

Scituate Board of Health Meeting
Wednesday, October 2, 2017
WPA Building- North Scituate
6:00 P.M.

MEMBERS PRESENT:

Mr. Steve Pansey, BOH Member
Mr. Russell Clark, BOH Member

OTHERS PRESENT:

Ms. Jennifer Keefe, Director of Public Health
Ms. Joan Schmid, Administrative Assistant

6:00 MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

Mr. Pansey called the meeting to order at 6:02 p.m.

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

The Board moved the agenda to discuss New Business before the Scheduled Items to give the property owners on the agenda time to arrive.

NEW BUSINESS

Director's Report:

Ms. Keefe gave the following report:

- 1) The office is currently preparing for 2018 permitting. The application packages and checklists are being reviewed and updated and will be sent out in the next few weeks for Title 5 inspectors, septic installers, pump and haul, rubbish removal companies, funeral directors, tobacco and food establishments. The applications will be expected back to the office by early to the middle of November to give time to review and permit by January 1st.
- 2) Ms. Keefe is working on four dumpster complaints. Ms. Keefe noted that since the meeting regarding the dumpster and the restaurant owners in the harbor, she has received four complaints regarding dumpsters in three other areas of the town. She has reached out to the owners of the dumpsters and is currently monitoring the conditions of the dumpsters. There is one dumpster that provides services to a group housing community of 100 plus residents that was not being emptied completely, with trash left on the ground and the dumpster not properly cleaned.
- 3) Ms. Keefe noted there are nine housing cases with one closed and one new one since the last meeting.
- 4) There are four nuisance cases with one new one initiated regarding a yard. She is monitoring of the five environmental releases.
- 5) There were ten new septic plans received in September. There are ten as-builts with certificates of compliance to be issued. There have been a number of Title 5 inspections and sixteen known failures or systems with conditional passing reports. There has been one new failure since the last meeting, two have been repaired and three have submitted septic plans.
- 6) Ms. Keefe informed the Board that the second largest food event is taking place in Scituate with thirteen restaurants being permitted for the North South River Watershed Association's annual gala, Harvest Moon Feast, at the Mill Wharf restaurant.

The office is also currently receiving temporary permit applications for Fall for Scituate being held on Sunday, October 22nd. Also in process are pre-opening inspections for one new establishment, The Untold Brewery, which will not be preparing food but selling prepackaged items.

- 7) The Dana Farber mammography van was very successful with seventeen screenings. The two Town flu clinics have issued 230 flu vaccines within the past two weeks. The public health nurse will be planning additional clinics that will be announced soon.

OLD BUSINESS

The Board asked if the Rivershed has installed their external grease trap. Ms. Keefe noted that it has been installed and the Sewer Division has reviewed the as-built and the restaurant is open for business. The only remaining step is the cleaning of wet well and the Sewer Division is working on getting it scheduled.

The Board asked for an update on the tight tank at 87 Glades Road. Ms. Keefe noted that it has not been installed and the owner has until October 8th to install. The plan has been approved but the installer needs to come in to get the approved plan and permit to install the tight tank. The abutters have come in to look at the plan before and after the Board meeting with the property owner. Ms. Keefe noted that the Board might see the owner at an upcoming meeting. The owners have reached out to installers and there are problems with the installation since there are space constraints, removing soil and operating in the tight space. Ms. Keefe noted that she has it flagged to follow up on the October 8th.

OTHER BUSINESS

The Board reviewed and approved Administrative Invoices.

The minutes from the September 7, 2017 meeting were tabled until all three Board members can be present to review and approve.

SCHEDULED ITEMS

At 6:17 pm no one from either address attended the meeting. The Board felt they gave enough time and will move to discuss.

*Discuss/Vote: Required Sewer Connection Non Compliance for Failed Septic System;
Crowley; 490 Hatherly Road*

The Board noted that the owners decided not to attend the meeting to appear in front of the Board regarding the requirement to connect to sewer due to non-compliance for a failed septic system. Ms. Keefe noted that the owners have been notified more than once on a failed septic system that has been in failure since 1999. The home owner signed for the most recent certified letter and has not responded verbally or in writing. There was a letter sent March 21, 2017 and signed by the owner on March 28, 2017. Ms. Keefe noted that she has checked with the Sewer Division and the owner has not applied for sewer connection. The Board noted that the septic system has been in failure for 18 years and does not know if the owners know the consequences. The Board asked Ms. Keefe to send another certified letter informing the owners of the risk of the Board of Health's ability to condemn the home in violation of housing code and that the owners need to appear at the Board of Health meeting on October 16, 2017. Ms. Keefe will send another letter certified.

*Discuss/Vote: Required Septic System Operation and Maintenance Non Compliance;
Lydon; 65 Hollett Street*

The Board noted that the owner decided not to attend the meeting and appear in front of the Board regarding the non-compliance associated with the required septic system operation and maintenance. Ms. Keefe noted that there has been an ongoing operation and maintenance inspection failure that indicates a FAST system blower is not operating and, therefore, waste is not being treated for nitrogen.

The septic system inspection in November 2015 and January 2016 had indicated that the blower failed. The Board noted that they do not know everyone's financial situation; however, this fan is a major component that is needed to feed oxygen and failure to fix it could lead to a very expensive entire septic system. They also noted that the owners may not know the consequences and be putting the entire system in failure by not fixing the blower. The Board noted the owner may not understand that the Board of Health can condemn the home.

Ms. Keefe checked with the operation and maintenance service company that did the inspections and they have not received any correspondence from the owner. The Board noted that the owner may not be educated with their septic system or it is ignorance. Ms. Keefe noted that it should be well understood with the owners receiving information regarding their system from MassDEP in 1999 and 2003 and in 2016 had in writing from the company that the blower is not working.

Ms. Keefe noted that there were letters sent in March and August and there has been no response verbally or in writing. The Board noted that if there is hardship or they are out of town, they need to notify the Board of Health. The Board asked Ms. Keefe to send a similar letter to 490 Hatherly Road, indicating the risk of the Board of Health's ability to condemn the home in violation of the housing code and Title 5 and that the owners need to appear at the Board of Health meeting on October 16, 2017.

ADJOURNMENT

The Board noted that the owners of both of these addresses should have been at the meeting by 6:00pm and the Board waited twenty five minutes. A telephone call from the owners could have been made to the Board of Health office but instead the Board was ignored. A motion was made and seconded with all in favor at 6:25pm