

**TOWN OF GROTON**

Board of Health

173 Main Street

Groton, MA 01450

**BOARD OF HEALTH**

Jason Weber, Chairman

Susan Horowitz, Member

Robert J. Fleischer, Member

Date: Monday, May 18th, 2020

Time: 7:00 PM

Location: Virtual Meeting via Zoom

Members Present: Jason Weber, Chairman; Dr. Susan Horowitz, Member; Robert J. Fleischer, Member; Ira Grossman, Nashoba Associated Board of Health Agent

Others Present: Daniel B. Wolfe of David E. Ross Associates, Inc.; Sanford Leavenworth; George Dimakarakos of Stamski and McNary, Inc.; Bruce Wheeler of Academy Hill; Russell Arena; Stephen Gentile; Mahender Singh

Jason Weber called the meeting to order at 7:06 p.m.

**50 AND 52 ISLAND ROAD – SEPTIC DESIGN SYSTEM VARIANCE REQUEST**

Daniel B. Wolfe of David E. Ross Associates, Inc. presented on behalf of their client and property owner Mr. Sanford Leavenworth and requested the following variances for 50 and 52 Island Road:

**Local Upgrade Approvals Required:**

15.405(1)(a) – Reduction of System location setbacks from property lines:

An offset of zero (0) feet is provided between septic tank A and the property line.

An offset of three (3) feet is provided between the pump chamber and the property line.

15.405(1)(f) – Reduction of system location setback from surface waters from fifty (50) feet to twenty-seven (27) feet.

15.405(1)(j) – Reduction of the requirement of a twelve (12) inch separation between the inlet and the outlet tees and high groundwater.

**Groton Board of Health Subsurface Sewage Disposal Regulations:**

315-1.B – Deep observation holes for the determination of groundwater elevations may be performed during the months of March and April. Proposed: Deep observation test holes were performed in November.

315-3.K – Whenever a system must be pumped, the soil absorption system shall be pressure dosed. Proposed: The proposed soil absorption system is the Presby Enviro-Septic Leaching system, which cannot be pressure dosed.

315-3.L - No component of a sewage disposal system shall be located under any portion of a public or private road right-of-way. Proposed: The sewer line, septic tank A, and the pump chamber are under the right-of-way.

315-5.A – Leaching facilities must be located at least 100 feet from any wetland, watercourse, wetland vegetation, seasonal streams and drainage ditches. Proposed: An offset of twenty-seven (27) feet is provided.

315-5.F – A minimum of 35 feet must be available between any street, passageway or road line and entire exterior perimeter of any proposed leaching areas. Proposed: An offset of 10.5 feet is provided.

315-6 - Leach beds and Pits will be sized at 150% of Title 5 requirements. Proposed: We have designed this system at 150% of the Presby approved sizing requirements.

**Groton Board of Health Well Regulations:**

330-6(C) Well Location Distances:

Well shall be offset 100 feet from any type of water/wetland. Proposed: An offset of twenty-eight (28) feet is provided.

Well shall be offset 50 feet from a public or private way, common drive, roadway, easement or parking lot. Proposed: An offset of one (1) foot is provided from a common driveway / private way.

Well shall be offset 50 feet from a property line. Proposed: An offset of one (1) foot is provided.

Well shall be offset 100 feet from a sewer line. Proposed: An offset of fifty-nine (59) feet is provided.

330-6(D) - A water supply line shall be located a minimum of 25 feet from a building sewer, 50 feet from a septic tank, and 100 feet from a leaching field. Proposed: We have proposed a new water supply line to be no closer than 10 feet from a sewer line, 10 feet from a septic tank, and 48 feet from a leaching field.

Presby Enviro-Septic Approval: This upgrade proposes to incorporate the use of the Presby Enviro-Septic pipe, which has been shown to provide equal, if not improved, environmental protection over Title 5. This system is proposed with a full five-foot groundwater offset and is sized 150% in excess of the DEP approval for this alternative technology.

Mr. Wolfe provided an overview of proposed plans. The two properties at this location share a septic system that is currently in a state of failure.

Ira Grossman asked Mr. Wolfe why an innovative alternative system was not considered for these two properties as discussed. Mr. Grossman said that the use of an innovative alternative system would produce a cleaner effluent. Mr. Wolfe replied that this recommendation was made after the plans had already been brought forward.

Mr. Grossman also pointed out that there should be two separate replacement wells, one to serve each property. The proposed plans currently only show one replacement well. Brief discussion ensued regarding how to correct this. One option was to add this as a separate variance to the current request and resubmit. Mr. Wolfe emphasized that this matter was time sensitive as they were meeting with the Conservation Committee on Tuesday and were in the process of drafting the legal documentation for the shared system.

Jason Weber proposed that Mr. Wolfe and the property owner discuss this matter further with Mr. Grossman to ensure all required variances were properly included. The Board will schedule an emergency Board of Health meeting on Thursday of this week to review the updated variance request and continue this discussion then.

**LOT # 4, CHERRY TREE LANE – SEPTIC DESIGN SYSTEM VARIANCE REQUEST FOLLOW UP**

George Dimakarakos of Stamski and McNary, Inc. and their client Bruce Wheeler from Academy Hill were present. As follow up to their last meeting with the Board Mr. Dimakarakos submitted a revised proposal for Lot # 4 on Cherry Tree Lane to Ira Grossman for review.

Mr. Dimakarakos provided a brief overview of the updated waivers being requested and the revised plans. Mr. Grossman has not had a chance to review the updated plan. Mr. Dimakarakos mentioned that they were no longer proposing to put the reserve between the primary which he felt was a significant improvement.

Brief discussion ensued regarding the revisions still being proposed for a 4 bedroom vs. 3 bedroom and other changes to take into consideration.

Mr. Grossman’s initial thoughts is that he does not have any objections to the property line offsets and can complete a full review of the revised plans should the Board decide to vote on this request as a 4 bedroom home as currently being presented.

Jason Weber asked if the use of trenches were the only option available. Mr. Dimakarakos went through a couple of different scenarios but these alternative options would not comply with the local regulations, which Mr. Grossman confirmed.

The Board noted that this was an uncommon situation as typically the Board does not grant variances for new construction. Chair Weber observed that this decision was unique to this particular set historical circumstances and should not be considered a precedent in any way.

Robert Fleischer was inclined to grant the requested waivers because the issues seemed minor and the revised plan seemed to protect the public health.

Dr. Susan Horowitz was experiencing technical difficulty with her audio during the meeting and was not able to participate in the discussion. Therefore, Jason Weber proposed to continue this at Thursday’s Emergency Board of Health meeting to allow Dr. Horowitz an opportunity to provide any comments.

**99 SHIRDI WAY (NESSP TEMPLE) – NOISE DISCUSSION FOLLOW UP**

Abutting neighbors to the Temple who reside in Littleton were present along with the owner of the Temple and his contractor.

Brief discussion ensued regarding research done by each party and findings related to different solution options available and the estimated costs associated with each of them.

The Temple’s contractor provided an overview of each product and estimates of any relevant operational costs.

Repointing the exhaust would likely cost less than $2,500. A muffler (to reduce nose levels) could run anywhere between $10,000 to $12,000. Lastly, a scrubber (to reduce exhaust odor) could cost anywhere between $40,000 to $50,000.

The Board determined that the next step in this process would be to ask each individual to do some research and generate a list of how they may be able to finance this, whether it be through a grant, bond or loan etc. A representative from each party should plan to share their findings at the next Board of Health meeting in a couple of weeks.

The Board thanks all parties involved for their engagement, relevant questions, and assumption of good intent by all participants.

**28 SKINNER LANE – DISCUSS BOH REQUIREMENTS AT TIME OF SALE**

Ira Grossman provided a brief overview. The property at 28 Skinner Lane was purchased, renovated, and is now up for resale. The property owner was made aware that there were no permits on file to support the claim within the Title 5 Report that the leaching area was replaced back in the 2000’s. Also, there was no water quality test done for the Title 5 inspection or at the time of sale. The property owner was directed to contact the Groton Water Department to submit an application to connect to Town Water. Per the Town’s regulations connection is required if Town Water is available within 500 ft.

The contractor has been in contact with the Groton Water Department and stated that he will be moving forward with the necessary requirements.

Ira Grossman will follow up with any updates but no action is required by the Board at this time.

**Robert Fleischer moved to adjourn the meeting at 8:34 p.m. Jason Weber seconded and the motion carried with Dr. Susan Horowitz abstaining.**

Minutes by Sammie Kul.

**APPROVED: June 1, 2020**