

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

2023 MAY 11 P 7:17

TOWN CLERK

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

Board of Health **April 6, 2023** **4:30 PM** **MINUTES**

**This meeting was hybrid. Mr. Jensen and Mr. Marinelli met in person. Mr. Ogilvie joined via zoom.
Meeting called to order at 4:30PM**

Present: Chairman, Ralph Jensen; Clerk, Robert Ogilvie; Member, Peter Marinelli; Kathleen Waldron, Health Agent and recording secretary; Sharon Simon, Board of Health Administrative Assistant; Peter Lyons, Collins Civil Engineering Group; Waqar Aslam, Avon Smoke Shop.

New Business

- **Title 5 Local Upgrade Request for 175 Main Street, Collins Civil Engineering Group, Inc.**
The proposed plan is to replace this failing septic system serving this existing commercial space consisting of three (3) barber chairs and 400 square feet of office space with no plan to increase the flow of the system. One local upgrade approval was requested from section 310 CMR 15.212 of the State Sanitary Code which requires minimum four (4) foot vertical separation between the high ground water elevation and the bottom of the soil absorption system with a percolation rate greater than two (2) minutes per inch. A local upgrade approval allowing a reduction from four (4) feet to three (3) feet was requested.
Mr. Marinelli made a motion to approve the local upgrade and the plan as revised tonight. Mr. Jensen seconded, all in favor.
- **Title 5 Local Upgrade Request for 394 East Main Street, Collins Civil Engineering Group, Inc.**
The proposed plan is to replace this failing septic system serving this three (3) bedroom dwelling with no plan to increase the flow of the system. Three local upgrade approvals were requested. The first request 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. The second request is a local upgrade 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 soil absorption system (SAS). A local upgrade approval allowing a reduction from twenty (20) feet to seventeen (17) feet is requested. Lastly, a local upgrade from section 310 CMR 15.211 of the State Sanitary Code, which requires a minimum fifty (50) foot setback from a wetland to a SAS, was requested to allow a reduction from fifty (50) feet to a minimum of eleven (11) feet. A liner will be provided around the entire system.
Prior to issuing a permit to begin work on the installation of this septic system, a deed restriction must be filed with the registry of deeds. The restriction must state that this dwelling shall not exceed a three (3) bedroom dwelling and that a garbage grinder shall not be used on any fixture.

Mr. Marinelli made a motion to approve the three local upgrades and the plan as presented with a deed restriction. Mr. Ogilvie seconded, all in favor.

- **Housing and Septic Violations – 1 Robbins Street**

The health agent was notified that the septic system of this property was breaking out through the concrete block wall in the back of the property. Sewage was pouring onto the property of 22 East Main Street, this was observed by the residents multiple times, the health agent witnessed this and there was videos sent to the health agent. The health agent made an inspection of 1 Robbins Street and observed ponding areas above the septic system. In addition, there was housing code violations such as a large accumulations of trash/debris scattered throughout the yard and the smoke detectors were “chirping” indicated they were not working properly. The owner of this property has been sited multiple times since 2019 about the trash and debris in the yard. The health agent brought this property before the board in support of the next step in bringing the owner to court if this issue of the septic system or the trash cannot be resolved. On March 23 an order letter was sent to the owner requiring:

- Pump all septic tanks servicing this property within 24 hours of receipt of this letter.
- Maintain all smoke detectors and carbon monoxide alarms within 24 hours of receipt of this letter.
- Have a full Title 5 Inspection made of the septic system to determine how the system is operating within fourteen (14) days of receipt of this letter.
- Clean up all debris throughout the property within fourteen (14) days receipt of this letter.
- Come before the Avon Board of Health at their next meeting on April 6, 2023 to discuss the ongoing issues.

The system had been pumped and a Title 5 inspection has been scheduled. The owner of the property did not attend the Board of Health meeting. The health agent will follow up with the owner.

- **Application for a Tobacco Product Sales Permit at 490 West Main Street**

The Board of Health received an application for a new tobacco retail store. The owner, Mr. Aslam, was present at this Board of Health meeting. A tobacco retail store is an establishment which is not required to possess a retail food permit, whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and paraphernalia, in which the sale of other products is merely incidental, and in which the entry of persons younger than 21 years of age is prohibited at all times, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the appropriate authority in the city, town, or other legally constituted governmental unit within the Commonwealth where the establishment is located. At this time, the applicant does not have the required State License to sell tobacco. The applicant must obtain all required documents and come back to the Board of Health when ready.

- **Revising the Regulation of the Avon Board of Health Restricting the Sale of Tobacco Products**

After the tobacco violation hearings last month, the health agent and the board would like to change the Avon regulations to be in line with the current state regulations. Sarah McColgan, the Tobacco Control Program Director through the Massachusetts Health Officers Association sent draft regulations for the Board of Health to review. Members will review and discuss at the next Board of Health meeting.

- **Trash, Recycling and Bulk Collection Calendars**

Republic Services sent a draft calendar to the board for review. A couple small changes were discussed. The health agent will contact Republic Services with the changes. The calendar should be mailed to residents prior to July 1, 2023.

- **Application fro Compost Attendant Position**

There was one application for the compost attendant position. The health agent met with the candidate and believes they will fill the role very well. This candidate has experience working for the Town of Avon and knowledge about trash and recycling. The board will move forward with hiring this candidate.

- **COVID Clinic and Dementia Friendly Community Event**

The health agent has been working with the Council on Aging to host a Dementia Friendly Community Event. This event will be the kick off to Avon recently becoming a dementia friendly community. We are planning to have information about dementia available, a video that explains what dementia is, community partners who can support anyone who knows someone with dementia, snacks and the Red Sox trophy will be on display. Postcards were sent to every household in Avon informing residents that Avon is a Dementia Friendly Community and that this event will be taking place (see attached). In conjunction with this kick off, there will be a COVID vaccination clinic in the Mary McDermott room from 2-4:30PM, all are welcome to attend these events.

- **Community Clean Up Day**

Community Clean Up will take place on May 13, 2023 from 9-11:30AM. The Health Agent has been working with a student from the National Honor Society. Hopefully this joint effort will get more residents involved. Republic Services has donated four Red Sox tickets for a raffle to all those who participate.

- **Health Agent Report**

See attached.

Old Business

- **FY2024**

The annual town meeting will be on May 2, 2023 at 7:00PM.

Approval of Minutes

- Minutes from March 9, 2023 and March 15, 2023- Mr. Marinelli made a motion to approve minutes. Mr. Jensen seconded, all in favor.

Next Meeting:

- Thursday May 11, 2023 at 4:30PM

Mr. Marinelli made a motion to adjourn. Mr. Jensen seconded, all in favor.

ATTEST:

Robt Ogilvie

DATE:

5-11-23