

**Scituate Board of Health Meeting  
Wednesday April 18, 2018  
Selectman Hearing Room  
6:00 P.M.**

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

**OTHERS PRESENT:** Ms. Jennifer Keefe, Director, Public Health  
Ms. Joan Schmid, Administrative Assistant

**6:00 MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA**

**Mr. Whyte called the meeting to order at 6:05 p.m.**

**Acceptance of the Agenda-** A motion was made and seconded with all in favor of accepting the agenda.

**SCHEDULED ITEMS**

*Discuss/Vote: Septic System Design Hearing – 62 Glades Road- Westgate Surveying & Engineering representing homeowner request for installation of a septic system requiring local upgrades/variances.*

Ms. Keefe informed the Board she received an email from Westgate Surveying & Engineering asking to continue this hearing to the April 30, 2018 meeting to give them time to address the items associated with the house and the septic system design. Ms. Keefe suggested that the Board open the hearing and continue it until the April 30, 2018 meeting.

A motion was made and seconded with all in favor to open the hearing for 62 Glades Road request for installation for a septic system requiring local upgrades/variances and continue the hearing on the April 30, 2018 meeting.

*Discuss/Vote: Enforcement actions relative to the required septic system operation and maintenance requirements; Lydon; 65 Hollett Street*

Ms. Keefe reminded the Board that the property owner was scheduled to attend the February 26, 2018 meeting and the owner failed to attend. At that meeting, the Board voted to give the owner a final 21 days to get the required septic system operation and maintenance contract in place and necessary repairs completed or it will be discussed at this meeting to determine potential enforcement, including the residence being deemed unfit for human habitation and associated orders to vacate and condemn being issued. The property owner has not had an active FAST treatment operation and maintenance contract or required maintenance since November 2015. Ms. Keefe has been reaching out to the previous operation and maintenance company for updates and said that the operation and maintenance company has informed her that the owner has signed a contract and they are scheduled to complete maintenance and necessary repairs at the property on Friday, April 27, 2018. Ms. Keefe said the company has indicated the FAST unit will be serviced, cleaned and pumped. Ms. Keefe said she is encouraged; however, the owner has previously promised the Board she would take care of it and did not. Therefore, Ms. Keefe is recommending that the Board move forward with the plan to conduct a condemnation hearing at the May 14, 2018 meeting if actions with the septic system are not completed. The Board noted this will be three and half weeks to have the system repaired with the scheduled maintenance inspection on

April 27, 2018. Ms. Keefe said that the operation and maintenance company informed her that the owner wants to buy the blower online and they will install it.

Ms. Keefe is recommending the Board schedule the hearing for the May 14, 2018 meeting and it can always be cancelled if the system is functioning properly. Ms. Keefe said that per the email from the operation and maintenance company on April 17, 2018, a partial payment was made to the company on April 16, 2018. The Board asked if the owner has been in contact with Ms. Keefe and Ms. Keefe said the owner has not. Ms. Keefe said the owner signed on March 24, 2018 for the certified letter indicating the date of today's hearing. The Board noted the owner did not show up to represent herself at tonight's meeting or previous meetings and therefore will stay with the motion suggested by Ms. Keefe.

A motion was made and seconded with all in favor to notify the owner and occupants of the dwelling located at 65 Hollett Street that the Board of Health will consider issuing a finding that the dwelling is unfit for human habitation that may result in condemnation and an order to vacate in accordance with 105 CMR 410.000 at a public hearing conducted on May 14, 2018.

## **NEW BUSINESS**

### *Director's Report*

Ms. Keefe informed the Board there were twenty-five food inspections conducting between March 18th and March 23rd. This includes four inspections at the St. Patrick's Day parade; two follow-up inspections from storm checks that were outstanding; one garbage issue; one odor complaint; two pre-operation inspections and there were no re-inspections.

The office is receiving Heritage Day's applications. The catering registration form has been revised and we are following up on the events to get these forms completed. Ms. Keefe also informed the Board that she is working on a new Farmer's Market specific permit application. The goal is for applicants to determine what is needed for the permit application package based on what they are specifically selling. Ms. Keefe noted that raw honey is exempt as well as uncut raw veggies; however, the office wants to know they are at the market. Ms. Keefe said any meat being sold at the market requires a USDA licensed and inspected facility. Ms. Keefe said the Winter Famer's Market was a success.

There are nineteen private well applications with eighteen of them for the proposed Seaside at Scituate development and one for a single family home. Ms. Keefe said that all of these private well applications are for irrigation but reminded the Board that sampling requirements are for potable water quality.

Ms. Keefe informed that Board that she is preparing for pool and camp season. The semi-public and public pool application package will be sent by the end of the week. The State recreational camp regulations have changed and were just released. Ms. Keefe will be reviewing and revising applications and related forms accordingly to send out to the camps. The Inly School camp director has been following the State regulation changes and it should be a smooth transition for them with the permitting and inspection process.

Ms. Keefe reported there are nine housing cases with one less from the last meeting. There are two nuisance cases which are two less than the last meeting and a potential for a few more to come after initial investigation is conducted.

There are six environmental release sites being tracked and one just submitted closure documentation with MassDEP.

There were five septic system certificates of compliance issued in the last two days. There were two revised plans received last week and three new plans actively being reviewed which were received between April 6<sup>th</sup> and April 10<sup>th</sup>.

There are three outstanding septic system operation and maintenance repairs. There is one outstanding operation and maintenance contract with the original letter not picked up.

Ms. Keefe is working with homeowners on post-storm septic system repairs, some of which are through the emergency declaration and some are not part of the declaration and, therefore, will need to go through the formal permit process. Ms. Keefe said this is likely to increase with more people coming back to their seasonal homes.

There are fourteen known septic systems in failures, which is one less from the last meeting; however, there are two new ones since the last meeting. One is waiting for a certificate of compliance with the as-built received, one installed but the as-built has not been received to date, two new failures, four are in the one year repair window, five of the fourteen have no occupancy orders and two are in active enforcement from the Board.

Ms. Keefe announced that the vaccine revolving fund, which the Board supported, was approved at Town meeting. This will allow the public health nurse to use funds for other types of vaccines and not just for the flu vaccine.

The Scituate Health Department hosted the Dana Farber Mammography van on Monday, April 16<sup>th</sup> with twenty three mammograms, which was the best turnout since Scituate has hosted the van. Ms. Keefe noted there were four people that walked in after seeing the van located at St. Luke's.

### **OLD BUSINESS**

None

### **OTHER BUSINESS**

*Administrative Invoice Approvals were reviewed and approved  
Meeting Minutes: January 29, 2018, February 12, 2018 and February 21, 2018*

There was a motion made by Mr. Pansey and seconded by Mr. Whyte to approve the February 21, 2018 meeting minutes with the name correction changed to "Shawn Harris" from "Sean Harris".

There was a motion made and seconded with all in favor of approving the January 29, 2018 and February 12, 2018 meeting minutes.

### **ADJOURNMENT**

A motion was made and seconded with all in favor to adjourned at 6:39 pm

### **LIST OF DOCUMENTS PRESENTED:**

*October 16, 2017 Title 5 inspection report, 62 Glades Road*

*October 18, 2017 Letter from Jennifer Keefe to Donald Heap, 62 Glades Road*

*March 20, 2017 Jennifer Keefe email to the system design engineer regarding septic review*

*March 22, 2017 Jennifer Keefe email to the Water Department placement of the water line*

*November 10, 2015 Clearwater Recovery operation and maintenance inspection report for 65 Hollett Road*

*March 15, 2017 Letter from Jennifer Keefe to Jeffrey Lynch and Barbara Lynch, 65 Hollett Road*

*August 16, 2017 Letter from Jennifer Keefe to Jeffrey Lynch and Barbara Lynch, 65 Hollett Road*

*October 17, 2017 Hand served letter from Jennifer Keefe to Jeffrey Lynch and Barbara Lynch, 65 Hollett Road*  
*January 3, 2017 Clearwater Recovery Contract to Barbara Lynch, 65 Hollett Road*  
*February 2, 2018 Letter from Jennifer Keefe to Barbara Lynch, 65 Hollett Road*  
*February 27, 2018 Letter from Jennifer Keefe to Barbara Lynch, 65 Hollett Road*  
*Board of Health Meeting Minutes January 29, 2018, February 12, 2018 and February 21, 2018*