

**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 17, 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: Mark Roder, Property Owner of 134 Shelters Road; Vicky and Jonathan McSweeney, Property Owners of 188 Broadmeadow Road; Diane Carson, Nashoba Paddler; Nandeesh Madapadi, Property Owner of 101 Cherry Tree Lane

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

**134 SHELTERS ROAD – Well Variance Request**

Mark Roder, the applicant, presented and requested the following variance for 134 Shelters Road:

**1) Chapter 330, Section 330-6 Well Location**

*The applicant is requesting a variance to the 100’ drilled well setback requirement from a water body. We are requesting a variance that would allow the drilled well to be positioned 60’ from the edge of Knops Pond.*

The existing shallow point well is located 10 feet from the edge of Knops Pond. The replacement would be a more environmentally sound solution.

Ira Grossman agreed that this was the best location for the well and the applicant met most of the offset requirements. An NOI would need to be submitted to the Conservation Commission and the installation of proper erosion controls.

**M. Collette moved to accept the variance as presented for 134 Shelters Road in the letter dated April 17, 2021 to allow the drilled well to be located 60 feet from the edge of Knops as shown with the submitted application and 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 feet 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. The applicant will notify the Board of Health at least 48 hours prior to the commencement of construction.

7. The application will provide the Board of Health office with emergency information for all site contractors.

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

**Robert Fleischer seconded the motion. The motion passed by a roll call vote. (Yes: MC, RF, JW)**

**188 BROADMEADOW ROAD – Discussion of Deed Restriction Notice**

John McSweeney discussed his unfinished space above the garage and kitchen. The applicant is proposing installing additional walls to create a family room and two office spaces, one being in a hallway.

A 4-bedroom septic Deed Restriction was recommended.

Ira Grossman explained that two rooms are being constructed and a hallway. He had no objections to the proposed work.

**R. Fleischer moved to accept the deed restrictions for the 4-bedroom dwelling located at 188 Broadmeadow as presented by the applicant. M. Colette seconded the motion. The motion passed by a roll call vote. (Yes: RF, MC, JW)**

**NASHOBA PADDLER – Camp Variance Request**

Diane Carson presented for Nashoba Paddler and requested the following camp variance:

Section 105 CMR 430.370 Toilet Facilities- port a potty and hand washing station.

M. Colette recommended looking into receiving a larger accessible port a potty. No special requests had been made by the 30 campers attending the 4-day camp.

**M. Collette moved to accept the variance as presented for Nashoba Paddler in the letter dated March 31, 2021 to allow for a port a potty and hand washing facilities at the beginning and end of each day. R. Fleischer seconded the motion. The motion passed by a roll call vote. (Yes: MC, RF, JW)**

A brief discussion ensued regarding the current Covid cleaning policies set in place. The portable toilet is serviced weekly and the staff cleans both facilities at the end of each shift. Ira Grossman stated that is above and beyond what is expected.

**101 CHERRY TREE LANE – Discussion of Finished Basement Space**

Ira Grossman gave an overview of the finished basement space. The applicant finished the space and then requested a permit from the Building Department. The dwelling has exceeded the room count allowance, and the plan does not meet the minimal standards for human habitation.

The homeowner, Nandeesh Madapadi, was unaware that he was in any violation and was told by a neighbor to request a building permit; he has since been in contact with the Building Commissioner. A media room, a kids play room, and a storage area had been constructed in the basement.

I. Grossman questioned the storage room since there is a heat in it, when adding heat to a room it is presented with different requirements and he would not recommend a variance. If the heat were to be removed it would be defined as a non-habitat room. The septic tank alarm needs to be visible and not enclosed as shown on the plan.

A brief discussion ensued among the Commissioners on the best way to handle the situation. It was agreed that the discussion be classified as informal and the applicant work with both I. Grossman and the Building Department and then return to the BOH. Three items were requested to be addressed: 1. In order for the space to be viable to the right of the stairs the heat needs to be removed. 2. Variance the requirement for glass in the larger room on the plan submitted. 3. The septic tank alarm needs to be visible.

**M. Colette moved to continue the consideration of the variance of the finished basement located at 101 Cherry Tree Lane to the next scheduled meeting on June 7, 2021.**

**M. Colette amended the motion to continue the discussion of the finished basement located at 101 Cherry Tree Lane to the next scheduled meeting on June 7, 2021. R. Fleischer seconded the motion. The motion passed by a roll call vote. (Yes: MC, RF, JW)**

A brief discussion ensued regarding needing a formal variance request submitted by the applicant to the Board of Health before approving any variances.

**OLD / NEW BUSINESS**

M. Colette questioned Ira Grossman if he performed testing on algae blooms. Ira Grossman responded that the State collects the samples of algae blooms.

A brief discussion ensued regarding when the Town is opening up to the public. The open meeting law was expiring on June 15th. Ira Grossman suggested hybrid meetings and there was conversation of the possibility of multimedia meetings.

**COVID UPDATE**

Ira Grossman stated the Governor announced that on June 15th the Declaration of Emergency would come to an end and things would be return back to normal. Massachusetts has a greater population that has received both their 1st and 2nd shots. M. Colette questioned if someone travels to Massachusetts for vacation are they eligible to be vaccinated. I. Grossman was unsure and believes that only Massachusetts residents are eligible. Originally it was hard to receive the vaccine and that person may not be in State when the second shot is required.

May 29th most requirements will diminish except public transportation, masks will still be mandated.

**The Chair Jason Weber called the Board of Health meeting to adjourn 8:15 P.M.**

Minutes by Kristine Fox.

**APPROVED: September 20, 2021**