



POSTED IN ACCORDANCE WITH THE PROVISIONS OF TOWN OF AVON

TOWN OF AVON

TOWN CLERK

Board of Health

March 8, 2018

6:30 PM

MINUTES

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

Present: Chairman Gerald Picardi; Bob Ogilvie, Clerk; Ralph Jensen, Associate Member; Peter Lyons, Collins Civil Engineering Group; William Self, Curley & Hansen Land Surveyors; Bob Silva, Septic Preservation Company; Health Agent Kathleen Waldron as recording secretary.

• **Title 5 Local Upgrade Request for 85 Oak Street, Collins Civil Engineering Group**

The proposed plan is to replace the existing failing septic system of this five-bedroom dwelling. There is no plan to increase the flow to the system. Three Local Upgrade Requests were made. The first is a local upgrade request from Section 310 CMR 15.212 of the State Sanitary Code which requires the minimum 4' vertical separation between the high ground water elevation and the bottom of the soil absorption system with a percolation rate greater than 2 minutes per inch. The second variance request is in accordance with DEP Policy #BRP/DWM/PeP-POO-1, allowing a percolation rate to be established via grains size distribution analysis. The third variance is from section 31 CMR 15.227 of the State Sanitary Code which requires a minimum twelve-inch vertical separation between the high ground water elevation and the lowest tank invert. A variance allowing a reduction from twelve inches to a minimum of 2 inches is requested.

Mr. Ogilvie made a motion to approve all local upgrade requests per the plan dated February 23, 2018 and approve the plan with the requested changes from the Health Agent. Mr. Jensen seconded, vote carried unanimously.

• **Title 5 Local Upgrade Request for 85 Packard Street, Curley and Hansen Professional Land Surveyors**

This plan had been approved previously, but during construction a higher ground water table and boulders were encountered. The septic tank was set and installed to allow the occupants of the dwelling to continue use during installation. Then the contractor started to prepare the leaching area, that was when he observed the groundwater was higher than it was when the percolation and deep hole tests were performed. Due to the tank already being installed, Curley and Hansen is requesting a reduction from four feet to three feet for the separation of the bottom of the proposed soil absorption system to the encountered ground water elevation (310 CMR 15.405 (1)(h)(2)). While digging the leaching area, the contractor also discovered very large boulders and ledge at the beginning of the proposed septic leaching area. For that reason, the field was

changed from 38'x12' to 30.5'x15'. The design flow and capacity are still enough for this three-bedroom dwelling.

Mr. Jensen made a motion to grant the four-three-foot separation and accept the plan as presented today. Mr. Ogilvie seconded, vote carried unanimously.

- **655 Bodwell Street**

The owner of this property would like the Board to consider allowing the septic system to be designed for the business that is there now and not what was existing. The existing building septic system was designed for 66 employees, 990 gallons per day. The new design would be for 4000 square feet of office space and a warehouse with 10 employees. This design would yield a rate of 450 gallons per day. A blue print of the building was submitted to the Board. This plan reflects 2,114 sf of office space and 31,800 sf of warehouse. Septic Preservation Services is requesting the same variances as the previous plan. The first is to allow the use of a sieve analysis in lieu of a perc test due to soil saturation. The second is to allow the tank invert within twelve inches of high groundwater.

Mr. Ogilvie made a motion to approve the variance requests and the plan as presented. Mr. Jensen seconded, vote carried unanimously.

- **11 Memorial Drive – Change is use of building**

There is a proposed change in the use of this property. The current septic system was designed for a fruit stand and now a restaurant is looking to occupy this space. The building has been vacant for some time, a Title 5 inspection was performed last year. The prospective renter would like to discuss what needs to be done to the septic system. He did not show up for this meeting.

Old Business:

- **14 North Main Street**

No new update. The Judge's decision to appoint a receiver is still pending.

- **Deed Restrictions off Title 5 Variance Approvals**

A draft policy was suggested to the Board. "If the request for any setback variance or local upgrade request including, but not limited to, property, septic tanks, pumping tanks, soil absorption system, distribution box and wells is approved by the Board of Health, the property owner must execute and record a covenant at the Registry of Deeds or Land Court which will restrict the number of bedrooms and will not allow the addition of a garbage grinder." The Board is in favor. The Health Agent will have this reviewed by Town Counsel.

- **Recreational Marijuana**

The Board of Selectmen submitted the following question for the election on April 10, 2018. "Shall this Town prohibit operations of all types of marijuana establishments as defined in M.G.L. c94G, §1, including marijuana cultivators, marijuana testing facilities, marijuana product manufactures, marijuana retailers or any other type of licensed marijuana-related businesses within the Town of Avon?" A vote yes will prohibit operations. A no vote will allow operations. The Article for Town Meeting is "To see if the Town will amend the Town of Avon Zoning By-Laws with text pertaining to new marijuana zoning as posted with the Town Clerk and subject to a public hearing or take any other action in relation thereto."

Other:

- A warrant in the amount of \$32,535.04 was approved for payment.
- The Board will move forward in planning the Annual Spring Clean Up Day in May. Date to be determined.
- The Board suggests the compost site be open on April 7th, 2018.
- One permit was signed for Costco.
- Recycling fees for commercial properties were set.
- The Health Agent reported to the Board that there have been multiple calls about disposing items that were destroyed during the recent nor' Easter. The Health Agent presented three possible options. The first, add another bulk collection pick up. The second, move the bulk collection day in May to March. The third, to rent a dumpster from Howland Disposal and place at the compost site. It will be available on one Saturday (March 24) and residents can bring items to the site. The Board would will pursue the third option. The Health Agent will look more into this.

Approval of Minutes:

- Minutes from January 15, 2018 – Mr. Jenson moved to approve the minutes as drafted. Mr. Ogilvie seconded, all in favor.

Next Meeting:

- Thursday April 12, 2017 at 6:30PM in the Board of Health Office.

Adjourned at: 7:30 PM

ATTEST:

Ralph Jenson

DATE:

4/12/18