



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, April 2, 2018
Time: 7:00 PM
Location: 2nd Floor Meeting Room, Town Hall, Groton
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member
Absent: Jason Weber, Member;
Others Present: Ira Grossman, Nashoba Associated Board of Health Agent; Robin Eibye, Executive Assistant

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

65 GAY ROAD – SDS VARIANCE REQUEST

Kevin Ritchie of Civil Solutions presented and requested the following variances:

- 1) A variance is hereby requested from Groton Board of Health Regulation 315-1.B to allow an upgrade design in a class I soil with observation holes conducted out of season.
- 2) A variance is hereby requested from Groton Board of Health Regulation 315-5.A to allow placement of a sewage disposal system 54 feet from a wetland rather than the requisite 100 feet.
- 3) A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road line from 35 feet to 22 feet.
- 4) A variance is hereby requested from Groton Board of Health Regulation 315-6 to allow the design of a leaching bed with less than 150% of Title V requirements.

Abutters were present and said the variances would not be needed if the Town addressed the beaver problem years ago. Dr. Horowitz said the beaver issue should be addressed with the Conservation Commission. A discussion ensued about wetlands.

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

- 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 system disposal failed on April 28, 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 3-bedroom house is to remain a 3-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. Fleischer seconded and the motion carried 2.0 (Jason Weber, absent)

85 WEST MAIN STREET – SDS VARIANCE REQUEST

Kevin Ritchie of Civil Solutions presented and requested the following variances:

- 1) 315-1.B to allow an upgrade design in a class I soil with observation holes conducted out of season.
- 2) 315-1.E to reduce the requisite offset to groundwater from 5 feet to 3 feet with the use of the Presby Enviro-Septic Wastewater Treatment system.
- 3) 315-5.F to reduce the requisite offset from a leaching area to a property line from 20 feet to 15 feet.
- 4) 315-1.H to allow less than 5 feet of naturally occurring pervious material below the leaching facility with the use of the Presby Enviro-Septic Wastewater Treatment system.
- 5) 315-5.I to allow the use of a poly liner to meet breakout grading slope requirements.
- 6) 315-6 to allow the design of a leaching bed with less than 150% of Title V requirements.

Mr. Fleischer asked Ira Grossman if he had any objections to the proposed system. Mr. Grossman said he had no objections. A brief discussion ensued.

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

- 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. Notice of Board of Health Decision #2018-04 expires on September 22, 2019.
- 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 3-bedroom house is to remain a 3-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. Fleischer seconded and the motion carried 2.0 (Jason Weber, absent)

419 OLD AYER ROAD – SDS VARIANCE REQUEST

Jack Maloney of Ducharme & Dillis was present and requested the following variances for Title 5 Local Upgrade Approvals:

1. 15.405(1)(B): An increase in the maximum allowable depth of system components from 36"-72" below finished grade, provided adequate access and venting are provided and H2O loading required.
2. 15.405(1)(J): Reduction of the 12" separation between the inlet/outlet tees and E.S.H.W.T.

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

- 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. Fleischer seconded and the motion carried 2.0 (Jason Weber, absent)

149 WHITMAN ROAD – SDS & Well Discussion

Scott Hayes was present and he said the well was tested by Skillings and Sons, and the results of the test confirmed a new well was required. Mr. Hayes said he disagreed that the SDS is in failure and asked for clarification on the SDS issue. A discussion ensued about system failure criteria. Mr. Grossman said the age of the system and size of the septic tank are problematic.

Mr. Hayes said he would apply for a well permit to begin the process of having a new well installed.

69 BOATHOUSE ROAD – COC DISCUSSION

Ann Cole was present and Mr. Grossman confirmed that the two water samples were received. The Certificate of Compliance was issued.

338 COW POND BROOK ROAD – DEED RESTRICTION DISCUSSION

Homeowner, Frederick Merk was present and requested a deed restriction. A brief discussion ensued.

Dr. Horowitz moved to accept the deed restriction for 338 Cow Pond Brook Road as a 4-bedroom home.

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

The Board reviewed and signed permits.

Dr. Horowitz moved to adjourn the meeting at 8:25 p.m.

Mr. Fleischer seconded and the motion carried.

Respectfully submitted by Robin Eibye, Executive Assistant.

APPROVED: June 4, 2018
