



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, December 18, 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.

214 LOST LAKE DRIVE – CONDEMNATION HEARING, CONTINUED *

Donald Black was present. It was confirmed that the water quality testing results and the Title 5 inspection report were received and reviewed. Mr. Black said the poor well results may be due to the fact that the well has "set stagnant for so long." Mr. Black said that all violations were addressed and the property was now in compliance.

Mr. Grossman said reinspection of the noted violations is necessary. Mr. Grossman said the SDS has not passed Title 5 and recommends that the property hook up to Town water per Groton's Regulations.

Jason Weber asked Mr. Black if Mr. Scira has any objections to hooking up to Town water. Mr. Black said that because there is an existing well and SDS on the property, he felt it wasn't necessary. Mr. Black said the Town has had their foot on Mr. Scira's throat and the Town is not being fair. Mr. Black said that Mr. Scira cannot afford to hook up to Town water as he does not have the means to do so. A discussion ensued.

Jason Weber moved to accept that the septic system is sufficiently protective at this time, and is deemed to be protective for no more than five years subject to the following conditions:

- 1. Receipt of a passing reinspection report by the Board to confirm the property is in full compliance**
- 2. Receipt of a passing standard water quality test by the Board**
- 3. Receipt of a passing standard water quality test by the Board in December of 2018 and each successive year**
- 4. Any future non-passing water quality test result must be addressed with the Board of Health, and may result in a requirement to immediately connect to town water**
- 5. In the event of property sale, or other transfer of ownership, the property must be connected to town water prior to closing**
- 6. The variance approval must be recorded at the Middlesex County Registry of Deeds**

(The Board made special note that the explicit intent of this motion is for Mr. Scira to connect to Town water within the next five years. Mr Black said he thought this was "fair.")

Susan Horowitz seconded and the motion carried. 3.0

Jason Weber moved to continue the Condemnation Hearing to the next BOH meeting on Monday, January 8, 2018, so that the reinspection of all violations can take place and the ceiling height variance can be recorded with the registry of deeds.

Susan Horowitz seconded and the motion carried. 3.0

6 BROWN LOAF ROAD – SDS VARIANCE REQUEST *

Robert Collins presented on behalf of Robert Kiley, Trustee and owner of the property situated at 6 Brown Loaf Road and requested the following variances:

Groton Board of Health Regulations:

Sec. 315-5 – Distance of proposed leaching area to Brown Loaf Road, 35 feet is allowed, 30.5 feet is provided.

Mr. Weber asked Mr. Grossman if he had any objections to the requested variance. Mr. Grossman said he had no objections. A brief discussion ensued.

Jason Weber moved to accept the variance as listed above.

Susan Horowitz seconded and the motion carried 3.0

Susan Horowitz moved to approve the Tobacco Permits without Board signatures. Dr. Horowitz acknowledged that the applicants submitted all required documents and met the requirements for said permits; therefore, the permits were issued without Board signatures.

Robert Fleischer seconded and the motion carried 3.0

149 WHITMAN ROAD

Scott Hayes was present on behalf of the homeowner. Mr. Hayes said a Title 5 was conducted approximately seven years ago and passed. He noted that the recent Title 5 inspection shows that further evaluation by the Board of Health was recommended. Mr. Hayes proposed that the well be retested as it may pass. Mr. Hayes said the system appears to be functioning properly.

The Board asked Mr. Grossman for his opinion. Mr. Grossman said the system is not one that is protective of public health and safety. Mr. Grossman recommended that the Board deem the system as failed, and propose a system modification.

Mr. Weber asked what would be the cost to modify the system. Mr. Grossman said if he had to guess it would be approximately \$7,000.

Jason Weber moved to continue the SDS discussion to the next meeting on Monday, January 8, 2018.

Susan Horowitz seconded and the motion carried 3.0

25 WHITNEY POND ROAD DISCUSSION

Ira Grossman said that during the septic installation, miscellaneous PVC pipes were discovered. Mr. Grossman said the pipes appear to come across the property line and is concerned that the SDS for 23 Whitney Pond may have been draining into these pipes and therefore into 25 Whitney Pond Road's septic system.

Mr. Grossman recommended that the Board invite the homeowners of 23 Whitney Pond Road to a Board meeting to discuss the situation.

It was agreed to invite the homeowners of 23 Whitney Pond Road to the Board meeting on Monday, February 5, 2018, to discuss their SDS system.

EMERGENCY PREPAREDNESS DRILL

A brief discussion ensued and it was agreed to host the meeting as soon as it is confirmed where the meeting should take place. Mr. Grossman will reach out to Groton's Emergency Planner, Jamie Terry for clarification.

UNCONNECTED SEWER DISCUSSION

Chairman Fleischer provided an update to the Board. A discussion ensued and it was decided that Mr. Weber will draft a second letter stating the Board's intent and send it to the Town Manager, Mark Haddad as well as the Selectmen/Selectwomen.

MINUTES

The Board reviewed the minutes dated November 20, 2017. Dr. Horowitz moved to accept the minutes as written.

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

The Board reviewed and signed permits.

Dr. Horowitz moved to adjourn the meeting at 8:40 p.m.

Mr. Weber seconded and the motion carried.

Respectfully submitted by Robin Eibye, Executive Assistant.

APPROVED: January 8, 2018

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