

**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, April 5th, 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: Jack Maloney, Dillis & Roy Civil Design Group

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

**59 WORTHEN DRIVE – Septic Design System Variance Request**

Jack Maloney of Dillis & Roy Civil Design Group presented on behalf of their client, Ms. Cristine Griffin and requested the following variances for 59 Worthen Drive:

**Local Variances:**

315-1: Testing Requirements:

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

E - There must be a minimum of 5' of pervious material between the bottom of the leaching facility and the groundwater elevation. (Provided-4’ offset to E.S.H.W.T.)

A Presby system will be used.

Ira Grossman has no objections to the proposed plans.

Brief discussion ensued regarding ways to stabilize the system to prevent any erosion from occurring in the event of inclement weather.

**Michelle Collette moved to accept the variances as presented for 59 Worthen Drive in the letter dated March 8th, 2021 with the additional condition that straw waddles be installed at the base of the slope and that the area be loamed, seeded and stabilized, 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 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.
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.**

**DISCUSS MOSQUITO CONTROL PROJECT – Provide Recommendation to Select Board with Decision as to Whether or Not to Opt Out**

The Board discussed what it would mean to opt out of the State Reclamation and Mosquito Control Board, and what steps would be necessary to satisfy the state’s criteria.

If the Town decides to opt out of the State’s program the Town is required to submit an application to the State to see if it meets the criteria required in order to provide its own mosquito spraying through another alternative program.

The Board members are inclined to support the Town opting out understanding that if there was a public health emergency, the State would step in to do aerial spraying. However, there is still a lot to be determined regarding the State’s program such as whether PFAS would be in the pesticides used.

The Board will look to other towns who are also considering opting out of the program for guidance with next steps.

The Select Board asked for a recommendation from the Board of Health for their input regarding this matter but the Select Board will be making the final decision.

**Jason Weber moved to advise the Select Board that the Board of Health strongly recommends opting out of the State Reclamation and Mosquito Control Board. At the same time the Board of Health recognizes the level of effort in opting out is uncertain. As such, the Board recommends that if opting out is impractical for this current period that the effort be undertaken in the following year.**

**Robert Fleischer seconded the motion.**

**Michelle Collette moved to amend the motion to include that the Board of Health fully appreciates that the MA Department of Public Health would commence spraying in the event of an emergency.**

**Robert Fleischer seconded the amended motion.**

**The Board members voted on both the original and amended motion with both carrying.**

**Robert Fleischer moved to have Jason Weber write a draft letter to the state regarding the Board of Health’s desire not to see PFAS be used in their aerial spraying system.**

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

**PUBLIC HEARING – CONSIDER AMENDING THE GENERAL BY-LAWS BY ADDING A NEW CHAPTER TO THE CODE OF THE TOWN OF GROTON, ENTITLED “POLYSTYRENE CONTAINER RESTRICTIONS FOR FOOD SERVICE ESTABLISHMENTS”**

The Public Hearing opened at 7:30PM.

Michelle Collette informed members that the Select Board was pleased to see that the attached proposed By-Law was on the Warrant for the 2021 Spring Town Meeting and indicated that they would support it.

**Michelle Collette moved to close the Public Hearing. Robert Fleischer seconded and the motion carried.**

**Michelle Collette moved that the Board of Health supports the Warrant Article titled “Polystyrene Container Restrictions for Food Service Establishments” at the 2021 Spring Town Meeting. Robert Fleischer seconded and the motion carried.**

**OLD / NEW BUSINESS**

**272 REEDY MEADOW ROAD - Question on Approved Capacity for Number of Bedrooms**

A Septic application has been submitted to replace the D-Box at 272 Reedy Meadow Road. The Groton Board of Health has not received a copy of the Title V Report yet.

The current application indicated that it is 3-bedroom approved septic however the previous Title V completed shows it as being built as a 2-bedroom house.

The files contain a Septic Permit that was issued in 2002 showing that it was redone as a 3-bedroom as part of a voluntary upgrade.

The property owner confirmed that the septic was approved for a 2-bedroom.

Ira Grossman is seeking guidance as he would not feel comfortable issuing the Septic Permit for 3-bedrooms if there is no documentation showing that it was ever approved for a 3-bedroom septic.

Brief discussion ensued regarding options available based on the information they have.

The system will need to be upgraded to a 3-bedroom septic should they market it as a 3-bedroom dwelling when they list it for sale unless they can provide documentation showing that it was approved for 3-bedrooms and the system was signed off on.

Mr. Grossman will follow up with the property owner.

**MEETING MINUTES**

The Board reviewed the meeting minutes dated March 1st, 2021.

Minor grammatical edits were made.

**Michelle Collette moved to accept the meeting minutes dated March 1st, 2021 as amended. Robert Fleischer seconded and the motion carried.**

**INVOICES**

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

* Groton Herald $85.00 Date of Invoice: 3/26/2021
* Verizon $51.49 Date of Invoice: 2/22/2021

**JOHNSON’S RESTAURANT**

The owner of Johnson’s Restaurant sent a letter to the Board of Health informing them that all the staff members are in compliance with the face covering regulations.

**COVID-19 UPDATES**

The State will begin doing homebound vaccinations this week.

**The Chair Jason Weber called the Board of Health meeting to adjourn 8:14 p.m.**

Minutes by Sammie Kul.

**APPROVED: June 21, 2021**