



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: Tuesday, May 7, 2019
Time: 7:00 PM
Location: 1st Floor Meeting Room, Groton Electric Light Department, 23 Station Ave.
Members Present: Robert Fleischer, Chairman; Dr. Susan Horowitz, Member; Ira Grossman, Nashoba Associated Board of Health Agent
Members Absent: Jason Weber, Member
Others Present: Sammie Kul; Please see Sign-In Sheet

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

17 BIXBY HILL – Discussion of Noncompliance and Failure of SDS

Homeowner Charlene Robinson and daughter Heather Robinson were present. Ira Grossman provided brief overview to Board members. Ms. Robinson informed us that the septic system was pumped on April 16th of this year. The soil testing application was submitted and now waiting on scheduled date to do the testing. Brief discussion ensued.

Mr. Grossman said that the system has been observed with effluent discharging to the ground surface and needs to be corrected. He will work with homeowners to research what type of assistance programs are available to help with the costs if that becomes an issue.

Board members signed and reviewed permits.

102 PEPPERELL ROAD – Septic Variance Request

Jason Boyd, son of homeowner William Boyd was present on behalf of his father and the design firm, Soilsmith Designs to request the following variances:

Groton Board of Health Variances Requested:

- 1) Groton Regulation 315-1-B, Groundwater Determination shall be made during the months of March and April. Requesting a variance to BOH regulation as deep soil tests were conducted in the month of December.
- 2) Groton Regulation 315-1-E, A reduction in the 5' separation between the bottom of the leaching facility and high groundwater with a reported per rate of 1 min per inch. A 48" separation is requested, resulting in a 12" reduction.

State Title 5 local upgrade Approvals requested:

- 1) 310CMR15.405(1)(h) Requesting a local upgrade approval for the requirement of a 5' separation between the bottom of the soil absorption system and high groundwater (Class 1 soil with .74 loading factor), Requesting a 1' reduction resulting in the bed bottom of the soil absorption system being 4' above high groundwater.

Ira Grossman shared soil testing results with the Board members. Mr. Grossman has no objections to the proposed plan and variance request.

Dr. Susan Horowitz moved to accept the variances as presented for 102 Pepperell Road 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) 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.

Robert Fleischer seconded and the motion carried 2:0

214 LOST LAKE DRIVE – Discussion of Water Quality Exceedance

Don Black was present and representing property owner John Scira.

Ira Grossman provided brief overview to Board members. The Board previously requested that a water test be submitted annually and that during Year 5 the homeowner should be prepared to connect his property to Town water.

A water test for the first year was completed and the total Nitrogen levels exceeded the 5 mg/L concentration allowed for a subsurface sewage disposal system to be considered as a passing system per Title 5.

Brief discussion ensued regarding test results and options for next steps.

Dr. Susan Horowitz moved that another water test is required to be completed in six months and applicant will follow up with the test results for discussion at the first meeting in November of this year.

Dr. Susan Horowitz amended the motion to specify the level of testing required for the water test to be the Title 5 required minimum for a well and septic system less than 100 feet apart.

Robert Fleischer seconded and the motion carried 2:0

Mr. Grossman will send follow up letter which will include the date and specifics of water test requirements and copy Mr. Black on any correspondence.

MEETING MINUTES

The Board reviewed the meeting minutes dated April 1, 2019.

Dr. Susan Horowitz moved to accept the minutes. Robert Fleischer seconded and the motion carried.

NEW / OLD BUSINESS

GROTON COMMUNITY SCHOOL – Review of Sewer Tie In vs. Waiver

Ira Grossman has not received anything from the Groton Community School which had proposed to do an expansion previously.

Although they have met requirements since appearing before the Board members last winter Mr. Grossman is uncertain of where they currently are in the process in relation to plans for doing the expansion which would require the connection to the sewer system.

Mr. Grossman will reach out to the Groton Community School for an update.

401 NASHUA ROAD – Decision Document

Brief discussion ensued regarding current draft of the decision document and where it is in the process.

The finalization of the draft document will be added to the next Board of Health agenda on May 20th, 2019 and the Board will vote thereafter on the final document at their meeting on June 3rd, 2019.

80 COMMON STREET – Septic Variance Request

Stephen Sears from David E. Ross Associates, property owner John Lackey and real estate agent Jenepher Spencer were present.

Mr. Sears presented on behalf of Mr. Lackey and requested the following variances:

Groton Board of Health Variances Requested:

Reg. 315-1. E

A minimum of five feet of pervious material between the bottom of the leaching facility and groundwater and/or impervious layer. (four-foot groundwater offset shown).

Reg. 315-3. H.

Five feet of naturally occurring materials must be in place over ledge. (less than five feet of naturally occurring material was found).

Reg. 315-3. K.

When a system must be pumped, the soil absorption system shall be pressure dosed. (a Presby System has been designed due to the limited area available and to ensure better treatment and protect groundwater).

Title 5 Variance Requested:

310 CMR, 15.240 (1) On-site subsurface sewage disposal system shall be located in an area where there is at least a four-foot depth of naturally occurring pervious soil below the entire area of the soil absorption area unless a variance is issued in accordance with the provisions of 310 CMR, 15.415 (2).

Brief discussion ensued. Ira Grossman has no objections.

Dr. 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) 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 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 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.

Robert Fleischer seconded and the motion carried 2:0

An abutter from 37 Longley Road was present and asked if there would be any impacts to his property.

Mr. Sears replied that this would not affect them as the abutter's septic system is approximately 100ft apart in distance from Mr. Lackey's septic system.

Dr. Susan Horowitz moved to adjourn the meeting at 7:59 pm. Robert Fleischer seconded and the motion carried.

Minutes by Sammie Kul.

APPROVED: May 20, 2019



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BOARD OF HEALTH
Robert J. Fleischer, Chairman
Susan Horowitz, Member
Jason Weber, Member

SIGN IN SHEET - BOH Meeting - May 7, 2019

PRINT FIRST AND LAST NAME

PRINT ADDRESS

Charlene Robinson

17 Bixby Hill Rd

Hleather Robinson

17 Bixby Hill Rd

Jason Bayd

102 Peppercell Rd West Groton

Stephen SEARS

DAVID E. ROSS ASSOC. INC.

John Lackey

80 Common St.

Joseph Spencan

54 Champney St

Andrew Lautenschlager

33 Longley Rd

David Mac Innis

37 Longley Road