

**BOARD OF HEALTH**  
Ralph Jensen, Chairman  
Robert Ogilvie, Clerk  
Jeffrey Tibnam, Board Member

**HEALTH AGENT**  
Kathleen M. Waldron, RS

# Town of Avon

## Massachusetts



65 East Main Street  
Avon, MA 02322  
Phone: 508.588.0414  
Fax: 508.559.0209  
www.avon-ma.gov

**AVON TOWN CLERK**  
REC'D APR 11 2024 PM7:01

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

**Board of Health**  
**March 28, 2024**  
**5:00 PM**  
**MINUTES**

**This meeting was hybrid. Mr. Jensen and Mr. Tibnam met in person, Mr. Ogilvie joined via zoom.**  
**Meeting called to order at 5:02PM**

**Present:** Chairman, Ralph Jensen; Clerk, Robert Ogilvie; Member, Jeffrey Tibnam; Kathleen Waldron, Health Agent; Sharon Simon, administrative assistant and recording secretary; Peter Lyons, Collins Civil Engineering Group

**New Business**

- **Title 5 Local Upgrade Request for 90 West High Street, Collins Civil Engineering Group**  
The proposed plan is to replace the failing septic system serving this existing three bedroom dwelling. Two local upgrades were requested from the engineering company. The first request was from Section 310 CMR 15.212 of the State Sanitary Code which requires a minimum four (4) foot separation between the high ground water elevation and the bottom of the soil absorption system with a percolation rate greater than two minutes per inch. A reduction in separation from four (4) feet to three (3) feet is being requested to avoid potential surface water impacts to the abutter. The second request is from section 310 CMR 15.211 of the State Sanitary Code which requires a minimum twenty (20) foot setback from a foundation wall to a leaching field. A local reduction from twenty (20) feet to a minimum of fifteen (15) feet is requested to avoid potential surface water impacts to the abutter. A liner is provided around the field.  
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. Tibnam made a motion to approve the two requested local upgrades and the plan as presented with a deed restriction. Mr. Ogilvie seconded, all in favor.
- **Title 5 Local Upgrade Request for 40 Nichols Avenue, Collins Civil Engineering Group**  
The proposed plan is to replace the failing septic system. The health agent requested to table this until the next meeting because she had questions that had not been answered by Septic Preservation.

- **Title 5 Local Upgrade Request for 126 East High Street, Collins Civil Engineering Group**

A plan to replace this septic system was approved by the Board of Health on November 4, 2021. The system has not been installed and the house has been vacant. The permit and plan expired in November of 2023. The property has a new owner who is looking to move forward with installing the system. Collins Civil Engineering submitted a revised plan, with the same local upgrade requests. The proposed plan is to replace the existing septic system of this three-bedroom single family dwelling with no plan to increase the flow of the system. Three local upgrades were requested by the engineering company. The first is from Section 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 two minutes per inch. A local upgrade approval allowing a reduction from five (5) feet to four (4) feet was requested. The second request is from 310 CMR 15.405(1)(i): To allow the use of a sieve and hydrometer lab test results in lieu of an in place percolation test. This is in accordance with DEP Policy #BRP/DWM/PeP-POO-1. At the time of the soil testing, the suitable soil was found to be saturated with groundwater. Due to these conditions, a percolation test could not be performed and a soil sample for a sieve and hydrometer testing was taken. The third local upgrade approval is from section 310 CMR 15.227 of the State Sanitary Code which requires a minimum twelve (12) inch vertical separation between the high ground water elevation and the lowest tank invert. A variance allowing a reduction from twelve (12) inches to three (3) inches was requested. Boots will be provided on the inlets and outlets within twelve (12) inches of the ground water. The tank and pump chamber should both be monolithic.

Mr. Ogilvie made a motion to approve the three local upgrade requests and the proposed plan as presented with the understanding that the soils must be confirmed at the open hole. Mr. Tibnam seconded. All in favor, vote passed unanimously.

- **Title 5 Local Upgrade Request for 40 Nicholas Avenue, Landmark Site Design**

This request was tabled for the next board of health meeting.

- **Tobacco Inspections**

Tobacco compliance inspections took place in February. All establishments asked for identification and no sales to minors were made. ACES sent letters to all the establishments thanking them.

- **Open Compost Site**

The health agent proposed the compost site change to regular hours as of April 6, 2024. No objection by board members.

## **Old Business**

- **Contract with Republic Services**

The Select Board and Republic Services signed the contract for services starting July 1, 2024 through June 30, 2027

- **Health Agent Report**

See attached

## **Other**

- **Warrant Approval**

A warrant in the amount of \$53,502.70 was approved for FY2024 payment.

**Approval of Minutes**

- Minutes from February 8, 2024. Mr. Jensen made a motion to approve minutes. Mr. Tibnam seconded, all in favor.

**Next Meeting:**

- Thursday April 11, 2024 at 5:00PM

Mr. Tibnam made a motion to adjourn. Mr. Ogilvie seconded, all in favor. Meeting adjourned at 5:52PM

**ATTEST:**

*Ralph Jensen*

**DATE:**

*4/11/24*