



**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, January 7, 2019  
Time: 7:00 PM  
Location: 1<sup>st</sup> Floor Meeting Room, Town Hall, 173 Main St.  
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member; Jason Weber, Member; Ira Grossman, Nashoba Associated Board of Health Agent  
Others Present: Sammie Kul; Justin Connaughton; Jeff Hannaford

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

**261 PEPPERELL ROAD - SDS Variance Request**

Justin Connaughton from Grady Consulting presented on behalf of Steven L. Piso and requested the following variances:

1. Sec.315-1(B) – Use of a deep hole in a month other than March and April with a perc test less than five minutes/inch with Class I soil.
2. Sec.315-5(E) – Reduction in horizontal distance between ledge and the exterior perimeter of the leach area from the required 25-ft to 18-ft.
3. Sec.315-5(I) – Use of a poly barrier to adjust the side slope requirement and offset.

Ira Grossman has no objections to the proposed upgrade. The site is difficult as the contour lines are in close proximity of each other and the side slope is not suitable however they were able to locate some good soil holes.

**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) For Failed Systems:  
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 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 the Notice of Board of Health 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.

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

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**17-19 WEST MAIN STREET - Request for an Extension of Board of Health Variances**

Jeff Hannaford of NDS, Inc. was present.

The Board of Health Notice of Variance approval previously issued on October 2, 2017 expired on February 18, 2018.

Mr. Hannaford informed us there have been no changes since then and the house is not ready for occupancy.

Mr. Hannaford is requesting a new expiration date and has already received approval from the Conservation Commission.

Ira Grossman informed the Board members that the system failed around three years ago.

**Jason Weber moved to grant request with a date of December 18, 2020 and the same provisions as the original approval.**

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

Mr. Grossman informed Mr. Hannaford that the Board of Health will need a new recording as the one currently on file is incorrect. Mr. Hannaford will speak to his client about submitting a new recording before the permit may be released.

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**NEW / OLD BUSINESS**

The Board reviewed the meeting minutes dated December 17, 2018.

**Dr. Susan Horowitz moved to accept the minutes. Chairman Fleischer seconded and the motion carried with Jason Weber abstaining.**

Ira Grossman informed the Board members that today's meeting is part of our "assembly" step. Brief discussion ensued regarding the Emergency Dispensing Site drill process.

Board members discussed the topic of vaping and current sales regulations. Brief discussion ensued regarding steps that can be taken to prevent vaping activity in the Town of Groton. Board will reach out to the Superintendent of Schools and Police Chief and invite them to have a discussion.

The Board reviewed and signed permits.

**Jason Weber moved to recognize tobacco permits as technically complete, while noting that the Board of Health discourages the use of tobacco products and vaping.**

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

Jason Weber has not heard back from Michael Moore at the MA Department of Public Health in response to 401 Nashua Road and will follow up. The Board will forward a copy of the letter mailed to Mr. Karim Zadaki from the MA Department of Environmental Protection to the neighbors.

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**Chairman Fleischer moved to adjourn the meeting at 7:52pm. Jason Weber seconded and the motion carried 3:0**

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Minutes by Sammie Kul.

**APPROVED: February 4, 2019**

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