



**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, June 4, 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

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

#### **25 CARDINAL LANE – DEED RESTRICTION DISCUSSION**

Robin and Gabriel Weatherhead were present and provided a packet to the Board for review (see attached). It was confirmed that the home has a five-bedroom septic design.

Jason Weber joined the meeting at 7:12 p.m.

A discussion ensued about the proposal of two additional rooms in the basement and the total room count for the home. Ira Grossman said according to his calculations, the home has a total of 12 rooms. Mr. and Mrs. Weatherhead disagreed and said the kitchen/living room is one large room and so the home has 11 rooms in total. A discussion ensued about room count and the Board discussed a possible deed restriction. Mr. and Mrs. Weatherhead said they were opposed to a deed restriction because the room count meets the regulations and they should not have to pay the \$75.00 fee at the Registry of Deeds.

**Jason Weber moved to accept there is no need for a deed restriction for 25 Cardinal Lane. Mr. Fleischer seconded and the motion carried. 2:1 (Susan Horowitz, opposed)**

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#### **39 OFF PRESCOTT ST – SDS Variance Request**

Jack Maloney of Ducharme & Dillis Civil Design Group presented and requested the following variances:

- 1) A variance is hereby requested from Groton Board of Health Regulation 315-1(b): Deep observation holes for the determination of groundwater elevations may be performed during the months of March and April.

- 2) A variance is hereby requested from Groton Board of Health Regulation 315-3(g): The proposed expansion area must be accessible by gravity flow or in the same manner that the primary area is designed and/or installed.

A brief discussion ensued about accessible by gravity flow. Mr. Grossman said he had no objections to the proposed plan.

**Jason Weber moved to accept the variances as presented subject to the following BOH 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. Notice of Board of Health Decision #2018-06 expires on June 4, 2021.
- 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 approved for a 3-bedroom house with the expansion plans to be 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.

**Susan Horowitz seconded and the motion carried 3:0**

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**331 WHILEY ROAD – DISCUSSION**

Dan Wolfe presented on behalf of owner, Tiago Araujo. Mr. Wolfe said the new SDS was installed in addition to a new well. Mr. Wolfe reviewed the proposed house plans with the Board. Jason Weber asked Mr. Grossman if he had any objections to the proposed building. Mr. Grossman said he had no objections.

**Jason Weber moved that the proposed building plan for 331 Whiley Road had been reviewed and approved by the Board and that it fulfills the Board's requirements.**

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

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**33 RIDGEWOOD DRIVE** – Variance Hearing rescheduled to June 18, 2018

**166 JENKINS ROAD** – Shallow Well Construction Review and Approval

Mr. Grossman provided a brief overview and said he had no objections to the approval of a replacement shallow irrigation well. A discussion ensued about agricultural use.

**Jason Weber moved to approve the use of a shallow well for agricultural use.**

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

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#### **MINUTES**

**The Board reviewed the minutes dated March 19, 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 the minutes dated March 26, 2018. Susan Horowitz moved to accept the minutes as amended.**

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

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**The Board reviewed the minutes dated April 2, 2018. Susan Horowitz moved to accept the minutes as amended.**

**Mr. Fleischer seconded and the motion carried. 2:1 (Jason Weber, abstained)**

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**The Board reviewed the minutes dated May 21, 2018. Mr. Weber moved to accept the minutes as written.**

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

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#### **149 WHITMAN ROAD – WELL VARIANCE HEARING**

Scott P. Hayes, PE of Foresite Engineering presented and requested the following well variance:

- 1) A variance is hereby requested from Groton Board of Health Regulation 330-6 C. (Distances) is hereby request for siting the new well not closer than 20-ft from the side lot line and not closer than 20-ft from the street sideline of Whitman Road

(approximately 30-ft off the edge of pavement) due to site constraints due to the lack of an area on the site that meets the 50-ft property line and street sideline setback and the 100-ft to sewage disposal leaching setback requirements

A brief discussion ensued and Mr. Grossman said he had no objections to the proposal.

**Jason Weber moved to accept the well variance for the proposed well location as presented subject to the following BOH Standard Well 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, Highway Surveyor, Planning Board, Stormwater Advisory Committee, and Zoning Board of Appeals.
3. It is the applicant's responsibility to ensure that the contents of this permit are made known to all contractors who perform work at this site.
4. It is the applicant's responsibility to contact Dig Safe prior to the commencement of any work at the site.
5. The applicant will notify the Board of Health at least 48 hours prior to the commencement of construction. Additionally, the applicant will provide the Board of Health office with emergency contact information for all site contractors.
6. This permit runs with the land and applies to any successor in interest or successor in control.

**Susan Horowitz seconded and the motion carried 3:0**

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**GROTON FLOATS – SPECIALTY POOL VARIANCE REQUEST**

Patty Saint Hilaire was presented and requested a variance that would not require the pod to be drained every 14 days. Ms. Saint Hilaire said the manufacturer recommendations state that the pod should be drained twice a year. It was confirmed that Groton Floats is on Town sewer. Mr. Grossman read the Special Purpose Pool regulations to the Board and a brief discussion ensued. Ms. Saint Hilaire said that hydrogen peroxide was used to disinfect the Pod and the tank is filtered after each client's use. A discussion ensued and the Board said they needed more information to proceed. Mr. Grossman agreed to research the topic and provide information to the Board. It was agreed to continue the discussion to June 18, 2018.

**Jason Weber moved to continue the matter to June 18, 2018, for the purpose of gathering additional information.**

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

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The Board reviewed and signed permits.

The Board reviewed and signed invoices.

**Dr. Horowitz moved to adjourn the meeting at 9:05 p.m.**

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

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Respectfully submitted by Robin Eibye, Executive Assistant.

**APPROVED: June 18, 2018**

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APPROVED