



**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

Date: Monday, November 20, 2017  
Time: 7:00 PM  
Location: 2<sup>nd</sup> Floor Meeting Room, Town Hall, Groton  
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member  
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 7:03 p.m.

**214 LOST LAKE DRIVE – CONDEMNATION HEARING \***

Donald Black was present. He said the door knobs have been replaced. The garden has been cleaned, bathroom has been painted and cleaned, smoke detectors have been replaced, rubbish in basement has been removed, weather stripping has been repaired.

Susan Horowitz asked if Mr. Scira will have children living with him at 214 Lost Lake Drive. Mr. Black confirmed that no children will live with Mr. Scira and noted that Mr. Scira's children are grown adults.

A discussion ensued about potable water, water testing and Town regulations requiring residents to connect to Town water, if available.

A discussion ensued about the ceiling height violation (410.401) and the request for a variance.

**Susan Horowitz moved to accept the variance for ceiling height at 214 Lost Lake Drive.**

**Robert Fleischer seconded and the motion carried. 2:0**

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Mr. Black requested that a Certificate of Occupancy be issued on or before February 1, 2018, with a contingency to hook up to Town water within two years. Mr. Grossman said he would not enter into an agreement with Mr. Scira due to Mr. Scira's past track record.

A discussion ensued about water quality testing and a Title 5 inspection. Mr. Grossman recommended a water test and Title 5 inspection take place.

**Susan Horowitz moved to continue the Condemnation Hearing to December 18, 2017, to allow water quality testing results to be received and reviewed as well as a Title 5 inspection report to be received and reviewed prior to December 18, 2017.**

**25 WHITNEY POND ROAD – SDS VARIANCE REQUEST \***

Russ Wilson presented on behalf of Cyndi Dusek, and requested the following variances:

**Groton Board of Health Regulations:**

Sec. 315-5 – Distance of proposed leaching trenches to Whitney Pond Road, 35 feet is allowed, 22 feet is provided.

**Title V Sec. 15.211 Distances:**

Distance of proposed pump chamber to foundation 10' required, 5.3' is provided.

Mr. Fleischer asked Mr. Wilson to confirm the total number of bedrooms. Mr. Wilson said the home is a two-bedroom.

Mr. Fleischer asked Mr. Grossman if he had any objections to the design or variances. Mr. Grossman said he had no objections to the proposed plan and variances.

Abutter, Joe Bozek of 23 Whitney Pond Road, said he had concerns about logistics and accessing his home during construction of the new system. A discussion ensued about the concerns and Mr. Fleischer noted the BOH Standard Conditions.

Mr. Bozek noted storm water run-off issues. Mr. Wilson said the proposed plan was designed to solve the drainage issues.

Mr. Bozek said he was mostly concerned with the integrity of the stone wall and risks regarding the propane tanks during construction. A discussion ensued and Mr. Grossman said he had no concerns.

**Susan Horowitz moved to accept the variances as listed above subject to the BOH Standard Conditions below and on the condition that the force main line from the pump chamber around the stone wall be dug by hand.**

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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 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) 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.

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**Mr. Fleischer seconded and the motion carried 2.0**

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**20 THRONE HILL ROAD – PROPOSED EXPANSION DISCUSSION \***

Mark Cirignano was present and requested a deed restriction to allow an increase in living space to the home. Dr. Horowitz asked Mr. Grossman if he had any objections to the deed restriction. Mr. Grossman said he had no objections.

A brief discussion ensued about the use of grinder pumps and the size of the septic tank. Mr. Grossman recommended that Mr. Cirignano consult with an engineer. Mr. Fleischer said the deed restriction request seemed reasonable.

**Susan Horowitz moved to approve a four-bedroom deed restriction for 20 Throne Hill Road.**

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**Mr. Fleischer seconded and the motion carried. 2.0**

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**EMERGENCY PREPAREDNESS DRILL**

A brief discussion ensued and it was decided to continue the discussion to December, 2017.

**MINUTES**

**The Board reviewed the minutes dated November 6, 2017. Dr. Horowitz moved to accept the minutes as written.**

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**Mr. Fleischer seconded and the motion carried. 2.0.**

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The Board reviewed and signed permits.

Dr. Horowitz moved to extend the expiration date for the SDS permit for 450 Townsend Road until May 1, 2018.

**Mr. Fleischer seconded and the motion carried. 2:0.**

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

**Mr. Fleischer seconded and the motion carried. 2:0.**

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Respectfully submitted by Robin Eibye, Executive Assistant.

**APPROVED: DECEMBER 18, 2017**

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APPROVED