

**Scituate Board of Health Meeting**  
**May 23, 2016**  
**Scituate Town Hall – Selectman’s Hearing Room**  
**6:00pm**

**MEMBERS PRESENT:** Mr. Steven Pansey, Chairman  
Mr. Russell Clark, BOH Member  
Mr. Douglas Whyte, BOH Member

**OTHERS PRESENT:** Ms. Jennifer Keefe, Director, Public Health  
Ms. Susan Tice, Health Department

Mr. Pansey opened the meeting at 6:00 PM

**Acceptance of the Agenda**

**Scheduled Items:**

**Discuss/Vote: Fats, Oils and Grease (FOG) Regulations Variance Request, Dribbles Ice Cream**

**Rob Struzziero-Owner**

Mr. Whyte stated for the record that he attended school with Mr.Struzziero.

Mr. Struzziero explained that they serve frozen yogurt, soft serve and hard ice cream. He stated that the hard ice cream is not made at the establishment. He said they clean their utensils and that they have not had a drainage issue in twenty years. Mr. Pansey explained that the Board of Health is not blaming any one business on Front Street but there has been an accumulation of grease from all of the businesses leading to several sewer backups over the past twenty years. Mr. Whyte said he understood that Dribbles is only open for six months of the year but the Board has required that everyone on Front Street comply with the FOG regulations because of the blockages that have occurred in the past. Mr. Struzziero asked if he could get an extension to install the grease trap until the end of the season. He explained that when the plumber provided a quote, he recommended installing the grease trap in the basement. He said it would require new plumbing and it would be a more extensive job than installing a grease trap under the sink. Mr. Struzziero said he did not want to start the installation during his busy season because he was concerned that complications could arise that would cause his business to shut down. Ms. Keefe said the Board could issue a modified variance because all of the other establishments were to be

compliant by the end of 2015. Ms. Keefe indicated that she would prefer giving Mr. Struzziero the extra time so that the installation would be done correctly. Ms. Keefe told Mr. Struzziero that the grease trap must be installed before the BOH will issue a food permit for 2017.

Mr. Clark made a motion to deny the variance requested for the installation of a grease trap at Dribbles Ice Cream as requested by the representative for the establishment. The denial is based on current conditions, operations and food served by the establishment. In addition, the establishment is served by the public sewer system located on Front Street, which has experienced multiple grease blockages in recent months. However, the installation may occur after Dribble's closing date in October and must be completed by opening in April where after we have received documentation from your plumber that your grease trap has been installed, you will then receive your 2017 food permit.

All in Favor Unanimous

### **Discussion: Draft Private Well Regulations**

Ms. Keefe explained that at the last meeting, a list of the items was created for followed up and she wanted to update the Board members. Ms. Keefe explained that she provided them a letter from John Clarkeson of the Water Resource Committee for their review. She indicated that she reviewed the existing MassDEP private well guidelines with the understanding that they are modifying them. She said she was also tasked to review Middleton's water use restriction by-law because they were unique in that all private well users and public water users were under the same water use restrictions. The by-law went into effect in 2005 but has since been revised in 2011 to indicate that private well users were not under the same restrictions as public water users. Apparently a citizen came to Town meeting with a petition of the required one hundred signatures and it was voted at Town meeting to allow private well users to be exempt. She explained that Stoughton on the other hand, has the same by-law that Middleton had but it is still in effect. Ms. Keefe said that she was requested to check Scituate's neighboring towns and so she checked Cohasset, Marshfield, Norwell, Hingham and Plymouth and their regulations do not speak to usage. She said she was also requested to look at Norwell's regulations regarding abandonment of wells. Our draft regulations regarding abandonment mirror Norwell's so we are in line with them.

Mr. Pansey clarified that Mr. Clarkeson and the Scituate Water Resources Committee would like private well users to follow the same restrictions as public water users. Mr. Pansey asked Ms. Keefe if she had a timeline in which she would like to finalize regulations. She said suggested to wait to hear about the changes MassDEP makes to their guidelines and then our regulations could reflect the necessary changes. Ms. Keefe also explained that it is her understanding some of the the changes that MassDEP will be making is in regard to water quality. She said it would not make sense to promulgate our regulations and revise to include MassDEP's recommendations shortly after. Ms. Keefe said she talked with the Health Agent from Pembroke

regarding water quality. Their regulations state that all private wells in the Town of Pembroke are required to meet drinking water standards. They do not differentiate testing between potable and irrigation wells. She explained the impetus was increased development and the restriction of use of town water for irrigation. Another factor that was considered was that the residents were using irrigation wells to fill swimming pools, sprinkling lawn where children could ingest the water and then be exposed to *E.coli*. The health agent also said the costs to test for drinking water standards were not a lot more than irrigation wells. Mr. Clark asked what would happen if a well did not meet drinking standards. Ms. Keefe said the well would have to be abandoned.

Mr. Pansey said he felt the regulations needed to be written soon because the Health Department is receiving well applications. He asked Ms. Keefe if a signature could be required on a building permit for wells. Ms. Keefe said she would inquire with the Building Inspector.

Ms. Keefe stated that Middleton also mentioned that they require wells be sampled at time of property transfer. Much like a Title 5 inspection it would give the new homeowners peace of mind. She said it had worked well for Middleton.

Ms. Keefe said the Health Agent from Pembroke said she would send a copy of their regulations.

### **Administrative Invoice Approvals**

### **Meeting Minutes Approvals**

Mr. Whyte made a motion to accept the meeting minutes from December 21, 2015  
All in favor unanimous (2-0)

Mr. Clark made a motion to accept the meeting minutes from February 1, 2016  
All in favor unanimous (2-0)

Mr. Clark made a motion to accept the meeting minutes from December 7, 2015  
All in favor unanimous (2-0)

### **Meeting adjourned**

### **List of Documents:**

Meeting Agenda  
Variance package provided by Mr. Struzziero  
Executive Action Requests

