

BOARD OF HEALTH
Gerald Picardi, Chairman
Ralph Jensen, Clerk
Robert Ogilvie, Board Member

HEALTH AGENT
Kathleen Waldron

Town of Avon Massachusetts



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TOWN OF AVON
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TOWN CLERK

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

Board of Health February 14, 2019 6:30 PM MINUTES

Meeting called to order at 6:30 P.M.

Present: Chairman, Gerald Picardi; Robert Ogilvie, Associate Member; Nyles Zager, Zenith Consulting Engineers, LLC, Kathleen Waldron, Health Agent and recording secretary.

- **Title 5 Local Upgrade Request for 200 East High Street**

The proposed plan is to replace the existing failing septic system of this three-bedroom dwelling. A Title 5 Inspection was made on 9-6-2018. There is no plan to increase the flow to the system. This area has high ground water and many rocks. The sieve analysis came back as a loamy sand bordering on a sandy loam. The system was designed for a sandy loam. The inlets and outlets will be within an inch of the water table and rubber boots will be used around the pipes. This will be a mounded system. Three Local Upgrade Approvals were requested. The first for a reduction of the required separation between the bottom of the proposed soils absorption system and the estimated high groundwater elevation from four feet to three feet in soils with a percolation rate greater than two minutes per inch per 310 CMR 15.405(1)(h). The second is to use a sieve analysis in lieu of a percolation test per 310 CMR 15.405(1)(i). The third was a reduction of the requirement of a twelve-inch separation between the inlet and outlet tees and high groundwater to within one inch of the water table, provided all boots or pipe joints are sealed with hydraulic cement or installed with watertight sleeves and the tank is proven watertight per 310 CMR 15.405(1)(j). Tanks will be monolithic.

Mr. Ogilvie made a motion to approve the local upgrade requests per the plan dated January 23, 2019. Mr. Picardi seconded, vote carried unanimously.

- **Title 5 Local Upgrade Request for 15 Freeman Street, Collins Civil Engineering Group**

This system is currently in failure. A percolation test was scheduled on February 11, 2019, however, a sieve analysis was performed because the soil was so saturated. Due to the urgency, the engineer asked the board to consider granting variances that may be needed. The system has not yet been designed because the results of the sieve analysis may take up to a couple weeks. The engineer thinks he will need three variances to design the septic system. The first being a variance from section 310 CMR 15.212 of the State Sanitary Code which requires a minimum 5'4" 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 variance allowing a reduction from 5'4" to 4'3" is requested depending on the soil sample results, which will be available in 2 weeks. The second is a variance in accordance with DEP Policy #BRP/DWM/PeP-POO-1, allowing a percolation rate to be established via grain size distribution analysis.

The third is leaching field and septic tank setbacks to the house may be required, depending on soil results and system size. A reduction to an unknown dimension may be required. The health agent will review the plan and the plan will be presented at the next Board of Health Meeting. If additional local upgrade approvals are needed, the plan and requests will have to be presented to the board, prior to installation of the system. A deed restriction will be required due to the setback upgrade.

Mr. Ogilvie made a motion to approve all three local upgrade requests per the letter from George Collins, dated February 12, 2019. Mr. Picardi seconded, vote carried unanimously.

- **Title 5 Inspection Report, 382 Page Street**

This inspection report reflects that the dwelling at 382 Page Street currently has five bedrooms, but the system was only designed for three. The homeowner explained to the health agent that they were only going to use the house as a three-bedroom dwelling. The Board wants the homeowners notified that if they are to utilize five bedrooms, they system shall be upgraded. If they system begins to show signs of failure or becomes a public health nuisance, it must be upgraded to a five-bedroom system. Letter shall be sent certified.

- **A-1 Market Selling Flavored Tobacco**

This establishment has been observed selling flavored tobacco multiple times since an inspection in January. The Health Agent recommends fining the establishment as outlined in the Tobacco Regulations. The Board also determined that colors such as blue and platinum are considered flavored. Along with anything labeled sweet. A certified letter will be sent to the establishment.

- **CBD Advisory**

The Health Agent would like to send an advisory to the BOH permitted establishments about CBD. CBD (Hemp) is being regulated under the Massachusetts Department of Agriculture and must meet two criteria if being sold. Any hemp products processed in the Commonwealth must be obtained from a grower licensed by the MDAR unless otherwise authorized by federal law. In addition, such product produced by a MDAR licensed grower must be tested by an approved Massachusetts laboratory or Federally approved laboratory to determine that the THC and pesticide levels are within the standards set by the MDAR. The advisory would also mention that CBD cannot be added to food products.

- **Tobacco Capping**

The Board of Health will have a public hearing in March to discuss reducing the amount of available tobacco permits.

- **Compost Attendant**

Job description will be sent to Human Resources to be advertised.

- **Capital Improvement Plan**

The town is working on a master capital improvement plan. Every department has been asked to submit their capital improvements. The Board would like to move forward with the idea of redesigning the compost site.

Other:

- A warrant in the amount of \$41,116.53 was approved for payment.
- There will be a meeting at the Randolph Board of Health to discuss the Regionalization Public Health Nursing Grant Avon is involved with. All Board members are invited to attend.
- A medication take back day will be on April 13, 2019.


Approval of Minutes:

- Minutes from January 17, 2019 – Mr. Ogilvie moved to approve the minutes as drafted. Mr. Picardi seconded, all in favor.

Next Meeting:

- Thursday March 14, 2019 at 6:30PM in the Board of Health Office.

Adjourned at 7:52PM

ATTEST: 

DATE: 3/14/19