



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

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Date: Monday, April 3, 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 meeting to order at 7:00 p.m.

MINUTES

The Board reviewed the minutes dated March 20, 2017.

Dr. Horowitz moved to accept the minutes dated, March 20, 2017, as amended.

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

Jason Weber joined the meeting at 7:10 p.m.

The Board reviewed the minutes dated February 6, 2017.

Dr. Horowitz moved to accept the minutes dated, February 6, 2017, as amended.

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

4 ALDER ROAD – Non-Compliance Discussion

Stephen and Nicole Jambard were present. Mr. Jambard provided a tight tank installation proposal dated August 16, 2016, from RM Ratta Corporation to the Board. The Board reviewed the proposal and a brief discussion ensued. Mr. Jambard said the proposed work would be completed by Memorial Day. A brief discussion ensued about water quality testing and Mr. Jambard agreed to have a water quality test performed in May when the property will be un-winterized.

OLD BUSINESS

464-A BOSTON ROAD – Non-compliance Sanitary Code Violation

Ira Grossman suggested a Condemnation Hearing due to non-compliance. A discussion ensued about code and the violations in question.

Dr. Horowitz moved to hold a Condemnation Hearing on Monday, May 1, 2017.

Member Weber seconded and the motion carried. 3:0

69 BOATHOUSE ROAD – SDS Variance Request

Jack Maloney presented on behalf of the homeowner, Anneliese Cole. Mr. Maloney presented the proposed plan to the Board and requested the following variances:

Local Variances:

1. 315-1(A): Two groundwater observation holes and two percolation tests must be performed on each lot. (Provided-No Testing).
2. 315-3(J) (2): Rail system required. (No rail system utilized due to poly tank)
3. 315-3(K): Pumped system must be pressure dosed. (Pressure dosing not provided due to leaching galley design).
4. 315-5(A): Leaching facilities must be located at least 100-feet from any wetland, watercourse, etc. (provided: 64-feet).
5. 315-5(F): A minimum of 35-feet must be available between the edge of any street, passageway or road line and the entire perimeter of any proposed leach areas. (Provided: 3-feet).
6. 315-5(G): A minimum of 20-feet must be available between any property line and the entire exterior perimeter of any proposed leach areas. (Provided: 3-feet).
7. 315-5(I): A minimum of 15-feet must be available between the edge of a soil absorption system and the adjacent side slope. Walls and barriers are not permitted. (Provided: Poly barrier set at 5-feet from edge of stone).

Title 5 Variances:

1. 15.102 Deep observation hole data: (2): A minimum of two deep holes shall be performed in the presence of the Approving Authority at every proposed disposal area. (Provided: No testing).
2. 15.104 Percolation testing, (4): At least one percolation test shall be performed at every proposed disposal area. (Provided: No testing).
3. 15.211 Minimum setback distances: (1): Septic tank to a private well: 50-feet. (Provided: 32-feet).

Local Upgrade Approval Request:

1. 15.405(1) (b): Increase in the maximum allowable depth of system components as required by 310 CMR 15.221(7), from 36" to 72" provided adequate venting and access are provided and H-20 loading is provided.
2. 15.211 Minimum setback distances, (1): S.A.S. to a property line=10-feet. (provided - 3-feet)
3. 15.211 Minimum setback distances, (1): septic tank to a bordering vegetated wetland/surface waters=25-feet. (provided - 10-feet to top of bank of pond)
4. 15.211 Minimum setback distances,(1): septic tank to a cellar wall or crawl space=10-feet. (provided - 5-feet)

Member Weber asked Mr. Grossman for his opinion. Mr. Grossman said there really were no other options than what was presented. Mr. Grossman noted that there was an underground oil tank on the property that was removed without proper permitting. The homeowner said they moved into the home in 1987, had never used the tank and decided to finally remove it. Mr. Grossman asked what happened to the oil tank. The homeowner said it was recycled. A discussion ensued about abutting wells within 100 feet and testing prior to the release of the permit. It was confirmed that failure of abutting wells would not prohibit the release of the permit.

Mr. Weber moved to accept the following variances subject to a deep-hole test confirming soil quality, to all wells within 100 feet be tested per Groton's Well Water Sampling Regulations, the BOH Standard Conditions and prior to occupancy. The exception to the above being that all work excluding the leaching area and distribution box may be completed prior to receipt of the abutting 100 foot well test results:

Local Variance:

1. 315-1(A): Two groundwater observation holes and two percolation tests must be performed on each lot. (Provided-No Testing).
2. 315-3(J) (2): Rail system required. (No rail system utilized due to poly tank)
3. 315-3(K): Pumped system must be pressure dosed. (Pressure dosing not provided due to leaching galley design).
4. 315-5(A): Leaching facilities must be located at least 100-feet from any wetland, watercourse, etc. (provided: 64-feet).
5. 315-5(F): A minimum of 35-feet must be available between the edge of any street, passageway or road line and the entire perimeter of any proposed leach areas. (Provided: 3-feet).
6. 315-5(G): A minimum of 20-feet must be available between any property line and the entire exterior perimeter of any proposed leach areas. (Provided: 3-feet).
7. 315-5(I): A minimum of 15-feet must be available between the edge of a soil absorption system and the adjacent side slope. Walls and barriers are not permitted. (Provided: Poly barrier set at 5-feet from edge of stone).

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Local Upgrade:

1. 15.405(1) (b): Increase in the maximum allowable depth of system components as required by 310 CMR 15.221(7), from 36" to 72" provided adequate venting and access are provided and H-20 loading is provided.
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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 and 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 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. Any changes in the room layout, number of rooms, expansion or modifications shall be reviewed for approval by the Groton Board of Health.
10. 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.

103 MILL STREET – SDS Variance Request

Kevin Ritchie presented on behalf of homeowner, Crissey Safford. Mr. Ritchie presented the proposed plan to the Board and requested the following variances:

1. 310 CMR 15.405(1)(h) to reduce the requisite groundwater offset from 4 feet to 3 feet.
2. Groton Board of Health Regulation 315-1.E to allow an upgrade design with a 3 foot groundwater offset instead of the requisite 5 feet.
3. Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road line from 35 feet to 18 feet.

4. Groton Board of Health Well Regulation 330-4 C to allow the use of an existing well when the site is within 500 feet of a Town water line; however, if a problem with the well arises in the future, the homeowner is required to hook up to Town water.

A brief discussion ensued.

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

1. 310 CMR 15.405(1)(h) to reduce the requisite groundwater offset from 4 feet to 3 feet.
2. Groton Board of Health Regulation 315-1.E to allow an upgrade design with a 3 foot groundwater offset instead of the requisite 5 feet.
3. Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road line from 35 feet to 18 feet.
4. Groton Board of Health Well Regulation 330-4 C to allow the use of an existing well when the site is within 500 feet of a Town water line; however, if a problem with the well arises in the future, the homeowner is required to hook up to Town water.

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 and 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. Any changes in the room layout, number of rooms, expansion or modifications shall be reviewed for approval by the Groton Board of Health.

10. 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.

CAMP KALEIDOSCOPE AT GROTON COMMUNITY SCHOOL – Annual Variance Request

The variance request would allow one supervisory staff person for every eight campers age six or under.

Member Horowitz moved to accept the variance request for Camp Kaleidoscope at Groton Community School increasing the required staff/camper ratio from 1:5 to 1:8.

Member Weber seconded and the motion carried 3:0

NASHOBA PADDLER RIVER CAMP – Variance Request

The Board discussed the variance request that would allow Nashoba Paddler to offer a portable restroom and hand-washing facilities.

Dr. Horowitz moved to accept the variance request for Nashoba Paddler River Camp to offer hand-washing facilities at the beginning and end of each day and to provide portable restrooms to be used for emergencies during the course of the day.

Member Weber seconded and the motion carried 3:0

Dr. Horowitz moved to adjourn the meeting at 8:30 p.m., and the meeting adjourned.

Respectfully submitted by Robin Eibye, Executive Assistant

APPROVED: MAY 15, 2017
