

**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 15th, 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: Daniel Wolfe, David E. Ross Associates; Jack Maloney, Roy & Dillis Associates; George Moore, Town of Groton Animal Inspector

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

**210 CHICOPEE ROW – Septic Design System Variance Request**

Dan Wolfe was present

Provided overview of land – well, wetlands

Limited options

Testing done back in October

IG no recommendations for changes

Date of failure – 10/21/2020 USE TEST DATE

**Robert Fleischer moved to accept the variances as presented for 210 Chicopee Row in the letter dated February 17th, 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.**

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

Jack Maloney – Mr. Brannegan

Presby type system

Ask jack for corrected copy -

Did 3 test holes

IG – no objections; using Presby

Jason – where do we stand on 150%...

Jack has designed this at 150% larger

Bob – 150% of a Presby design…

IG – hold 150% of the reduced size of a leaching area than…

JW – at times of approval, for long term…tendency to underestimate

Date of failure: unofficial title 5 that happened; go w/soil testing date on 9/28/2020

# of bedrooms?

**Michelle Collette moved to accept the variances as presented for 334 West Main Street 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.

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

**238 CHERRY TREE LANE – Variance Request to Board of Health Code *410.250: Habitable Rooms Other than Kitchen – Natural Light and Electrical Outlets***

Bob moved to grant variance –

Michelle second that

Bob moved to amend to include requirement of variance filed at Middlesex south registry of deeds

Michelle second that

Voted on both

**INVOICES**

**THREE INVOICES**

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

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

**41 TAVERN ROAD – Follow Up Discussion of Chicken Coop**

The Lambirths were present

Working with neighbors and reduced their flock size

Down to 30 birds; would like to keep “reasonable” amount

Amanda – reiterate that they’re pets to our children

IG – no objection to reasonable #; proposed 12 which is fine

People are concerned w/roosters

Lambirth - Not keeping any roosters on property

Reduced size of coop

Amanda – willing to reduce the size of the coop and the size of the run

Bob – how big is current coop and run

Bill – 6x12 for actual house; 6x19 for run

That would be more than enough

Bob – birds leaving the property? Was another concern

Will – purchased material to put a roof on it last year; odor

When it rains – inside of chicken coop is where odor comes from

8 inches of sand added

Sand cuts down on odor

Will continue properly removing manure etc.

IG – making sure chicken aren’t allow to free roam;

Mitigation strategy impose the run itself and to keep animals safe

MICHELLE – submitted something in writing in terms of manure management plan?

Water quality consequences

IG – does have manure management plan from bill from Dec

GEORGE MOORE – as Member of agricultural commission – chicken are fine but would advise you not to get roosters

Do have the right to farm bylaw; still have to be a good neighbor; lambirths are making a good effort to be a good neighbor

Jason – why 12 or 15 or 20?

GEORGE MOORE – has always been debatable what is “reasonable”

To put a # on livestock is unreasonable

As the animal inspector, if unable to manage the # w/good

They were clean, well fed, had water

Amanda – wanted to maintain their original birds which is 12 – children very attached to those

Jason – 12 where you want to be bc it’s what you used to have?

Bill – 12 – more than enough space for them

Can house 30 or 40 birds comfortably

12 seemed like a reasonable #

IG – SUMMARIZE WHAT WE TALKED ABOUT TONIGHT

ANIMALS KEPT PENNED IN; 12; REDUCE ODOR AND NOISE NUISANCE CONDITIONS

MC moved to; follow manure management plan submitted to the BOH in addition to everything Ira outlined;

Bob seconded

Opinion after reviewing the facts; not a variance, not a permit; in agreement

Accepting the plan as offered by the Lambirths in consideration of health and human safety

Explicit desire to be good neighbors

Waste management plan

Not maintain any manure on the property – exception for gardening

All in favor

**102 PEPPERELL ROAD – Discussion of Deed Restriction Notice**

IG – renos to home; turn carriage house into habitable room

More than 8 rooms on 3-bedroom septic

Deed restriction

JW – septic becomes insufficient to meet actual practical use

IG – last time IG went out there was for the septic

IG – no objections to it

Bob – 4 or 5 bedrooms; can we take action against them? Yes

JASON – 6 to 10 rooms; IG – no concerns; just a #’s thing

BOB – septic overused? Fails sooner

Will start bubbling up to the ground level surface; never a good thing

This one was replaced; good system in the backyard and should last for a long time

JASON – any homeowner would prefer not to have to redo their septic system

SCOTT – basement is stone and it leaks; house is 150-year-old + 1850

Bought as a 3 bedroom; rebuilt as 3 bedroom and sold as a 3 bedroom

Bob – appropriate motion?

Accept 3 bedroom on this property; mc seconded

**Jason Weber declared BOH meeting as adjourned at 8:30 p.m.**

Minutes by Sammie Kul.