

**BOARD OF HEALTH
MEETING MINUTES**

Wednesday, August 6, 2014

**ATTENDEES: Robert O'Hanley, Member
Richard Lombard, Member
Charlotte Parker, Member
Lori Bentsen, Administrative Asst.**

Meeting Open: 6:38 PM

AGENDA:

The first item on the agenda is review and approval of meeting minutes of July 10, 2014. Richard Lombard made a motion to approve meeting minutes of July 10, 2014 and it was a unanimous vote.

The second item on the agenda is Board of Health approval for the proposed in-law apartment at 116 Main St. In attendance at this meeting to discuss this issue are Douglas and Carol Gelina, homeowners of 116 Main St., Attorney Philip Parry, 4 Merrimac Sq., Merrimac, MA, and Jack Willett, 111 School St., Groveland, MA. Attorney Parry told the Board that the reason he is attending this meeting is because Mr. and Mrs. Gelina applied for a building permit for an in-law apartment and the building inspector requires signatures from certain boards, one of which is the Board of Health. Attorney Parry said that his understanding is that the building inspector's request for the Board of Health's signature is to provide assurances to the building inspector that there is an adequate water supply and adequate disposal of sewage. Attorney Parry said the proposed in-law apartment would be constructed on the second floor of an existing garage and would be served by municipal water and sewer. Robert O'Hanley asked Attorney Parry if he was correct in stating that Mr. and Mrs. Gelina withdrew their in-law apartment application with the Groveland Zoning Board on May 7, 2014. Attorney Parry said that is correct. Robert O'Hanley then read Groveland Zoning By-Laws, Section 107.9, Dwelling per Lot which states one building per lot and Robert O'Hanley said that another section of the zoning by-laws states that in-law apartments must be attached. Robert O'Hanley asked Attorney Parry why he would ask this Board to not be compliant with the town's zoning by-laws? Attorney Parry said that he was very aware of the zoning by-laws but he is before the Board for matters that pertain exclusively to the Board of Health. Attorney Parry said that each board here has to do its own respective job. The Board of

Health's authority is limited to adequacy of potable water and disposal of sewage. Robert O'Hanley said that the garage was built for the purpose of a garage and storage only and Robert O'Hanley argued that the Board of Health would have jurisdiction with regard to the health and safety of anyone living in an apartment above a garage. Richard Lombard agreed and said that he would like to see approval of the in-law apartment from the Zoning Board before the Board of Health signs the building permit application. Charlotte Parker asked if it would be possible for the Board of Health to sign providing that it is verified that there is adequate water and sewer to this property should an in-law apartment be built. Attorney Parry presented to the Board a Groveland Water and Sewer bill dated 7/1/14 for 116 Main St. Richard Lombard made a motion for the Board of Health to sign the building permit application providing Attorney Parry included an addendum which reads "Any assent by the Board of Health shall not be construed as an assent to the proposed in-law use, and any assent is for the sole purpose of acknowledging that there is public water and sewer available in the street" and it was a unanimous vote. Robert O'Hanley signed the building permit application.

The next item on the agenda is Emergency Preparedness and the Board asked Anita Wright, RN, Public Health Nurse to attend this meeting. Robert O'Hanley said that the Board wanted to ask Anita if she would be interested in participating in Emergency Preparedness meetings. Anita said she would attend the meetings and told the Board she now has the time to devote to this because she recently retired from Brigham and Women's Hospital. Anita said that she understands that the meetings are quarterly and asked the Board if they would like her to submit a written report to the Board as to the content of each meeting. The Board said that they would like a written report from her as to what transpired at each meeting. Charlotte Parker made a motion to have Anita Wright be the representative for the Board of Health at the Coalition 3A. Robert O'Hanley seconded and it was a unanimous vote. Anita told the Board that she will write to the coalition to inform them that she will be attending the meetings and that she will also ask for copies of meeting minutes so that she can get up to speed as to what has been going on.

Next on the agenda is homeowner Daniel Pothier of 1 Hillview Dr., to discuss with the Board the feasibility of an in-law apartment addition to his house for his wife's parents who would occupy this apartment for 3 months a year. Jim Scanlan, PE, Scanlan Engineering, Georgetown, MA said that he is asking the Board if they would consider allowing the homeowner to tie into the existing septic system with a 4 bedroom deed restriction. The reason for this is to save the homeowner the expense of the upgrade to the existing system. Jim Scanlan said that the existing system is designed for 600 gallons per day for 4 bedrooms which is in compliance with Board of Health regulations of 150 gallons per day per

Board of Health Meeting Minutes
August 6, 2014 – Page 3

bedroom. Jim Scanlan said he is asking the Board for a variance to state regulations which is 110 gallons per day which would be 550 gallons per day per bedroom with the fifth bedroom addition. The homeowner told the Board that his addition plans were not definite yet. He wasn't sure if he was going to do one bedroom, kitchen and bath over the garage or just a large family room with a bath. The Board told the homeowner that they prefer he upgrade his existing system which will be in compliance with either addition he decides to do.

The Board tabled granting the variances to the next Board meeting for 8 Governors Rd., 214 King St., 268 Washington St. and 97 King St. due to the fact that the health agent was not present at this meeting due to illness. Jim Scanlan asked the Board, since he was available, if the Board would like to review with him the specifics on each variance and the Board agreed.

The last item on the agenda is 40 Seven Star Rd. The Board received a complaint from the person living in the house, Richard Franklin. Richard Franklin said that his property had soil testing performed on 8/4/14 and the excavator damaged his existing septic system. The Board said that there are legal issues ongoing with this property as to ownership. The Board said that they do not want to get involved because their belief is that it is a civil matter.

Meeting adjourned 8:30 PM

Next Board of Health meeting is scheduled for August 27, 2014 at 6:30 PM