



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, October 16, 2017
Time: 7:00 PM
Location: 2nd Floor Meeting Room, Town Hall, Groton
Members Present: Robert Fleischer, Chairman; Jason Weber, Member;
Dr. Susan Horowitz, 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.

52 HAWTREE WAY – SDS VARIANCE REQUEST

Kevin Ritchie of Civil Solutions presented, on behalf of Yehia Beyh, the proposed plan to the Board and requested the following variance:

- 1) 315-5.F to allow placement of a leaching area 23 feet from a road line rather than the requisite 35 feet.

Jason Weber asked Ira Grossman if he had any objections to the design. Mr. Grossman said he had no objections. A brief discussion ensued.

Dr. Horowitz moved to accept the variance as proposed subject to the following BOH 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.

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

17-19 WEST MAIN STREET – SDS VARIANCE REQUEST

Jeffrey Hannaford, on behalf of Burkley Properties, LLC, presented the proposed plan to the Board and requested the following variances:

- 1) Title 5, 310 CMR 15.405(1)(h), Depth to Ground Water. Reduction of 4-foot separation from bottom of soil absorption system to high ground water elevation from 4 feet to 2 feet.
- 2) Title 5, 310 CMR 15.405(1)(j), Separation from High Groundwater to Inlet & Outlet Tees. Reduction of 12-inch separation from high ground water elevation from 12 inches to 6 inches.
- 3) Local Board of Health 315-1 Design Requirements. 5-foot offset to groundwater required. 2-foot proposed w/ I/A system (Presby)
- 4) Local Board of Health 315-3 Design Requirements. Leach trenches required. – leach bed prop. Pressure dosing required – gravity dosing prop.
- 5) Local Board of Health 315-5 Distance Requirements. 100 feet to wetlands required. – 50 feet prop. 20 feet to property line required – 11 feet prop. Ret. walls & impervious barriers not allowed – ret. walls & impervious barrier prop.
- 6) Local Board of Health 315-6 Square Footage Requirements. 150% increase from Title 5 required – 100% of Title 5 prop.

Mr. Hannaford said the reason for the requests is due to the limited area available to site a soil absorption system on this lot and maintain setbacks to the existing lot lines and wetlands.

Mr. Weber asked Mr. Grossman if he had any objections to the design and variance requests. Mr. Grossman said he spent quite a bit of time with Mr. Hannaford discussing the design and has

no objections to the variances and proposed design. A brief discussion ensued about occupancy and certificate of compliance issuance.

Mr. Weber moved to accept the variances as proposed subject to the following BOH 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. No occupancy until such time that the subsurface sewage disposal is upgraded and a certificate of compliance is issued.
- 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 6-bedroom house is to remain a 6-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.

MINUTES

The Board reviewed the minutes dated October 2, 2017. Dr. Horowitz moved to accept the minutes as written.

Mr. Fleischer seconded and the motion carried. 2.0. (Jason Weber, abstained)

The Board reviewed and signed various invoices and permits.

Dr. Horowitz moved to adjourn the meeting.

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

The meeting ended at 7:55 p.m.

Respectfully submitted by Robin Eibye, Executive Assistant.

APPROVED: NOVEMBER 6, 2017

APPROVED