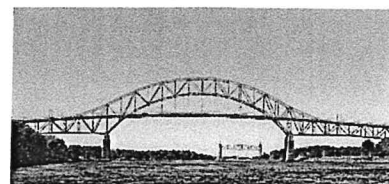


Board of Sewer Commissioners Meeting Agenda



Date

September 12, 2023

Time

6:30 PM

Location

Bourne Community Center
239 Main St., Buzzards Bay
Or virtually (see information below)

The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being televised, streamed or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line:
1-929-205-6099

Zoom Meeting ID: 838 3616 9923

Password: SEWER

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners.

6:30 P.M. Call Public Session to Order in Open Session

1. Public Hearing: Ongoing grease trap violations – 300 Main St (Way Ho Restaurant)
2. Adjourn

Reasonable accommodations for people with disabilities are available upon request. Please include a description of the accommodation you require, with as much detail as possible, and include a way we can contact you if we need more information. Please allow advance notice. Send an email to kthut@townofbourne.com or call the Town Administrator's Office at 508-759-0600 x1503

RECEIVED
TOWN OF BOURNE
SEP -7 AM 11:43

**Board of Sewer Commissioners
Minutes of Tuesday, September 12, 2023
Bourne Community Center
239 Main Street, Buzzards Bay
Or Virtually (see information below)**

RECEIVED
2023 OCT 18 PM 12:02
TOWN CLERK BOURNE

TA Marlene McCollem

Board of Sewer Commissioners

Jared MacDonald, Chair
Melissa Ferretti, Vice Chair
Mary Jane Mastrangelo, Clerk
Anne-Marie Siroonian

Others: Bryan Bertram, Town Counsel, Mike Golden, Plumbing and Gas Inspector, Benny Chu, Joe McKenna and Terri Guarino, Health Agent.

The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being televised, streamed, or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.

Michael Rausch, Bourne Enterprise, acknowledged that he is recording this meeting.

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099**

Zoom Meeting ID: 838 3616 9923 Password: SEWER

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners.

6:30 PM Call Public Session to Order in Open Session

Chair MacDonald said that Peter Meier is excused from this meeting.

1. Public Hearing: Ongoing grease trap violations – 300 Main St. (Way-Ho Restaurant)

Chair MacDonald opened the public hearing for the Way-Ho Restaurant at 300 Main Street for ongoing grease trap violations and read aloud this Public Hearing Statement:

“Good evening, my name is Jared MacDonald. I am the Chair of the Board of Sewer Commissioner’s. The Board of Sewer Commissioners has received notice from town staff that the property located at 300 Main Street known as the Way-Ho Restaurant is in ongoing violation of the Towns Sewer Rules and Regulations. I hereby open the public hearing on this matter. Notice to those alleged violations were sent to the owner of the Way-Ho Restaurant on Friday, August 31st, 2023, informing the owner of the restaurant that the Commissioners were scheduling this hearing.

Subsequently the town informed the restaurant owner of the specific provisions of the sewer rules and regulations alleged to have been violated, specifically those enumerated in Appendix D-7, concerning Grease Traps/Interceptors. The owner has the right to appear at this hearing to present argument and evidence and to be represented by Counsel, and town staff have further provided advance copies of the materials they intend to rely on in support of these violations. Pursuant to the state statute General Laws, Chapter 83, Section 10, the Sewer Commissioners have promulgated the Town Sewer Rules and Regulations to prevent the entrance and discharge therein of any substance which may tend to interfere with the flow of sewage, or the proper operation of the sewerage system and the treatment and disposal works. Violations of those rules and regulations are subject to fines of up to the amount of \$5,000. for each day a violation continues and may result in the suspension, or revocation, of the owner's food permitting license. For convenience, we will refer to town staff as the complainant and to the restaurant owner as the respondent. I will enter the Notice of Hearing into the record at this time as it stands within the paperwork provided.

As the first order of business, I am entering into the record of this hearing a copy of that legal notice provided by the town for this public hearing, which was sent to the respondent on August 31st, 2023, and a copy of the supplemental notice sent to the respondent on September 7th, 2023.

As a second order of business, I am accepting into the record of this hearing a copy of all the materials prepared by the town for the use of this hearing, which have also been provided to the respondent in advance of this hearing. Having opened the hearing and entered certain basic documents into the record, I now want to pause briefly to explain to the respondent and to the those members of the public who are present or maybe watching on public access television, how we are going to conduct this hearing, because the town as the complainant has the burden of establishing that one or more violations of the Sewer Rules and Regulations have occurred. They will present their testimony and evidence first, then the respondent will then have the opportunity to present his or her testimony and evidence to the commissioners against the allege violations. During that presentation, I will allow the respondent to direct questions to town staff, through me. Following the presentations, the Commissioners may choose to ask for any clarifying questions they may have or choose to wait until after public comments, or both. Once all testimony and evidence has been presented and questions have been asked, I will provide both the complainant and respondent with 5 minutes each to address the Commissioners with any final arguments or concerns they may have to support their positions. Once each side has presented their case and arguments, the Commissioners will deliberate concerning the violations. The Commissioners will deliberate and will be solely confined to the testimony and arguments presented at the hearing and the Commissioners will not consider any extraneous information."

Chair MacDonald asked the town staff to provide their information. Town Administrator Marlene McCollem said that she was told by DPE staff that there was grease found in the new wet well that was recently installed on the town sewer system. She said that after receiving that notice, she asked the DPW, the Health Department, and the Building Department, along with Engineering to conduct a site visit.

Health Agent, Terri Guarino, said that for the purpose of the hearing she would start at the initial inspection conducted on August 23rd. She said that the inspection reports have been included in the packet. She said that she and town staff inspected the new grinder pump wet well. She said that they

also looked at the existing sub surface grease trap, which was over the working level. She said that there were fixtures in the kitchen that were having a difficult time draining into them. They observed that the new internal grease trap was in the basement, which is not where grease is rendered or processed. She said the basement is separate and distant from the kitchen. She said there is a wok, a utility sink, and a dishwasher in the kitchen, which is where in the establishment there is the most grease and is not discharging to the exterior grease trap unit.

Ms. Guarino said that the inspection report was put together, and they discussed it with the property owner. She said that they discussed that the external grease trap was lacking the needed maintenance and the logs were not prepared to justify. There were invoices provided which were the only invoices from 2023, as far as they could gather. The dates of the invoices were February 2nd, March 17th, and July 18th of 2023. She said that the owner was cooperative and did pump it out within 24 hours, and they have continued to follow up with him since then. Since the August 29th meeting the Health Department was able to determine that the size of the tank was adequate based on the number of seats for the exterior unit. The owner of the property did start a log and Ms. Guarino said she had worked with him on it.

Ms. Guarino said that there was some concern with one access point of the tank, which is the outlet tank cover. She said that it was recently paved over and should be accessible at grade. She said that by September 6th, working with Soares, formerly known as Smith's, they were able to break open that piece of pavement. They also jetted and flushed the line between the clean out point separating new infrastructure from the old, against gravity, to flow back into the tank to pump it. She said the caking of grease on the sides of the tank that were talked about at the meeting on the August 29th, was taken care of and they did a nice job. She said they replaced the outlet tee and added risers.

Ms. Guarino said that there is still the issue of the kitchen fixtures not having an internal grease trap. She said the internal grease trap is in the basement connected to a 3 bay sink that does not render grease.

Mike Golden, the Plumbing and Gas Inspector for the Town of Bourne, said that internally in the restaurant there are no grease traps on the wok, the dishwasher, or the sink. He said that it just goes down the drain and out to a 2000-gallon tank. He said that by the state code, the restaurant owner must install internal grease traps on the dishwasher, on the wok to prevent grease from getting into the 2000-gallon tank. If it is not done internally, then the same problem will happen again. He said that they do not need an internal grease trap on the sink upstairs because grease is not going into it. He said that there is grease going into the sink in the basement.

Joe McKenna, a friend of Benny Chu, the Way-Ho owner, said that he has the receipts. He said the main problem is that the second cover over the tee never had a rise and it was gone and buried, from what he has been told.

Chair MacDonald asked if there is a receipt for the clean out and the repairs that were made. Mr. McKenna said that he has the receipt, and the cost was \$4,625. Anne-Marie Siroonian asked if there are steps in place to be taken so that it doesn't happen again. Mr. McKenna said that they are working on putting the internal grease traps in place. Ms. Siroonian asked about a timeline. Ms. McCollem

said that the Sewer Rules and Regulations say that it is required, and they have been put on notice for several months, so the Commissioners need to set the deadline.

Melissa Ferretti said that it is obvious that the property owner has been trying to work on this recently. Mary Jane Mastrangelo said that they do have to take into consideration that it could take some time, and she also acknowledged that Mr. Chu has been trying recently.

Chair MacDonald said that he thinks that there were issues with the timing of getting the grease trap and securing a plumber last time, so he would like to give staff some time to sit down and give the Commissioners an idea of what they think for time frames. Ms. McCollem said that she wanted to caution the Commissioners that as staff, they cannot design a project and cannot advise an applicant and they must review what they are given. She said that the applicant needs to tell the Commissioners how long it will take him to secure his work and labor.

Ms. Mastrangelo said that the respondent should come back to the Commissioners by the next meeting with the plan for the 2 internal grease traps – for the wok, and the dishwasher, and the FOG maintenance plan. There was some discussion on what the next steps should be in this case and the violations that need to be corrected.

Voted: Mary Jane Mastrangelo moved, and Melissa Ferretti seconded that there are violations of the Sewer Regulations due to the lack of two internal grease traps and we direct Counsel and the Town Administrator to draft a letter to be signed by the Sewer Commissioners that will outline the need for the two internal grease traps and a FOG maintenance plan.

Vote: 4-0-0.

Voted: Mary Jane Mastrangelo moved, and Anne-Marie Siroonian seconded, that as part of the record of the Public Hearing we request that the respondent come back to the Sewer Commissioners meeting on September 26th, 2023, to present their plans related to addressing the violations and the FOG maintenance plan.

Vote: 4-0-0.

2. Adjourn

Voted: Mary Jane Mastrangelo moved, and Anne-Marie Siroonian seconded to adjourn.

Vote: 4-0-0.

The Board of Sewer Commissioner's Meeting ended at 6:34 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary



TOWN OF BOURNE

Sewer Commissioners

24 Perry Avenue – Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com



Phone: 508-759-0600 x1503

JARED P. MACDONALD, CHAIRMAN
MELISSA FERRETTI, VICE CHAIRMAN
MARY JANE MASTRANGELO, CLERK
PETER J. MEIER
ANNE-MARIE SIROONIAN

August 31, 2023

Benny P. Chu
300 Main Street
Buzzards Bay, MA 02532

Re: Grease Trap/Interceptor at 300 Main Street

Dear Mr. Chu:

Notice is hereby given that the Board of Sewer Commissioners will hold a public hearing regarding the ongoing grease trap violations under the Interim Sewer Use Rules and Regulations at the above location. The public hearing will be held on September 12, 2023 at 6:30 P.M. in the Bourne Veteran's Memorial Community Center located at 239 Main Street, Buzzards Bay, MA 02532.

The applicable standards for grease traps/interceptors can be found in Appendix D – Section 7 (p.65) and the regulations can be found at: <https://www.townofbourne.com/sewer-commissioners>.

Note that failure to comply with the Sewer Use Rules and Regulations may result in suspension or termination of your food permit.

Sincerely,

Marlene McCollem
Town Administrator

CC: Board of Sewer Commissioners
Tim Lydon, Engineering
Ken Murphy, Building Commissioner
Terri Guarino, Health Agent
Matthew Quinn, Acting DPW Director
Bryan Bertram, Town Counsel



TOWN OF BOURNE

Sewer Commissioners

24 Perry Avenue – Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com



Phone: 508-759-0600 x1503

JARED P. MACDONALD, CHAIRMAN
MELISSA FERRETTI, VICE CHAIRMAN
MARY JANE MASTRANGELO, CLERK
PETER J. MEIER
ANNE-MARIE SIROONIAN

September 7, 2023

Benny P. Chu
300 Main Street
Buzzards Bay, MA 02532

Re: Grease Trap/Interceptor at 300 Main Street

Dear Mr. Chu:

Notice was recently given that the Board of Sewer Commissioners will be holding a public hearing regarding the ongoing grease trap violations under the Interim Sewer Use Rules and Regulations at the above location. The public hearing will be held on September 12, 2023 at 6:30 P.M. in the Bourne Veteran's Memorial Community Center located at 239 Main Street, Buzzards Bay, MA 02532.

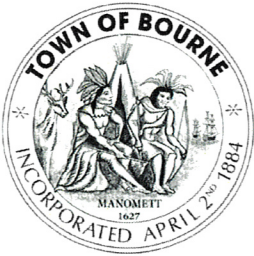
You have the right to be represented by legal counsel and to present evidence (in the form of both documents and testimony) at the hearing.

The attached list details the specific regulations that were violated. The Sewer Commissioners may order any enforcement action authorized by statute or regulation, including but not limited to suspension or revocation of the license and/or the impositions of fines up to \$5,000 per day of each violation.

Sincerely,

Marlene McCollem
Town Administrator

CC: Board of Sewer Commissioners
Tim Lydon, Engineering
Ken Murphy, Building Commissioner
Terri Guarino, Health Agent
Matthew Quinn, Acting DPW Director
Bryan Bertram, Town Counsel



TOWN OF BOURNE
24 Perry Avenue
Buzzards Bay, MA 02532
www.townofbourne.com
Phone (508) 759-0600



Inspection Report

Date/ Time: 8/23/2023 1309-	Establishment Name: Way Ho	Address: 300 Main St, Buzzards Bay
Inspector: T. Guarino, O. Wills, M. Quinn, T. Putrot	Person In Charge: Benny Chu	Inspection Type: Routine / follow-up DPW initial referral

Regulation Reference	Compliance (YES/ NO/ NA)	Description of Regulation & Observations	Time to be corrected
§D-12	NO	General design and Construction standards in conformance with Bourne Board of Sewer Commissioners Interim Sewer Use Regulations. Number of seats observed _____ Accessibility for inspection no-grease trap cover recently paved over	Refer to BOSC
§6.2.3	NO	Grease Trap/ Interceptor Fats, Oils, and Grease (FOG) maintenance plan on premises.	
§D-7.6	NO	Signage posted with educational material (fact sheet, maintenance requirements, etc.) in the vicinity of the grease trap and/ or interceptor.	
§D-7.7 §10.1.6	NO	Service records maintained for monthly inspections for an internal grease trap. Must be checked every 30 days, + cleaned according to manufactured specs.	24 HRS
§D-7.7 §10.1.6	NO	Service records maintained for repairs, maintenance, cleaning, and septage hauling for an internal grease trap. Keep logs	
§D-7.7 §10.1.6	NO	Service records maintained for monthly inspections for an external grease trap/ interceptor. Acquired 3 invoices from owner: FEB 2023, MAR 2023, JULY 2023	
§D-7.7 §10.1.6	NO	Service records maintained for repairs, maintenance, cleaning, and septage hauling for an external grease trap/ interceptor. Need monthly inspections + cleaning in 24 hrs.	24 HRS
§D-8	NO	Conformance with wastewater discharge prohibitions and restrictions. plastic in grinder pump: comb, bottle caps	
§D-8	Yes	Stormwater systems separated from wastewater connections.	
		Other: pumpout of external grease trap needed by licensed hauler. Bolt Agent to witness + evaluate outlet side + tees.	24 HRS.

Person In Charge Signature: [Signature] Print Name: Benny Chu
Inspector Signature: T. Guarino Date: 8/23/2023
Terri Guarino, RS, CHO Health Agent

Smith's
Cesspool Service LLC
West Wareham, MA
508-295-4356

Smith's Cesspool Service LLC
68 Whitsborough Street
Taunton, MA 02780
508-295-4356

Invoice 57643630
Invoice Date 2/2/2023
Completed Date 2/2/2023
Payment Term Due Upon
Receipt

Due Date 2/2/2023

Job Address
Way Ho Restaurant
300 Main Street
Buzzards Bay, MA 02532
USA

Billing Address
Way Ho Restaurant
300 Main Street
BUZZARDS BAY, MA 02532 USA

Description of work

2000

Task #	Description	Quantity	Your Price	Total
Grease Pumping	Grease Pumping	1.00	\$520.00	\$520.00
FC	Fuel Charge	1.00	\$20.00	\$20.00

Sub-Total \$540.00

Tax \$0.00

Total \$540.00

Payment \$0.00

Balance Due \$540.00

We appreciate your business!

PAST DUE

Smith's
Cesspool Service LLC
West Wareham, MA
508-295-4356

Smith's Cesspool Service LLC
68 Whitsborough Street
Taunton, MA 02780
508-295-4356

Invoice 58827352
Invoice Date 3/17/2023
Completed Date 3/17/2023
Payment Term Due Upon Receipt

Due Date 3/17/2023

Billing Address
Way Ho Restaurant
300 Main Street
BUZZARDS BAY, MA 02532 USA

Job Address
Way Ho Restaurant
300 Main Street
Buzzards Bay, MA 02532
USA

Description of work

2000

Task #	Description	Quantity	Your Price	Total
Grease Pumping	Grease Pumping	1.00	\$520.00	\$520.00
FC	Fuel Charge	1.00	\$20.00	\$20.00

Sub-Total \$540.00

Tax \$0.00

Total \$540.00

Payment \$0.00

Balance Due \$540.00

We appreciate your business!

Smith's
Cesspool Service LLC
West Wareham, MA
508-295-4356

Smith's Cesspool Service LLC
68 Whitsborough Street
Taunton, MA 02780
508-295-4356

Invoice 61786453
Invoice Date 7/18/2023
Completed Date 7/18/2023
Payment Term Due Upon
Receipt

Due Date 7/18/2023

Billing Address
Way Ho Restaurant
300 Main Street
BUZZARDS BAY, MA 02532 USA

Job Address
Way Ho Restaurant
300 Main Street
Buzzards Bay, MA 02532
USA

Description of work

2000

Task #	Description	Quantity	Your Price	Total
Grease Pumping	Grease Pumping	1.00	\$520.00	\$520.00
FC	Fuel Charge	1.00	\$20.00	\$20.00
Sub-Total				\$540.00
Tax				\$0.00
Total				\$540.00
Payment				\$0.00
Balance Due				\$540.00

We appreciate your business!

















Staff report for Way Ho Grease Trap Compliance

Inspection of grease traps and grinder pump manhole conducted on August 23, 2023 and results were reported to the Board of Sewer Commissioners for discussion at the August 29th meeting. A summary of corrections made is as follows:

- The size of the tank (2,000 gallons) was determined to be adequate based on # of seats.
- A log was started on the 25th of August to include the pumpout on August 24th.
- The pumpout of the tank on August 24th was full by September 1st and over the working level on Sept. 6th due to the caking of grease on the sidewall previously noted. This was corrected by Soares the same day.
- The outlet tank cover and a cleanout was paved over and uncovered on September 6th. The outlet tee was loose at the joint, not level, and in need of replacement.
- The lines were jetted and flushed, eliminating blockage and grease buildup. The tank was pumped and power washed to remove the accumulation of grease on the sidewalls of the tank.
- Risers were installed on the outlet end of the tank for covers to be accessible at grade. (Note: cover is not locking)
- The outlet tee was replaced and inspected by T. Parrott, T. Guarino, and M. Quinn. It is the proper depth, yet still not level. A filter may be more appropriate than the PVC tee.
- Based on previous measurements, an inspection and pump out frequency of every 4 weeks is recommended.
 - Pumpout and inspection frequency could be less frequent if there was an internal grease trap unit in the kitchen
 - The interior grease trap in the basement is not connected to fixtures that process any grease, and does not have service records. This interior trap does not flow into the exterior grease trap at this time.



Shawn T. Patterson
Director of Public Works

TOWN OF BOURNE
Department of Public Works

35 Ernest Valeri Road
Buzzards Bay, Massachusetts 02532



April 6, 2023

To: Mr. Benny Chu Way Ho Restaurant 300 Main Street Buzzards Bay, MA
From: Shawn T. Patterson Director of Public Works Town of Bourne, MA
Re: Non-Compliance of Internal Grease Trap/Interceptor

Dear Mr. Chu,

This letter is to inform you that under the current rules and regulations of the Town of Bourne Sewer Use and Regulations, listed online, your establishment is currently not in compliance with our rules and regulations. In our regulations, in reference to section D-7.2 Grease Traps/Interceptors on pages 65-66, it clearly states that in every case where a food establishment is preparing or selling food or business of a similar nature is carried on, a suitable internal grease trap is required.

In my previous letter, sent to by certified mail and personally hand delivered by me to you, the town gave you until Friday March 31, 2023 to complete the task or the town would exercise its right to fine you \$50.00 (fifty dollars) per day until the interceptor was in place, the inspection was done and the permit was closed. As of Thursday April 6, 2023 this task has not been completed and the permit is still open The Town of Bourne will exercise its right to fine your establishment \$50.00 (fifty dollars) per day retroactive to April 1, 2023, currently \$300.00 (three hundred dollars).

If you have any further questions or concerns, please don't hesitate to call me.

Sincerely,

Shawn T. Patterson
Director of Public Works
Town of Bourne, MA

Cc/ Marlene McCollem – Town Administrator Town of Bourne, MA
Cc/ Ken Murphy – Building Commissioner Town of Bourne, MA



PL-23-67

Plumbing Permit

Status: Complete

Submitted On: 3/9/2023

Primary Location

300 MAIN ST

Bourne, MA 02532

Owner


CHINA BAY TRUST


BUZZARDS BAY, MA 02532-


3327

Applicant

 michael tellier

 +1 508-328-6620

 tellierplumbing@yahoo.com

 po box 595

buzzards bay , ma. 02532

Project Info

Type of Work to be Completed*

NEW GREASE TRAP

Project Cost (Do not include the dollar symbol [\$].)*

20

Occupancy Type*

Commercial

Type of Work*

New

Work to Start

03/14/2023

Is this in conjunction with a Gas permit?

☐

Is this project in conjunction with a Building Permit?

*

No

Is this a Condo/Townhall/Apartment?*

No

Homeowner Name*

BENNY CHOW

Homeowner Phone #*

759-3656

Primary Contractor

Plumber's Name*

MICHAEL R TELLIER

Business Name

Tellier Plumbing Heating And Sons

License #*

12058

License Expiration Date

05/01/2024

License Type

MASTER

Type of Business

—

Corporation/Partnership/LLC License #

Mailing Address

4

City

Buzzards Bay

State

MA

Zip Code

02532

Email Address*

tellierplumbing@yahoo.com

Preferred Phone #*

15083286620

Alternate Phone #

15083286620

License Active



I hereby certify that all of the details and information I have submitted regarding this application are true and accurate to the best of my knowledge and that all plumbing work and installations performed under the permit issued for this application will be in compliance with all pertinent provisions of the Massachusetts State Plumbing Code and Chapter 142 of the General Laws.*



Fixtures

Number of Bathtubs

—

Location of Bathtubs

Number of Cross Connection Devices

—

Location of Cross Connection Devices

Number of Dedicated Special Waste Systems

—

Location of Dedicated Special Waste Systems

Number of Dedicated Gas/Oil/Sand System

—

Location of Dedicated Gas/Oil/Sand System

Number of Dedicated Grease System

1

Location of Dedicated Grease System

Number of Dedicated Gray Water System

—

Location of Dedicated Gray Water System

Number of Dedicated Water Recycle System

—

Location of Dedicated Water Recycle System

Number of Drinking Fountains

—

Location of Drinking Fountains

Number of Dishwashers

—

Location of Dishwashers

Number of Food Disposers

—

Location of Food Disposers

Number of Floor/Area Drain

—

Location of Floor/Area Drain

Number of Interceptor (Interior)

—

Location of Interceptor (Interior)

Number of Kitchen Sinks

3

Location of Kitchen Sinks

Number of Lavatories

—

Location of Lavatories

Number of Roof Drains

—

Location of Roof Drains

Number of Shower Stalls

—

Location of Shower Stalls

Number of Service/Mop Sink

—

Location of Service/Mop Sink

Number of Toilets

—

Location of Toilets

Number of Urinals

—

Location of Urinals

Number of Washing Machine Connections

—

Location of Washing Machine Connections

Number of Water Heaters (All Types)

—

Location of Water Heaters (All Types)

Number of Water Piping

—

Location of Water Piping

Number of Other Fixtures

—

Please Specify

Location of Other Fixtures

Total Number of Fixtures

4



Is this in conjunction with a gas permit?

No

Liability Insurance

I have a current liability insurance or its substantial equivalent which meets the requirements of MGL Ch.142.*

Insurance not required

☐

Yes

Type of Insurance Coverage

Type of Insurance

Liability Policy

Workers' Compensation Insurance Affidavit

Are you an employer? Select from the options below.

I am an employer with full and/or part time employees.

Workers' Compensation Affidavit Signature

I do hereby certify that under the pains and penalties of perjury that the information provided above is true and correct*

☒

Attachments

Copy of Liability Insurance	REQUIRED
aws.net/vpc3-CERTIFICATE OF INSURANCE (COI).Pdf ANCE_(COI)_File_Mar_9_2023_07:14:39.pdf 5T13%3A07%3A09Z&se=2023-08- 2LiBcOiNwda15BWk%2BLsFWMoLOYKGfPJjk%3D) Copy of contractor's license	REQUIRED
et/vpc3- PICTURE OF LICENSES 2022-2024.jpg -2024_Thu_Mar_9_2023_07:15:16.jpg?sv=2021-10- 23-08- jAsHGqBhx69QfeUln8wePathPvqkbs7A9d%2BpU%3D) Copy of Workman's Comp or Affidavit	REQUIRED
net/vpc3-CERTIFICATE OF INSURANCE 2022.pdf E_2022_Thu_Mar_9_2023_07:15:50.pdf 3%3A07%3A10Z&se=2023-08- !FTHGxRQzxU%2BuXMCRy%2BK8x0xOxwKHAg%3D)	

History

Date	Activity
3/9/2023, 7:08:44 AM	michael tellier started a draft of Record PL-23-67
3/9/2023, 7:16:05 AM	michael tellier submitted Record PL-23-67
3/9/2023, 7:16:07 AM	approval step Inspector Reviewwas assigned to Mike Golden on Record PL-23-67
3/10/2023, 8:12:55 AM	Mike Golden approved approval step Inspector Review on Record PL-23-67
3/16/2023, 11:17:03 AM	completed payment step Permit Fee on Record PL-23-67
3/16/2023, 11:17:07 AM	Cassie Hammond altered Record PL-23-67, changed expirationDate from "" to Mar 16, 2024
4/7/2023, 9:01:51 AM	inspection step Inspectionwas assigned to Mike Golden on Record PL-23-67
4/10/2023, 8:09:13 AM	Mike Golden altered inspection step Inspection, changed status from Active to Complete on Record PL-23-67
4/10/2023, 8:09:14 AM	Mike Golden completed Record PL-23-67

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Inspector Review	3/9/2023, 7:16:06 AM	3/10/2023, 8:12:55 AM	Mike Golden	-
💰 Permit Fee	3/10/2023, 8:12:56 AM	3/16/2023, 11:17:03 AM	michael tellier	-
📋 Inspection	3/16/2023, 11:17:04 AM	4/10/2023, 8:09:13 AM	Mike Golden	-
📄 Permit Issuance	3/16/2023, 11:17:04 AM	3/16/2023, 11:17:04 AM	-	-
✓ Wiring Permit Confirmation	-	-	-	-



TIMOTHY P LYDON, SIT, CFM
ENGINEERING TECHNICIAN

TOWN OF BOURNE ENGINEERING DEPARTMENT

TOWN HALL
24 PERRY AVE.

BUZZARDS BAY, MA 02532

PHONE: 508-759-0600 x1345 • FAX: 508-759-8026

Email: tlydon@townofbourne.com



Memorandum

TO: Board of Sewer Commissioners
FROM: Timothy Lydon, Engineering Department
RE: Sewer Use Rules & Regulations Enforcement at 300 Main Street, Way Ho Restaurant
LOCUS: 300 Main Street, Map 20.3 Parcel 133
DATE: January 31, 2023

Purpose:

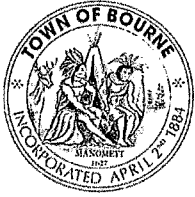
The purpose of this memorandum is follow up of recent enforcement action to the private property at 300 Main Street. The Town of Bourne Engineering Department was made aware of excess grease historically entering the Town of Bourne municipal sewer system at 300 Main Street by the Department of Public Works. The Town Administrator on behalf of the BOSC issued an enforcement letter dated December 6, 2023 outlining a request for remediation of known violations.

Summary/Recommendation:

Actions requested in the December 6, 2023 memo from the Town Administrator primarily instructed Way Ho Restaurant to reach out to the Town Engineering Department. After correspondence was not received, the Town Engineering Department reached out on January 6, 2023 for initial follow up and again on 1/12/23, 1/19/23, and 1/30/23. The following comments in red are in response to our original memo dated November 22, 2023.

- Grease removal operation at this property needs to be documented and made available when necessary. **No log was provided.**
- The owner will formally clean the piping from the restaurant to the grease trap, the grease trap, and from the grease trap to the grinder pump. **Has not been done.**
- Provide the Town with a plan to install improved infrastructure internally or externally that is proven to address excess grease. **Owner says he has reached out to a contractor to discuss options.**
- A FOG Management Plan shall be prepared and submitted by licensed personnel that addresses operation and maintenance of any new and existing preventative grease trap infrastructure. **Has not been done.**
- Bi-weekly pumping of the grease trap until satisfaction of the DPW. **No pumping has occurred since November. Owner states pumping will be done on Thursday February 2, 2023.**

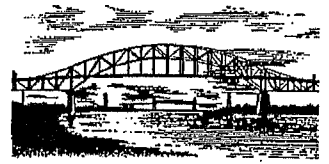
If you have any further questions please reach out via email or call the Engineering Department at 508-759-0600 extension 1345.



TOWN OF BOURNE

Sewer Commissioners

24 Perry Avenue – Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com



MARY JANE MASTRANGELO, CHAIRMAN
JARED P. MACDONALD, VICE CHAIRMAN
JUDITH MACLEOD-FROMAN, CLERK
PETER J. MEIER
MELISSA FERRETTI

Phone: 508-759-0600 x1503

December 6, 2022

Benny P. Chu
300 Main Street
Buzzards Bay, MA 02532

Re: Grease Trap/Interceptor at 300 Main Street

Dear Mr. Chu:

On November 14, 2022 Town of Bourne staff visited the above property to inspect the external grease trap that is adjacent to the municipal manhole and grinder pump. The Town will be replacing that infrastructure in the near future and must take adequate steps to protect its capital investment.

The inspection showed evidence of historical grease buildup in the external grease trap, and it is the Town's understanding that there is no internal grease trap on premises. The Board of Sewer Commissioners adopted Rules and Regulations for the use of the sewer system on August 30, 2022. The above property is in violation of a number of those regulations regarding grease traps and must be brought into compliance.

The applicable standards for grease traps/interceptors are found in Appendix D – Section 7 (p.65) and the regulations can be found at: <https://www.townofbourne.com/sewer-commissioners>.

Prior to taking enforcement action, the Town is requesting that you bring the property into full compliance with the Rules and Regulations by February 28, 2023, including the installation of all necessary grease traps and developing a FOG maintenance plan. In the meantime, the existing grease trap must be pumped at least every other week with a log available for inspection.

Please work closely with Tim Lydon (508-759-0600 x 1345) as you develop your plan and don't hesitate to reach out to us with any questions. Thank you for your attention and cooperation with this important matter.

Sincerely,

Marlene McCollem
Town Administrator

CC: Tim Lydon, Engineering
Shawn Patterson, DPW Director
Ken Murphy, Building Commissioner

Ms. McCollem said that she recommends that the Town keep the second half of the fiscal year the same as the first half. She recommends an overage rate for the calendar year of 2023 at one and three quarters of a cent. Chair Mastrangelo said this raises it a half of a cent for overages of over 45,000 gallons.

Voted: Judith Froman moved, and Jared MacDonald seconded to set the sewer user fee for the second half of Fiscal Year 23, January 1st, 2023, to June 30th, 2023, at 583.50 per unit and to also set the overage rate for the calendar year 2023 at 1.75 cents per gallon of water used over 45,000 gallons for the year.

Roll Call Vote: Judith Froman – yes, Jared MacDonald – yes, Melissa Ferretti – abstain, and Chair Mastrangelo – yes. 3-0-1.

6.f. ARPA update – Manhole project – grease trap compliance at Way Ho.

Ms. McCollem said that she wanted this talked about because the Town is getting ready for the manhole project to replace a pump and ARPA funds are being used for it. She said that the Way-Ho is directly adjacent to the pump. She said that FOG (fats, oils, and grease) are extremely damaging to the system, and vastly shorten the life of the infrastructure. She said that this needs to be talked about concerning all restaurants that are tied into the system. She said the immediate concern is due to making a large investment now and there is past evidence of grease in this pump and manhole. She said that grease traps and interceptors should be regularly inspected and pumped out.

Tim Lydon, Engineering Department, said there are new regulations and rules in place, and he feels that it is still vague on how to proceed with them. He said a FOG maintenance plan is a huge step to go forward because of the restaurants and what the blockages can cause for the sewer system. He said that they did an inspection at the Way Ho and there was evidence of grease backups. He said that because of this inspection, he is hoping that the meeting tonight will offer some guidance on how to move forward. He said he has made a sheet of recommendations on how to reinforce the regulations. He suggested the possibility of a bi-weekly pumping program and possible a FOG Management plan.

There was some discussion about internal grease traps and the immediate need for one at the Way Ho. There was also discussion about FOG management plans. Chair Mastrangelo said that she thinks that the Board needs to notify all restaurants that there are new regulations that are going to be enforced so that they know what is expected.

6.g. Discussion – Bourne Scenic Park – service area extension request. – Discussed earlier.

6.h. Discussion and possible vote – Rates for the remainder of FY23 (user fee) and overage rate for calendar year 2023. – Discussed earlier.



TIMOTHY P LYDON, SIT, CFM
ENGINEERING TECHNICIAN

TOWN OF BOURNE **ENGINEERING DEPARTMENT**

TOWN HALL
24 PERRY AVE.

BUZZARDS BAY, MA 02532

PHONE: 508-759-0600 x1345 • FAX: 508-759-8026

Email: tlydon@townofbourne.com



November 22, 2022

TO: Board of Sewer Commissioners
Department of Public Works (DPW)
Board of Health
Building and Inspections Department

FROM: Timothy Lydon, Engineering Department

RE: Sewer Use Rules & Regulations Enforcement

LOCUS: 300 Main Street, Map 20.3 Parcel 133

Subject: Grease Trap issues at 300 Main Street

Purpose:

The purpose of this memorandum is to memorialize a recent inspection of sewer infrastructure on private property at 300 Main Street. The Town of Bourne Engineering Department was made aware of excess grease historically entering the Town of Bourne municipal sewer system at 300 Main Street by the Department of Public Works. Ahead of procuring construction services to upgrade the manhole and grinder pump at this location this Winter 2023, the Engineering Department seeks the guidance of the Board of Sewer Commissioners (BOSC) for violations of the Sewer Use Rules and Regulations recently approved August 30, 2022.

Inspection:

On Monday November 14, 2022, a joint inspection of 300 Main Street's sewer connection was performed. The joint staff consisted of: Shawn Patterson (DPW Director), Matt Quinn (Asst. DPW Director), Tom Parrot (DPW-Sewer), Cameron McWade (DPW-Sewer), Mike Golden (Town Plumbing Inspector - Building/ Inspections), Deon Wills (Health Inspector), and Timothy Lydon (Engineering Dept). The owner of the property, Benny Chu, was present and available for questions.

External Grease Trap: Upon first navigating the property, it was clear that the on-site grease trap location did not match the plan on file with the Town Hall being used at the inspection. The owner was then asked for maintenance history of the external grease trap. A maintenance log was not made available. However, the owner did produce an invoice from November 8, 2022 for grease pumping. The DPW then used the sewer truck crane to open the grease trap manhole. The tank was full, the tee and riser were covered in dry/caked grease above the water line (evidence of historical backup), and a layer of 1-2" of grease/scum on the top was observed and measured.

Internal Grease Trap: Concurrently, Health Department staff and Plumbing Inspection staff both investigated the internal kitchen operations while DPW staff investigated the external grease trap. It was concluded that an internal grease trap or other preventative measures were not present indoors.

Violations:

- Per section 8.1 of the Town Sewer Rules & Regulations, prohibitions and restrictions include *"any water or waste containing fats, wax, grease, or oils, whether emulsified or not in excess of one hundred milligrams per liter (100mg/L) or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32 F) and one hundred and fifty degrees (150 F)."* Based on the calculations provided, this grease

trap tank is producing approximately 18 gallons of grease each day:

Typical 2,000 gallon H-20 precast grease trap: 6' wide x 12' long x 4' effective depth
6' x 12' x 0.167' (scum depth) = 12.024 Cu. Ft. scum produced which is equivalent to 90.18 gallons
90.18 gallons/~5 days = approximately 18 gallons of grease produced each day. (11/8/22 thru 11/13/22)

- Per Section 6.2.3, the Sewer Rules and Regulations "*require the submission of a FOG Management Plan*" for permitted grease traps. Currently, the Town does not have any on file and the fines and fees are not outlined in the Sewer Rules and Regulations. (FOG: fats, oils, grease)

Summary/Recommendation:

The Town sewer system has seen grease issues at this property in the past. According to DPW staff the worst historical issue was when the electrical system failed in the grinder pump. What was observed was a tank that shows a history of backup and a grinder pump that occasionally sees more grease than it should.

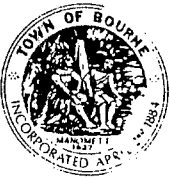
In order to protect the scheduled improvement of the grinder pump and manhole using ARPA funding it is the conclusion of the Engineering and DPW departments for the owner to complete the following:

- Grease removal operation at this property needs to be documented and made available when necessary.
- The owner will formally clean the piping from the restaurant to the grease trap, the grease trap, and from the grease trap to the grinder pump.
- Provide the Town with a plan to install improved infrastructure internally or externally that is proven to address excess grease.
- A FOG Management Plan shall be prepared and submitted by licensed personnel that addresses operation and maintenance of any new and existing preventative grease trap infrastructure.
- Bi-weekly pumping of the grease trap until satisfaction of the DPW.

If you have any further questions please reach out via email or call the Engineering Department at 508-759-0600 extension 1345.

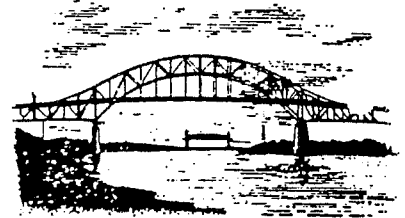
Respectfully,

Timothy Lydon
Engineering Department



TOWN OF BOURNE

24 Perry Avenue
BUZZARDS BAY, MASS. 02532



December 3, 1996

Wayho
Siuman Chu, Manager
300 Main Street
Buzzards Bay, MA 02532

RE: 300 Main Street, Buzzards Bay

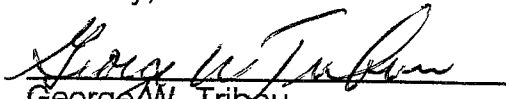
Dear Mr. Chu:

Effective January 1, 1997 all restaurants connected into the Town of Bourne sewer system must have their grease traps pumped and inspected every three (3) months (January 1st, March 1st, June 1st, September 1st) as stated in the Title 5 regulations. This will ensure proper functioning of the sewer system.

The grease trap must be pumped by a licensed septage hauler. The Sewer Inspector must be notified when grease trap is to be pumped so he can be present to inspect same. A pumping receipt must also be submitted at time of pumping.

If you have any questions, please don't hesitate to contact our office at 759-0600.

Sincerely,


George W. Tribou
Sewer Inspector

cc: ✓ Sewer Commissioners
Board of Health

wp\sewer3\wayho

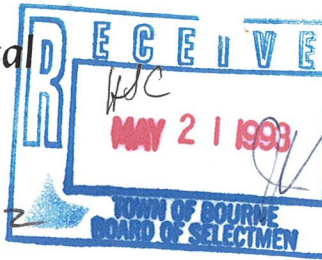
FROM

Roger Goode

Box 211

Sagamore Beach 02562

Proposal



Proposal No.

Sheet No.

Date 5-20-93

Proposal Submitted To

Work To Be Performed At

Name

Town of Bourne

Street

Street

300 Main ST

City

City

Buzzard Bay

State

State

Date of Plans

Telephone Number

Architect

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of

grinder pump 300 main ST.

incorrect depth of pipe it was 5 to 5 1/2'

should have been 9.5 feet

I had to dig grinder up and reset to proper depth with 3 1/2' reser and re pipe

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

One Thousand Dollars (\$1000.00).

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by

Respectfully submitted

Roger Goode

Per

Note — This proposal may be withdrawn by us if not accepted within days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted

Date

May 21, 1993

By

SEWER COMMISSIONERS:

Signature

Signature

Just - [Signature]
Raymond Coggeshall
Robert W. Parady

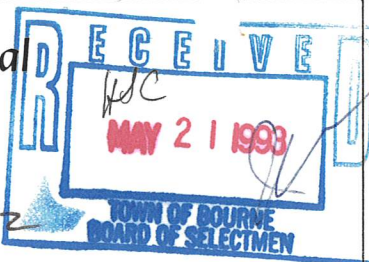
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One Thousand

Dollars (\$ 1,000.00).

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will be at the contractor's expense and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control, shall be at the contractor's expense. Workmen's Compensation and Public Liability Insurance shall be provided by the contractor.

Sent to

Charles Serpa

on 5.26.93

Respectfully submitted

Roger Goode

If not accepted within

days

ACCEPTANCE OF PROPOSAL

The above work is satisfactory and are hereby accepted. You are authorized to do the work as specified above.

Accepted

Date

May 21, 1993

By

SEWER COMMISSIONERS:

Signature

Signature

John - [Signature]

Raymond Coggeshall

Robert W. Parady



450

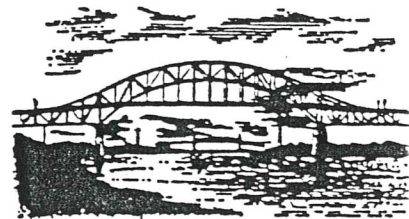
TOWN OF BOURNE

Board of Selectmen

24 Perry Avenue
Buzzards Bay, Massachusetts 02532

Phone 508-759-4486 - Fax 508-759-8026

ROBERT W. PARADY, CHAIRMAN
MARIE J. OLIVA
JAMES F. MALATOS



COMMERCIAL/INDUSTRIAL SEWER CONNECTION APPLICATION

300 Main St

NOTE: Assigned Case Numbers from DIG SAFE & WATER DISTRICT REQUIRED.

Benny Chun
BB

TO THE TOWN OF BOURNE:

THE UNDERSIGNED, BEING THE OWNER LEASEE TENANT AGENT OF THE
PROPERTY LOCATED AT 300 Main St ASSESSOR'S MAP 20.3
LOT 133, DOES HEREBY REQUEST A PERMIT TO INSTALL A(N) ✓ COMMERCIAL
INDUSTRIAL SEWER CONNECTION SERVING THE
SAID COMPANY BEING ENGAGED IN Sewer Con. - China Bay Rest.

AT THE ABOVE LOCATION. DIG SAFE # 93100516 WATER DISTRICT # 00233

THE FOLLOWING SHALL ACCOMPANY ALL APPLICATIONS:

- 1) A plan of the property showing accurately all sewers and drains now existing and all proposed connections, attached hereunto as exhibit "A".
- 2) A completed industrial waste survey, if required, attached hereunto as exhibit "B".
- 3) In the case of commercial enterprises not engaged in manufacturing, a list of facilities and fixtures, location of grease traps if required, etc. attached hereunto as exhibit "C".

4) An assessor's certified document verifying building size (sq.ft.) attached hereunto as exhibit "D".

5) The name of the firm who will perform the work covered by this permit is:

NAME: Roy Good ADDRESS: Box 211 Sagamore
DRAINLAYER'S LICENSE NO. 3 888-8816

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE APPLICANT AGREES:

- 1) To furnish any additional information relating to the installation or use of the above sewer for which this permit is being sought as may be requested by the Board of Sewers Commissioners or it's agents.
- 2) To accept and abide by all provisions of the by-laws of the Town of Bourne, and of all other pertinent by-laws, ordinances, or regulations that may be adopted in the future.
- 3) To operate and maintain any waste pre-treatment facilities, as may be required as a condition of acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times, and at no expense to the town.
- 4) To co-operate at all times with the Board of Sewer Commissioners or it's agents, in their inspecting, sampling, or study of the industrial wastes and any facilities provided for their pre-treatment.

5) To notify the Board of Sewer Commissioners or it's agents immediately in the event of any modification, accident, negligence or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by this permit

SIGNED Roger Good

DATE 3-1-93

TITLE owner

ADDRESS Box 211 Paganore Beach

XXXXXXXXXXXXXXXXXXXXDO NOT WRITE BELOW THIS LINE - OFFICE USE ONLYXXXXXXXXXXXXXXXXXXXX

EXHIBIT "A" EXHIBIT "B" EXHIBIT "C" EXHIBIT "D"

CERTIFICATION OF BUILDING AREA DRAINLAYER'S BOND AND INSURANCE

STREET OPENING PERMIT NON-MANUFACTURING - EXHIBIT "B" WAIVED

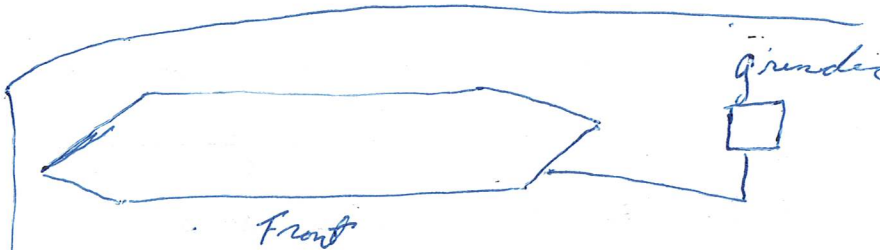
FEE \$ CASH CHECK MONEY ORDER

PERMIT NO. ISSUED EXPIRES

REVIEWED DATE 3-2-93

APPROVED Donald B. Young DATE 3-2-93

NOTE: A 2000 gallon grease trap will be installed

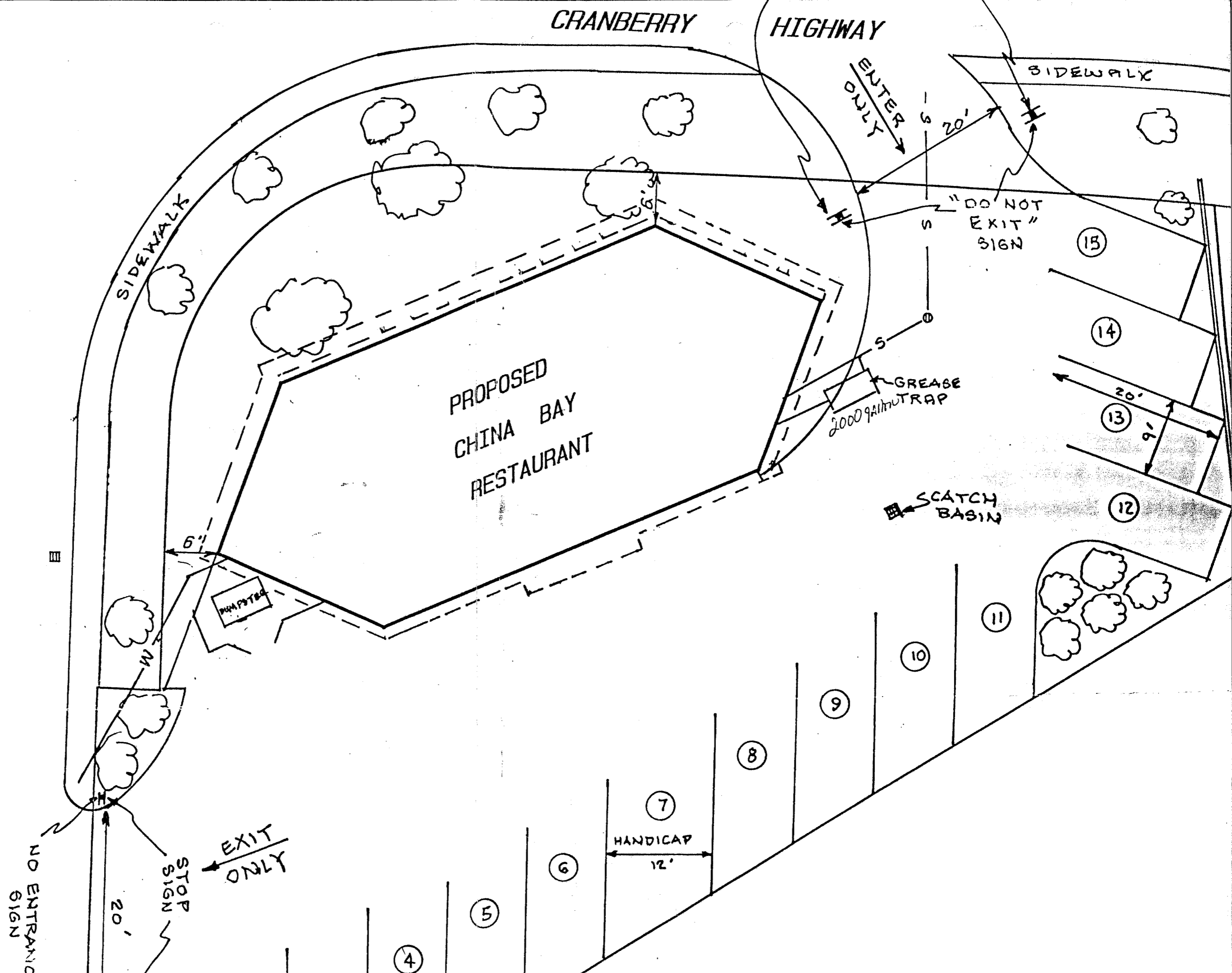


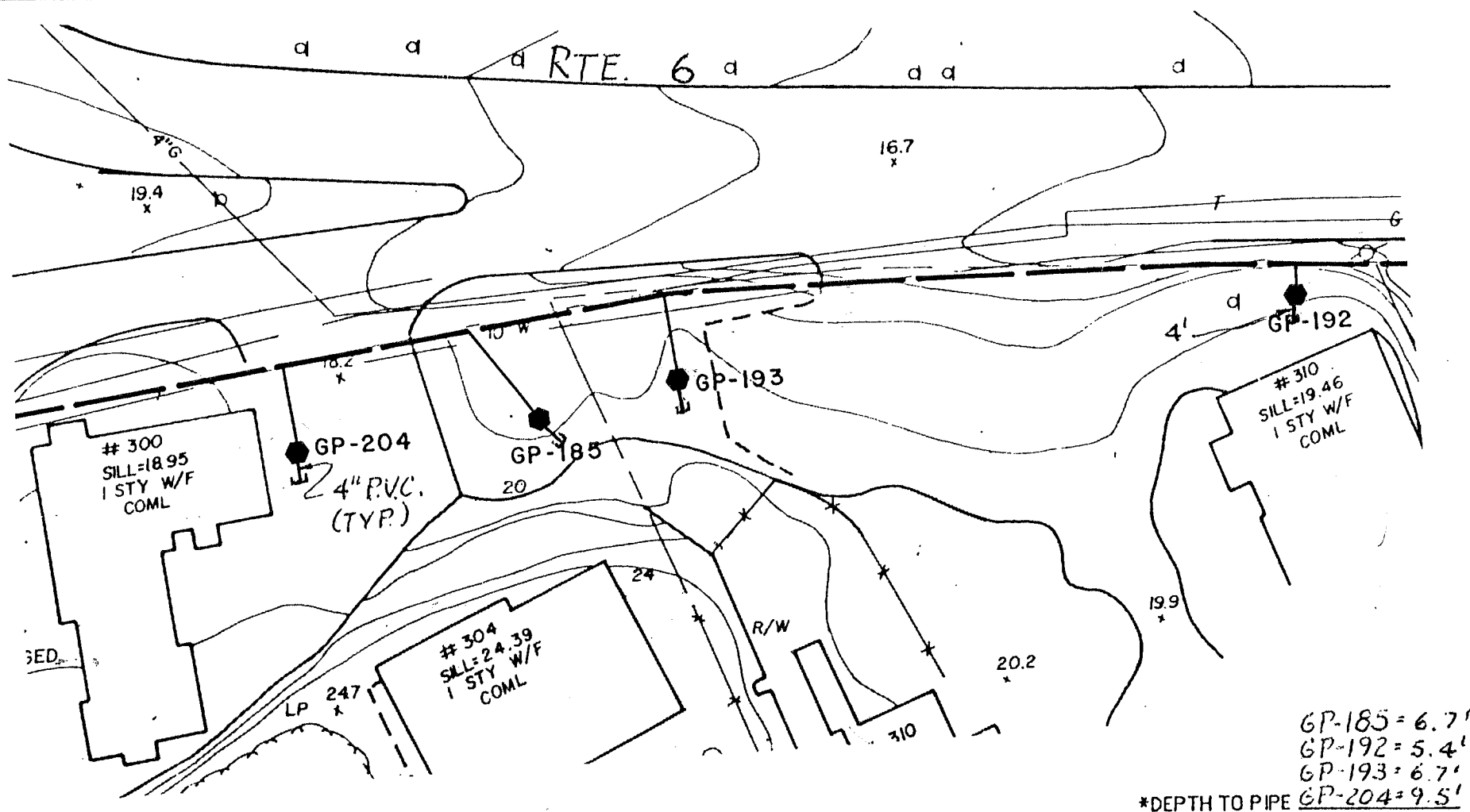
old Bridge Rd.

OLD BRIDGE ROAD

CRANBERRY

HIGHWAY





NOTE:

Unless otherwise noted, the 4"Ø P.V.C. service connection is 8'-0" outside the grinder pump station.

SERVICE CONNECTION NO GP-185, GP-192, GP-193, GP-204

STREET ADDRESS ~~300~~ 304, 310, & 310 MAIN ST

TOWN OF BOURNE, MA. - INTERCEPTOR SEWERS - SERVICE CONNECTION TIES

