

**TOWN OF GROTON**

Board of Health

173 Main Street

Groton, MA 01450

**BOARD OF HEALTH**

Jason Weber, Chairman

Robert J. Fleischer, Member

Michelle Collette, Member

Date: Monday, December 7th, 2020

Time: 7:00 PM

Location: Virtual Meeting via Zoom

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

Others Present: Susan and David Perrin; Robert Grove, Colburn & Grove Custom Construction; Jack Maloney, Dillis & Roy Civil Design Group, Inc.; Darcy Schultz

Jason Weber called the meeting to order at 7:01 p.m.

**250 LONGLEY ROAD – Well Variance Request**

Robert Grove of Colburn & Grove Custom Construction presented on behalf of his clients, Ms. Susan Perrin and Mr. David Perrin and requested the following variances for 250 Longley Road:

The following outlines construction details for a screened-in porch project at 250 Longley Road. The project in question will be performed pending a variance for construction in the vicinity of the property’s wellhead.

Overview:

The current Board of Health code requires ten (10) feet of clearance on all sides of the wellhead. Our proposal is for a variance to be granted allowing two (2) feet of clearance between the wellhead and the outermost wall of the screened-in porch. The position of the porch with a two (2) foot clearance will not impede the ability to service or access the wellhead. Adding the screened-in porch would not obstruct the current access-way across the property to service or access the wellhead in any way, as seen in the below photos and plot-plan.

Construction Details:

The proposed screened-in porch will have a footprint of 20’ wide x 14’ long. The wellhead is situated off the northeast corner of the proposed porch, and is currently 16 feet out from the existing foundation. Assuming a granted variance, the northeast corner of the porch would have two (2) feet of clearance from the wellhead. The only change in potential access will be in the space between the existing foundation and the wellhead, which would not be used to access or service the wellhead even if no porch is added.

Techno Metal Posts (aluminum, helical posts drilled straight down into the ground and then trimmed at grade level) will be used in lieu of traditional cement footings. This is less disturbing to the surrounding geography and poses no risk of contamination to the well.

Atop the Techno Metal Posts, standard framing with pressure-treated and fir lumber will be used to construct the frame and finish of the porch. Composite railings and decking, with screen panels will enclose the porch.

Mr. Grove provided overview of proposed plans.

Ira Grossman has no objections to this as it is for the well pump repair.

Robert Fleischer asked whether the 10 ft. radius would have any effect on the well such as contamination.

Mr. Grossman replied no it would not as this is a screened in porch.

Mr. Grove confirmed that there would not be any foundation pouring. The aluminum posts will be drilled straight down and they will be building on top of the posts. There will be a frame serving as the exterior border and there will be no storage underneath the porch.

Mr. Fleischer asked that they stipulate that this area be kept clear. The property owners have no issues with complying with this request.

Michelle Collette asked whether any runoff stormwater from the roof would be impacting the well.

Mr. Perrin does not anticipate this being an issue as the well is located in front of the porch. They will look into installing gutters.

Brief discussion ensued regarding if a future owner wanted to turn this into a 4-season porch and what the requirements would be.

Jason Weber asked that the stated expectation below be included should the members decide to approve this variance request:

*If there is a problem with the well in the future, the proximity of the well to the new porch would not be considered a mitigating factor.*

This will provide protection for future owners should any issues arise.

**Michelle Collette moved to accept the well variances for the setback requirements as presented for 250 Longley Road in the letter dated November 2nd, 2020 subject to the BOH Standard Conditions.**

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

**PERMITS AND INVOICES**

The Board reviewed and approved the invoice below for processing:

* Verizon Wireless 11/22/2020 $51.49

**68 WEST MAIN STREET – Septic Design System Variance Request**

Jack Maloney of Dillis & Roy Civil Design Group, Inc. presented on behalf of their client, Ms. Darcy Schultz and requested the following variances for 68 West Main Street:

**Local Variances:**

315-1: Testing Requirements

B-Deep Observation holes for the determination of groundwater may be performed in March & April. (Provided-August).

E - There must be a minimum of 5' of pervious material between the bottom of the leaching facility and the groundwater elevation. (Provided-2'-pervious soil, & 5' offset to E.S.H.W.T.)

315-3: Design Requirements...

H-There must be a minimum of 5' of naturally occurring pervious soil in place over ledge, fill shall not be used. (Provided-2'-naturally occurring pervious soil, & 5' offset to E.S.H.W.T. by using additional fill).

315-5: distance requirements...

A- Minimum of 100' between leaching facility and any wetlands (Provided-65.7'±).

G-A Minimum of 25' must be available between any property line and the exterior perimeter of the proposed leach area. (Provided-5.5')

I-A Minimum of 15' must be available between the edge of an S.A.S. and the adjacent side-slope. (Provided-5').

315-6: S.F. Requirements

Leaching beds will be sized at 150% of title 5 requirements. (Provided: Sizing for GEOmat leaching systems at 303 S.F. minimum. (400 S.F. is required minimum, however, special condition 3, second paragraph, last sentence, indicates if the 400 S.F. minimum is not feasible, that no more than another 40% reduction is possible, provided 25% less than the required 400% or 303 S.F.)

**Title V Variances:**

None required. The sewage disposal system is designed in accordance with the State of Massachusetts Title V Regulations, Requirements for the Subsurface Disposal of Sanitary Sewage.

**Title V Local Upgrade Approvals:**

15.404(3)(C): A minimum of 4' of naturally occurring pervious soil below the entire area of the S.A.S. shall be provided. (Provided-24 & 26")

15.405(1)(a) Reduction of system setbacks from a property line. (5.5')

15.405(1(c): Up to a 25% reduction in the required S.A.S. area design requirements

Mr. Maloney provided overview of proposed plans and system.

Ira Grossman said the proposed plans are appropriate given that this is a very narrow lot and there is not a lot of space available to work with.

Jason Weber asked whether there was a better option available.

Mr. Grossman replied that he does not believe so as the lot is very tiny and narrow.

Michelle Collette asked whether there was enough room for construction without them encroaching on an abutting neighbor’s property.

Mr. Maloney replied yes that there should be enough space available. They plan to use smaller machines to accommodate for the lot size.

Ms. Collette asked whether they will be stockpiling any material on site.

Mr. Maloney replied that they will not be stockpiling any material on site. He also mentioned that due to the small lot size there would no space available to stockpile any materials anyhow.

**Robert Fleischer moved to accept the variances as presented for 68 West Main Street in the letter dated November 19th, 2020 subject to the BOH Standard Conditions.**

**Michelle Collette seconded and the motion carried.**

Mr. Weber commented that for alternative systems the full 150% Title V requirement is reduced by 50% therefore he asked whether we should we be looking for more area available and asked whether this is the best that can be done for this upgrade.

Mr. Grossman replied that although they could try to squeeze out more square footage this will in turn create a problem with ensuring that everything falls within the footprint of the lot. Doing this will not produce a greater offset to the ledge but it will instead incur more costs in exchange for a very low benefit.

Brief discussion ensued regarding recording process for the Board of Health Decision Notice.

**Robert Fleischer read the following BOH Standard Conditions below:**

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 Select Board, 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.

1. 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.
2. 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.
3. 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.

**Jason Weber moved to amend that the Board of Health accepts the variances as presented for 68 West Main Street subject to the following BOH Standard Conditions above.**

**Robert Fleischer so moved.** **Michelle Collette seconded and the motion carried.**

**30 HEMLOCK ROAD – Condemnation Hearing**

The attached letter was mailed out by certified mail. Ira Grossman requested that Board members open this hearing and continue it.

Recipient has not picked it up from the Post Office but there is confirmation of a receipt return being submitted acknowledging the letter.

Jason Weber recommended having the letter delivered by a Constable to ensure recipient receives it.

Michelle Collette said discussion should be deferred to a continuation since it is unknown whether the recipient received the letter.

**Michelle Collette moved to continue the Public Condemnation Hearing for 30 Hemlock Road to December 21st, 2020.**

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

Ira Grossman will look into having a Constable or the Police Chief hand deliver the letter to the recipient.

**OLD / NEW BUSINESS**

**1 & 3 FORGE VILLAGE ROAD – Order to Connect to Town Sewer**

Ira Grossman informed Board members that an application for the Trench Permit has been submitted for the sewer connection and everything appears to be moving forward.

Given this update there is no action required from the Board members at this time.

Member Robert Fleischer asked Ira Grossman whether there have been any COVID news particularly relevant to the Town of Groton.

Mr. Grossman replied that they have been expanding free testing and have since added another large testing site in the Middlesex County to accommodate for the rising number of cases.

The MA Department of Health has also been providing very informative weekly updates twice a week.

They may also be changing the Return-to-Work protocols and reducing the quarantine period to 10 days.

The public should also be expecting to hear an announcement sometime this week about the plans for the vaccine rollout. The vaccines which are made up of two doses will be given to first responders and nursing homes first. They are estimating that about 150,000 individuals in the state of MA will be eligible to receive the vaccine.

**Robert Fleischer moved to adjourn the meeting at 7:52 p.m. Michelle Collette seconded and the motion carried.**

Minutes by Sammie Kul.

**APPROVED: February 16, 2021**