

**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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TOWN OF AVON

2022 OCT 13 P 6:33

TOWN CLERK

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

**Board of Health**  
**September 8, 2022**  
**4:30 PM**  
**MINUTES**

**This meeting was hybrid. All Board members met in person; all others joined remotely. Meeting called to order at 4:35PM**

**Present:** Chairman, Ralph Jensen; Clerk, Robert Ogilvie; Member, Peter Marinelli; Kathleen Waldron, Health Agent and recording secretary; Peter Lyons, Collins Civil Engineering Group; William Gottwald, DMG Associates.

**New Business**

- **Title 5 Local Upgrade Request for 4 Argyle Avenue, Collins Civil Engineering Group, Inc**

The proposed plan is to replace the septic system serving this existing three-bedroom dwelling with no plan to increase the flow of the system. Three 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 four (4) foot vertical separation from the soil underlying of the soil absorption system above the high groundwater elevation shall be four (4) feet with a recorded percolation rate of greater than two minutes per inch. A local upgrade approval that would allow a vertical separation reduction from the required four (4) feet to three (3) feet is requested. The second is a local upgrade from 310 CMR 15.211 of the State Sanitary Code which requires a minimum twenty (20) foot setback from a foundation wall to a soil absorption system. A local upgrade allowing a reduction from twenty (20) feet to ten (10) feet is requested. A liner will be provided.

The last is a local upgrade approval from 310 CMR 15.211 of the State Sanitary Code which requires a minimum ten (10) foot setback from a property line to a soil absorption system. A local upgrade approval allowing a reduction from ten (10) feet to six (6) feet is requested. The over dig around the front steps will be omitted. 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 three-bedroom dwelling for as long as this system is in use.

Mr. Ogilvie made a motion to approve the local upgrade requests, to approve the proposed plan and require a deed restriction for the property. Mr. Marinelli seconded the motion, all in favor.

- **Title 5 Local Upgrade Request for 45 Oliver Street, Collins Civil Engineering Group, Inc**

The proposed plan is to replace the septic system serving this existing three-bedroom dwelling with no plan to increase the flow of the system. Three local upgrade approvals were requested. A local upgrade from 310 CMR 15.212 of the State Sanitary Code which requires a minimum five (5) foot vertical separation between the high ground water elevation and the bottom of the soil absorption system with a percolation rate less than 2 minutes per inch. A local upgrade approval that would allow a vertical separation reduction from the required five (5) feet to four (4) feet is requested. Secondly, a local upgrade in accordance with DEP Policy #BRP/DWM/PeP-POO-1, allowing a percolation rate to be established via grain size distribution analysis is requested. Third, a local upgrade approval from 310 CMR 15.211 of the State Sanitary Code which requires a minimum twenty (20) foot setback from a foundation wall to a soil absorption system. A local upgrade allowing a reduction from twenty (20) feet to six (6) feet is requested. A liner will be provided. 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 three-bedroom dwelling for as long as this system is in use. The health agent and the board request the notes about plumbing the laundry line and the soil data need to be corrected.

Mr. Marinelli made a motion to approve the local upgrade requests with a deed restriction and the corrections in the plan as discussed. Mr. Ogilvie seconded. All in favor.

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

The proposed plan is to replace the septic system serving this existing three-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 four (4) foot vertical separation from the soil underlying the soil absorption system above the high groundwater elevation with a recorded percolation rate of greater than two minutes per inch. A local upgrade approval that would allow a vertical separation reduction from the required four (4) feet to three (3) feet is requested. The second is a local upgrade in accordance with DEP Policy #BRP/DWM/PeP-POO-1 allowing a percolation rate to be established via grain size distribution analysis.

Due to the high ground water observed during the percolation tests, the plan and local upgrades were approved with the understanding that the engineer will meet the health agent onsite during the pre-bed inspection to verify the estimated high groundwater elevation.

Mr. Ogilvie made a motion to approve the local upgrade requests and the plan as presented with the condition that the engineer and health agent meet at the prebed inspection to determine groundwater and that the engineer submits form 9B for the local upgrades. Mr. Marinelli seconded the motion, all in favor.

- **Failed Title 5 Inspection – 7 Nichols Avenue**

The owner of this property was asked to come before the Board of Health because a Title 5 Inspection was made in May of 2021 and should have been replaced in a year. The owner has not made any progress in replacing the system. The owner did not appear at the meeting tonight. The Health Agent will follow up with him next week.

- **Health Agent Report**

See attached

### **Other**

- The Avon School Association (ASA) asked the Board of Health to donate a trash tote to use as a collection container for candy. This candy will be distributed at the annual fall festival at the Butler School. The Board is willing to temporarily donate the tote as long as it is not altered in any permanent way where it cannot be used as a trash tote again.

- A warrant in the amount of \$49,401.12 was approved for FY2023 payment.

**Approval of Minutes**

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

**Next Meeting:**

- Thursday October 13, 2022 at 4:30PM

Mr. Marinelli made a motion to adjourn. Mr. Jensen seconded, all in favor. Meeting adjourned at 5:55PM

ATTEST: 

DATE: 10-13-22