

TOWN OF GROTON

Board of Health
173 Main Street
Groton, MA 01450

Date: Monday, January 17, 2023

Time: 7:00 PM

Location: 1st Floor Meeting Room, Groton Town Hall

Members Present: Michelle Collette, Robert J. Fleischer, Evan Thackaberry

Others Present: Sammie Kul, Evan Carloni, Bruce Ringwall, Amy Lee, Bradford Larsen

Michelle Collette called the meeting to order at 7:08 p.m.

23 FLAVELL ROAD – Discussion of Septic Design System Variance Request

Evan Carloni from Innovative Septic Design presented on behalf of his client and requested the following variances:

LOCAL VARIANCES:

- 1.) 315-5 F. -A minimum of 35 feet must be available between the edge of any street, passageway or road line and the entire exterior perimeter of any proposed leach areas. (Provided: 12' setback from property line to edge of leach field and a 17' from edge of street to leach field.)
- 2.) 315-5 G. -A minimum of 20 feet must be available between any property line and the entire exterior perimeter of any proposed leach areas. (Provided: 12' setback from property line to edge of leach field.)
- 3.) 315-1 B-Class I soils require groundwater testing in the months of March and April. (Provided: waiver from requirement for ground testing's for this property in the month of March or April.)

Mr. Carloni said that a Presby System would be installed for a three bedroom home.

Ira Grossman had no objections.

Mr. Thackaberry moved to accept the variances as presented for 23 Flavell Road as stated in the letter dated January 4, 2022, 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.

For Failed Systems:

- 6.) Compliance with Title 5 shall be within 2 years from January 17, 2023 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 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 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.
- 9.) This variance shall not be in effect until both the Notice of Board of Health Decision and the License granted by the Town of Groton are 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.

Bruce Ringwall of GPR Civil Engineering presented on behalf of his clients Margareth and Jean Phillippe Sicard and presented the following variances:

LOCAL VARIANCES:

- 1.) 315-1.E.-There must be a minimum of five feet of pervious material between the bottom of the leaching facility and the groundwater elevation. (Provided: 4')
- 2.) 315-5.F.-A minimum of 35 feet must be available between the edge of any street, passageway or road line and the exterior perimeter of any proposed leach areas. (Provided: 10')
- 3.) 310 CMR 15.287-Approval for Remedial Use per MassDEP approval letter Geomatrix Systems, LLC Date of Issuance: October 26, 2016
- 4.) Special Condition 8(a) A reduction of the required 5 foot groundwater offset required per 310 CME 15.212 to 4 feet in soils with a recorded percolation rate of two minutes or less per inch.

Ira Grossman commented that the applicant has not requested the local regulation variance that requires a 5' foot groundwater offset. He does not recommend that variance for the groundwater reduction is approved given that the compliance can be met. Regarding the reserve area there are no objections.

Bruce Ringwall said that Mr. Grossman's comments were written prior to submitting the necessary variance. There was an existing 4' foot offset approved with the upgrade in 1996 or 1997. He said that a geo mat would be installed and the foundation would need to be raised a foot to meet the grade.

Robert Fleischer moved to grant the variances as requested in the letter dated January 12, 2023, subject to the standard BOH conditions.

-
- 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.

For Failed Systems:

- 6.) Compliance with Title 5 shall be within 2 years from January 17, 2023 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 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 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.
- 9.) This variance shall not be in effect until both the Notice of Board of Health Decision and the License granted by the Town of Groton are recorded at the Middlesex South Registry of Deeds. Evidence of such recording shall be submitted to the Board of Health by the applicant.

Evan Thackaberry seconded and the motion carried.

9 NORTHWOODS ROAD– Discussion of Deed Restriction Notice

Homeowners Amy Lee and Bradford Larsen were present requesting to finish a partially completed attic and add a half bath. The area would be utilized as a family room.

The home is currently a three bedroom home with a septic system that obtains a four bedroom capacity.

Ira Grossman had no objections to approving a four bedroom deed restriction

**Robert Fleischer moved to accept the four bedroom deed restriction for 9 Northwoods Road.
Evan Thackaberry seconded and the motion carried.**

OLD / NEW BUSINESS

The Board reviewed and signed the Trash Hauler Permits.

Robert Fleischer moved to grant the Trash Hauler permits to the following services: DPS Trash Recycling, Waste Not, Waste Management, GW Shaw & Son, Republic Services, and Prime Disposal LLC. Evan Thackaberry seconded and the motion carried.

The Board reviewed and signed the Tobacco Retailer Permits.

Evan Thackaberry moved to grant the Tobacco Retailer Permits for the following services: AL Prime Energy, Omaha Reality DVA Boston Road Market, Country Farms, Cravens Package Store, HEG Groton 318 Main Street, Groton Market, Groton Express LLC 6 Boston Road and Groton Wines and Spirit. Robert Fleischer seconded and the motioned carried.

Schedule a Meeting Date to Discuss and Review the Board of Health Regulations

The Board agreed to review the regulations on March 6, 2023.

MEETING MINUTES

The Board reviewed the meeting minutes dated December 05, 2022.

Robert Fleischer moved to accept the meeting minutes dated December 05, 2022. Evan Thackaberry seconded and the motion carried.

ON- GOING ISSUES

COVID UPDATES

The Board requested an update in regards to the number of cases within the school system. The general number of cases has decreased since the holidays.

PFAS UPDATES

A meeting was held last week between the Water Department and the Town Manager and they are requesting proposals on extending a temporary water line supply to the high school.

Evan Thackaberry questioned whether there were any updates on the norovirus outbreak that occurred at the elementary school. Ms. Collette said that tests were conducted on the food service employees and the issue has been resolved.

Ms. Collette requested that the Board members review the Board of Health Town website and compile a list for the IT Department to remove any inapplicable items.

Evan Thackaberry moved to adjourn the meeting at 8:01 pm. Michelle Collette seconded and the motion carried.

Minutes by Kristine Fox

APPROVED