



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, March 5, 2018
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, Steve Babin, Brian Lagasse, Judy Anderson, Donald Black, Edward Odell,

Chairman Fleischer called the meeting to order at 7:05 p.m.

SENIOR CENTER BUILDING COMMITTEE

Michelle Collette, Senior Center Building Committee member was present along with Kathy Shelp, Senior Center Director to request Board of Health support of the proposed new Senior Center. Ms. Collette said the new 10,900 square foot facility will be located at 163 West Main Street.

Ms. Shelp said the new facility will accommodate a wide variety of services for seniors including fast growing pickleball.

Chairman Fleischer asked if the new center will require a septic system. Ms. Collette confirmed yes. Mr. Fleischer asked if the facility will be on Town water and Ms. Shelp replied yes.

Jason Weber moved that the BOH support the proposed senior center on principle without comment on the finances. Susan Horowitz seconded and the motion carried 3.0.

28 CHESTNUT HILL ROAD – SDS VARIANCE REQUEST

Neil Gorman presented on behalf of the owner of 28 Chestnut Hill Road and requested the following variances:

3151-3.K – Whenever a system must be pumped, the soil absorption system shall be pressure dosed. *Proposed: The proposed leaching system is a Presby Enviro-Septic leaching system which cannot be pressure dosed.*

315-6 – Leach beds and pits will be sized at 150% of Title 5 requirements. *Proposed: a 672 S.F. Presby Enviro-Septic Leaching System is provided which equates to the 150% of the Title 5 sizing requirements minus up to a 40% reduction per the DEP issued Remedial Use Approval.*

Mr. Weber asked Mr. Grossman if he had any objections to the requested variances. Mr. Grossman said the proposed system was a good solution and he had no objections.

Susan Horowitz moved to accept the variances as presented subject to the BOH Standard Conditions below:

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. **Sewage disposal system failure occurred on October 23, 2017.**
- 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

419 OLD AYER ROAD – PUBLIC HEARING

Judith Adams of 417 Old Ayer Road was present and inquired about the well location. A discussion ensued about the well location and wetlands.

Mr. Weber asked Mr. Grossman if he had any concerns to the requested well location and variance. Mr. Grossman said he had no concerns and no objections.

Jason Weber moved to accept the well variance subject to the BOH Standard Well Conditions. Susan Horowitz seconded and the motion carried 3.0.

A discussion ensued about the requested Title 5 Local Upgrade Approvals for 419 Old Ayer Road.

Jason Weber moved to continue the Title 5 Local Upgrade Approval discussion to the next Board of Health meeting on March 19, 2018. Susan Horowitz seconded and the motion carried 3.0.

23 WHITNEY POND ROAD – SDS Discussion

Property owners, Joe and Emily Bozek were present. Bryan Krol was present.

Ira Grossman said that when the new SDS for 25 Whitney Pond Road was installed, random pipes coming from 23 Whitney Pond Road were discovered. Mr. Grossman said the pipes still exist, however, they are no longer discharging waste water.

Emily Bozek confirmed that 23 Whitney Pond Road has a finished basement with a playroom, exercise room and office. Joe Bozek said the plumbing in the basement was permitted. Mr. Grossman said that he requested to inspect the property to confirm the nature of the rooms located in the basement, but did not get a response.

The property card was reviewed. Mr. and Mrs. Bozek confirmed that the home contains two kitchens and three full bathrooms. Two of the bathrooms are located on the main living floor and one is located in the finished basement.

Bryan Krol, previous owner of 25 Whitney Pond Road was present and said the pipes coming from 23 Whitney Pond Road most likely contributed to the failure of his Title 5 inspection. Mr. Krol asked that the Board require the owners of 23 Whitney Pond Road allow the said pipes to be inspected to determine where they lead to. Mr. Weber said the BOH had no jurisdiction to enforce such request. Mr. Weber then asked Mr. and Mrs. Bozek if they would object to the pipes being inspected. Mr. Bozek said Mr. Krol should have done so during the installation of his septic system.

Jason Weber asked Mr. Bozek if they are renting out any rooms. Mr. Bozek replied, no. A brief discussion ensued.

Ira Grossman recommended that the property owners of 23 Whitney Pond Road contact the Assessor's office to rectify the room count discrepancy on file. Mr. and Mrs. Bozek agreed they would contact the Assessor's office to update their files.

214 LOST LAKE DRIVE – CONDEMNATION HEARING, Continued

Donald Black was present. Mr. Grossman provided an update to the Board, and said his inspection was completed.

Dr. Horowitz moved to authorize Ira Grossman to issue a letter allowing occupancy pending recording of the ceiling height variance notice.

Jason Weber seconded and the motion carried 3:0.

30 Throne Hill Road – Deed Restriction

A discussion ensued about the deed restriction request for 30 Throne Hill Road. Ira Grossman said he had no objections to granting the restriction.

Dr. Horowitz moved to approve the Deed Restriction request from 30 Throne Hill Road. Jason Weber seconded and the motion carried 3:0.

E-CIGARETTES AND VAPING – Use on School Grounds Discussion – Continued.

A brief discussion ensued about the Town of Westford's "No Smoking" regulations.

MINUTES

The Board reviewed the minutes dated February 5, 2018. Mr. Weber moved to accept the minutes as written.

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

The Board reviewed and signed permits.

Dr. Horowitz moved to adjourn the meeting at 8:55 p.m.

Mr. Weber seconded and the motion carried.

Respectfully submitted by Robin Eibye, Executive Assistant.

APPROVED: MARCH 19, 2018
