



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, January 9, 2017
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
Others Present: Ira Grossman, Nashoba Associated Board of Health Agent
Robin Eibye, Executive Assistant

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

366 W. Main Street – SDS Variance Request

Chris MacKenzie, Project Engineer for Whitman & Bingham Associates, LLC presented on behalf of Douglas and Karyn Pulsifer. Mr. Mackenzie provided copies of the plan to the Board for review and explained the system is a redesigned Presby system. Mr. MacKenzie requested the following variances:

Local Upgrade Approval 310 CMR 15.405

- 1) 310 CMR 15.405(1)(h): Reduction of the required 4 foot separation between the bottom of the leach area and estimated seasonal high groundwater.
(3' separation is proposed with a Micro-FAST pre-treatment system)
- 2) 310 CMR 15.405(1)(i): A sieve analysis may be performed if a percolation test cannot be performed at the time of testing.
(Sieve analysis performed due to damp soil conditions)

Groton Board of Health Regulations

- 1) Section 1, Reg. A.1: Two (2) percolation tests required for a suitable primary and reserve area. (1 percolation test (see sieve analysis result) performed in the primary area, with no reserve area is proposed)
- 2) Section 1, Reg. A.5: Five (5) feet of pervious material between the bottom of the leach area and the estimated seasonal high water table is required.
(3 feet of pervious material is proposed)
- 3) Section 1, Reg. C.8: At least 5 feet of naturally occurring pervious material must be in place over ledge. (2' of naturally occurring pervious material was the maximum depth found on the site, see Standard Conditions for Secondary Treatment Units Approved for Remedial Use, last revised on November 30, 2016).

- 4) Section 1, Reg. C.9: Percolation rates over 14 m/i require leaching trenches. (Leach field design utilized to minimize fill volumes within the 100 year flood zone is proposed)
- 5) Section 1, Reg. E.1: Leaching facility shall be at least 100 feet from the nearest wetland or watercourse. (76 feet from the leach area to a wetland is proposed)
- 6) Section 1, Reg. E.6: Leaching facility to be located at least 35 feet from the edge of a street. (20 feet from the leach area to West Main Street is proposed)
- 7) Section 1, Reg. F.1: Leaching fields shall be sized at 150% of Title 5 requirements. (Leach bed size based on D.E.P. Standard Conditions for Secondary Treatment Units Approved for Remedial Use, last revised on November 30, 2016 is proposed)

Mr. Weber asked Mr. Grossman for his opinion on the pressure distribution system versus the Presby system. A brief discussion ensued and Mr. Grossman said he recommended the pressure distribution system and was opposed to the Presby system.

Conservation Commission member, Eileen McHugh asked Mr. Weber to quantify the risk. Mr. Weber said he cannot quantify the risk in a meaningful way. A discussion ensued as to why Mr. Grossman recommended the pressure distribution system over the Presby system.

Mr. Weber moved that the Board of Health recommend the Pressure Dose System and thanked the Conservation Commission for their time and consideration of the matter.

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

Dr. Horowitz moved to accept the Pressure Distribution System along with the following variances, which are subject to the BOH Standard Conditions and prior to occupancy:

Local Upgrade Approval 310 CMR 15.405:

1. 310 CMR 15.405(1)(h): Reduction of the required 4 foot separation between the bottom of the leach area and estimated seasonal high groundwater. (3' separation is proposed with a Micro-FAST pre-treatment system)
2. 310 CMR 15.405(1)(i): A sieve analysis may be performed if a percolation test cannot be performed at the time of testing. (Sieve analysis performed due to damp soil conditions)

Groton Board of Health Regulations:

1. Section 1, Reg. A.1: Two (2) percolation tests required for a suitable primary and reserve area. (1 percolation test (see sieve analysis result) performed in the primary area, with no reserve area is proposed)
2. Section 1, Reg. A.5: Five (5) feet above of pervious material between the bottom of the leach area and the estimated seasonal high water table is required. (3 feet of pervious material is proposed)
3. Section 1, Reg. C.8: At least 5 feet of naturally occurring pervious material must be in place over ledge. (2' of naturally occurring pervious material was the maximum depth found on the site, see Standard Conditions for Secondary Treatment Units Approved for Remedial Use, last revised on November 30, 2016).

4. Section 1, Reg. C.9: Percolation rates over 14 m/i require leaching trenches. (Leach field design was utilized to minimize fill volumes within the 100 year flood zone is proposed)
5. Section 1, Reg. E.1: Leaching facility shall be at least 100 feet from the nearest wetland or watercourse. (76 feet from the leach area to a wetland is proposed)
6. Section 1, Reg. E.6: Leaching facility to be located at least 35 feet from the edge of a street. (20 feet from the leach area to West Main Street is proposed)
7. Section 1, Reg. F.1: Leaching fields shall be sized at 150% of Title 5 requirements. (Leach bed size based on D.E.P. Standard Conditions for Secondary Treatment Units Approved for Remedial Use, last revised on November 30, 2016 is proposed)

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 occur 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 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.

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

284 WHILEY ROAD – SDS Variance Request

Jack Visniewski, Project Engineer for Cornerstone Land Associates presented on behalf of John Valentine. Mr. Visniewski provided copies of the plan to the Board for review and requested the following variances:

1. To allow the leaching area to be 97 ft. from the pond instead of 100 ft. (Sect E1.).
2. To allow the leaching area to be 78 ft. from the isolated wet area instead of 100 ft. (Sect E1.).
3. Variances are also requested from the Groton Well Regulations as follows:
 - a. To allow the distance between the well and pond to be 59 ft. instead of 100 ft. (Sect. VI).
 - b. To allow the distance between the well and property line to be 31 ft. instead of 50 ft. (Sect. VI).
 - c. To allow the distance between the well and leaching area to be 76 ft. instead of 100 ft. (Sect. VI).

Mr. Weber asked Mr. Grossman for his opinion on the variance request. A brief discussion ensued and Mr. Grossman said he objected to the proposed plan. Mr. Grossman said minor changes to the leaching field could be made in order to meet the 100 ft. offset for the well, and not require a variance. Mr. Visniewski said that the property owners and he are reluctant to move the leach field because doing so would destroy several mature trees on the property. A discussion ensued about relocating the leach fields to meet the 100 ft. Title 5 offset requirement.

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

1. To allow the leaching area to be 97 ft. from the pond instead of 100 ft. (Sect E1.).
2. To allow the leaching area to be 78 ft. from the isolated wet area instead of 100 ft. (Sect E1.).
3. Variances are also requested from the Groton Well Regulations as follows:
 - a) To allow the distance between the well and pond to be 59 ft. instead of 100 ft. (Sect. VI).
 - b) To allow the distance between the well and property line to be 31 ft. instead of 50 ft. (Sect. VI).
 - c) To allow the distance between the well and leaching area to be 76 ft. instead of 100 ft. (Sect. VI).

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

Mr. Weber moved to amend the decision so that it remains pending until the abutter notices are sent and the abutters have the opportunity to appear before the Board.

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

331 WHILEY ROAD – Violation Notice and Order for Title 5 Violation Discussion*

Mr. Grossman provided an update and explained that the septic system was installed and has been approved.

Mr. Weber moved to approve the minutes dated December 19, 2016, as written.

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

Dr. Horowitz moved to adjourn the meeting at 8:45 p.m.

The meeting adjourned at 8:45 p.m.

Respectfully submitted by Robin Eibye, Executive Assistant

APPROVED: February 6, 2017

APPROVED