

TOWN OF GROTON

Board of Health
173 Main Street
Groton, MA 01450

Date: Monday, February 6, 2023

Time: 7:00 PM

Location: 1st Floor Meeting Room, Groton Town Hall

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

Others Present: Jack Maloney

Michelle Collette called the meeting to order at 7:00 p.m.

15 Rhodenda Road – Discussion of Septic Design System Variance Request

Jack Maloney from Dillis & Roy Civil Design Group presented on behalf of his client Cash Max Properties, LLC and proposed the following variances:

LOCAL VARIANCES:

- 1.) 315-1. B.-Class I soils require groundwater testing in the months of March and April. (Provided: September)
- 2.) 315-5.F.- A minimum of 35 feet must be available between the edge of any street right of way, passageway or road line and the entire exterior perimeter of any proposed leach areas. (Provided: 12+ft)

Ira Grossman recommended that the following items be considered or resolved prior to approving the requested variances: 1. Request and approval of the renovation plan for the dwelling, with a 2 bedroom maximum requirement. 2. Require the submission of an application for the decommissioning of the well and the municipal water system connection approval. 3. If the Board votes to apply the standard conditions the approval must be recorded in the registry of deeds prior to releasing the septic permit.

Mr. Maloney said that the records were based on the facts provided by the Assessor's Office and he is unaware of any applications being submitted to the building department.

An abutter from Cypress Road asked if the property line would be delineated and where the proposed septic system would be installed. Mr. Maloney identified the location of the septic system on the displayed plan.

Robert Fleischer moved to continue the hearing for 15 Rhodenda Road the next scheduled meeting on February 21, 2023. Evan Thackaberry seconded and the motion carried.

33 Longley Road – Discussion of Septic Design System Variance Request

Jack Maloney from Dillis & Roy Civil Design Group presented on behalf of his clients and proposed 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 and/or any impervious layer. (Provided: -5ft))
- 2.) 315-5.A. Leaching facilities (including the proposed expansion area) must be located at least 100 feet from any wetland, watercourse, wetland vegetation, seasonal streams and drainage ditches. (Provided: 62.5 ft)
- 3.) 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. (Provide: -20ft)

Mr. Maloney said that the Conservation Commission has approved the proposed plan and that a Presby system would be installed.

Ira Grossman had no objections.

Evan Thackaberry moved to accept the variances as presented for 33 Longley Road as stated in the letter dated September 16, 2022, 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, 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 February 6, 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 2-bedroom house is to remain a 2-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.

20 Taylor Road – Variance Request to State Sanitary Code 410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets *

The homeowner was present requesting to finish 800 square feet within the basement to provide an open concept storage and office area and potentially a small bathroom. Recessed lighting and translucent doors would be installed.

Ira Grossman had no objections.

Evan Thackaberry moved to grant the variances as presented for 20 Taylor Road to the State Sanitary Code 410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets described and that the Board of Health Decision Notice be recorded with the Middlesex South Registry of Deed prior to the issuance of the Building Permits.

Robert Fleischer seconded and the motion carried.

Discussion of Proposed State Regulation That May Enable Statewide Drinking Water Protections and Financial Assistance for MA Households with Private Wells *

A new legislation has been filed by the State Senator Jamie Eldridge, Representative Smitty Pignatelli, and Representative Danillo A. Sena which would provide a statewide water quality standard for private wells supplying drinking water. The act would also expand the

existing Mass housing septic repair loan program and access to financial assistance for low income households.

The Board briefly discussed the Town's rules and regulations and how they can ensure that they are more stringent than State's regulations, similar to the Town's Wetland Protection Bylaws. The Board requested that they met with the State Representatives prior to voting on supporting the act or not.

OLD / NEW BUSINESS

MEETING MINUTES

The Board reviewed the meeting minutes dated February 7, 2022.

Robert Fleischer moved to accept the meeting minutes dated February 7, 2022. Evan Thackaberry seconded and the motion carried.

ON-GOING ISSUES

COVID UPDATES

Mr. Fleischer said that after the mandatory mask wearing in public expired there was a motion to recommend that the public continue to wear masks. He questioned if that motion should be continued. The Board decided to revisit the topic when the Federal Provision expires.

SQUANNACOOK SPORTSMANS CLUB SITE UPDATES

The lead remediation work is continuing and should be finished by spring or early summer. Ms. Collette said that she and Becky Pine had conversed with a representative from Blue Cross that was promoting a fitness grant that would assist in installing an outdoor fitness court. The Council on Aging has envisioned utilizing the Sportsman's Club Site for outdoor recreation. The grant obtains a matching requirement that would require the Town to utilize CPC funding or an alternative resource.

Robert Fleischer moved to adjourn the meeting at 7:48 pm. Evan Thackaberry seconded and the motion carried.

Minutes by Kristine Fox