

**TOWN OF GROTON**

Board of Health

173 Main Street

Groton, MA 01450

**BOARD OF HEALTH**

Robert J. Fleischer, Chairman

Michelle Collette, Member

Date: Monday, August 30th, 2021

Time: 7:00 PM

Location: 1st Floor Meeting Room, Groton Town Hall

Members Present: Robert J. Fleischer, Chairman; Michelle Collette, Member; Ira Grossman, Nashoba Associated Board of Health Agent

Others Present: Dave Greenwood, Greenwood Construction; Kevin Ritchie, Civil Solutions, Inc.; Jack Maloney, Dillis & Roy Civil Design Group; David MacInnis

Robert Fleischer called the meeting to order at 7:00 p.m.

**142 NASHUA ROAD – Discussion of Deed Restriction Notice and Variance Request to Board of Health Code 410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets**

Dave Greenwood of Greenwood Construction, presented on behalf of his clients Surendra and Pratima Puttagunta and requested a variance to the State Sanitary Code *410.250 Habitable Rooms Other Than Kitchen-Natural Light and Electrical Outlets* for 142 Nashua Road.

Mr. Greenwood provided an overview of the proposed plans for his client’s basement. They are looking to finish this space to create room for an entertainment and play area for their children. There are currently four windows in the basement with limited light and ventilation.

His clients are also seeking an approval for the Deed Restriction Notice due to their property exceeding the total number of bedroom count that is within Title 5 compliance.

Ira Grossman asked to make one correction which is that this variance request is not for a Board of Health Code but rather the State Sanitary Code, which is enforced by the local Board of Health.

Mr. Grossman has no objections.

Mr. Grossman confirmed with Mr. Greenwood that the spec information for the ejector pump being proposed for use has been uploaded to the online Building Permit application.

**Michelle Collette moved to accept the variances as presented for 142 Nashua Road to the State Sanitary Code *410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets* as described in the letter dated August 18th, 2021 and that both the Board of Health Decision Notice and Deed Restriction be recorded with the Middlesex South Registry of Deeds prior to the issuance of the Building Permit.**

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

**PERMITS**

Board members reviewed and signed permits.

**16 THRONE HILL ROAD – Septic Design System Variance Request**

Kevin Ritchie of Civil Solutions, Inc. presented on behalf of their client, Mr. Francis Brady and Ms. Kathy Brady and requested the following variances for 16 Throne Hill Road:

1) A variance is hereby requested from Groton Board of Health Regulation 315-1.E to reduce the requisite offset to groundwater from 5 feet to 2.5 feet with the use of a Presby Enviro-Septic Treatment system. A reduction in the groundwater offset will eliminate the necessity for a pump system.

2) A variance is hereby requested from Groton Board of Health Regulation 315-6 to allow the design of a leaching field with less than 150% of Title V requirements.

3) A variance is hereby requested from Groton Board of Health Regulation 315-1.B to allow an upgrade design in a class I soil with observation holes conducted out of season.

4) A variance is hereby requested from Groton Board of Health Regulation 315-5.F to reduce the requisite offset from a road side line from 35 feet to 10 feet.

Ira Grossman has no objections.

Mr. Grossman confirmed that there would be no impact to the run off or drainage. The abutter whom was present at the meeting said he has no objections to the proposed plans.

**Michelle Collette moved to accept the variances as presented for 16 Throne Hill Road in the letter dated July 27th, 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 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.**

**37 LONGLEY ROAD – Septic Design System Variance Request**

Jack Maloney of Dillis & Roy Civil Design Group and their client, Mr. David MacInnis were present for the continuation of the discussion of the request for the following variances for 37 Longley Road. Mr. Maloney provided brief overview of updates made within the revised plans.

**Local Variances:**

**315-1.E:** A minimum of 5-feet of pervious material between the bottom of the leaching facility and the E.S.H.W.T. and/or impervious layer. (Provided=4-feet of material)

**315-3H:** 5-feet of naturally occurring material must be in place over ledge. (provided = < 5-feet (3.4’))

**315-3.K:** When a system must be pumped, a pressure dosed system shall be utilized. (presby type system designed and no pressure distribution recommended)

**Title V Variances:**

**15.240(1):** on-site sewage disposal system shall be located in an area where there is at least 4-feet of naturally occurring material below the entire area of the proposed sewage disposal system unless a variance is issued in accordance with 15.415(2)

**Title V Local Upgrade Approvals:**

**15.405(1)(j):** Reduction of the 12" separation between E.S.H.W.T. and the inlet/outlet tees. (Provided = tank inlet/outlet tees 0.2’ above the E.S.H.W.T. elev.)

Ira Grossman has no objections and said the revisions made address the initial concerns they had with the original set of plans submitted.

**Michelle Collette moved to accept the variances as presented for 37 Longley Road in the letter dated June 14th, 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.**

**OLD / NEW BUSINESS**

**DISCUSS DRAFT OF POLYSTYRENE MEMO**

Board members reviewed draft of Polystyrene Memo and made a couple of minor edits. The final copy will include the date of the 2021 Spring Town Meeting at which this bylaw was voted on and passed.

**16 MAPLE AVENUE – Septic Permit**

Board members reviewed redesigned plans submitted for 16 Maple Avenue. Upon review it was determined that a variance will no longer be required based on this new plan.

**Michelle Collette moved to approve the Subsurface Sewage Disposal System Upgrade Plan submitted by Goldsmith, Prest & Ringwall, Inc. for Lot 1, 16 Maple Avenue for Robert Margolius dated April 2021 and stamped on August 24th, 2021 with the latest modification.**

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

**Michelle Collette moved to adjourn the meeting at 7:52 p.m. Robert Fleischer seconded and the motion carried.**

Minutes by Sammie Kul.

**APPROVED: October 4, 2021**