



## 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, December 5, 2016  
Time: 7:00 PM  
Location: 2<sup>nd</sup> Floor Meeting Room, Town Hall, 173 Main Street  
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member; Jason Weber, Member  
Absent: N/A  
Others Present: Ira Grossman, Nashoba Associated Board of Health Agent  
Robin Eibye, Executive Assistant

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

### 84 LOST LAKE DRIVE – SDS Variance Request

Kevin Ritchie presented on behalf of homeowner, Mary Kulas. Mr. Ritchie provided plans to the Board and confirmed the house is a three-bedroom home. The Board reviewed the plans. Mr. Ritchie requested the following variances:

- 1) Approval is sought under 310 CMR 15.405(1)(a) and from Groton Board of Health Regulation 315-5.G to reduce the requisite offset from a leaching area to a property line from 10 feet to 8 feet and from 20 feet to 8 feet respectively.
- 2) A variance is hereby requested from Groton Board of Health Regulation 315-1.E to allow an upgrade design with a 4 foot groundwater offset instead of the requisite 5 feet. This design utilizes the Presby Enviro-septic Wastewater treatment system.
- 3) A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road line from 35 feet to 10 feet.
- 4) A variance is hereby requested from Groton Board of Health Regulation 315-6 to allow the design of a leaching bed with less than 150% of Title V requirements.
- 5) A variance is hereby requested from Groton Board of Health Regulation 315-3.K to allow a pump system that does not utilize pressure distribution. The use of pressure distribution lines with the Presby Enviro- Septic wastewater treatment system is prohibited.

Mr. Weber asked Mr. Grossman for his opinion on the requested variances. A discussion ensued about town water, occupancy and well placement, Title 5 and Chapter 2.

**Mr. Weber moved to accept the following variances subject to the BOH Standard Conditions and prior to occupancy:**

- 1) Approval is sought under 310 CMR 15.405(1)(a) and from Groton Board of Health Regulation 315-5.G to reduce the requisite offset from a leaching area to a property line from 10 feet to 8 feet and from 20 feet to 8 feet respectively.
- 2) A variance is hereby requested from Groton Board of Health Regulation 315-1.E to allow an upgrade design with a 4 foot groundwater offset instead of the requisite 5 feet. This design utilizes the Presby Enviro-septic Wastewater treatment system.
- 3) A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road line from 35 feet to 10 feet.
- 4) A variance is hereby requested from Groton Board of Health Regulation 315-6 to allow the design of a leaching bed with less than 150% of Title V requirements.

**Groton Board of Health Standard 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 prior to occupancy. 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 three-bedroom house is to remain a three-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.**

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**37 BOATHOUSE ROAD – Non-compliance Discussion**

Mr. Pickol was not present. Ira Grossman reminded the Board that it had issued an order to Mr. Pickol to clean up the debris and remove the rubbish on the property in 2015. Mr. Grossman confirmed that nothing had been done since the order was issued. A discussion ensued about inviting Mr. Pickol and Don Black, who appeared to be involved in some fashion, to the next BOH meeting to discuss [1] any reasons for the lack of a response and appropriate next steps for all parties involved.

Susan Horowitz moved to extend another invite to Mr. Pickol and/or his duly authorized agent to appear on his behalf to discuss the issue prior to the Board taking any legal action.

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

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**RAISE TOBACCO SALES AGE TO 21 Discussion**

A discussion ensued about raising the tobacco sales age to 21. The Committee agreed to review the Boston Public Health Commission's guidelines for the implementation and enforcement of regulation limiting tobacco and nicotine access to youth, and will continue the discussion to the next Board of Health meeting on Monday, December 19, 2016.

**Susan Horowitz moved to adjourn the meeting.**

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

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**The meeting adjourned at 7:55 p.m.**

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Respectfully submitted by Robin Eibye, Executive Assistant

**APPROVED: DECEMBER 19, 2016**

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