



TOWN OF GROTON

Board of Health
173 Main Street
Groton, MA 01450

BOARD OF HEALTH

Michelle Collette, Chair
Robert J. Fleischer, Member
Evan Thackaberry, Member

Date: Monday May 6th, 2024
Time: 6:30 PM
Location: Town Hall, 173 Main St Groton MA, 1st Floor Meeting Room
Members Present: Michelle Collette, Robert J. Fleischer
Members Not Present: Evan Thackaberry
Others Present: Katie Berry, Kalene Gendron, Anne Riemer, Hans Riemer, Jonathan Crosswhite, Judy Anderson, Jeannie Schmidt, Rajesh Palakkal, Judi Barrett, Jay Prager, Veronica O'Donnell, Tom Peisel, Gregg Baker, Fran Stanley, Linda Bicknell, Robert Bicknell, Nancy Sarlan, Justin Frazier, Frederick Merk, Timothy Smith, Jack Petropoulos, Leonard Green, Daniel McLaughlin, Bruce Easom, Jeffrey Hannaford, Molly Foster, Jeffrey Brem, Residents

Michelle Collette called the meeting to order at 6:30 p.m.

17 Town Line Rd, Wayne Legacy, Housing Code Compliance- Kalene Gendron presented that she has been to the site and provided an enforcement order to the property owner dated March 21st, some code violations are “conditions deemed to endanger”, which have a timeline to correct of 24 hours, other violations are to be corrected within 30 days. The corrections are now passed this timeline, with. The tenant, Jonathan Crosswhite, spoke to the board regarding the state of the property, stating that that the property is in disrepair, claiming that the owner hasn't made repairs as needed, and is trying to remove him from the home. The board and agent discussed due process for the matter, with the property owner not present. Mr. Crosswhite shared update on legal proceedings, stating that a jury trial on this matter is to be held later in the month. Michelle Collette requested Katie Berry, administrator, to check with the Building Department for permits issued at the property repairs. Bob Fleischer moved to continue the discussion to the next meeting on May 20th, with a requirement for the property owner to attend, Michelle Collette seconded, and the motion carried unanimously.

747 Lowell Rd, Specialized Property Group, Condemnation Hearing, Continued- Kalene Gendron presented this continued condemnation hearing, sharing that all outstanding compliance issues have been corrected, as of her reinspection on Friday May 3rd, 2024. Michelle Collette asked Ryan Corcoran, representative for the property, if all building permits have been pulled and approved through the Building Department. Mike Marchetti, another agent of the property was on the call and provided an update on the status of open building permits. Ms. Collette clarified that nobody is currently occupying the home at this time, which the representatives stated is correct. Ms. Collette stated that she would be inclined to wait to sign the Septic Design Permit for the garage system, which has been prepared through Nashoba Associated Boards of Health, until the building permits have been signed off. Mr. Corcoran stated that the garage space is an office only and not a dwelling, he asked if the building permitting concerns were separate from the Board of Health condemnation hearing, to which Kalene Gendron provided a point of clarification, Michelle Collette shared zoning bylaw concerns, and reiterated that the board would sign once all requirements are satisfied. Bob Fleischer moved to continue the hearing to May

20th 2024 at 6:30pm, Michelle Collette seconded, and the motion carried unanimously. Ryan Corcoran and Michael Marchetti shared that he hopes to get this rectified as soon as possible without additional frustration for the Building Commissioner, Bob Garside. Michelle Collette clarified that the property has been pulled off the market, which Mr. Marchetti confirmed.

Chapter 322-Tobacco Regulation Review, Joan Hamlett Tobacco Control Alliance- Michelle Collette shared that a list of concerns was provided by the tobacco control alliance, who work within local towns on their tobacco regulations. On May 20th, 2024 the alliance will present some edits to the regulations, which the board can review to hold a future public hearing.

Comments to the ZBA re: Heritage Landing, Comprehensive Permits Waiver Requests & Noise and Odor Concerns- The Zoning Board of Appeals met jointly with the Board of Health to discuss comprehensive permit waivers as well as concerns of odor and noise for proposed 40B development project, Heritage Landing. Bruce Easom, Chair of the Zoning Board of Appeals, called the ZBA meeting to order at 7:00pm, presenting the public notice of the hearing. Michelle Collette introduced that the project applicant has made comprehensive permit waiver requests of the ZBA, some of which are on local board of health septic regulations. Jeffrey Brem, was present as project engineer as well as Jeff Hannaford, as the septic design contractor. Michelle Collette stated that Title V, as well as state laws, will all be applicable, though the applicant can request waivers from local regulations. Ms. Collette shared her concerns regarding the disturbed soil at the site, and the need for updated soil testing, as previous testing was done in 2004. She asked Mr. Hannaford if, under Title V, the septic disposal system can be installed in fill or only in natural soil. Mr. Hannaford stated that while soil testing was completed 20 years ago, it is a baseline, his observation was that the topography and survey plan appeared to be the same. Jeff Brem shared that he is doing comprehensive permits in two parts, preliminary design, and final design, clarifying that additional testing will be completed in the final design phase. Mr. Brem provided information on stormwater management, water table information, preliminary reviews, and design. Bob Fleischer and Kalene Gendron provided feedback. Michelle Collette shared that she has been an Earth Removal inspector since the 1990's and there has been major removal to the site, and recommended the applicants work closely with the Health Agent, Kalene Gendron, and Title 5 regulations. Jeff Hannaford explained that the waiver requests are needed by the ZBA now during preliminary design, though he will not know what exactly is needed until the full design is specified. Michelle Collette clarified that these waivers are from Groton's local regulations but not from Title V. Jeff Brem added that these waivers are essentially "worst case scenario." Jeanie Schmidt, a resident, asked if the septic disposal system can be or will be designed in fill. Mr. Hannaford shared that septic systems can be designed in fill, and Mr. Brem shared a map of the proposed site. Anne & Hans Reimer, residents, addressed the room, to discuss work that had been possibly started at the site 6 month ago, which Michelle Collette shared that the work was requested but stopped. A ZBA member shared that there has been some disappointed with the specificity with this project. The board and Mr. Hannaford discussed technical aspects of the project and waivers. Bob Fleischer moved to suggest to the ZBA recommend granting waiver #5 "request for infrastructure under roadway", Michelle Collette seconded, and the motion carried. Jeff Hannaford asked about the 50% increase of leaching area, asking the board to consider a reduction, as to potentially disturb less an area. ZBA members asked clarifying questions regarding the 50% increase waiver to the board, which was discussed among the board and Mr. Brem. Kalene Gendron shared that it would be best not to overdesign the system. Bob Fleischer moved to recommend reducing the 50% leach field design to Title V requirements, Michelle Collette seconded, and the motion carried unanimously. The BOH and ZBA discussed language for the remaining waivers, deny or defer. Bob Fleischer moved to recommend that the ZBA defer action for additional SDS waivers, as requested, without prejudice, and with the understanding that Title V be met, per the requests made on comprehensive permits from Alphen and Santos, Michelle Collette seconded, and the motion carried unanimously. A ZBA member asked about responsibility for maintenance of the shared system, to which Michelle Collette suggested that the questions be asked of

Town Counsel. Kalene Gendron shared that every three years condos need inspection. Michelle Collette reviewed the hazardous materials bylaw, and suggest the ZBA recommend adherence for the applicant, as previously voted. Justin Frazier, resident, shared concerns about soil testing, monitoring of any development. Mr. Frazier, with neighbors, want to confirm that there will be oversight by the town. Michelle Collette reassured that there are many boards keeping eyes on the site. Justin Frazier added that the neighborhood is in support of affordable housing, but not this project, and wants to make sure that this project is held to appropriate standards. Michelle Collette spoke to reassure the residents about oversight process. Residents came forward sharing that the neighborhood has made complaints about the composting operation on Cow Pond, and its odor. Ann Reimer gave a statement regarding odor from the operation, and its impacts on wellbeing, as well as the noise and sound from the firing range. Michelle Collette thanked Ms. Reimer for her statement, and shared that the Black Earth Composting manager and DPW staff have offered to attend a future meeting and address concerns from neighbors. Nancy Sarlan, resident, presented the board that she had previously called the police station regarding firing range sounds, and was told the public would not be informed when firing is to occur. She also shared her concern for the quality of living for the potential new residents exposed to odor, and traffic, with large vehicles moving faster than the speed limit. Michelle Collette shared that the Department of Environmental Protection oversees the composting site. Justin Frazier, resident, asked how the Board of Health will address these issues for Heritage Landing as well as the existing neighborhood. A ZBA member shared that the issues do need additional review. Michelle Collette and Bob Fleischer, gave feedback as to how they may look to seek expert opinion. The ZBA will meet on Wednesday 5/8, the BOH will meet 5/20. Bruce Easom added that the applicant representative may complete request for another extension on this project. Leonard Green moved for the Zoning Board of Appeals to continue the public hearing until 5/8/24 at 6pm and adjourn at 9:04pm, Tom Peisel seconded, and motion carried unanimously.

OLD / NEW BUSINESS:

Health Agent’s Report and Correspondence- Kalene Gendron shared that there has been an increase of resident complaints as of lately. She believes that the 240 Main St noise complaint may have been resolved today, which would be a victory. Kalene Gendron asked if there are any records of complaints against the composting facility located at Cow Pond Rd.

Sign permits/ invoices- The board reviewed and signed 1 GELD invoice for mailing Stable Licenses.

Minutes- Bob Fleischer moved to accept the minutes of 18 March 2024 as submitted, Michelle Collette seconded and the motion carried unanimously. Bob Fleischer moved to accept the minutes of 04 April 2024 as submitted, Michelle Collette seconded and the motion carried unanimously.

Schedule Next Meeting

Board of Health will meet Monday May 20th, 2024 at 6:30pm.

Bob Fleischer moved to adjourn at 9:22pm, Michelle Collette seconded, and the motion carried unanimously.

Minutes by Katie Berry.

APPROVED: 5/20/2024
