

**BOARD OF HEALTH**

Ralph Jensen, Chairman  
Robert Ogilvie, Clerk  
Peter Marinelli, Board Member

**HEALTH AGENT**

Kathleen M. Waldron, RS

# Town of Avon

## Massachusetts



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2022 SEP 14 A 9:51  
TOWN CLERK

*POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A S18-25*

**Board of Health**  
**August 11, 2022**  
**4:30 PM**  
**MINUTES**

**This meeting was hybrid. All Board members met in person; all others joined remotely. Meeting called to order at 4:32PM**

**Present:** Chairman, Ralph Jensen; Clerk, Robert Ogilvie; Member, Peter Marinelli; Kathleen Waldron, Health Agent and recording secretary; Peter Lyons, Collins Civil Engineering Group; Josephine Douyon, 33 Bartlett Street.

**New Business**

- **Title 5 Local Upgrade Request for 31 Gill Street, Collins Civil Engineering Group, Inc**

The proposed plan is to replace the septic system serving this existing five-bedroom dwelling with no plan to increase the flow of the system. Two local upgrade approvals were requested. The first is a local upgrade from 310 CMR 15.212 of the State Sanitary Code which requires a minimum five (5) foot vertical separation from the soil underlying the soil absorption system above the high groundwater elevation shall be five (5) feet with a recorded percolation rate of less than two minutes per inch. A local upgrade that would allow a vertical separation reduction from the required five (5) feet to four (4) feet is requested. The second local upgrade is in accordance with DEP Policy #BRP/DWM/Pep-POO-1 allowing a percolation rate to be established via grain size distribution analysis. A deed restriction must be executed and recorded at the Registry of Deeds that states: A garbage grinder may not be used or installed on the premises and that the property must not exceed a five-bedroom dwelling for as long as this system is in use. The health agent mentioned to the Board of Health that the owner is currently pumping the effluent of the failing septic system onto the ground. The Board agreed that the owner must immediately stop pumping the system and have the tank pumped by a licensed pumper until the system is replaced. Mr. Ogilvie made a motion to approve the local upgrade requests, to approve the proposed plan and that the owner shall stop pumping the system onto their yard. Mr. Marinelli seconded. All in favor.

- **33 Bartlett Street – Follow up from letter**

The owner of this property was asked to come before the Board of Health because there has been ongoing violations that have not been resolved. The health agent has not been able to make another inspection of the property and most recently, received a complaint about a neighbor seeing rats coming from this address. The outstanding violations are that there is a hose entering through the riser of the septic system

is not in compliance with 310 CMR 15.000, the septic system has not been pumped, accumulation and storage of garbage and rubbish and a swimming pool that had stagnant water. Ms. Douyon explained that the hose had been removed, that the septic tank is scheduled to be pumped by Avon Septic and Pumping on 9.18.2022, the pool has been drained, the trash has been removed and that landscapers come every two weeks. Ms. Douyon agreed to allow the health agent to make an inspection of the property on Tuesday August 16 at 9:30AM. Ms. Douyon did point out that if the neighbors are seeing rats, that the neighbor leaves out food for the cats, this could add to the problem.

- **Title 5 Local Upgrade Request for 250 West Main Street, DMG Associates**

The engineer was not present at this meeting and the health agent is waiting for some other documents associated with the local upgrade requests. This will be tabled until the next meeting. The health agent will follow up with the engineering company.

- **Health Agent Report**

See attached

**Other**

- A warrant in the amount of \$44,739.10 was approved for FY2023 payment.

**Approval of Minutes**

- Minutes from August 11, 2022- Mr. Ogilvie made a motion to approve minutes. Mr. Marinelli seconded, all in favor.

**Next Meeting:**

- Thursday September 8, 2022 at 4:30PM

Mr. Ogilvie made a motion to adjourn. Mr. Marinelli seconded, all in favor. Meeting adjourned at 5:27PM

ATTEST:



DATE:

9-8-22