



**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 19, 2018  
Time: 7:00 PM  
Location: 2<sup>nd</sup> 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; Anne Cole, Tanner Cole,

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

#### **TOWNSEND ROAD – PROPOSED 40B PROJECT DISCUSSION**

Stan Dillis said there are six proposed lots on a Town road. A discussion ensued about one facility with an overall master association.

Jason Weber suggested that a trust be established. Mr. Grossman said he thinks the proposed 40B is a great idea.

#### **42 COMMON STREET – SDS VARIANCE REQUEST**

Stan Dillis of Ducharme and Dillis presented on behalf of Thekla Alcocer, owner of 42 Common Street and requested the following variances:

315-3-Design Requirements: H: At least 5-feet of naturally occurring materials must be in place over ledge, fill shall not be used to meet this requirement.

15.240(1): On-site SDS's shall be located in an area where there is at least a four-foot depth of naturally occurring pervious soil the entire area of the SAS area unless a variance is issued in accordance with the provisions of 310 CMR 15.415(2).

15.405(1)(j): Reduction of the 12" separation requirement between the inlet/outlet tees and ESHWT, provided that all boots or pipe joints are sealed with hydraulic cement and the tank is proven watertight.

15.405(1)(h): The approving authority may reduce the required 5-foot separation to a four-foot separation.

It was confirmed that the home is a 4-bedroom home. Mr. Weber asked Mr. Grossman if he had any objections to the requested variances. Mr. Grossman said the proposed system was the best fit and he had no objections.

Abutter, Jack Feeney of 62 Common Street said there is a pond that is very close to the property line and he was concerned with the water flow and possible contamination.

Mr. Grossman assured Mr. Feeney that the new system was an improvement.

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

**Groton Board of Health Standard Conditions:**

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- 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 May 30, 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**

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**419 OLD AYER ROAD – Title 5 Local Upgrade Approval Discussion**

Continued to April 2, 2018, at the request of Bob Collins.

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## **149 WHITMAN ROAD – SDS & Well Discussion**

Continued to April 2, 2018, at the request of Scott Hayes.

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## **69 BOATHOUSE ROAD – COC DISCUSSION**

Mr. Grossman provided an update and said the Certificate of Compliance is on hold until the abutters provide water quality testing results per the conditions in the variance notice. A discussion ensued and it was agreed that water quality tests were required as part of the variance to establish a baseline. A discussion ensued about the attempts made to resolve the issue.

Mr. Weber suggested that the potential buyer be invited to a BOH meeting so that the Board has the opportunity to inform the potential buyer to be aware that the SDS is within 100 ft. of a well, the conditions set in the variance notice and how they could possibly affect a future Title 5 as failing.

The Board agreed to meet again next Monday, March 26, 2018, to allow the potential buyers to come in so that the Board can inform them of the issues with a SDS is within 100 ft. of a well. It was agreed that if water samples are received, a meeting is not necessary.

## **MINUTES**

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

**Dr. Horowitz seconded and the motion carried. 3:0**

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The Board reviewed and signed permits.

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

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

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Respectfully submitted by Robin Eibye, Executive Assistant.

**APPROVED: June 4, 2018**

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