



TOWN OF GROTON

Board of Health
173 Main Street
Groton, MA 01450

BOARD OF HEALTH

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

Date: Monday October 7, 2024
Time: 6:30 PM
Location: Town Hall, 173 Main St Groton MA, 1st Floor Meeting Room
Members Present: Michelle Collette, Robert J. Fleischer, Evan Thackaberry
Members Not Present:
Others Present: Kalene Gendron, Danny Griffin, Richard Blood, Wayne Legacy, Matthew Stangle, Cindy Silva, Joan Hamlett, Arabella Palma via Zoom

Evan Thackaberry called the meeting to order at 6:30 p.m.

Brookfield Commons Parcel 137-13, LandTech Consultants, Helena Koch, Local Chapter 315 SDS Variances, Title 5 Variance, and Title 5 Local Upgrade Approval Requests- The board discussed the sewage disposal system plans with Matthew Stangle of LandTech Consultants, with some concern regarding a pre-existing well that could only be permissible for use as an irrigation well. After discussion, Bob Fleischer moved to grant the variances for Brookfield commons for a local upgrade approval requested in accordance with 15.405(1)(b) to increase allowable depth of system component from 36” to 54” (at proposed septic tank), a local upgrade approval requested in accordance with 15.405(1)(b) to reduce the setback distance from a septic tank to a slab foundation from 10’ to 8’ (septic tank #2 to entryway), a variance requested from the Town of Groton subsurface sewage disposal regulation 315-6 square footage requirements to allow a 24% reduction from Title V area requirement for the proposed I/A system, with requirement that the existing well on property be either determined as in a permissible use and remain, or determined as out of use and decommissioned, Michelle Collette seconded and the motion carried unanimously.

Tobacco Control Alliance, Joan Hamlett, Chapter 322-Tobacco Regulation Draft Review- Joan Hamlett of the Tobacco Control Alliance was present to review proposed Tobacco Regulation draft updates. The Board discussed the public hearing, to be held on Monday October 21st, 2024 at The Groton Center at 163 West Main St. The Board reviewed the proposed draft to be presented at the, Michelle Collette moved to accept the proposed revisions to the Town of Groton Chapter 322- Tobacco Regulations, with such proposed revisions be filed with the Town Clerk, for the public hearing to be held on Monday October 21st 2024 at 6:30pm, Bob Fleischer seconded, and the motion carried unanimously.

17 Town Line Rd, Wayne Legacy, Housing Code Compliance- Wayne Legacy, property owner was present, and stated that all requirements for compliance have been met, with Health Agent Kalene Gendron agreeing, upon her reinspection, that compliance has been met. Michelle Collette moved to close the public hearing of housing compliance, as no additional action is necessary, Bob Fleischer seconded, and the motion carried unanimously.

23 McCarthy Dr, Arabella Palma, Housing Code Compliance- Arabella Palma, property owner, was present via Zoom. Kalene Gendron shared that upon reinspection, she noted that approximately half of the violations were addressed, which is positive, and that she is in receipt of invoices for work. Ms. Palma

stated that she has struggled with scheduling work to be performed due to inflexibility of tenants. Ms. Palma stated that she needs the tenants to be fully moved out in order to complete certain jobs such as basement flooring, also stating that she has a court order for the tenants to be moved out by January 15, 2025. Evan Thackaberry asked the Health Agent, Kalene Gendron, if there are any remaining items that are of concern, to which Ms. Gendron stated that the water temperature is still too high for compliance, in the bath tub specifically. Ms. Palma stated that the tenant could adjust the water temperature, and that the handyman will be coming to complete some remaining items on Monday October 21, 2024, though she will make an effort to get another contractor to the site tomorrow to correct the high-water temperature. Arabella Palma requested an extension for repairs. Michelle Collette moved to continue the hearing to Monday November 4th 2024, that the hot water violation be dealt with immediately, Bob Fleischer seconded, and the motion carried unanimously.

95 West Main Street, Richard Blood, Condemnation Hearing, Continued- Danny Griffin addressed the Board to share the completed failing Title V for the site, as well as a Building Permit for upcoming improvements on windows, siding, and roof. Mr. Griffin stated that work has begun on removal of unfit carpeting, sheetrock, debris, to clean out the property. Outside of the work being performed, Mr. Griffin assured Evan Thackaberry that the property remains boarded up. Mr. Griffin also shared that he will work with the Building Commissioner in demolition of the garage, and is looking ahead to determine permissibility of moving and increasing the sewage disposal system, potentially put an addition onto the primary structure. Kalene Gendron confirmed that there are no longer any tenants on the property, and that once construction is to be complete Board of Health would be included on the Home Occupancy permitting process through the Building Dept. After discussion, Michelle Collette moved to close the public condemnation hearing for 95 West Main Street, Bob Fleischer seconded, and the motion carried unanimously.

OLD / NEW BUSINESS:

Health Agents Report- Kalene Gendron shared an update on the ongoing noise complaint at 240 Main St, she stated that she did reach out to Department of Environmental Protection and it does not appear that they will be performing any formal readings at this time and that the property owner has notified her in writing that a sound study is underway, with an action plan forthcoming. Ms. Gendron also stated that the building occupant is putting together a compliance survey, diagnostic survey, as well as report and recommendations to be pursued, also noting that the occupant and owner are not under enforcement from the Board, and no more could be asked of them at this time, with good faith efforts being made. The Board discussed next steps for all parties, and ability to review the submitted testing, once available. Kalene Gendron also shared that at a recent Williams Barn event, a vendor selling fish, was present without proper permitting, and that Nashoba Associated Boards of Health is pursuing the matter. Ms. Gendron also shared that the Squannacook River has had complaints, no definitive reports, some of dogs getting sick after swimming in the water, that multiple departments are looking into the matter, she has done a site visit, where she witnessed no algae bloom. Michelle Collette added that she assists with water testing during the summer months, and while E. coli levels were higher in summer, they came back down as the weather cooled. The Board also discussed some changes that have been made recently by the Herb Lyceum as they work around their recent fire damage to continue service, with the Board of Health working alongside the Fire Department to ensure compliance.

Other Discussion- Michelle Collette suggested that the Board may consider requesting funds in the upcoming FY26 Budget for lab services, water quality testing, for instances over and above the local associations testing requirements. The Board also discussed the potential for a Squannacook River Task Force for Groton and local communities to determine sources of E. coli.

Sign permits/ invoices- (1) invoice for Geological Field Services was signed by present members.

Minutes- Bob Fleischer moved to accept the minutes of 16 September 2024, as submitted, Michelle Collette seconded, and the motion carried unanimously.

Schedule Next Meeting- The Board of Health will meet to hold a public hearing on Monday October 21, 2024 at 6:30pm at The Groton Center 163 West Main Street.

Michelle Collette moved to adjourn at 7:30pm, Bob Fleischer seconded, and the motion carried unanimously.

Minutes by Katie Berry, Interdepartmental Administrative Assistant.

APPROVED: 10/21/24
