Homeowner

Attorney Knox explained to the Board that the Stewarts had not ignored the Boards invitations to come in, claiming that by the time they received notice the meeting had already taken place. The Stuarts did not understand why they would be considered non-compliant because their tenants left in June and the Stewarts contend the dwelling hasn't been occupied since.

Attorney Knox informed the Board the Stewarts are on a fixed income and would perform any necessary fixes on a budget.

- Will seek a variance for the ceiling height due to the age of the structure
- Will post name of owner if the dwelling is leased again
- Smoke detectors and Carbon Monoxide detectors are all updated

Uwe Tobies of Tobies Restoration was present to inform the Board of the structural challenges with the dwelling. He conducted some structural restoration of the post and beam portion of the house. He said he received a call of a potential floor collapse. After inspection he did some work to stabilize the floor and it is now structurally sound.

Attorney Knox requested the Board to dismiss the Northeast Housing Court complaint. Mr. Grossman said that if the house was not being occupied then we could move to dismiss the complaint. He reiterated his desire to see the other issues addressed. Mr. Grossman had no objection to a dismissal because the Stewarts exhibited a good faith effort to comply. Mr Grossman also asked that the cesspool tank opening be secured with an appropriate cover.

Member Weber made a motion to dismiss the Northeast Housing Court complaint and to require the homeowners to check in with the Board as the items on the list of violations are completed. This list includes the request to securing the cesspool as soon as possible. Member Horowitz seconded the motion and the vote was unanimous.

36 Court Street

There was a brief discussion regarding the Earth Removal Permit application before the Board of Selectmen. Mr. Grossman suggested a Licensed LSP be on the site and that was all of the comments he had to offer.

64 Fairway Drive – Neal Gorman, Ross Associates, Emmanuel Jean-Marie Guelin, Homeowner

Mr. Gorman was before the Board to present the SDS Variance request as outlined in the August 13, 2015 letter submitted by David Ross Associates, Inc.

- **315-1.E** Minimum of five feet of pervious material between the bottom of the leaching facility and the groundwater elevation. ***An offset of three feet is proposed utilizing the PresbyEnviro-Septic System.***
- **315-2.K** Whenever a system must be pumped, the soil absorption system shall be pressure dosed.. ***The Proposed PresbyEnviro-Septic System leach field cannot be pressure dosed***
- **315-5.I** The minimum distance of 15 feet must be available between the edge of the soil absorption system and an adjacent side slop, measured from the top of the pea stone elevation in the soil absorption system. The finished side slope is not to be steeper than 3:1 (horizontal-vertical). Walls and impervious barriers are not allowed to adjust the side slope requirement and offset. ***A polyethylene barrier is proposed at an offset of 5 feet from the soil absorption system to reduce the breakout grading from extending to nearest property lines. The impervious barrier is followed by a 3:1 slope.***
- **315-6.1** Leach Beds shall be sized at 150% of Title 5 requirements. ***A PresbyEnviro-Septic Leaching System is proposed a 101% of the DEP approved PresbyEnviro – Septic sizing standards per the Enviro-Septic Wastewater treatment System Massachusetts Design and Installation Manual.***

Member Weber asked Mr. Grossman if he had any recommendations for improvements to the plan. Mr. Grossman stated there could be more square footage with the 10-foot barrier, but other than that he did not have any issues.

Louise Gaskins, an abutter located at 35 Boston Road, asked what effect this would have on the abutters. She stated for the record that she did not have any objection to anyone improving their situation. Mr. Grossman said that this will not have any detrimental effect on any abutters.

Member Horowitz stated for the record that she did not appreciate the letter from the homeowner that was an attempt to “shame the Board” into approving the variance. She stated the Board works as an advocate for abutters and the general public’s health and safety.

Chairperson Fleischer asked whether the offset to groundwater was an issue. Mr. Grossman said that it wasn’t and that he didn’t expect any runoff from this system. Mr. Grossman then suggested that the leach field should be increase the leach field to its full length of 40 feet.

Ms. Gaskins asked the Board what recourse she would have in the event of a “negative effect” from this system. Mr. Grossman stated she should contact the Board but ultimately it would be a civil matter.

Member Weber made a motion to accept the variance as requested with the addition of 40 foot pipes and no cuts. It is the Boards expectation that the plan as submitted and agreed upon will be followed, any significant changes would need to be communicated back to the Board.
Member Horowitz seconded the motion and the vote was unanimous.

28 Park Drive – Neal Gorman, David Ross Associates, Inc., Arthur & Donna Young, Homeowners

Mr. Gorman was before the Board to present the SDS Variances as requested in the letter dated September 2, 2015 as follows:

- **315-1.E** Minimum of five feet of pervious material between the bottom of the leaching facility and the groundwater elevation. ***An offset of three feet is proposed***
- **315-5.F** A minimum of 35 feet must be available between the edge of any street, passageway or road line and the entire exterior perimeter of any proposed leach areas. ***An offset of 26 feet is provided from the nearest edge of pavement of Park Drive.***
- **315-5.G** A minimum of 20 feet must be available between any property line and the entire exterior perimeter of any exposed leach areas. ***An offset of 16 feet is provided.***
- **315-5.1** The minimum distance of 15 feet must be available between the edge of the soil absorption system and an adjacent side slope, measured from the top of the pea stone elevation in the soil absorption system. The finished side slope is not to be steeper than 3:1 (horizontal-vertical). Walls and impervious barriers are not allowed to adjust the side slope requirement and offset. ***A polyethylene barrier is proposed at an offset of 10 feet from the soil absorption system to reduce the breakout grading from extending to the nearest property lines. The impervious barrier is followed by a 3:1 slope.***

Mr. Grossman stated this was the best fit for the property and that he had no objections.

Member Weber made a motion to accept the variances as requested. Member Horowitz seconded the motion and the vote was unanimous.

Member Weber made a motion to adjourn the meeting at 7:25PM. Member Horowitz seconded the motion and the vote was unanimous.

Respectfully Submitted by Regina Beausoleil

APPROVED: June, 2016
