



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

BOARD OF HEALTH
Robert J. Fleischer, Chairman
Susan Horowitz, Member
Jason Weber, Member

MINUTES

Date: Monday, July 18, 2016
Time: 7:00 PM
Location: 2nd Floor Meeting Room, Town Hall, 173 Main Street
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member; Jason Weber, Member
Remote Participation: None
Others Present: Ira Grossman, Nashoba Associated Board of Health Agent; Robin Eibye, Executive Assistant, Tom Orcutt, Water Dept. Superintendent

Chairman Fleischer called the meeting to order at 7:00 p.m.

12 Bixby Hill Road – In-ground Pool Installation Review

Owner, Teresa Cartier was present. It was confirmed that Ira Grossman provided a copy of the online soil quality data to the homeowner and to the Board. A discussion ensued about the soil quality, soil testing and costs. The Board determined that additional soil testing is needed. Mrs. Cartier will work with Mr. Grossman to have the soil tested. After the testing is completed, Mrs. Cartier will contact the Board to be placed on the agenda.

46 Windmill Hill Road – Variance Request

Jack Maloney, Sr. Project Manager for Ducharme & Dillis presented on behalf of the homeowner, Nancy Kopec. Mr. Maloney requested the following variances:

Local Variances:

1. 315-1(E): There must be at least 5-feet between the groundwater elevation and the bottom of the proposed leaching facility. (Provided: 3-feet)
2. 315-3(K) When a system is to be pumped, the system shall be a pressure-dosed system. (Provided-Presby SDS-Non-pressure dosed system)
3. 315-5(G) A minimum of 20' must be available between a property line and the entire exterior perimeter of any proposed leach area. (Provided: 8.9')
4. 315-3(l) Walls and barriers are not allowed to adjust the side slope requirement. (Provided: a wall and barrier)
5. 315-6 Square footage requirements, leach beds shall be 150% of title 5 requirements. (Design based on D.E.P. approval requirements for Presby systems)

Title 5 Variances:

6. 15.211 Minimum Setback distances: An S.D.S. to a property line shall be 10' (Provided: 8.9')

Title 5 Local Upgrade Approvals:

7. 15.405(1)(a) Reduction of system setback for property lines. (Provided: 8.9')
8. 15.405(1)(h) Reduction of the required 4-foot separation from the bottom of the system to groundwater. (Provided-3-feet)

Mr. Weber asked Mr. Grossman for his thoughts on the proposed plan and requested variances. Mr. Grossman said he had no objections with the variances, but noted the land surveyors did not use a stamped surveyed plan from the Registry of Deeds. A brief discussion ensued about the validity of the property line.

Neighbor, Michelle Collette was present and noted she was in full support of the application.

Dr. Horowitz moved to accept the following variances subject to the BOH Standard Conditions:

Local Variances:

1. 315-1(E): There must be at least 5-feet between the groundwater elevation and the bottom of the proposed leaching facility. (Provided: 3-feet)
2. 315-3(K) When a system is to be pumped, the system shall be a pressure-dosed system. (Provided- Presby SDS-Non-pressure dosed system)
3. 315-5(G) A minimum of 20' must be available between a property line and the entire exterior perimeter of any proposed leach area. (Provided: 8.9')
4. 315-3(I) Walls and barriers are not allowed to adjust the side slope requirement. (Provided: a wall and barrier)
5. 315-6 Square footage requirements, leach beds shall be 150% of title 5 requirements. (Design based on D.E.P. approval requirements for Presby systems)

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7. 15.405(1)(a) Reduction of system setback for property lines. (Provided: 8.9')
8. 15.405(1)(h) Reduction of the required 4-foot separation from the bottom of the system to groundwater. (Provided-3-feet)

Groton Board of Health Standard Conditions

The Board of Health granted the variances 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 ensure 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 3-bedroom house is to remain a 3-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.

Mr. Weber seconded and the motion carried 3:0.

53 McLains Woods Road – SDS Variance Request

Kevin Ritchie of Civil Design Group presented on behalf of the homeowners, Kevin and Constance Francis. Mr. Ritchie proposed a two-compartment septic tank and requested the following variances:

315-1.E to allow an upgrade design with a 2 foot groundwater offset instead of the requisite 5 feet. The proposed design utilizes the Presby Enviro-Septic Waste Water Treatment System which is approved through MA DEP for the reduction in the offset to groundwater. Additionally, a two compartment septic tank is being proposed. Approval of the variance will eliminate the need for a pump and pump chamber along with mounding of the system directly in front of the house.

Mr. Weber asked Mr. Grossman whether the downsides of a pumped system warranted further consideration in this case. A brief discussion ensued, with Mr. Grossman explaining why a pumped system did not make sense in this case.

Member Weber moved to accept the following variances subject to the BOH Standard Conditions:

315-1.E to allow an upgrade design with a 2 foot groundwater offset instead of the requisite 5 feet. The proposed design utilizes the Presby Enviro-Septic Waste Water Treatment System which is approved through MA DEP for the reduction in the offset to groundwater.

Groton Board of Health Standard Conditions

The Board of Health granted the variances 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 ensure 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 4-bedroom house is to remain a 4-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.

Dr. Horowitz seconded and the motion carried 3:0.

102 Chestnut Hill Road – Variance Request

Kevin Ritchie of Civil Design Group presented on behalf of the homeowner, Eugene Langan. Mr. Ritchie noted that the slope is a major challenge and went on to request the following variances:

315-1.E to allow an upgrade design with a 3 foot groundwater offset instead of the requisite 5 feet. Advanced treatment is being provided with the use of a Presby Enviro-Septic system. This variance will eliminate the necessity for the installation of a retaining wall.

315-5.I to allow the use of a poly-liner to meet breakout grading slope requirements.

315-6 to allow a leaching field based on 100 percent of Title 5 requirements instead of 150 percent.

Dr. Horowitz asked Mr. Grossman if he had any objections. Mr. Grossman stated he did not have any objections to the requested variances. It was confirmed that the system failure date was May 1, 2016.

Member Weber moved to accept the following variances subject to the BOH Standard Conditions:

315-1.E to allow an upgrade design with a 3 foot groundwater offset instead of the requisite 5 feet.

315-5.I to allow the use of a poly-liner to meet breakout grading slope requirements.

315-6 to allow a leaching field based on 100 percent of Title 5 requirements instead of 150 percent.

Groton Board of Health Standard Conditions

The Board of Health granted the variances 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 ensure 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 4-bedroom house is to remain a 4-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.

Dr. Horowitz seconded and the motion carried 3:0.

49 Boathouse Road – Notice of Non-compliance

The property owner, Brian Barbieri was present and provided an update to the Board. Mr. Barbieri said the process to connect to Town water had begun and was expected to be done by July 30, 2016. Mr. Barbieri went on to say the he was having “great difficulty” finding a contractor that was willing to do the work due to the complexity of the project.

Mr. Grossman requested that Mr. Barbieri provide the Board with the wall design. Mr. Barbieri agreed to provide the design “this week. “

NEW/OLD BUSINESS

A brief discussion about shared septic systems and the ability to maintain them.

Mr. Grossman provided the Board with an update on 2 Alder Road noting he recently received a failed Title 5 report.

A brief discussion ensued about the SDS permit for 4 Alder Road.

The Board reviewed the minutes dated June 20, 2016.

Dr. Horowitz moved to approve the minutes dated June 20, 2016, as written.

Mr. Weber seconded and the motion carried 3:0.

At 8:35 p.m., Dr. Horowitz moved to adjourn the meeting.

Mr. Weber seconded and the motion carried 3:0.

Respectfully submitted by Robin Eibye, Executive Assistant

APPROVED: August 15, 2016
