

**Scituate Board of Health Meeting  
Monday, March 26, 2018  
Selectman Hearing Room  
6:00 P.M.**

**MEMBERS PRESENT:** 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. Pansey 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: Required Septic System Operation and Maintenance Contract Non-compliance;  
Cassino; 9 Pleasant Street*

The Board noted that the owners of 9 Pleasant Street were not in attendance and they were intended to be at the February 26, 2018 Board meeting. Ms. Keefe said that the owners had signed for both letters sent from her office and the Board gave the owners another opportunity to attend tonight's Board meeting. Ms. Keefe said the owners have been out of compliance since October 9, 2017 and there is still no operation and maintenance contract in place.

A motion was made and seconded with all in favor to have the owner of the septic system serving the property located at 9 Pleasant Street served with an order to re-instate the required operation and maintenance contract for the system within 21 days of this hearing and provide a signed copy of the contract to the Board of Health office upon execution. This order will document that failure to do so will result in a subsequent hearing before the Board of Health and may lead to enforcement, including determining that the system is failure and possible condemnation of the property.

*Discuss/Vote: Required Septic System Operation and Maintenance Contract Non-compliance;  
Stanton and Conkey; 209 Captain Peirce Road*

Ms. Keefe notified the Board that she just received the required Operation and Maintenance Contract for 209 Captain Peirce Road and therefore it has been successfully closed out and the owners do not need to appear before the Board.

*Discuss/Vote: Septic System Non-compliance with 310 CMR 15.000, The State Environmental Code, Title 5 and 105 CMR 410.000, the Massachusetts State Sanitary Code, Chapter II; 1 Tilden Avenue, Power*

The Board noted that the owners were not in attendance at the meeting. Ms. Keefe said that the system has been in failure since August 2015. Ms. Keefe said that the occupant, Mr. James Power, attended the previous Board meeting and the Board granted time for Mr. James Powers to coordinate with his siblings and someone representing the home was supposed to be present at this meeting.

A motion was made and was seconded with all in favor that the owner of 1 Tilden Avenue must submit a proposed septic system design plan to the Board of Health for review within 45 days of this hearing. Upon the

conclusion of the Board of Health review and issuance of the associated septic system construction permit, the owner is required to have the proposed system installed within 45 days by an installer licensed in the Town of Scituate. Thus, the owner has a total of 90 days from the date of today's hearing, excluding Board of Health review period, to bring the septic system serving the dwelling at 1 Tilden Avenue into compliance with 310 CMR 15.000, the State Environmental Code, Title 5. If the schedule is not met, the Board of Health may initiate enforcement actions.

*Discuss: Homeowner request to discuss complaint, 374 First Parish Road, Wayne Sawchuk*

Mr. Wayne Sawchuk of 432 Beechwood Street, Cohasset requested to attend the meeting. Mr. Sawchuk said he is the owner of 372-374 First Parish Road and purchased the properties about twelve years ago. He said he has been working on bringing the properties up to compliance. Mr. Sawchuk said he has submitted an acceptable septic designs to the Board of Health for the front property and he is now working on septic plans for the back property.

Mr. Sawchuk said that he had a couple of ideas he wanted to share with the Board. Mr. Sawchuk suggested that the owner of the property and the person paying for the permits be informed of the permitting process so he can figure out where it is in the process. Mr. Sawchuk said that he was told only the engineer was informed of the process and he would have to get the information from the engineer. As a result, Mr. Sawchuk could not figure out where the plan was in the process. He also suggested the engineer's revised septic plan design be put at the top of the pile and not at the bottom, since it is a shorter review process to review the changes. Mr. Sawchuk said he had to wait until the revised plan got to the top of the pile and then it had more revisions needed. The Board noted they were valid points and asked Ms. Keefe to share her office system.

Ms. Keefe said at no point did she say the engineer is the only one she corresponds with on septic plans. She said typically she communicates to the design engineer, since the engineer knows Title 5 regulations. Ms. Keefe also said she communicated to Mr. Sawchuk's engineer that she can include the homeowner on her email correspondences with the engineer if an owner email address is provided to Ms. Keefe. She said the engineers will sometimes include the property owner email address to cc them on the correspondences.

Ms. Keefe described the office system: New septic system design plans are logged in and all reviewed in the order they are received. Simultaneously, she said that revised plans are logged in when received and are reviewed in the order in which they are received as a separate list. Ms. Keefe said there is a third septic category, the as-builts, which are also reviewed in the order they are received. Ms. Keefe said simultaneously the office is trying to review three sets of septic categories as they come into the office. Ms. Keefe said the Board of Health office is also responsible for sixteen or seventeen other topics so the office divides septic into multiple categories so the office can balance those with all of the other required work this office. Ms. Keefe said all of the responsibilities of the Board of Health need to be addressed for regulatory compliance. The Board wanted to reiterate, from looking at the correspondences, if Mr. Sawchuk's engineer had addressed all of Ms. Keefe's comments, then the review would not take so long to complete.

Mr. Sawchuk said he went through all of the same items and he did not come to the meeting to blame anyone. Mr. Sawchuk said they he was in the hospital last week and said he wanted his family to come with him to the meeting to apologize but said he was the one that needed to apologize. He said he does not want to blame the engineer or Ms. Keefe. Mr. Sawchuk said he only wanted to get something done quicker and he should have scheduled it differently. Mr. Sawchuk said he should have monitored the work from the engineer. He said his background is in construction and real estate and that he was on the sewer Board in Cohasset so he knows how the system works. Mr. Sawchuk said the better something is put together, the easier it is for someone else to review it and the quicker it will be approved.

Mr. Sawchuk said he came to apologize to the Board, Ms. Keefe and Ms. Keefe's assistant. Mr. Sawchuk said he exploded in the office and everyone in the police and fire must have heard him. He said it was the most inconsiderate thing any person should do to anyone. Mr. Sawchuk said hopefully his apology will be accepted and said he should have made some changes sooner to make the process go smoother. The Board said they are there to listen to concerns and appreciated Mr. Sawchuk came to apologize. Ms. Keefe said that she can include Mr. Sawchuk on the next correspondence with his engineer and he shared his email address with Ms. Keefe.

## **NEW BUSINESS**

### ***Director's Report***

The Scituate Health Department is hosting the Dana Farber mammography van at St Luke's on April 16<sup>th</sup> from 7:30am-3:00pm. Ms. Keefe read the press release to the Board. The sign up information is on the Town website.

The Scituate Board of Health in collaboration with the Hingham Health Department applied for a behavioral health grant. The CHNA 20 project grant was awarded to Scituate and Hingham as a joint program focusing on behavioral health with some events to be held in Scituate and some in Hingham. The first event will be at the Hingham Senior Center. It is titled "Pursuing a Life Less Cluttered" and is scheduled for Saturday, April 14, 2018 from 10am-12pm. Lee Shuer and Bec Shuer travel around the world sharing their own experiences with clutter and hoarding. Suzanne Otto, a South Shore clinician, will provide an overview of the hoarding disorder and the resources available. These will be the presenters at the event.

The Fire Department will provide choke safe training for the fourth year in a row to the food establishments on Monday, April 2, 2018 at the Barker Tavern at 9:00am. It is a State requirement that restaurants with 25 seats or more have at least one person present choke safe trained whenever they are open. There are forty three people that have registered for the training.

There is one application for a private well and the office is starting the registration process for private wells.

There are five housing cases, four nuisance cases and five environmental releases being tracked.

There is one new septic plan received and four revised plans to review, with three of them received last week. There is one as-built received on Friday.

There are three outstanding operation and maintenance repairs, two of which are new, and one is scheduled to be before the Board at the next meeting.

There are three outstanding operation and maintenance contracts, with one new, one before the Board at tonight's meeting, and one new contract just received.

There are fourteen known septic systems in failure with five that have no occupancy requirements, three that were just installed and waiting for as-builts to issue the certificate of compliance, one currently being installed and three are within the one year repair period. There are two that are non-compliant with one before the Board tonight.

## **OLD BUSINESS**

None

## **OTHER BUSINESS**

### *Administrative Invoice Approvals*

#### **ADJOURNMENT:**

A motion was made and seconded with all in favor at 6:32pm

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

October 9, 2017 letter from Wastewater Treatment Services, Inc. to Mr. Joseph Rogers, Jr., 9 Pleasant Street.  
November 27, 2017 letter from Jennifer Keefe to Mr. John Cassino and Ms. Karen Cassino, 9 Pleasant Street.  
January 22, 2018 letter from Jennifer Keefe to Mr. John Cassino and Ms. Karen Cassino, 9 Pleasant Street.  
February 27, 2018 letter from Jennifer Keefe to Mr. John Cassino and Ms. Karen Cassino, 9 Pleasant Street.  
August 31, 2015 letter from Jennifer Keefe to Mr. James F Power, Jr. c/o Lizbeth Pease, 15 Ridgewood Circle, West Brookfield, MA.  
December 11, 2015 letter from Jennifer Keefe to Mr. James F Power, Jr. c/o Lizbeth Pease, 15 Ridgewood Circle, West Brookfield, MA.  
August 17, 2018 letter from Jennifer Keefe to Mr. Thomas Power, 1 Tilden Avenue.  
December 18, 2017 letter from Jennifer Keefe to Mr. Thomas Power, and occupant, Mr. James Power, 1 Tilden Avenue.  
January 24, 2018 letter from Jennifer Keefe to Mr. Thomas Power, and occupant, Mr. James Power, 1 Tilden Avenue.  
November 17, 2017 email from Jennifer Keefe to Brendan Sullivan regarding 374 First Parish Road.  
December 13, 2017 email from Jennifer Keefe to Brendan Sullivan regarding 374 First Parish Road.  
January 18, 2018 email from Jennifer Keefe to Brendan Sullivan regarding 374 First Parish Road.  
February 20, 2018 email from Jennifer Keefe to Brendan Sullivan regarding 374 First Parish Road.  
Town of Scituate Board of Health Press Release: Dana- Farber Mammography Van, April 16, 2018.

.