



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, August 20, 2018
Time: 7:00 PM
Location: Lunch Room, Town Hall, Groton
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member
Absent: Jason Weber, Member; Ira Grossman, Nashoba Associated Board of Health Agent
Others Present: Kirk Fitzpatrick, Jack Maloney, Sammie Kul

74 WEST MAIN ST – SDS Variance Request

Kirk Fitzpatrick of Civil Solutions Inc. presented and requested the following variances:

1. A variance is hereby requested from Groton Board of Health Regulation 315-1.E to reduce the requisite offset to groundwater from 5 feet to 4 feet with the use of the Presby Enviro-Septic Wastewater Treatment system.
2. A variance is hereby requested from Groton Board of Health Regulation 315-5.G to reduce the requisite offset from a leaching area to a property line from 20 feet to 13 feet.
3. A variance is hereby requested from Groton board of health regulation 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.
4. A variance is hereby requested from Groton Board of Health Regulation 315-5.I to allow the use of a poly liner to meet breakout grading slope requirements.
5. 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.
6. A variance is hereby requested from Groton Board of Health Regulation 315-5.A to allow placement of a sewage disposal system 57 feet from a wetland rather than the requisite 100 feet.
7. Approval is sought under 310 CMR 15.405(1)(I) to allow the use of a sieve analysis where a percolation test could not be performed due to groundwater interference.

8. A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a leaching area to a road line from 35 feet to 28 feet.

Ira Grossman has no objections to the proposed upgrade. The system has been in failure for a while with the effluent occasionally discharging to the ground in the driveway therefore Mr. Grossman recommended that the upgrade begin and be completed as soon as possible.

Susan Horowitz moved to accept the variances as presented subject to the following BOH 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. Notice of Board of Health Decision #2018-08 expires on July 23, 2020.
- 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.

Chairman Robert Fleischer seconded and the motion carried 2:0

The Board reviewed and signed permits.

MINUTES

The Board reviewed the minutes dated August 6, 2018. Chairman Fleischer moved to accept the minutes as written.

Dr. Horowitz seconded and the motion carried. 2:0

40 REDSKIN TRAIL – 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 shall be performed during the months of March and April. (Provided: December 1997).
- 2) A variance is hereby requested from Groton Board of Health Regulation 315-5 (f): A Minimum of 35' must be available between the edge of any street line and the perimeter of the Proposed Leach Area. (Provided= 19.5')
- 3) A variance is hereby requested from Groton Board of Health Regulation 315-5 (g): A Minimum of 20' shall be available between any property line and the perimeter of the Proposed Leach Area. (Provided= 14.6')

Chairman Fleischer reviewed Mr. Grossman's comments with Mr. Maloney. Mr. Grossman has no objections to the proposed plan and advised that If the material is to be reburied on-site it should not be near the pond or the abutting wells nor should it be into the water table. Mr. Maloney confirmed that nothing will be retained onsite and that the amount of material will be minimal. Due to this being a two-bedroom house a deed restriction is required.

Susan Horowitz moved to accept the variances as presented subject to the following BOH 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. Notice of Board of Health Decision #2018-09 expires on August 6, 2020.
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 to remain a 2-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.

Chairman Robert Fleischer seconded and the motion carried 2:0

Susan Horowitz made a second motion to acknowledge that a 2-bedroom deed restriction is required. Chairman Robert Fleischer seconded and the motion carried 2:0

Chairman Fleischer moved to adjourn the meeting at 7:30 p.m.

Dr. Horowitz seconded and the motion carried 2:0

Minutes by Sammie Kul.

APPROVED: November 5, 2018

APPROVED