

**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, March 1st, 2021

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: Doug Smith, Soilsmith Designs; Tessa David

Jason Weber called the meeting to order at 7:00 p.m.

**74 FAIRWAY DRIVE – Septic Design System Variance Request**

Doug Smith of Soilsmith Designs presented on behalf of their client, Mr. John Loveless and requested the following variances for 74 Fairway Drive:

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 January with a Class 2 soil.

2) Groton Regulation 315-1-E, A reduction in the 5’ separation between the bottom of the leaching facility and high groundwater. A 48” separation is requested, resulting in a 12” reduction. Granting this variance will allow effluent to enter the D-Box without a pump and breakout fill can be achieved.

Ira Grossman has no objections.

Michelle Collette confirmed with Mr. Smith that they will be using a conventional system.

**Robert Fleischer moved to accept the variances as presented for 74 Fairway Drive in the letter dated February 3rd, 2021 subject to the 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.

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

**MEETING MINUTES**

The Board reviewed the meeting minutes dated February 16th, 2021.

Jason Weber made minor edits.

**Robert Fleischer moved to accept the meeting minutes dated February 16th, 2021 as amended. Michelle Collette seconded and the motion carried.**

**41 TAVERN ROAD – DISCUSSION OF CHICKEN COOP**

The Building Department and Board of Health have received multiple complaints from abutters to 41 Tavern Road about the odor and noise issues from their chicken coop. Ira Grossman asked the Board members for next course of action. Mr. Grossman proposed to send an order letter to the property owners to correct the situation as this has been an ongoing issue.

Michelle Collette has been out to the site and can confirm that the abutters’ concerns are valid and that the properties are in close proximity to each other.

Given the circumstances and timeframe Board members agreed with Mr. Grossman’s suggestion to issue an order.

**Michelle Collette moved to authorize Ira Grossman to send a Notice of Violation to the property owners at 41 Tavern Road.**

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

**DISCUSSION OF USE OF POLYSTYRENE CONTAINERS**

Board members reviewed the attached Draft Bylaw for *Polystyrene Container Restriction for Food Service Establishments* and made the edits as marked.

Tessa David from the Groton Recycling Committee asked for clarification regarding the definition and whether this proposed ban would include single use items such as utensils. Brief discussion ensued regarding any footprint effects this may have or whether bringing your own container to restaurants could be an option. Ms. David feels it is important to look at this from all angles such as impacts on the production line as well as from a manufacturing standpoint.

**Michelle Collette moved to submit the Draft Article as amended at the March 1st, 2021 Board of Health meeting to the Select Board for inclusion in the Warrant for the Spring Town Meeting.**

**Robert Fleischer seconded and discussion followed.**

The Select Board will be holding a Public Hearing to review the Warrant Articles at their meeting on March 15th, 2021. The Board of Health will plan on attending this Public Hearing.

The Board of Health can then schedule a Public Hearing on this topic for April 5th, 2021 to receive feedback from the public. If there is a lot of pushback then the Board will consider postponing this to the Fall Town Meeting or indefinitely. If the public is amenable to this proposal then the Board of Health will plan to have a final draft of the Warrant Article ready in time for the Spring Town Meeting on May 1st, 2021.

Ms. David suggested that for the Board of Health’s Public Hearing to include examples of alternatives that can be used in place of Polystyrene and what items are being recommended. The State should have a list of alternatives available.

Ms. Collette asked about the status of the bill in the state’s legislative item from 2017 and whether this moved along any further or was revoked.

Robert Fleischer volunteered to contact the local senators and their peers to find out more information.

**The Board members voted and the motion carried by unanimous vote.**

**INVOICES**

Board members reviewed and approved the following invoice(s):

* Verizon $51.49 Date of Invoice: 2/22/2021

**OLD / NEW BUSINESS**

**COVID 19 VACCINATION INFORMATION**

Lowell General Hospital has a program available for eligible candidates to sign up for the COVID vaccine. This information has been posted on the Town website.

Eligible candidates who are older may also contact the Town’s Council on Aging and / or the Groton Senior Center for assistance with signing up or help with transportation to the vaccine site.

**Robert Fleischer moved to adjourn the meeting at 8:02 p.m. Michelle Collette seconded and the motion carried.**

Minutes by Sammie Kul.

**APPROVED: April 5, 2021**