

**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, May 3, 2021

**Time:** 7:00 P.M.

**Location:** Virtual Meeting via Zoom

**Members Present:** Jason Weber, Chairman; Robert Fleischer, Michelle Collette

Ira Grossman, Nashoba Associated Board of Health Agent

**Others Present:** Steven Sawyer, Design Consultant; Kirk Fitzpatrick, Civil Solutions; Richard Mulkie, Donald Black, Anna Eliot, David Pitkin and Laura Stockfisch

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Jason Weber called the meeting to order at 7:00 P.M.

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**62 Raddin Road – Septic Design System Variance Request**

Steven Sawyer of Design Consultant presented on behalf of their clients, Mr. Pedro Lima and Jessica LaPlante and requested the following variances for 62 Raddin Road:

1. A variance is hereby requested from Groton Board of Health Regulation of section E.6. with a requirement of 35 feet from the Raddin Road right-of-way line and proposed leaching facility. The plan proposes an offset of 15.1 feet from the edge of leach trench #3 to the Raddin Road Street line.
2. A variance is hereby requested from Groton Board of Health Regulation to section E.7 with a requirement of 20 feet from the perimeter property line and the proposed leaching facility. The plan proposes an offset of 10.5 feet from the edge of leach trench #3 to the right-side line.

The property is required to have a survey stamp with defined property lines.

Ira Grossman commented that the revised plan has met all the requirements.

A brief discussion ensued on the type of well located on the property and its close proximity to the wetlands. Abutting wells were noted to be down gradient. Laura Stockfisch, an abutter, stated that her well is a sand and gravel well located at the rear of the property.

Laura Stockfisch then questioned the definition of a perennial stream. It was defined as a stream that does not go dry and the Conservation Commission would be contacted to see if there are any other permits required for the property.

**Robert Fleischer moved to accept the variances as presented for 62 Raddin Road in the letter dated January 19, 2021 with the additional conditions that the dimensions from the right away and the perimeter property line are revised in the plan submitted on May 3, 2021, and are subject to the BOH Standard Conditions below.**

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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, Storm Water 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.

**Amend: No occupancy without a Certificate of Compliance**

1. Any change in the 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.

**Jason Weber moved to amend item 7 to require work to be completed before occupancy as Ira Grossman suggested. The motion was seconded by Robert Fleischer. The motion passed by a roll call vote (Yes: RF, MC, JS)**

**The original motion was carried after a roll call vote. (Yes: RF, MC, JW)**

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**67 Common Street – Septic Design System Variance Request**

Kirk FitzPatrick from Civil Solutions presented on behalf of their clients, the Lanes and requested the following variances for 67 Common Street:

1. A variance is hereby approved for Groton Board of Health Regulation 315.1.E to reduce the requisite offset to groundwater from 5 feet to 4 feet t with use of the Presby Enviro - Septic Treatment System.
2. A variance is hereby approved for the Groton Board of Health Regulation 315-6 to allow a design of a leaching bed with less than 150% of Title V requirements.
3. A variance is hereby approved for the Groton Board of Health Regulation 315.1.B to allow an upgrade design in a class 1 soil with observation holes conducted out of season.

Ira Grossman had no objections to the proposed plans and agreed with the location of the septic system.

The existing septic system exceeded its life expectancy and the leach field is full. The new system proposed would serve both the public health and the environment.

An abutter, Richard Mulkie was present; he was in full agreement with the upgrade of the septic system.

**Robert Fleischer moved to accept the variances as presented for 67 Common Street in the letter dated January 27, 2021 with the subject to the standard conditions. Michelle Collette seconded the motion. The motion passed by a roll call vote. (MC, RF, JW)**

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**127 Paquawket Path – Septic Design System Variance Request**

Kirk FitzPatrick from Civil Solutions presented on behalf of their client, Brian LaGasse and requested the following variances for 127 Paquawket Path:

1. A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a roadside line from 35 feet to 23 feet.
2. A variance is hereby approved for the Groton Board of Health Regulation 315.1.B to allow an upgrade design in a class 1 soil with observation holes conducted out of season.

Ira Grossman was comfortable with the proposed plan for the septic system.

The 4-bedroom dwelling was never recorded as a septic system failure.

Ira Grossman stated that the date of soil testing was completed in December of 2020.

**Michelle Collette moved to accept the variances as presented for 127 Paquawket Path in the letter dated January 25, 2021 and subject to the BOH Standard Conditions below.**

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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, Storm Water 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.
7. Any change in the 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.
8. 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.
9. 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 the motion. The motion passed by a roll call vote. (MC, RF, JW)**

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**Cow Pond Soccer Field – Well Variance Request**

Donald Black presented on behalf of the Parks Commission and requested the following variances for the Cow Pond Soccer Field:

1. A variance is hereby requested from Groton Board of Health Regulation under the Well Regulation, Chapter 330 Section 330-12 Drilled Wells to setback requirements of a new irrigation well.
2. A variance is hereby requested from Groton Board of Health Regulation to locate the well at the edge of Cow Pond Field Parking area adjacent to existing well.

Donald Black described the BOH request for the 50 feet offset as dangerous and would have the potential to cause harm to players on the field.

Ira Grossman agreed that moving the well is more beneficial than meeting the offset requirements of the BOH.

A brief discussion ensued after Anna Eliot commented that she was not in favor of moving the well in close proximity to the parking area due to the possibility of redesigning the parking area in the future. The BOH explained that they were here to approve the variances set before them.

David Pitkin stated that the irrigation well is critical for the playing fields and could not foresee losing another field.

A brief discussion occurred regarding if there should be a concern of the water quality due to the well being close in proximity to the transfer station. Ira Grossman recommended VOC testing every five years which would cost the Parks Commission $250.

**Robert Fleischer moved to accept the variances as presented for Cow Pond Soccer Field in the letter dated April 12, 2021 subject to the standard well conditions and subject to the requirement of testing for VOC at the initial startup and every 5 years thereafter.**

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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. It is the applicant’s responsibility to ensure that the contents of this permit are made known to all contractors who perform work at this site.

4. It is the applicant’s responsibility to contact Dig Safe prior to the commencement of any work at the site.

5. The applicant will notify the Board of Health at least 48 hours prior to the commencement of construction. Additionally, the applicant will provide the Board of Health office with emergency contact information for all site contractors.

6. This permit runs with the land and applies to any successor in interest or successor in control.

**Michelle Collette seconded the motion and amended the requirement that the well be defined as irrigation only and that the water quality testing be performed annually.**

**The amended and main motion passed by a roll call vote (Yes: MC, RF, JW)**

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**OLD / NEW BUSINESS**

N/A

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**Minutes** - 4/5/2021

N/A

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**Invoices**

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

Geological Field Services $1100.00 4/13/2021

Groton Herald $71.50 4/16/2021

Verizon $51.49 4/22/2021

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**Covid-19 Updates**

Many people were misinformed when Governor Baker announced that masks were not mandated in public. For example, people were taking off their masks immediately after sitting down at a restaurant and they were actually required to be worn at all times and only taken off while eating.

A brief discussion ensued and Ira Grossman recommended a one-page letter be drafted and mailed out to all the restaurant owners in Town to ensure that they are aware of the Covid Regulations set in place and are in compliance. There have been no further complaints made towards any Groton restaurants.

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**The Chair Jason Weber called the Board of Health meeting to adjourn 8:25 P.M.**

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Meeting Minutes submitted by: Kristine Fox

**APPROVED: August 16, 2021**

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