



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, March 20, 2017
Time: 7:00 PM
Location: 2nd Floor Meeting Room, Town Hall, 173 Main Street
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member;
Members Absent: Jason Weber, Member
Others Present: Ira Grossman, Nashoba Associated Board of Health Agent
Robin Eibye, Executive Assistant

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

2 Alder WAY- SDS Failed System Discussion

Susan Horowitz noted that Kyle Bargoot and Heather Turcotte are her clients. Chairman Fleischer said he had no objections.

Kyle Bargoot and Heather Turcotte were present and provided an update to the Board. A brief discussion ensued. Dr. Horowitz asked Mr. Grossman his opinion, and what options are available. Mr. Grossman said the less costly option would be a tight tank. A discussion ensued about the ability to install a compliant system. Mr. Bargoot said he was willing to hire an engineer to prepare a tight tank system plan. Mr. Grossman suggested that the existing system be pumped by a licensed septic company within one month and provide the report to the Board of Health. Five months to come up with a signed contract with an engineer to provide a SDS design.

Dr. Horowitz moved that the existing system be pumped by a licensed septic company within one month and provide the report to the Board of Health. Five months to come up with a signed contract with an engineer to provide a SDS design.

Mr. Fleischer seconded and the motion carried. 2:0. (Jason Weber, absent)

464-A BOSTON ROAD – Sanitary Code Violation Hearing*

Continued from February 6, 2017. Pam Smethurst, Alberta Erickson's daughter presented on Ms. Erickson's behalf and asked to go through the violation list. Ms. Smethurst said the hot water temperature was adjusted today, the basement door was fixed and a door knob has been installed, a sign was posted outside the door as instructed, house numbers were installed, 410.500 the floor board trip hazard was fixed, and the second bedroom work has begun. Ms. Smethurst said the basement ceiling height is unfixable. She said the rooms in the basement should not be used as bedrooms, the tenants have two children living with them and they should use the bedrooms in the house. Ms. Smethurst said the rooms were created by her father and were used as office space. Ira Grossman

said that the tenants are using the rooms in the basement as bedrooms, and the upstairs bedroom is not usable due to the fire damage. He noted egress issues, as well as other violations. Ira Grossman said his recommendation would be either condemn the basement space or go to court and let a judge decide.

George Panas, attorney for tenants, Mairi Elliott-Saball and Andrew Saball presented on their behalf. Mr. Panas confirmed the apartment was rented as a 4-bedroom with the possibility of making it a 5-bedroom. Mr. Panas introduced a previous tenant, who was in attendance to confirm there were 2-bedrooms in the basement when she rented in the apartment several years ago. Mr. Panas noted a written statement from another previous tenant, Julie Norvell who confirmed in her statement that there were 2-bedrooms in the basement when she rented the apartment. Mr. Panas said the violations have not been fixed and the odor of the burnt unit is overwhelming. A discussion ensued about the fact that the 2-bedrooms in the basement do not meet the housing code.

Ms. Smethurst said the tenants moved back in after the fire without Ms. Ericson's permission. A discussion ensued about the outstanding code violations and the fact that the violations have not been addressed. Ms. Smethurst requested variances for the violations that have not been addressed. A discussion ensued.

It was decided to allow Ira Grossman's order to stand, and that the Board would probably not approve multiple variances for the basement violations.

Dr. Horowitz moved to close the Hearing.

Mr. Fleischer seconded and the motion carried. 2:0. (Jason Weber, absent)

Dr. Horowitz moved to accept the Minutes dated, March 6, 2017, as written.

Mr. Fleischer seconded and the motion carried. 2:0. (Jason Weber, absent)

Dr. Horowitz moved to adjourn the meeting at 8:20 p.m., and the meeting adjourned.

Respectfully submitted by Robin Eibye, Executive Assistant

APPROVED: APRIL 3, 2017
