

**SELECTMEN'S MEETING AGENDA\***

*Griffin Room, Town Hall  
732 Main Street, Harwich, MA  
Regular Meeting 6:30 P.M.  
Monday, May 8, 2017*

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. WEEKLY BRIEFING**

**IV. PUBLIC COMMENT/ANNOUNCEMENTS**

**V. CONSENT AGENDA**

- A. Approve Minutes
  - 1. April 10, 2017 – Regular Session
  - 2. February 16, 2017 – Joint IMA Meeting with Chatham
- B. Approve request by Eversource and Verizon to place a new pole on the northwesterly side of Chase Street across from an existing pole to support the line along Chase Street
- C. Accept the resignations of Adrienne and Joseph Johnson as members of the Council on Aging
- D. Accept the resignation of Michael Smith as a member of the Council on Aging
- E. Approve the nomination of Arthur Watson to the Harwich Hall of Fame
- F. Approve 2017 Junk Dealer License renewal for Marceline Salvage

**VI. PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)***

- A. Presentation on the science of eel grass as it relates to nitrogen levels in the environment – Scott Carpenter, Superintendent MRSD
- B. Public Hearing – Proposed Disposal Fee Recommendations

**VII. OLD BUSINESS**

- A. Approve new application for Weekday Entertainment by the Port Restaurant
- B. Response to the RFI for the West Harwich School

**VIII. NEW BUSINESS**

- A. Committee topics:
  - 1. Annual Re-appointments process and possible policy
  - 2. Review charges and possible merger of Bikeways Committee and Trails Committee
  - 3. Review charge of Housing Committee
- B. Town Meeting review and discussion
- C. Town Administrator Performance Evaluation

**IX. TOWN ADMINISTRATOR'S REPORT**

- A. Approval of the Harwich Housing Production Plan
- B. Planning Board – Application for Determination of Adequate Access/Improvements to a Town Way

**X. SELECTMEN'S REPORT**

**XI. ADJOURNMENT**

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

Posted by: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Sandra Robinson, Admin. Secretary

Date: \_\_\_\_\_  
May 4, 2017

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, APRIL 10, 2017  
6:30 P.M.**

**SELECTMEN PRESENT:** Brown, Hughes, Kavanagh, LaMantia, MacAskill

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, Carolyn Carey, Amy Usowski, Roman Greer, Valerie Bell, Leo Cakounes, Clem Smith, Noreen Donahue, Jack Brown, Dana DeCosta, Cyndi Williams, Chris Joyce, Larry Ballantine, Ed McManus, John Chorey, Mark Ameres, and others.

**WEEKLY BRIEFING**

Ms. Carey invited the public to the upcoming Easter egg hunt at the Community Center. Ms. Usowski spoke on upcoming Arbor Day seedling giveaway and Tour de Trash events. Mr. Clark noted that the Wastewater Implementation Committee will be providing a public presentation on April 12<sup>th</sup>.

**PUBLIC COMMENT/ANNOUNCEMENTS**

Ms. Joyce announced that tomorrow is the last day to register to vote for the May election. She noted that the Voter Information Committee is going to moderate a discussion on the financial state of Harwich tomorrow and host a review of the Town Meeting warrant on April 25<sup>th</sup>. She added that the League of Women Voters will be hosting a debate on May 11<sup>th</sup> at 1:00 p.m. with the 3 Selectmen candidates.

**CONSENT AGENDA**

- A. Approve Minutes
  - 1. March 20, 2017 Regular Session
  - 2. March 27, 2017 Regular Session
- B. Confirm appointment of Patricia Zingarelli to the position of Administrative Assistant – Conservation and Health in the Community Development Department
- C. Approve FY18 Gas and Diesel Fuel Contract with Noonan Brothers
- D. Approve application for a “Special Permit” for relief from the town Noise By-Law (Section G) for an event to be held on June 24, 2017 by the Cakounes Family

Ms. Kavanagh moved approval of the Consent Agenda. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

**NEW BUSINESS**

- A. Nstar County White Sheet

There was no discussion on this item.

## B. Cape Light Compact Joint Partner Entity – *Valerie Bell*

Ms. Bell, Harwich representative to the Cape Light Compact, stated that there will be an administrative change as they are going to be switching over to the Joint Partners Entity (JPE), the Compact will cease to be, and there will be a new organization format. She stated that each town that is a member of the Compact has to vote to be a member of the JPE and each town needs to appoint a representative to the JPE. She said she would be happy to serve in that role. She noted that Town Counsel has reviewed this and spoken with Mr. Clark about it. She took questions from the Board and provided an overview of the benefits to the Town, most notably the liability protection. Austin Brent of the Compact said they will be known as Cape Light Compact JPE. Ms. Kavanagh moved pursuant to General Laws Chapter 40, Section 4A1/2, the following:

1. To join the Cape Light Compact Joint Powers Entity (JPE);
2. To authorize Michael MacAskill, Chairperson of the Board of Selectmen to execute the Joint Powers Agreement of the Cape Light Compact JPE subject to final review by Town Counsel;
3. To appoint Valerie Bell as the Town's Director and to be named later, a Town Alternate Director to the Cape Light Compact Joint Powers Entity; and
4. To take any other action necessary or relative thereto.

Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

## C. Financing Plan on Golf Building

Mr. Greer reported that the plan is to be paid in full through golf fees barring any weather event. Mr. Clark reviewed his memo to the Board dated April 4, 2017 as follows:

Article 18 of the May 2017 Annual Town Meeting calls for the maintenance and operational infrastructure improvements at Cranberry Valley Golf Course (CVGC). The plan calls for the demolition of the existing golf cart location structure and the construction of a new facility that will be solar capable, the reconfiguration of the existing car parking and traffic lane configuration and improvements to the existing maintenance storage facility. The golf cart storage structure will be a prefabricated building.

The Golf Director, the Chairman of the Golf Committee, Town Engineer, Facility Maintenance Director and I have been meeting to discuss this project. Based upon some preliminary estimates that have been researched the project cost is anticipated to be no greater than \$1.2 million. The Golf Committee last year established a funding source for this project at CVGC. The fund as of July 1, 2018 will contain approximately \$125,000. I have prepared two borrowing schedules, one at a 4% interest rate and a second at a 6% interest rate, depending upon the interest rate market when the Town goes out to borrow. At the 4% rate, the Town will be able to cover its costs with the existing fee structure as it stands. This does rely upon the build-up of funds to be used to offset a portion of that to cover the first five years. The higher interest rate of 6% would require additional fees to be collected above and beyond the existing bridge structure. The FY 17 rates are an additional dollar surcharge on cart rentals and two dollars on greens fees that went into effect as of January 1, 2016. I would recommend that the second rate increase be contemplated for January 1, 2018 to increase the cart fee to two dollars and the greens fee to four dollars.

This restructure should provide for contingencies due to changing interest-rate markets. I have recommended that this be a General Obligation Bond whereas if we were to have an event that would close the golf course for an extended period of time or quite honestly just a very rainy season, the revenues would be negatively impacted.

I do believe that the vast majority of the borrowing should be able to be covered in full by this fee arrangement. Please see attached schedules. The FY 17 fees generated are approximately \$48,000 and the FY 19 fees that would be generated based upon the increase of January 1, 2018 would be \$96,000. This should be sufficient funds when combined with the retained revenues to meet either schedule.

Mr. Greer and Mr. Smith took questions from the Board. Mr. Cafarelli spoke on the design aspect and took questions as well. There was no action on this item.

#### D. One Liners Selectmen and Finance Committee article reconciliation

The Finance Committee joined the Selectmen and called their meeting to order at 6:57 p.m.

Mr. Brown stated that the Finance Committee voted with regard to Article 14 Fund Replacement of Fire Pumper to recommend taking the money out of the Stabilization Fund. Mr. DeCosta discussed the rationale behind their vote. Mr. Clark stressed the need to build and keep reserves and said that is not a prudent action. Ms. Donahue asked for an accounting of what is in the Stabilization Fund. Mr. Hughes and Mr. LaMantia agreed with Mr. Clark. Chairman MacAskill said he agreed with Mr. DeCosta but will support the Board's vote. He noted that the Budget Message needs to be stronger next year. No action was taken by the Board.

Mr. Brown noted that the Finance Committee had a lengthy discussion on Article 20 Saquatucket Harbor Landside Renovations and said we are likely to have a lot of requests for these kind of amenities going forward. Mr. LaMantia stressed that the funds generated should be put to use for this purpose and we should structure the debt service so that it keeps the cost down lower. There was general discussion about the cost, size and design of the project. No action was taken by the Board.

Mr. DeCosta said the Finance Committee feels that the Middle School should have its own operating budget instead of paying for it with free cash. There was discussion revolving around the cost of operating the Middle School and the revenue it is generating. Mr. Brown noted that the Finance Committee has concern about the management and oversight of the revolving funds because they total almost \$800,000. Mr. Clark encouraged a discussion about fees but said he is not concerned that we are "over-feeing" people too much. Mr. LaMantia noted that you can only charge enough fees to cover the expenses and you can't make a profit. Mr. McManus clarified that the concern is over whether the decisions are being made appropriately about the expenditure of money coming in the revolving funds. He added that Mr. Brown feels that a review of the funds and how they are being operated should happen. Chairman MacAskill said he would bring this forward for discussion. Mr. Brown adjourned the Finance Committee meeting at 7:40 p.m.

## **TOWN ADMINISTRATOR'S REPORT**

Mr. Clark reported that we are looking at a shortfall in solid waste most likely higher than last year's figure of \$166,000 and we will have to identify funds to offset the shortfall for this year.

### **SELECTMEN'S REPORT**

Mr. Hughes said he recently brought up the topic of sending a letter to our Congressional delegation regarding wastewater infrastructure funds and encouraged getting that done.

### **ADJOURNMENT**

Mr. Hughes moved to adjourn at 7:49 p.m. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel  
Recording Secretary

**MINUTES**  
**HARWICH BOARD OF SELECTMEN**  
*Chatham Town Annex*  
*Large Meeting Room*  
*261 George Ryder Road, Chatham, MA*  
*Thursday, February 16, 2017*  
*6:00 p.m.*

Attendance: Harwich Selectmen Michael MacAskill, Peter Hughes, Angelo LaMantia and Julie Kavanagh; Chatham Selectmen Jeffrey Dykens, Dean Nicastro, Seth Taylor, Amanda Love and Corey Metters; Christopher Clark – Harwich Town Administrator, Jill Goldsmith – Chatham Town Manager; Robert Duncanson – Chatham Engineer; Peter Taylor – Chatham Taxpayer; and others.

Chairman MacAskill called the meeting of the Harwich Board of Selectmen to order at 6:04 p.m.

**JOINT MEETING WITH CHATHAM BOARD OF SELECTMEN**

The Harwich Board of Selectmen met the Chatham Board of Selectmen to discuss the work of the Wastewater Subcommittees with regard to the Wastewater Inter-Municipal Agreement. Dr. Bob Duncanson provided the attached presentation and took questions from both Boards. No action was taken.

**ADJOURNMENT**

Chairman MacAskill adjourned the meeting at 6:59 p.m.

Submitted by,

Ann Steidel  
Recording Secretary

**OFFICE OF THE TOWN ADMINISTRATOR**

**Christopher Clark**, *Town Administrator*

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



# MEMO

TO: Board of Selectmen

FROM: Christopher Clark, Town Administrator 

RE: Utility Hearing – Chase St.

DATE: April 26, 2017

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On Tuesday, April 25, 2017 a Utility Hearing was held per the request of Eversource Energy and Verizon. The request was to place one new pole on the northwesterly side of Chase Street across from an existing pole. The pole is necessary to support the existing pole line along Chase Street.

I recommend that the Board approve the request so they may begin the work as soon as possible.

**MINUTES**  
**Utility Hearing**  
**Chase St., Harwich Port**  
**Tuesday, April 25, 2017**  
**Town Hall Library**  
**10:00 A.M.**

Those present included: Ann Steidel - Administrative Secretary, Tom Stanton – Verizon representative (774-487-7589).

Ann Steidel opened the hearing at 10:01 a.m. and read the hearing notice. No abutters were present. Mr. Stanton explained that Eversource is rearranging this corner and this new pole will hold the existing pole up. Ms. Steidel notified Mr. Stanton that this petition would be presented to the Board of Selectmen for approval in early May. She closed the hearing at 10:05 a.m.

Submitted by:

Ann Steidel  
Administrative Secretary



# PETITION PLAN

MUNICIPALITY

HARWICH

VZ N.E. Inc. No.

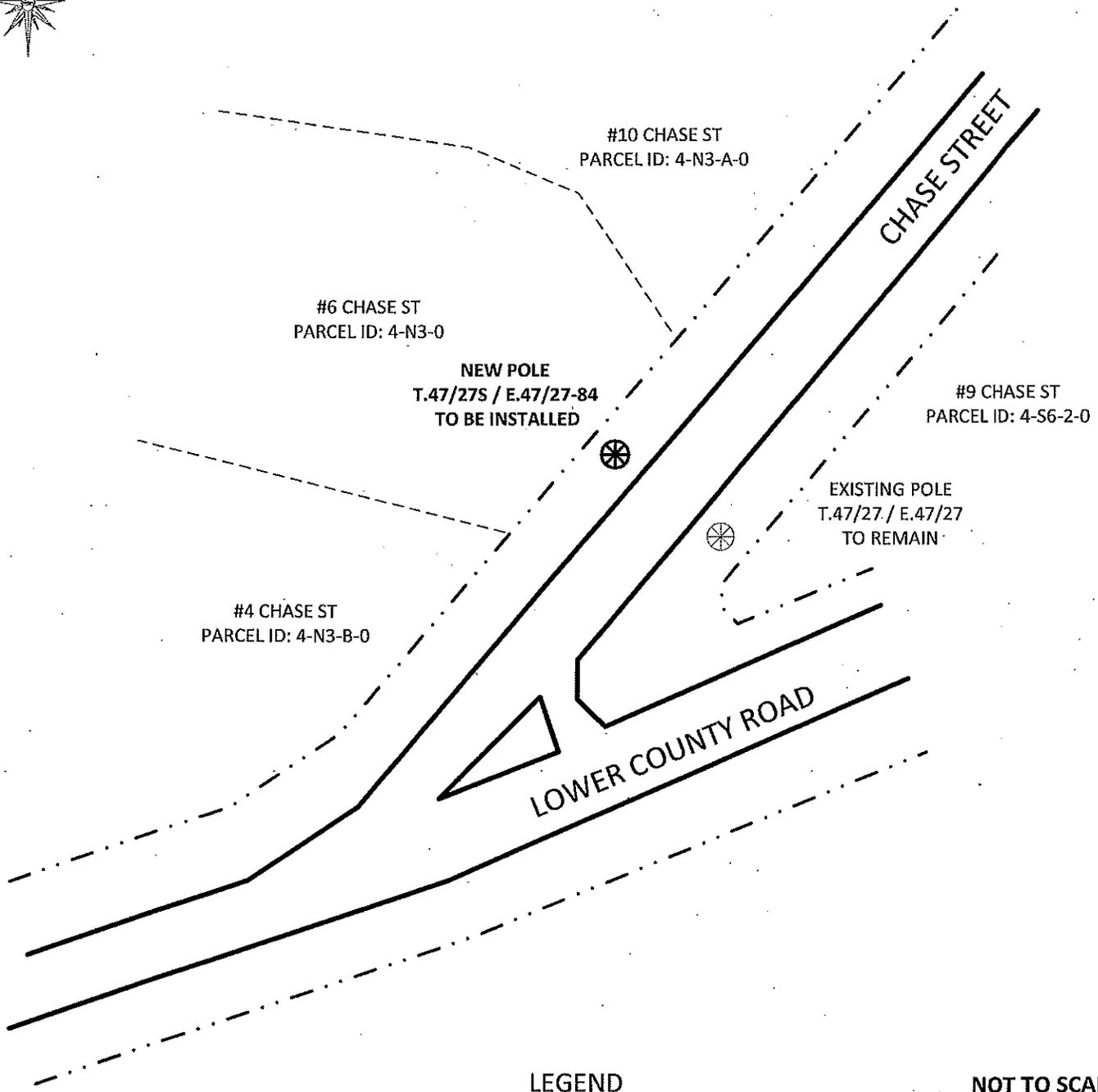
MA2017-10

VERIZON NEW ENGLAND INC. and  
NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

DATE: MARCH 7, 2017

SHOWING

PROPOSED INSTALLATION ONE (1) POLE ON CHASE STREET



## LEGEND

**NOT TO SCALE**



PROPOSED JOINTLY OWNED POLE TO BE PLACED

EXISTING JOINTLY OWNED POLE TO REMAIN



EDGE OF PAVEMENT



EDGE OF ROADWAY



PROPERTY LINE

**Sandy Robinson**

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**From:** Barbara-Anne Foley  
**Sent:** Tuesday, April 25, 2017 1:56 PM  
**To:** Sandy Robinson  
**Subject:** FW: COA Board

FYI  
Barb

-----Original Message-----

**From:** Adrienne Johnson [mailto:amjcapecod@comcast.net]  
**Sent:** Tuesday, April 25, 2017 12:42 PM  
**To:** michael.d.macaskill@gmail.com  
**Cc:** Barbara-Anne Foley <bfoley@town.harwich.ma.us>  
**Subject:** COA Board

Hi Mike,

I am regretfully sending this email to inform you that I, Adrienne Johnson and my husband Joseph Johnson will be resigning from The Board of The COA effective immediately due to medical reasons . We have thorough enjoyed our time as Board members.

Regretfully,  
Adrienne & Joe Johnson

Adrienne Johnson Lic. 9072872  
Cape Cod Associates Real Estate Lic. 7116  
566 Main Street  
Harwich Port, MA. 02646  
Office: 508-432-8600 ext. 17



**Anita Doucette**

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**From:** Barbara-Anne Foley  
**Sent:** Friday, April 28, 2017 2:03 PM  
**To:** Anita Doucette  
**Subject:** FW: Membership and attendance?

**From:** Mike Smith [mailto:mikesmith6699@gmail.com]  
**Sent:** Friday, April 28, 2017 1:57 PM  
**To:** Barbara-Anne Foley <bfoley@town.harwich.ma.us>  
**Subject:** Membership and attendance?

Michael Smith went into the Venice Hospital in Florida on Wed. April 26, for a look at my heart. All looked OK; and with some changes to the medication. I will be back to normal soon. Due to my heart and snow bird schedule I will not be back by May, 4th.

I therefore submit my resignation as a Board member of the Harwich COA.

Michael Smith  
4/28/2017



## TOWN OF HARWICH



## HALL OF FAME

### ARTHUR FRANCIS “PETE” WATSON, JR. 1933 – 2016

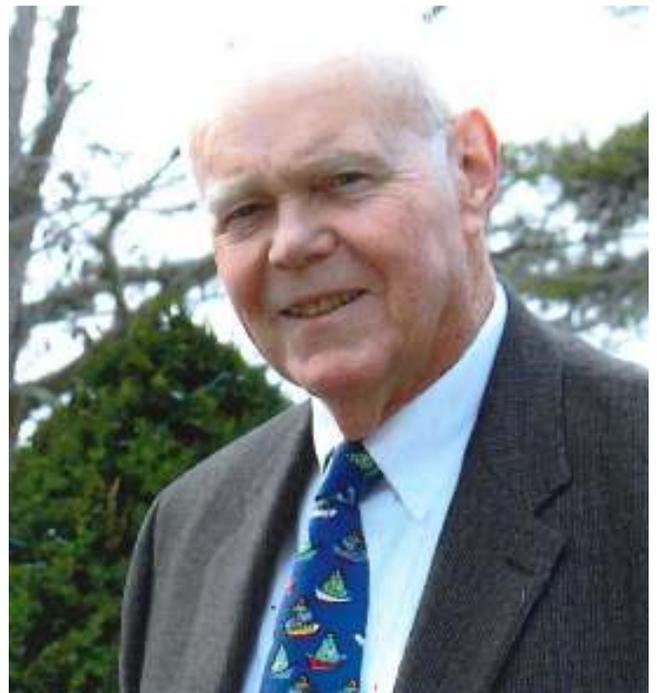
**Inducted May 1, 2017**

Arthur Watson, or “Pete” as he was known, was born on March 16, 1933. He and his family lived in Lynnfield, MA and he worked for BFI Waste Management as Vice President of Marketing. It was here that Pete first became active in municipal government. He was a member of the Boston Chamber of Commerce and was the Chairman of the Catholic Charities of the North Shore.

The Watson’s had a long time summer home in Harwich Port, and in 1995 Pete and the family moved to Harwich Port full time and in 2000 he retired from BFI. This allowed Pete the opportunity to get involved and spend more time with the Harwich Community and life on Cape Cod.

Pete was an active voice in the town’s operation of several municipal departments, such as the Cranberry Valley Golf Course and the Department of Public Works. He sat on the Finance Committee and became Chairman. Under his watchful eye, he lead a study on the cost of insurance to the town which resulted in significant savings to Harwich. As a member and Chairman of the Capital Outlay Committee, he sought to develop a comprehensive seven-year capital budget and debt service process to understand when new expenditures made sense.

Pete was a steady, predictable, tough old bird and a staunch defender of the Harwich taxpayers. Under his committee leadership and personal concern for town resources, he allowed himself to always listen to reason and take the time to think things through before coming to any conclusion. Once one got to know Pete, you knew he had a warm heart and a great sense of humor. He served Harwich very proudly with a determination to do things right.



Cambridge Latin High School has this quote under his graduation photo:  
*“WHENEVER THINGS ARE CALM AND QUITE, IN COMES PETE AND CAUSES A RIOT”*

NUMBER

17-4

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF HARWICH

FEE

\$35.00

**JUNK DEALER'S LICENSE**

This is to certify that a license is hereby granted to James G. Marceline d/b/a Marceline Salvage

310 Pleasant Lake Ave., Harwich

**TO BE A DEALER IN OR KEEPER OF A SHOP FOR THE PURCHASE, SALE OR BARTER IN  
JUNK, OLD METALS AND SECOND HAND ARTICLES**

in said **Harwich** in accordance with the laws of the Commonwealth of Massachusetts relating thereto, the ordinances and by-laws of **Harwich** and such rules and regulations provided for the supervision thereof.

This license shall continue in force until **May 1, 2017**, unless sooner revoked and is subject to sections two hundred and two to two hundred and five, inclusive, of the General Laws, Chapter 140, as amended.

By order of the licensing authorities this **First day of May, 2017**.

\_\_\_\_\_  
TOWN CLERK

EXTRACTS FROM GENERAL LAWS, CHAPTER 140, AS AMENDED

Section 55. Whoever acts as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any such rule, regulation or restriction, shall forfeit twenty dollars. The purchase, sale or barter of books, prints, coins or postage stamps shall not be deemed to be the purchase, sale or barter of second hand articles within the meaning of this and the preceding section.

Section 56. A junk collector shall be deemed to be any person who by going from place to place collects by purchase or otherwise junk, old metals or second hand articles, whether or not by previous contract or arrangement.

Section 202. Licenses granted to keepers of intelligence offices, dealers in junk, old metals and second hand articles, junk collectors, pawn brokers and keepers of billiard saloons, pool or sippio rooms or tables, bowling alleys, skating rinks and picnic grounds shall, except as hereinafter provided, be signed by the clerk of the town where they are granted. Every such license shall, before being delivered to the licensee, be recorded by the town clerk, in a book kept for that purpose. Such license shall set forth the name of the licensee, the nature of the business, and the building or place in such town in which it is to be carried on, and shall continue in force until May first following unless sooner revoked. The board or officer issuing such a license shall, except as provided in section seventy-seven, receive for the use of the town such amount, not less than dollars for each license, as the board or officer considers reasonable. \*\*\*\*

Section 203. Such licenses may be granted in April, to take effect on May first following.

Section 204. A license issued as aforesaid shall not protect the holder thereof in a building or place other than that designated in the license unless consent to removal is granted by the licensing board or officer.

Section 205. Upon the revocation of such a license, such clerk shall note the revocation upon the face of the record thereof, and shall give written notice to the licensee by delivering it to him in person or by leaving it at the place of business designated in the license.

*Dear Monomoy Parents,*

*On Monday and Tuesday of this week, I am spending some time doing my favorite thing on earth – teaching students about marine science. Marine science is the one thing that unites my research past, my teaching past, and my leisurely pursuit as a life-long fisherman. I'll be visiting both of our elementary schools, and speaking with our students about eelgrass communities.*

*Eelgrass may not be something with which you have any familiarity, but it is a good barometer of the health of our waterways. It is “our canary in a coal mine” when it comes to water quality. Tourists flock to our shores because of our sandy beaches and pristine water, but the eelgrass is sending an early warning signal which we need to understand and take note.*

*Eelgrass may seem like the lowliest of plant life, but our marine ecosystem is tightly linked to the viability of this unique grass. Unfortunately, throughout Cape Cod and the eastern seaboard, eelgrass is dying off, in part because too much nitrogen is entering our waterways. The community dialogue over sewers in Chatham, Harwich, and many other towns in our region is directly related to reducing the amount of nutrients leeching into the water. How we ultimately manage the nutrients entering our waterways will not only directly affect the health of our eelgrass beds, but this decision will be inextricably linked to our fisheries, our livelihoods, our leisurely pursuits, our tourist industry, and our local economy.*

*For those interested in learning more about eelgrass, why it's important to our region, and how proper sewage treatment can save and restore our eelgrass beds, I've included a PDF with hyperlinks to a variety of different sources.*

*Scott*

Scott Carpenter  
Superintendent  
Monomoy Regional Schools  
425 Crowell Road, Chatham, MA 02633  
Office: 508-945-5130

# **Eelgrass:**

Our Canary in a Coal Mine  
for Clean Waterways

# What is a “Canary in a coal mine”?



The health of certain plants or animals can provide early warning indicator of problems in the environment.

Coal miners would take canaries into coal mines to make sure that the air deep in the mine was okay to breath.

If the canary died, something was wrong with the environment – the air was toxic and the miners needed to get out fast.



When it comes to the environment we live in, we don't have the option to get out fast. Instead, we need to pay attention to early warning indicators and address problems before its too late.

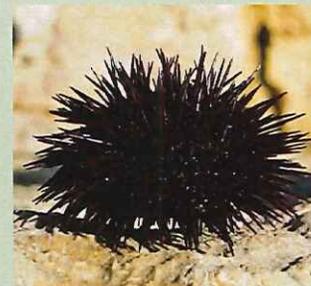


# Why is eelgrass important?

- The presence and health of eelgrass is an important indicator of water quality.
- Eelgrass is a canary in a coal mine for our coastal waterways.
- It provides crucial habitat for many species, including spawning grounds for many fish, hiding places for baby Atlantic cod, and a home for winter and blue mussels.
- Many animals, ranging from the Atlantic brant (a type of goose) to sea urchins to sea turtles, use eelgrass as their food.
- Eelgrass protects commercially important finfish and shellfish. Large predators cannot easily hunt for juvenile fish in this aquatic jungle. Eelgrass blades also safeguard juvenile shellfish from predators such as whelk that cannot climb the blades.

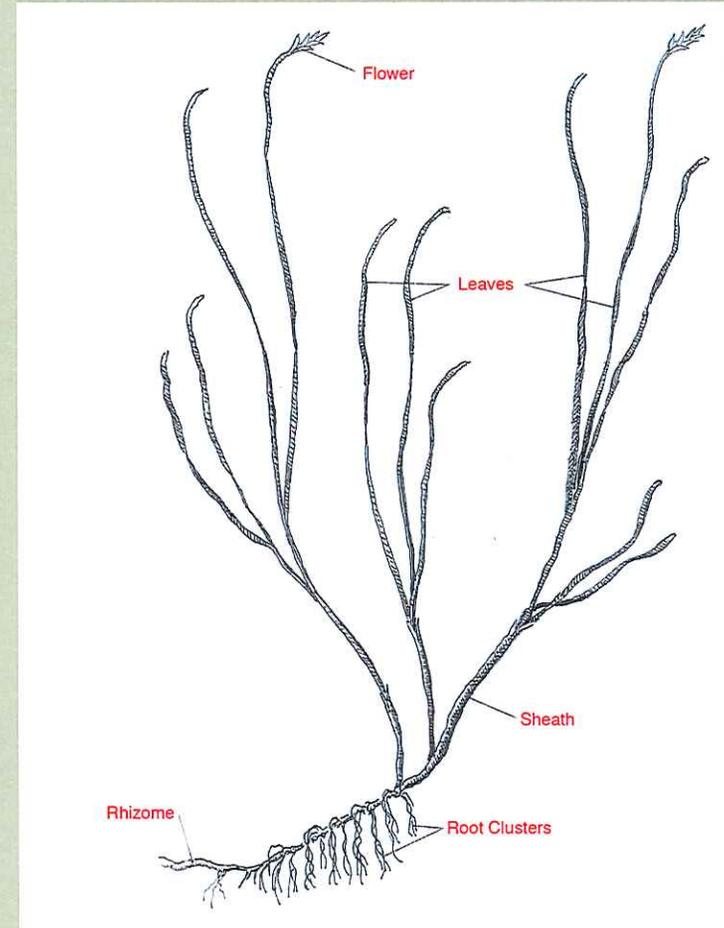


[Click to see a eelgrass ecosystem through the eyes of a sea turtle](#)



# What is eelgrass?

- Eelgrass is not seaweed or algae.
- It is a sea grass. It flowers underwater and produces seeds.
- It grows in muddy and sandy shores below the low tide zone, forming extensive submerged meadows.
- It is often only seen by boat or when snorkeling away from the shore.
- Eelgrass roots system firmly anchors it to the ocean bottom, trapping sand, which helps prevent coastal erosion. Eelgrass meadows also absorb wave energy and help calm our waters.



# Two Ecosystems in One

- Beachgoers encounter the long, thin, black decomposing blades of eelgrass washed up on the shore.
- The dead eelgrass is cast up on the beaches by wind and waves as the tide goes out, creating piles of “wrack.”
- Wrack helps to trap sand and prevents beach erosion.
- Within the wrack, is a whole new ecosystem. Many insects and invertebrates live in the dead eelgrass, and many shorebirds, like sandpipers and sanderlings, pick these insects out of the wrack and eat them.
- Just like maple trees lose their leaves in the fall, eelgrass loses its leaves in the late summer and fall. Some of the dead eelgrass leaves float away from shore are eaten by other marine animals.



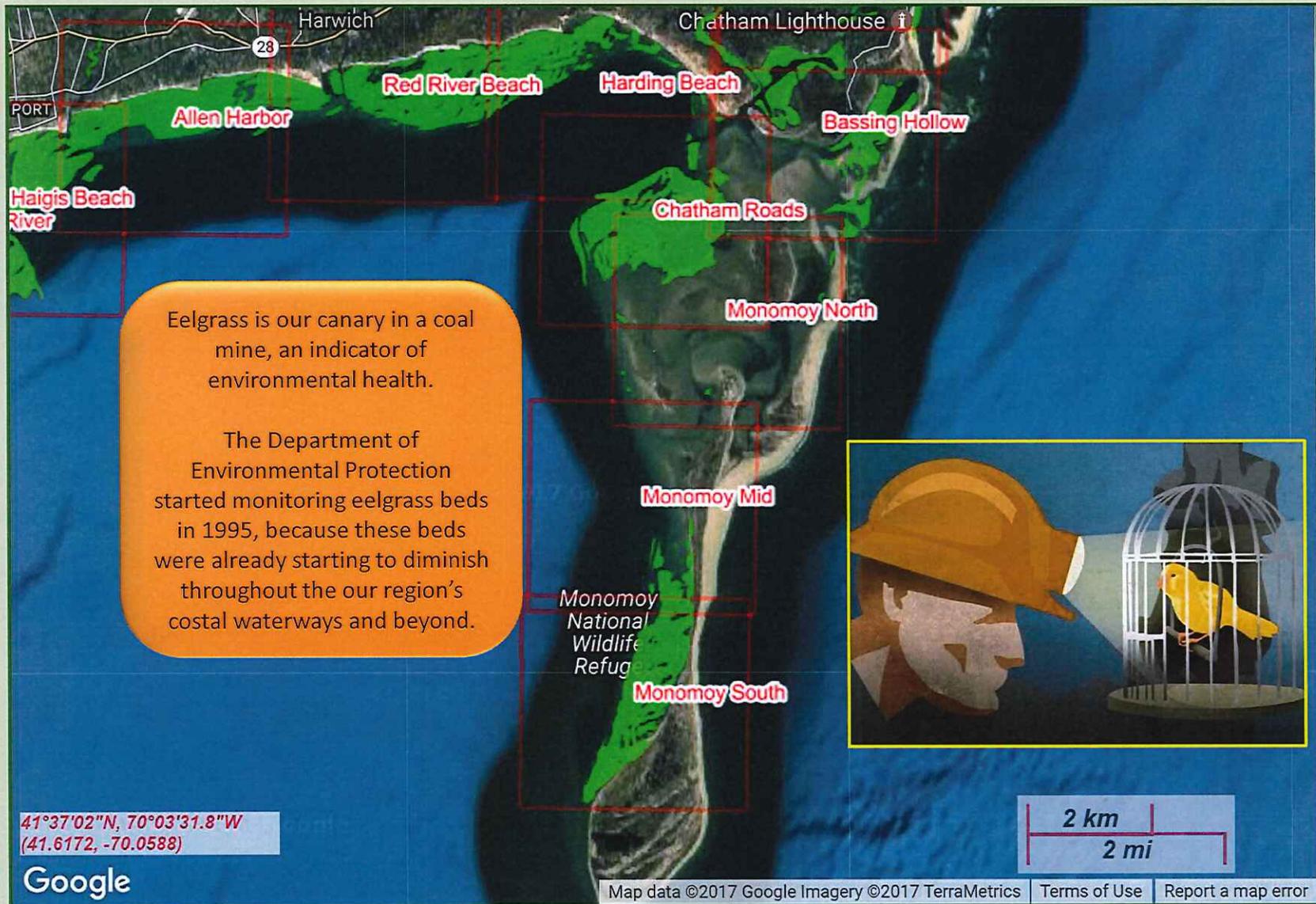
# What do you see in this eelgrass community?



Source <http://www.sengekontacket.org/education/#/restoring-eelgrass-meadows/>  
Eelgrass ecosystem drawing by Dana Gaines

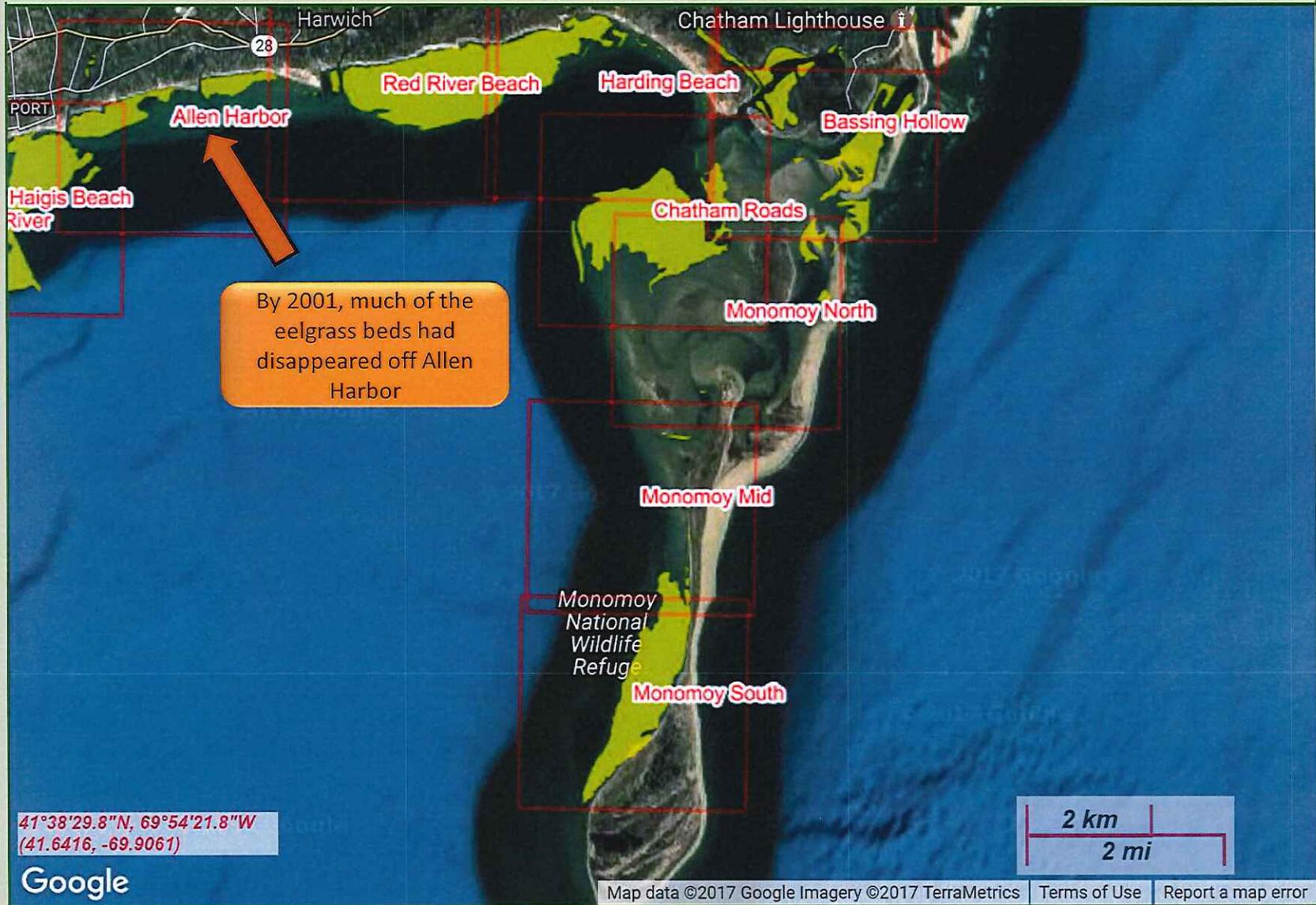
# What's happening to our eelgrass beds? 1995

Source: [http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass_map.htm)



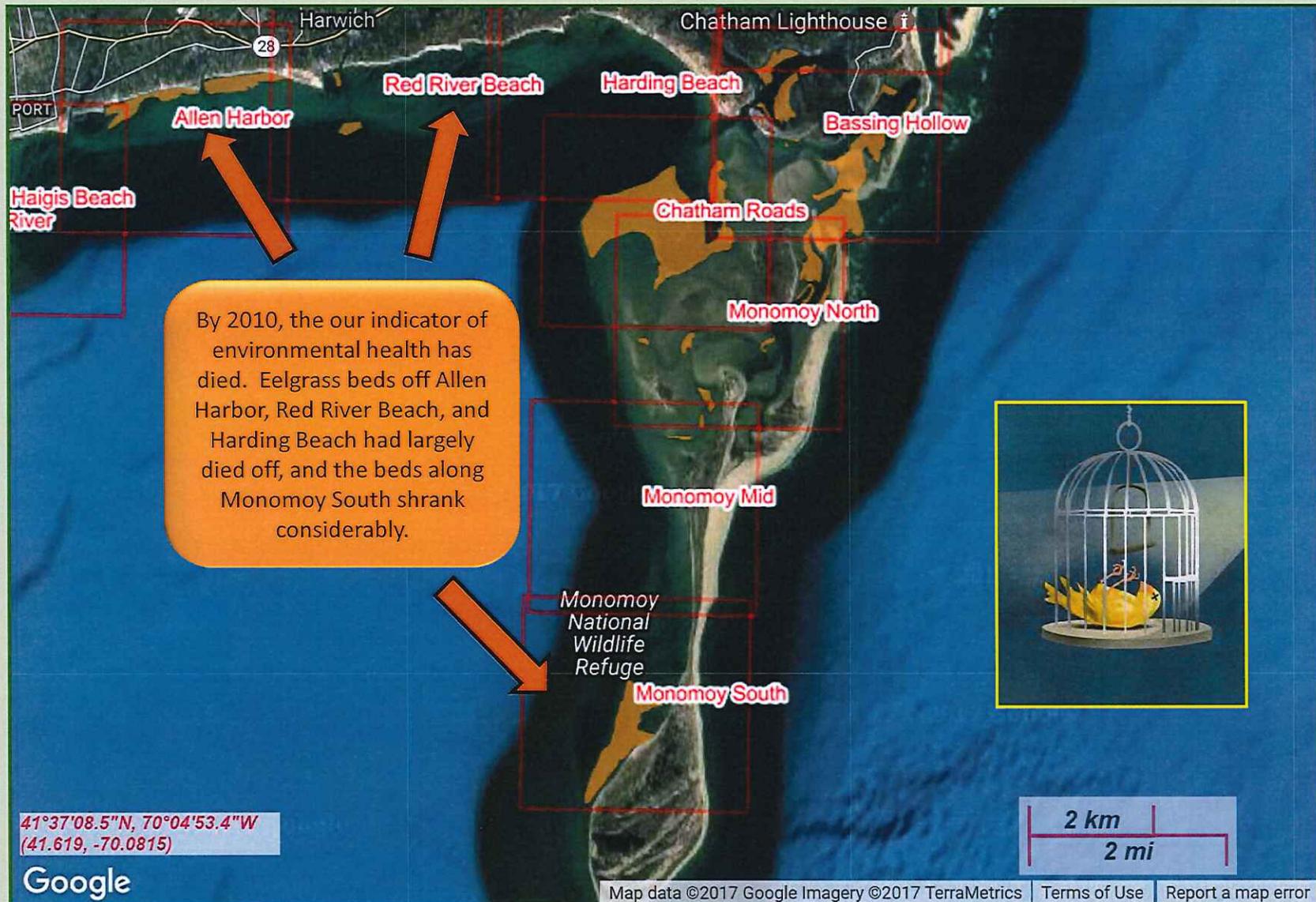
# Loss of our eelgrass, six years later 2001

Source: [http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass_map.htm)



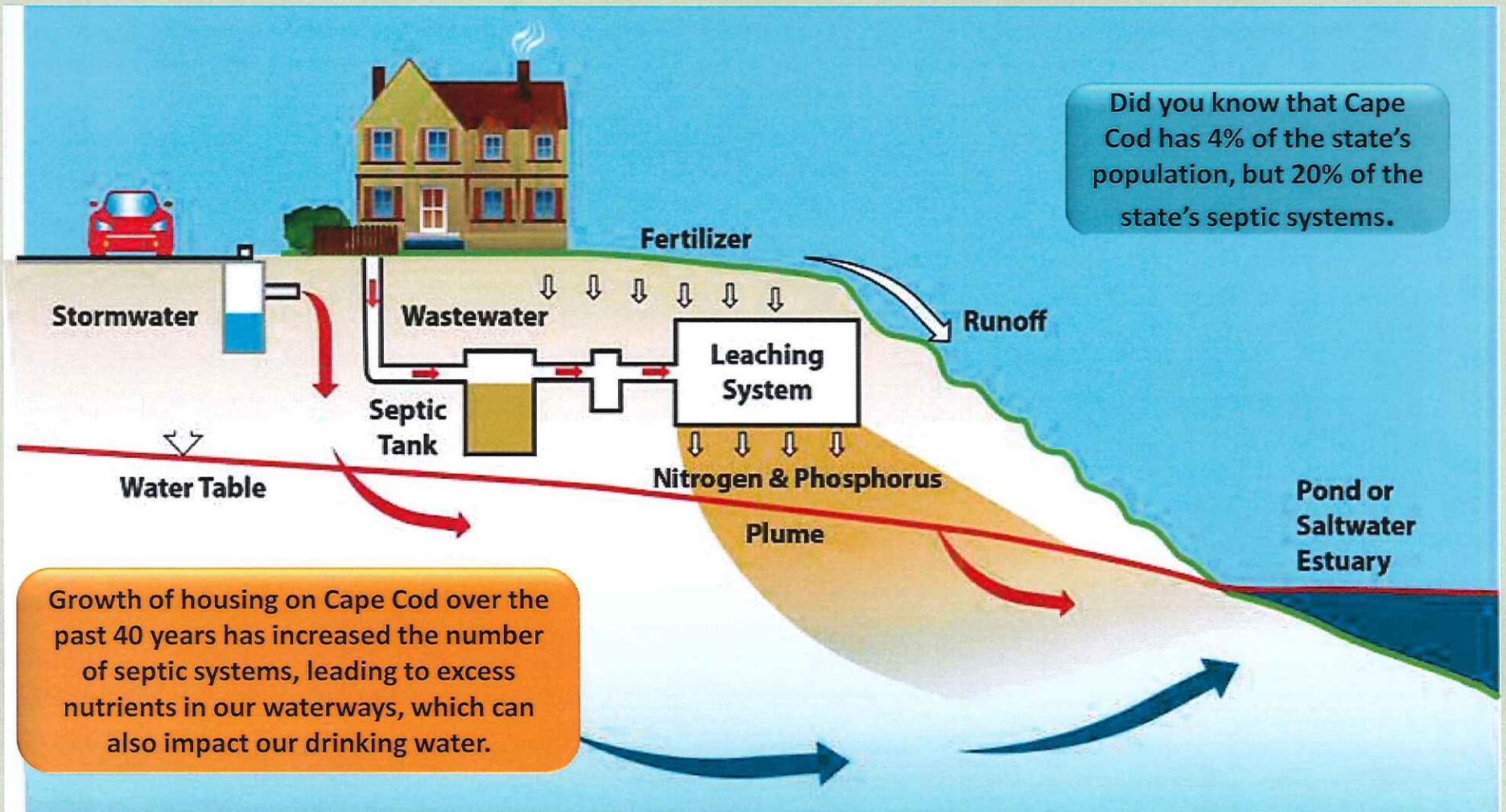
# Further loss of our eelgrass beds, a decade later 2010-2013

Source: [http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass\\_map.htm](http://maps.massgis.state.ma.us/images/dep/eelgrass/eelgrass_map.htm)

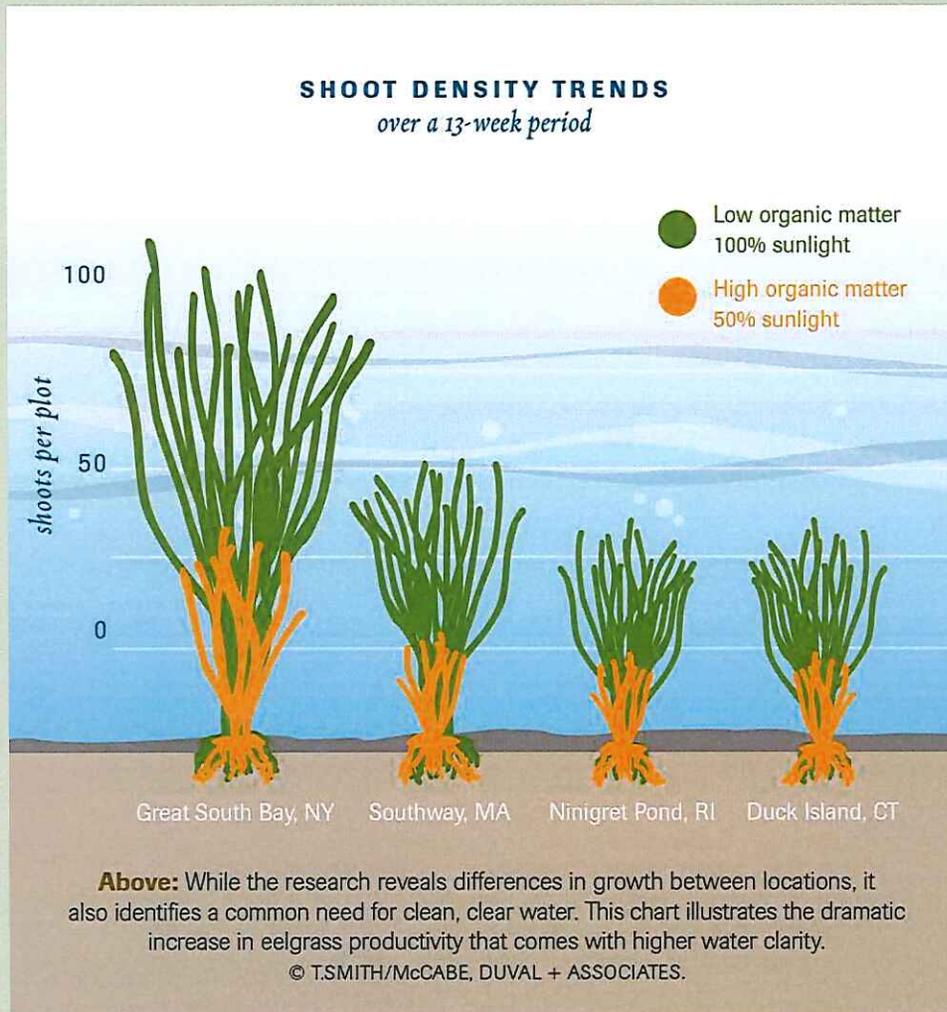


# What's causing the loss of eelgrass?

**Answer:** Too much nitrogen is entering our saltwater ecosystems, making the water less clear, depriving the eelgrass of sunlight. Similarly, in our freshwater ponds, too much phosphorus is entering the water, creating algae blooms and diminished water clarity. **The vast majority of these excess nutrients is coming from our homes' septic systems.**



In saltwater, algae outcompete eelgrass for nitrogen, often creating algae blooms that cloud the water, depriving eelgrass of needed sunlight, which stunts the eelgrass growth.



Source

<https://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/newhampshire/oceans-coasts/nh-eelgrass-science.xml?redirect=https-301>

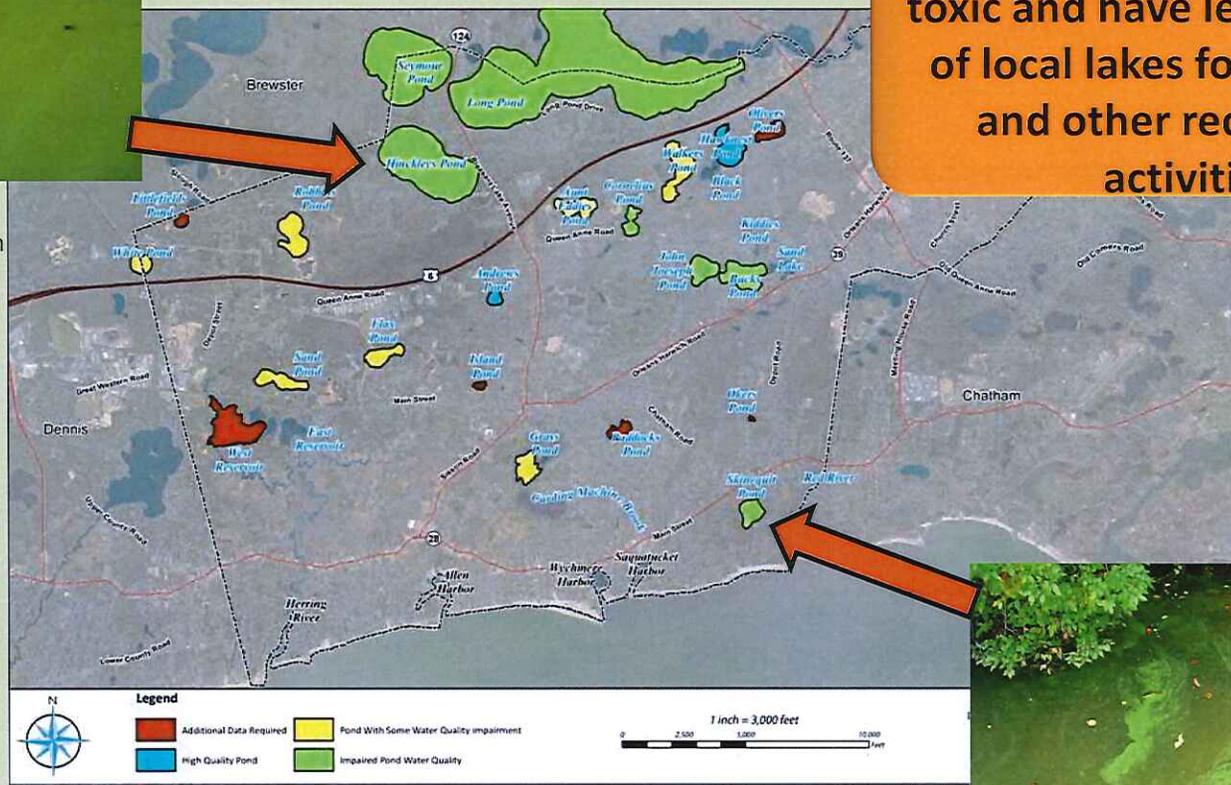


In addition to impacting eelgrass and all the organisms relying upon the eelgrass, marine algae blooms can lead to shellfish poisoning and closure of shellfish beds, can kill fish, and in extreme cases can lead to beach closures.

In freshwater, algae rapidly uptake phosphorus, and with the sunshine of warmer days, algae blooms turn local lakes green. The algae blocks light from penetrating the water, creating large a oxygen-deprived zone beneath the lake's surface, where fish and many other organisms can't survive.



Source  
[http://hinckleyspondassociation.com/hpa\\_archives.html](http://hinckleyspondassociation.com/hpa_archives.html)



These algae blooms can be toxic and have led to closures of local lakes for swimming and other recreational activities.

Source  
<http://harwich.wickedlocal.com/article/20090630/NEWS/306309475>

Source  
<http://www.skinequit.org/WaterSampling.html>



# How can we protect our waterways?

**Answer:** Coastal towns throughout the country are installing or using sewers for collection of wastewater to minimize the nutrients discharged into area waterways. Community sewage treatment systems are run by trained staff, who ensure the wastewater is properly treated. Sewer systems eliminate the risk that hundreds of individual home septic systems are not being properly installed or maintained, and therefore not properly treating contaminants before they leech into our waterways or into the underground aquifer supplying our drinking water.



# We can still save and restore our seagrass beds.

There are three proven approaches to support the reestablishment of eelgrass beds:

**Natural recolonization** – this approach allows existing eelgrass to rebound and spread by improving water quality conditions. Upgrading from individual septic systems to municipal sewers, which will more efficiently keep excess nutrients from entering our waterways, is a key factor creating conditions that would allow for natural recolonization.

**Seeding** – eelgrass can be grown in estuaries, the seeds harvested, and the seeds spread in areas we want to reestablish new beds.

**Transplanting** – eelgrass can also be grown on substrates that can be anchored to the sea floor or mature plants removed from existing beds and relocated to depleted areas.



Photo Courtesy of Dr. Robert Orth, Virginia Institute of Marine Science



Cornell Cooperative Extension 2006



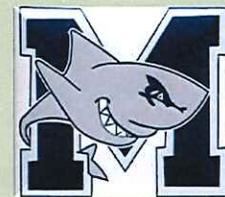
Photo Courtesy of Frederick Short, University of New Hampshire

# Monomoy Regional Schools Elementary Eelgrass Contest

Draw your own representation of an eelgrass community or write about why eelgrass is important or how it can be preserved.

Turn your drawing or written ideas into your teacher by Monday, May 15<sup>th</sup>. All drawings and written ideas will be shared with Superintendent Carpenter.

One winner will be selected at random from each elementary school. They and a parent will be invited to join Superintendent Carpenter on a fishing, whale watching, or eelgrass trip of their choosing this summer.



**Sharks love eelgrass!!!**

**HARWICH BOARD OF SELECTMEN  
NOTICE OF PUBLIC MEETING  
DISPOSAL AREA FEES  
MONDAY, MAY 8, 2017**

The Harwich Board of Selectmen will hold a Public Meeting on Monday, May 8, 2017, no earlier than 6:30 P.M. during their regularly scheduled meeting. This Hearing will be held in the Donn B. Griffin Room located at Town Hall, 732 Main Street, Harwich for the purpose of reviewing the proposed disposal area fee recommendations. All members of the public having an interest in this topic are cordially invited to attend the public hearing and provide information and testimony relevant to these proposals.

HARWICH BOARD OF SELECTMEN

The Cape Cod Chronicle  
April 13, 2017

Continued on Next Page

**HARWICH BOARD OF SELECTMEN  
NOTICE OF PUBLIC MEETING**

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HARWICH BOARD OF SELECTMEN

The Cape Cod Chronicle  
April 13, 2017



# TOWN OF HARWICH

## DEPARTMENT OF PUBLIC WORKS

273 Queen Anne Road • P.O. Box 1543 • Harwich, MA 02645

Telephone (508) 430-7555

Fax (508) 430-7598

### MEMORANDUM

**TO:** Board of Selectmen

**FROM:** Lincoln S. Hooper, Director 

**DATE:** April 5, 2017

**RE:** FY 18 Disposal Area Fee Recommendations

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After conducting an analysis of our own expenses and a survey of disposal fees in the towns of Barnstable, Chatham, Orleans, Dennis and Yarmouth, I would like to recommend that the Board of Selectmen consider taking the following action:

- Increase the C&D tip rate by \$10 to \$140 per ton
- Increase MSW tip rate by \$5 to \$90 per ton

The attached analysis includes all the direct costs of providing residential services such as MSW tip fees, fuel, utilities, salaries and other expenses. It also includes indirect costs such as equipment depreciation, employee fringe benefits and salaries allocated from other DPW personnel (administration & vehicle maintenance) that support Disposal Area functions. My analysis indicates that the Residential Sticker price should be \$160, the current rate, to accurately reflect the expenses associated with providing residents with solid waste and recycling services.

While the survey of surrounding communities suggests that Harwich's C&D price may appear low, our real competitors for this commercial component are the Town of Yarmouth, S&J Exco (Dennis) and Paul Daniels (Orleans). Since the other communities do not handle commercial quantities of this material, our price is based on the price charged by our competitors and not the surrounding communities' prices. In fact, the average price of our competitors is \$145 per ton and is the primary reason I am recommending an increase in that fee.

While it appears our commercial MSW may be on the high side due to the Towns of Chatham and Orleans charging \$80 per ton, Orleans does not accept commercial packer trucks and Chatham appears to do little commercial MSW business. The only other transfer site for commercial MSW nearby is the Yarmouth Transfer Station (the rail) that is privately operated by Covanta. Since they won't share what they charge their customers, I called four of our larger haulers that told me they were charged between \$84

and \$86 per ton. Given the increases in commercial MSW Harwich has experienced since 2015, I assumed Covanta was charging more. I asked each contractor why they chose to utilize Harwich and whether a \$5 or \$10 per ton increase would affect their preferences. They all told me that they use Harwich for its convenience (no waiting) and customer service and that a \$5 per ton increase would not change their behavior. About half said that a \$10 increase might encourage them to go to use Yarmouth more. Please recall that in FY 15 and FY 16 we raised the residential sticker price to account for the expiration of the long term contract with Covanta, but did not raise the commercial MSW rate due to market conditions. I believe that market conditions now warrant a \$5 per ton increase that would have a negligible effect on our tonnages.

All other items are priced according to their cost of handling and disposal and appear mostly consistent with other municipalities. Although recycling markets have been depressed over the last few years and caused an associated decline in revenue, there have been recent increases in the price of those commodities that should return recycling revenue to historical levels.

Finally, I would like to update the Board on the License Plate Recognition (LPR) project we officially started last July that eliminated the need for physical stickers on user's vehicles. Working closely with Bonsai Logic, the software company that developed our Sticker Tracker system, we installed two LPR cameras at the entrance of the Disposal Area and a dedicated computer to run the system. Specifically, the LPR camera takes a picture of each vehicle's license plate, converts the image to digits using OCR software and reconciles it against our Sticker Tracker database in real time. If the vehicle is not in the system, the operator is alerted and can stop the car. Over the last year, in an effort to increase our read rates, we have installed a ground loop that initiates the cameras, have repeatedly adjusted the camera alignments and have had Bonsai Logic continually tweaking the software. It is our estimation that we now have read rates in excess of 95%, which exceeds our original expectations.

Thank you for your consideration in this matter.

Cc: Chris Clark, Town Administrator

Attachments: Cost Basis of Primary and Secondary Stickers  
FY 18 Full Cost Accounting Analysis of Disposal Area Services  
FY 18 Surrounding Community Disposal Area Fees  
Depreciation Schedule, FY 16 Disposal Area Revenue

**Cost Basis of Primary Stickers**

Residential Sticker Expenses			\$1,068,249
Less Revenue from Recycle / Prorated / Non Resident / Daily Pass			(\$82,230)
Less Revenue from the sale of recyclables (estimate)			(\$97,856)
Less Revenue from Secondary Sticker	1570 @ \$25		<u>(\$39,250)</u>
<b>Cost to be covered by Primary Stickers</b>			<b>\$848,913</b>
Divided by FY16 Primary Sticker Sales		÷	5,322
<b>Cost per Primary Sticker</b>			<b>\$160</b>

**Cost Basis of Secondary Stickers**

Residential Sticker Expenses			\$1,068,249
Less Revenue from Primary Stickers			
FY16 Stickers Sold	5,322 @ \$160	=	(\$848,913)
Less Revenue from Recycle Only / Prorated / Daily Pass Sales			(\$82,230)
Less Revenue from the sale of recyclables (estimate)			<u>(\$97,856)</u>
<b>Costs Not Covered by Primary Sticker Sales</b>			<b>\$39,250</b>
Divided by FY16 Secondary / Additional Stickers		÷	<u>1570</u>
<b>Cost per Additional Sticker</b>			<b>\$25</b>

## FY18 Full Cost Accounting Analysis of Disposal Area Services

Expenses	Residential Sticker Services *	Fee Based / Commercial Services **	Total	Notes
MSW	\$336,632	\$275,427	\$612,059	FY18 Request
C&D		\$652,815	\$652,815	FY18 Request
Tires Recycling		\$3,000	\$3,000	FY18 Request
Wood Chipping		\$12,000	\$12,000	FY18 Request
Transfer Station Runoff	\$2,750	\$2,250	\$5,000	FY18 Request
Paint Disposal	\$7,400		\$7,400	FY18 Request
Propane Tank		\$3,000	\$3,000	FY18 Request
Freon Removal		\$8,000	\$8,000	FY18 Request
Television Recycling		\$15,000	\$15,000	FY18 Request
Gasoline Recycling	\$2,775		\$2,775	FY18 Request
Mattress Disposal		\$22,000	\$22,000	FY18 Request
Antifreeze Recycling	\$500		\$500	FY18 Request
Household Hazardous Waste Collection	\$14,000		\$14,000	FY18 Request
Post-Closure Costs	\$10,175	\$8,325	\$18,500	FY18 Request
Uniforms, t-shirts, etc...	\$5,411	\$4,427	\$9,838	30% of FY18 Request
Electricity	\$8,580	\$7,020	\$15,600	FY18 Request
Gas Utility	\$2,145	\$1,755	\$3,900	FY18 Request
Repairs-Scale		\$5,000	\$5,000	FY18 Request
Transfer Station Repairs	\$2,750	\$2,250	\$5,000	FY18 Request
Medical	\$1,002	\$820	\$1,823	30% of FY18 Request
Telephone/Alarm	\$2,404	\$1,967	\$4,370	FY18 Request
Office Supplies	\$1,320	\$1,080	\$2,400	30% of FY18 Request
Custodial Supplies	\$825	\$675	\$1,500	10% FY18 Request
Diesel Fuel	\$41,884	\$34,268	\$76,152	Est. 38,000 gal.
Vehicle Parts & Supplies	\$50,738	\$41,513	\$92,250	45% of FY18 Request
Public Works Supplies	\$12,375	\$10,125	\$22,500	30% of FY18 Request
LPR Yearly Support	\$3,500		\$3,500	FY18 Request
Capital Equipment Depreciation	\$39,068	\$31,965	\$71,034	See attached depreciation schedule
Salaries and Wages	\$327,226	\$267,730	\$594,956	FY18 Request
Salaries Allocated from DPW Personnel	\$99,262	\$81,214	\$180,477	40% Administrative / 40% Mechanic Salaries
Employee Fringe	\$95,528	\$78,159	\$173,687	33% of FT Wage
<b>Total</b>	<b>\$1,068,249</b>	<b>\$1,571,785</b>	<b>\$2,640,034</b>	

\*Residential includes anything where no user fee is charged

\*\* Fee based services include everything where a user fee is charged

Items divided between both residential and commercial are based on a MSW ratio of 55% residential and 45% fee based / commercial

FY16 Revenue      \$2,455,995

**FY18 Surrounding Community Disposal Area Fees**

4/3/2017

<b>MATERIAL</b>	<b>...FY17 BARNSTABLE</b>	<b>CHATHAM</b>	<b>DENNIS</b>	<b>...FY17 ORLEANS</b>	<b>YARMOUTH</b>	<b>AVERAGE</b>	<b>FY17 HARWICH</b>
Residential Sticker	\$ 240.00	\$ 120.00	\$ 152.00	\$ 95.00	\$ 162.00	\$ 153.80	\$ 160.00
2nd Sticker	\$ 25.00	\$ 25.00	\$ 15.00	\$ 15.00	\$ 81.00	\$ 32.20	\$ 25.00
No Sticker Fee (assuming 3 bags)*	\$ 15.00	\$ 6.00	\$ 15.00	\$ 4.50	\$ 15.00	\$ 11.10	\$ 10.00
C&D**	\$ 200.00	\$ 180.00	\$ 175.00	\$ 200.00	\$ 140.00	\$ 179.00	\$ 130.00
Commercial MSW**	N/A	\$ 80.00	N/A	\$ 80.00	N/A	\$ 80.00	\$ 85.00
Metal**	\$ 35.00	\$ 65.00	\$ 10.00	\$ 40.00	\$ 65.00	\$ 43.00	\$ 60.00
Brush**	N/A	\$8-\$48 per trip	\$ 70.00	\$5-\$25 per load	\$ 65.00	\$ 67.50	\$ 60.00
Commercial Compost**	\$ 75.00	\$ 40.00	\$ 40.00	\$ 20.00	\$ 35.00	\$ 42.00	\$ 40.00
Computer Monitors	\$ 5.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 13.00	\$ 10.00
Tire	\$ 2.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 1.00	\$ 3.60	\$ 3.00
Tire with Rim	\$ 3.00	\$ 5.00	\$ 5.00	\$ 10.00	\$ 3.00	\$ 5.20	\$ 3.00
Refrigerator	\$ 15.00	\$ 15.00	\$ 10.00	\$ 20.00	\$ 18.00	\$ 15.60	\$ 15.00
Mattress/ Spring	\$ 17.00	\$ 15.00	\$ 20.00	\$ 15.00	\$ 15.00	\$ 16.40	\$ 15.00
TV	\$ 22.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 16.40	\$ 15.00
Couch	\$ 20.00	\$ 10.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00	\$ 15.00
Chair	\$ 20.00	\$ 5.00	\$ 10.00	\$ 15.00	\$ 15.00	\$ 13.00	\$ 10.00
White Goods	\$ 10.00	\$ 15.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 11.00	\$ 10.00
Microwave	\$ 10.00	\$ 15.00	\$ 5.00	\$ 5.00	\$ 10.00	\$ 9.00	\$ 10.00
Air Conditioner	\$ 15.00	\$ 15.00	\$ 5.00	\$ 15.00	\$ 18.00	\$ 13.60	\$ 15.00
Water Heater	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Gas Grill	\$ -	\$ 3.00	\$ -	\$ 5.00	\$ 10.00	\$ 3.60	\$ 5.00
Bike	\$ -	\$ 3.00	\$ -	\$ 5.00	\$ 10.00	\$ 3.60	\$ 5.00
Lawnmower	\$ -	\$ 3.00	\$ -	\$ 5.00	\$ 10.00	\$ 3.60	\$ 5.00
Propane Tank	\$ 5.00	\$ 5.00	\$ -	\$ 5.00	\$ 10.00	\$ 5.00	\$ 5.00

\* Chatham and Dennis charge a per bag fee

\*\* These items are represented in a per ton cost

\*\*\* Orleans has not set prices yet

**Paul S. Daniels**            **C&D \$155/ton, \$72.50 min.**  
**S&J Exco Inc.**            **C&D \$140/ton, \$25.00 min.**

## Depreciation

	Purchase Price	Depreciation Year	Per Remaining Depreciation	10 Year Depreciation
2010 MSW Trailer	\$50,000	\$5,000	\$10,000	\$5,000
2010 MSW Trailer	\$50,000	\$5,000	\$10,000	\$5,000
2011 MSW Trailer	\$50,000	\$5,000	\$15,000	\$5,000
2007 C&D Trailer	\$42,225	\$4,223	\$0	\$0
2007 C&D Trailer	\$42,225	\$4,223	\$0	\$0
1991 Roll Off Trailer	\$34,500	\$3,450	\$0	\$0
2008 Roll Off Truck	\$150,000	\$15,000	\$0	\$0
2009 Pup Trailer	\$23,700	\$2,370	\$2,370	\$2,370
2012 MSW Trailer	\$51,475	\$5,148	\$25,738	\$5,148
Transfer Station Overhaul (25 yr)	\$250,000	\$10,000	\$230,000	\$10,000
2016 Mack Tractor	\$138,750	\$13,875	\$111,000	\$13,875
2017 Mack Tractor	\$138,250	\$13,825	\$124,425	\$13,825
2017 MSW Trailer	\$70,000	\$7,000	\$63,000	\$7,000
2017 Siding/Gutters (25 yr)	\$95,400	\$3,816	\$91,584	\$3,816
<b>Total</b>	<b>\$1,186,525</b>		<b>\$683,117</b>	<b>\$71,034</b>

## FY16 Disposal Area Revenue

Gate Receipts	\$1,441,146
Sticker Revenue	\$950,460
Recycling Revenue	\$64,389
<b>Total Revenue</b>	<b>\$2,455,995</b>

## NEW SEASONAL WEEKDAY ENTERTAINMENT LICENSE APPLICATION

Port Restaurant & Bar, Inc. d/b/a The Port Restaurant  
541 Route 28, Harwich Port

*Weekday Entertainment – Recorded or live music with use of amplification, 5:00 p.m. – 10:00 p.m. on rear deck and 5:00 p.m. – 10:00 p.m. inside*

### **Weekday Entertainment**

**Inside Entertainment - Noise from entertainment may not create a nuisance or be heard outside the boundaries of the premises.**

**Outside Entertainment – Noise from entertainment must be at reasonable sound levels which are not plainly audible at a distance of 150 feet from boundary line or source of sound amplification system whichever is further.**

Mr. Hughes moved to include in the warrant and accept and adopt Article 22 Fund the Road Maintenance Program estimated \$700,000 from available funds as a debt exclusion. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

4. Charter/Zoning/MGL Amendments

#36 M.G.L. Ch. 44, Section 53F ¾ - PEG Access and Cable Related Fund Acceptance

Mr. Hughes moved to include in the warrant and accept and adopt. Ms. Kavanagh seconded the motion carried by a unanimous vote.

#37 Amend the Zoning By-Laws – Add New Section “Temporary Moratoria”

Ms. Kavanagh moved to accept the amendment to add Article 32 and add the new Section 325-134 A Temporary Moratorium on the Sale and Distribution of Marijuana and include in the warrant and accept and adopt. Mr. Hughes seconded the motion and the motion carried by a 3-1-0 vote with Ms. Brown in opposition.

#38 Various Amendments to the Home Rule Charter

Ms. Brown moved to accept, support and include in the warrant Article 38 Various Amendments to the Home Rule Charter. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

5. Private Petitions

#40 Promote the Town of Harwich

Chairman MacAskill noted that the Chamber of Commerce originally asked for \$35,000 but they have since written a letter changing the request to \$25,000. He noted that the amount can be changed on Town Meeting floor. Mr. Clark pointed out that the Board cannot change petition articles. Ms. Kavanagh moved to include, accept and adopt and support Article 40 as recommended by Administration at \$25,000 from free cash. Ms. Brown seconded the motion. Mr. Hughes disclosed that he is a member of the Chamber. The motion carried by a unanimous vote.

B. Approve new application for Weekday Entertainment by the Port Restaurant

Chairman MacAskill said he is not sure what this is for. He questioned if there is seating or are people waiting in line. It was agreed to ask the Port to come in.

C. Special Town Meeting Articles – *discussion and possible vote*

Mr. Clark outlined the Special Town Meeting articles. Mr. Hughes moved to approve the inclusion of Article 1 Fund Snow and Ice Deficit in the Special Town Meeting. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Mr. Hughes moved to include Article 2 Fund Shortfalls in Budget Transfers in the Special Town Meeting. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

time. Taylor Powell of Perks asked to extend outside hours for Friday and Saturday only. Mr. Powell expressed concern over how enforcement would be done as the language “reasonable sound levels” is subjective. Chief Guillemette stated that allowing entertainment to 11:00 p.m. on Friday and Saturday does not address the concerns of those who spoke at the hearing who are inside the 150 foot zone and he thinks 10:00 p.m. is reasonable. In response to Mr. Powell’s concerns, Chief Guillemette stated that when officers respond they would make a judgement on the 150 foot distance and if the noise is plainly audible they tell the business it’s too loud. He added that as enforcement, officers can issue tickets of \$150 for first offense, or bring the issue to the chain of command to bring before the Board which usually means that they have had several violations.

Mr. Hughes moved to close the hearing. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

→ Mr. Hughes moved to adopt the following standard regarding entertainment licenses on Route 28 in Harwich Port: that would be inside entertainment every day until 11:00 p.m. or until 60 minutes prior to liquor closing whichever is later, start time is per request of the applicant, all entertainment at the licensed premises may be conducted in a manner such that the noise from the entertainment is creating a nuisance that can be heard outside the boundaries of the premises; B. on outside entertainment - every day until 10:00 p.m., start time is per request of the applicant, the standard would be reasonable sound levels which are not plainly audible at a distance of 150 feet from the boundary line or source of sound amplification system whichever is further. Mr. LaMantia seconded the motion. Ms. Greenhalgh asked for clarification as Mr. Hughes did not say “and also selling liquor.” Mr. Hughes included it in his motion. Mr. LaMantia commented that he thinks we are going to run into a lot of difficulty with outside entertainment and the Board needs to understand that we need to test it. Ms. Kavanagh commented that we have to be cognizant of the zoning of these businesses as well. The motion carried by a unanimous vote.

C. Town Administrator submits 7-Year Capital Plan to joint meeting of Board of Selectmen and Finance Committee

Mr. Clark reviewed the various items on the Capital Plan by department for FY18 noting that the Town Administrator and Capital Outlay Committee were 100% in sync. The Board and Finance Committee discussed the plan as well as the impact to the overall budget and taxpayer. No action was taken.

D. Presentation by Hilltop Security on Financing of Capital Budget

Mr. Peter Fraser, Managing Director of First Southwest, a division of Hilltop Securities, and Vice-President Kristy Tofuri discussed their background and services which include acting as financial advisor to thousands of municipalities nationwide including about 180 Massachusetts municipalities and helping communities structure their debt. He and Ms. Tofuri presented summary charts of the plan they developed for Harwich (attached) and took questions and comments from the Board.

**OLD BUSINESS**



OFFICE OF THE SELECTMEN  
 732 MAIN STREET  
 HARWICH, MA 02645  
 508-430-7513

**APPLICATION FOR ENTERTAINMENT LICENSE**

- Weekday Entertainment (\$75)     1.day (\$25)
- Batters Box (\$50)
- Go Carts (\$50)
- Miniature Golf (\$50)
- Trampolines (\$25)
- Theater (\$150 per cinema)
- Automatic Amusement:
- Juke Box (\$100 each)
- Video Games (\$100 each)
- Other \_\_\_\_\_

- New application
- Renewal
- Annual
- Seasonal
- Opening Date \_\_\_\_\_

Business Name Port Restaurant Phone 786-288-1000

d/b/a \_\_\_\_\_

Business Address 541 Route 28, Harwich Port

Mailing Address \_\_\_\_\_

Email Address port-restaurant@hotmail.com

Managers Name & Address Justin Brackett, 51 Oak St., Harwich

**TIMES AND DAYS OF WEEK FOR ENTERTAINMENT** *(This application does not cover Sundays).*

Mon. to Sat. on rear deck 5:00 p.m. to 10:00 p.m. and inside 5:00 p.m. to 12:00 a.m.

**ENTERTAINMENT TYPE: (Check all appropriate boxes)**

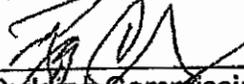
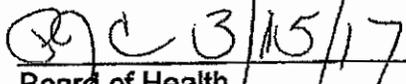
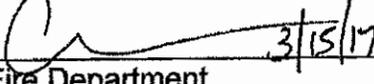
- Dancing by Patrons
- Use of Amplification System
- Dancing by Entertainers or Performers
- Concert
- Recorded or Live Music
- Other (Describe)

Pursuant to MGL, Chapter 62C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns, and have paid all State taxes under the law.

Signature of applicant & title \_\_\_\_\_ Federal I.D. # \_\_\_\_\_

**REGULATORY COMPLIANCE FORM**

The premises to be licensed as described herein have been inspected and found to be in compliance with applicable local codes & regulations, including zoning ordinances, health regulations & building & fire codes.

 Building Commissioner   
  Board of Health   
  Fire Department

Required signatures to be obtained by the applicant prior to submission of new applications.

## Ann Steidel

---

**From:** The Port <Port\_Restaurant@hotmail.com>  
**Sent:** Sunday, April 23, 2017 8:16 AM  
**To:** Ann Steidel  
**Subject:** Fw: Deck

### THE PORT

541 Route 28  
Harwich Port, MA 02646  
[www.theportrestaurant.com](http://www.theportrestaurant.com)  
(P) 508.430.5410  
(F) 508.430.5412





## Ann Steidel

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**From:** Raymond Chesley  
**Sent:** Friday, April 21, 2017 9:23 AM  
**To:** Ann Steidel  
**Subject:** FW: The Port Restaurant - 541 Route 28

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**From:** Raymond Chesley  
**Sent:** Wednesday, April 19, 2017 9:16 AM  
**To:** Paula Champagne <pchampagne@town.harwich.ma.us>; Meggan Tierney <mtierney@town.harwich.ma.us>; Alyxandra K. Sabatino <asabatino@town.harwich.ma.us>  
**Subject:** RE: The Port Restaurant - 541 Route 28

Ann

The current occupancy load for the site is 84 people for the Restaurant and 4 people for the Dwelling Unit above. If they are proposing to add seating they will need to file for a building department permit also. The permit will require a new seating/floor plan from a registered design professional.

Ray

---

**From:** Paula Champagne  
**Sent:** Tuesday, April 18, 2017 7:56 PM  
**To:** Meggan Tierney <mtierney@town.harwich.ma.us>; Raymond Chesley <rchesley@town.harwich.ma.us>; Alyxandra K. Sabatino <asabatino@town.harwich.ma.us>  
**Subject:** FW: The Port Restaurant - 541 Route 28

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**From:** Paula Champagne  
**Sent:** Tuesday, April 18, 2017 7:51 PM  
**To:** Ann Steidel  
**Subject:** RE: The Port Restaurant - 541 Route 28

In order to serve patrons on the deck the BOH would have to approve a seasonal seating plan offset to trade off seats inside the building. The plan we have has a septic design for 84 and they are all accounted for inside.

Paula

---

**From:** Ann Steidel  
**Sent:** Tuesday, April 18, 2017 1:32 PM  
**To:** Paula Champagne; Raymond Chesley  
**Cc:** Chief David J. Guillemette; Deputy Chief Tom Gagnon  
**Subject:** The Port Restaurant - 541 Route 28

Chairman MacAskill has asked me to touch base with you both to see if you have any issues with The Port Restaurant's request to have entertainment on the rear outside deck. Their liquor license includes the deck as part of their

premises. He would like to know if zoning allows for this and if they are allowed to serve food on the deck as well as any other issues you may have regarding this request.

Many thanks -

*Ann Steidel*  
*Administrative Secretary*  
*Board of Selectmen/Town Administrator's Office*  
*Town of Harwich*  
*732 Main Street*  
*Harwich, MA 02645*  
*Phone 508-430-7513 x2*  
*Fax 508-432-5039*

LICENSE

050600074

ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The Town of Harwich CAPACITY 84

MASSACHUSETTS

HEREBY GRANTS A SEASONAL

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell

All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To Port Restaurant and Bar, Inc. Justin R. Brackett, Manager

on the following described premises 541 Route 28, Harwich Port

First floor, exterior deck, and exterior seating along Route 28. Three entrances/exits: one along Route 28, one off kitchen adjacent to parking and one to exterior deck.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31st, 2018., unless earlier suspended, cancelled or revoked. January 15th

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this First day of April 20 17.

The Hours during which Alcoholic Beverages may be sold are

From 8:00 A.M. - 1:00 A.M.

WEEKDAYS

10:00 A.M. - 1:00 A.M.

SUNDAYS & HOLIDAYS

Noise level not to exceed

licensed premises.

Handwritten signatures of the undersigned.

LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

LEGAL NOTICE  
TOWN OF HARWICH  
REQUEST FOR INFORMATION  
USE OR RELOCATION OF THE WEST HARWICH SCHOOL BUILDING

The Town of Harwich (the "Town") is seeking responses from parties interested in using or relocating the Town-owned Old West Harwich School building, located at 5 Bell's Neck Road in West Harwich.

Responses should be marked "West Harwich School RFI" and are due at the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645 NO LATER THAN 2:00 PM on Monday, April 10, 2017. Five copies are requested for those respondents who choose to submit hard copies. Responses also may be submitted electronically to [srobinson@town.harwich.ma.us](mailto:srobinson@town.harwich.ma.us).

Further details are available at the Office of the Town Administrator at the above address or by calling to request them at (508) 430-7513 Monday from 8:30 A.M. to 8:00P.M., Tuesday through Thursday from 8:30 A.M to 4:00 P.M. and Friday from 8:30 A.M. to 12:00 Noon. Questions regarding this project shall be submitted to Aly Sabatino, Town Planner, at (508) 430-7511.

Christopher Clark,  
Town Administrator

Central Register  
Date of Publication: 2/27/17

Cape Cod Chronicle  
Date of Publication: 3/3/17

**Request for Information**

USE OR RELOCATION OF WEST HARWICH SCHOOL BUILDING

## **SECTION I INTRODUCTION**

The Town of Harwich (the "Town") is seeking responses from parties interested in using or relocating the Town-owned Old West Harwich School building, located at 5 Bell's Neck Road in West Harwich. Submissions shall be received no later than 2:00 p.m. on Monday, April 10, 2017 at the Office of the Town Administrator, 732 Main Street, Harwich, Massachusetts 02645.

All potential submitters are encouraged to attend an on-site to inspect the premises on March 17, 2017 at 10:00 am. Please contact Aly Sabatino, Town Planner, at (508) 430-7511, prior to March 15, 2017 if you plan to attend.

## **SECTION II BACKGROUND**

The Old West Harwich School was built in 1871. It is a two story building with one large room and office, and a men's and ladies' room on the first floor and one large room, and a kitchen on the second floor. The building has not been used for some time and the windows are boarded up. The Town is committed to maintaining the historic facade of this building by seeing that it is restored to the Secretary of the Interior's Standards, either at its present location or a new location.

## **SECTION III POTENTIAL USES**

If the building will not be dismantled and relocated, it is the intention of the Town to seek uses that will benefit the public and complement the surrounding West Harwich area. Potential uses identified to date are artistic, cultural or educational activities. Other uses also may be proposed provided the use(s) are consistent with the zoning district.

The Town's intention is to enter into a license agreement with a potential user similar to the Town's license agreement for the South Harwich Meeting House. A copy of that agreement is available upon request from Aly Sabatino, Town Planner.

## **SECTION IV BUILDING CONDITION**

A structural evaluation of the former West Harwich School was performed by Coastal Engineering Company in 2007. A copy of that evaluation is included in the appendices. A potential user of the building in its current location shall be responsible for restoring the historic character of the building along with any other necessary improvements. If the building is to be relocated, the purchaser of the building shall be responsible for restoring the historic character of the building.

## **SECTION V SITE REQUIREMENTS**

The Town's intention is to either entertain the relocation of the West Harwich School or entertain uses that will not expand the building beyond its existing footprint.

Use of the overall site shall include the following considerations:

- If the use is not a not-for-profit then the use shall be consistent with the zoning district.

- The submission must include sufficient parking spaces on the site to serve uses in the building and elsewhere on the property.
- Any exterior use of the property shall be secondary to use of the historic building and shall be compatible with neighboring properties.
- The site will require maintenance of an on-site septic system to serve all proposed uses on the property.
- The building and site must be compliant with the American with Disabilities Act (ADA) and local disability access laws.

Bennett Environmental Associates performed an environmental site assessment in 2010 of a possible groundwater contamination at this site migrating from a release that occurred at the Dennisport automatic coin laundry, located approximately 2,000 feet southwest of the site. The report is available from Aly Sabatino, Town Planner, upon request. An e-mail message from Massachusetts DEP regarding the current status of the site, is included in the appendices.

## **SECTION VI INFORMATION TO BE SUBMITTED**

The Town seeks the following information from interested parties. Your responses are for informational purposes only and will not result in any contractual obligation on your part. Please note that your response will become a public record.

1. Description of building relocation: Please describe in as much detail as practical how you propose to dismantle and relocate the building. Additionally, describe where the building will be relocated.
2. Description of use. Please describe in as much detail as practical how you propose to use the property in its current location. Describe what portions of the building and/or property you intend to use. If you propose more than one use, please describe each separate use.
3. Financial benefit/cost to the Town
  - a. Will you compensate the Town for the sale of the building and cover all costs associated with relocation?
  - b. Will you provide annual lease payments to the Town?
  - c. Will you pay for all operating costs associated with your use?
  - d. What type of Town services will your use require?

Please note – while final cost information is not required with this RFI, any estimates that you provide for the sale and relocation of the building, lease details, operating costs, and cost of Town services will assist the Town in deciding whether to support your proposed use.

4. Other benefits to the Town
  - a. Does your proposed use support goals of the Harwich Local Comprehensive Plan or other approved Town plans? Please specify.
  - b. What is the need in the community for your proposed use? Please specify.
5. Impact on the neighborhood
  - a. Will your proposed use complement the West Harwich area? Will it be incompatible in any way, and how will you mitigate any potential adverse impacts?

- b. What adverse impacts may be created for residents in the vicinity, and how will you mitigate such impacts? Please consider construction, type of use, traffic, noise, lighting, appearance, and any other relevant impacts.
6. Ability to perform
- a. Please describe your experience with relocating buildings or in the alternative, the development and operation of your proposed use.
  - b. Please describe your financial capacity to dismantle and relocate the building or in the alternative, develop and operate the proposed use.

We welcome any additional suggestions or feedback you might have as we evaluate possible future uses.

## **SECTION VII SUBMISSION**

Responses should be marked "West Harwich School RFI" and are due at the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645 NO LATER THAN 2:00 PM on Monday, April 10, 2017. Five copies are requested for those respondents who choose to submit hard copies. Responses also may be submitted electronically to [srobinson@town.harwich.ma.us](mailto:srobinson@town.harwich.ma.us).

## **APPENDICES**

1. Structural Evaluation, Former West Harwich School, prepared by Coastal Engineering Company, Inc., September 20, 2007
2. E-mail message from Jan Niemiec, Hydrogeologist, MassDEP

COASTAL ENGINEERING COMPANY, INC.  
260 Cranberry Highway (Rte. 6A), Orleans, MA 02653  
www.CoastalEngineeringCompany.com  
Orleans 508-255-6511  
Provincetown 508-487-9600  
Hyannis 508-778-9600 Fax 508.255-6700

September 20, 2007

Project No. C16896.00

Menders, Torrey & Spencer Inc.  
Attn: Brian Mulligan  
123 North Washington St.  
Boston, MA 02114

RE: Structural Evaluation  
Former West Harwich School, Harwich, MA

Dear Mr. Mulligan:

Pursuant to your request and subsequent authorization, personnel from our office conducted a field investigation of the referenced property on 5/25/07 and again on 6/07/07. The purpose of this investigation was to assess the general condition of the existing schoolhouse and determine the nature and condition of the first floor, second floor, roof, and foundation systems. The following report summarizes observations noted during our investigation and presents comments and recommendations for the proposed retrofit design foundation.

## LIMITS TO INVESTIGATION

Due to the restricted access of the crawl space beneath the first floor framing and to existing finishes on the second floor framing, it is impossible to assess all of the existing conditions pertaining to the integrity of the floor framing and supports. While every effort has been made to employ our knowledge of standard construction techniques and established engineering principles to determine member loads, stresses, etc., it is beyond the scope of this investigation to thoroughly assess every element of the existing floor framing. Our report and as-built framing plans are therefore limited to typical conditions found in the areas observed.

## OBSERVATIONS

### General

The project consists of a two and one-half story federal style building. The windows and doors in the building are boarded up and the building has been vacant for some time. The siding appeared to be vinyl with an asphalt shingle roof. Based on pictures from Coastal Engineering Company, Inc. previous report dated February 9, 2001 some siding work has been done on the west side of the building. There is a limited crawl space under the building and there is a walk-up attic. The building does not appear to have any additions; however, it is evident that the building has undergone some degree of renovations over time. For the purpose of this report, the south side of the building will refer to the side that faces Route 28.

### Foundation

It appears that the foundation of the schoolhouse has had foundation repairs done at the southeast corner. There are now CMU blocks where it appears brick masonry once existed. Also by this area, under the south stairs, a lower row of bricks appears to be missing. It is likely that animals use this area to gain access into the crawl space of the building. The northwest corner of the building has had similar foundation repairs to that found on the southeast corner of the building. At the southwest corner of the building, the foundation shows signs of minor cracking and separation. On the east side of the building there is a small access way to the crawl space below the first floor.

In the crawl space at the approximate center of the building there are 5 masonry piers running the long length of the building. The piers are of approximately 15"x11" in size with a beam supporting the first floor resting atop. The spacing of the piers varies with a maximum span of approximately 8 feet 6 inches. The piers appear to be in good condition with little deterioration of the bricks. The mortar shows more deterioration than the bricks do, but appear to have good adhesion to the bricks. Also located in the crawl space is a stub wall approximately 4 feet 4 inches from the north wall, and extends from the east side of the building to approximately 18 feet out from the exterior wall. The wall consists of a 7"x7" bottom beam resting on the soil below. The beam appeared to have approximately 2 inches of deterioration on the portion of the beam in contact with the soil. The studs consist of 4"x 3" posts that align directly below and support the 1st floor joists. The studs appeared to be in good condition with little to no deterioration. There is also an approximately 3 foot by 4 foot by 3 foot deep pit in the crawl space. The pit is located directly under the interior access way to the crawl space, and is supporting the surrounding crawl space soil with 3 foot high, 8" CMU retaining walls.

### Sill

The sill appeared to be 7" x 8" lumber resting atop the masonry foundation. The sill appeared to be in good condition with little deterioration observed. The first floor joists appear to rest on top of the sill, at the north and south sides of the building. There was no visible connection between the sill and the foundation wall, at the locations viewed.

### 1<sup>st</sup> Floor

The first floor framing appeared to be 3"x 8" joists spaced approximately 19 inches on center. The joists appeared to be in good condition with little deterioration observed. The joists spanned from north to south of the building with two simple spans resting on the 7" x 8" beam that in turn bear on the uniformly spaced masonry piers in the crawl space. There did not appear to be any bracing between the joists at any of the observed locations. There is a 30"x 24" opening in the first floor framing to allow access to the crawl space below. This opening is relatively new and is framed with newer dimensional lumber.

### 2<sup>nd</sup> Floor

The second floor framing was observed at two locations where the first floor ceiling finishes had been removed. It joists appeared to be 3"x 12" joists at 18" on center at the locations observed. The joists appeared to be in good condition with no deterioration visible on the joists that were observed. At both locations viewed there did not appear to be any bracing present between the joists. It was also observed that some joists in the northeast corner of the building appeared to be resting on a 2x4 ledger board attached to the exterior stud-bearing wall. Most of the second floor

joists are clear spans from north to south of the building. There are some joists in Multipurpose Room 1 being supported at mid span by a beam resting on 6" circular steel columns running east to west. The beam supporting the second floor in the Multipurpose Room 1 is 7"x7"x17' long and is centered in the room, this beam does not extend the entire length of the building. The posts that support the beam appear to be supported by the center beam supporting the first floor. However, it does not appear that the beam in the first floor is supported directly under the posts. There appeared to be water damage and mold present on the ceiling in Multipurpose Room 1, possibly from a ruptured water pipe.

### Attic Framing

The attic framing consists of 3"x 9" joists at 18" on center to span the length of the attic the joists were spliced at the center of the building. Along with being connected with nails the floor at this location was also supported by a board typically a 1x of various widths to the roof peak. The attic has no flooring material present and has insulation filled between the joists. There was a framed opening in the attic in which two chimneys pass through. It appeared that both brick chimneys changed to metal ductwork in the attic and exhausted out through the roof. The connection of the roof rafters to the top of the wall was not observed due to restricted access though it is believed that the connection is inadequate based on current code, this is based on knowledge of common construction practices of the time.

### Roof Framing

The roof framing consists of 3"x 8" rafters spaced approximately 30" on center. Rafters are clear span from eave to peak, with no ridge board or beam present at the peak. There was no blocking or bridging that was present in the roof rafters at the observed locations. Some insect damage was noticed and appeared to extend about 1/2" in depth into the rafters. There also appeared to be the water staining to some of the roof sheathing and roof rafters due to compromised roofing (refer to Coastal report dated February 9, 2001). The extent of the water staining and insect damage was not fully determined. Some of the roof rafters on the north east corner have been cut to allow for roof penetrations, this change from the original roof design does not appear to be adequate based on visual inspection and engineering mechanics.

## **GENERAL RECOMMENDATIONS**

Based on our preliminary observations, it appears that the structure is in need of structural repair and overall general upkeep repairs along with reinforcing required to conform with current code. The following repairs and evaluations are suggested.

- Foundation and interior masonry piers should be repainted, and repaired as needed.
- Based on Coastal Engineering Company, Inc. previous report dated February 9, 2001 foundation does not have adequate ground penetration or bearing capacity.
- First floor live loading should be limited to 44psf, which is equivalent to typical residential home loading. This loading can be increased by properly reinforcing the first floor beam and joists. This loading is also assuming that the second floor beam is replaced with one coming down at proper support locations.
- All second floor joists should be reinforced/supported as close to mid span as possible. It is suggested to place a beam at the location of the current beam in Multipurpose Room 1, but the new beam should span from the west exterior wall to the inner wall by the chimney. The beam should then continue to the east exterior wall. There appeared to be a masonry pier next to the chimney that may support a column for the new beam.
- The second floor joist resting on the 2x4-ledger board should be better secured to the exterior wall. It is recommend replacing the existing ledger board with a larger one and attaching the joists flush with the new ledger board with joist hangers.

- Second floor loading should be limited to 38psf, which is equivalent to typical loading of a bedroom. This can be increased to 60psf if a properly sized new beam is installed to support all of the 2nd floor joists at mid span. This is equivalent loading to offices or library reading rooms. Reinforcing the floor joists can further increase load capacity of the 2nd floor.
- Attic loading is limited to approximately 10psf live load to limit deflection. Current code requires an attic space of this type found in the west school to have a minimum live load capacity of 20psf. In order to achieve this minimum capacity, reinforcing of the joist would be required.
- Roof rafters appear to be adequate for current snow loading prescribed by code. But should be reinforced with collar ties, and hurricane straps.
- Vertical ties in roof system need to be reinforced to limit attic deflection.
- New roof shingles should be installed to minimize water damage to the roof system.
- At time of roofing, connection should be verified and condition of connection determined of roof sheathing to roof rafters.
- Siding should be removed from a section of the building to expose any previous siding, and exterior sheathing to determine the condition of the underlayment.

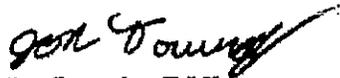
## CONCLUSION

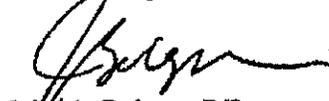
The Harwich West School, although needing structural augmentation, is in good condition. Since the building is not in use at present, the framing does not need to be reinforced at this time. If the building is opened for use, then it is recommended that screw jack lallies with new footings be used between the current supports of the main wood beam supporting the first floor. We also recommend that the second floor use be limited to small groups of 50 or less at a time until the joists are reinforced/mid span support is added for the length of the building. The roof should be resingled to prevent any further water damage to the building. Minor foundation repairs are needed, mainly consisting of repointing of interior brick piers and brick replacement under the front entrance. Of course, since this building has been abandoned for some time, several other architectural and building technologies improvements will be needed before opening.

Please contact us if you have any questions concerning the above report.

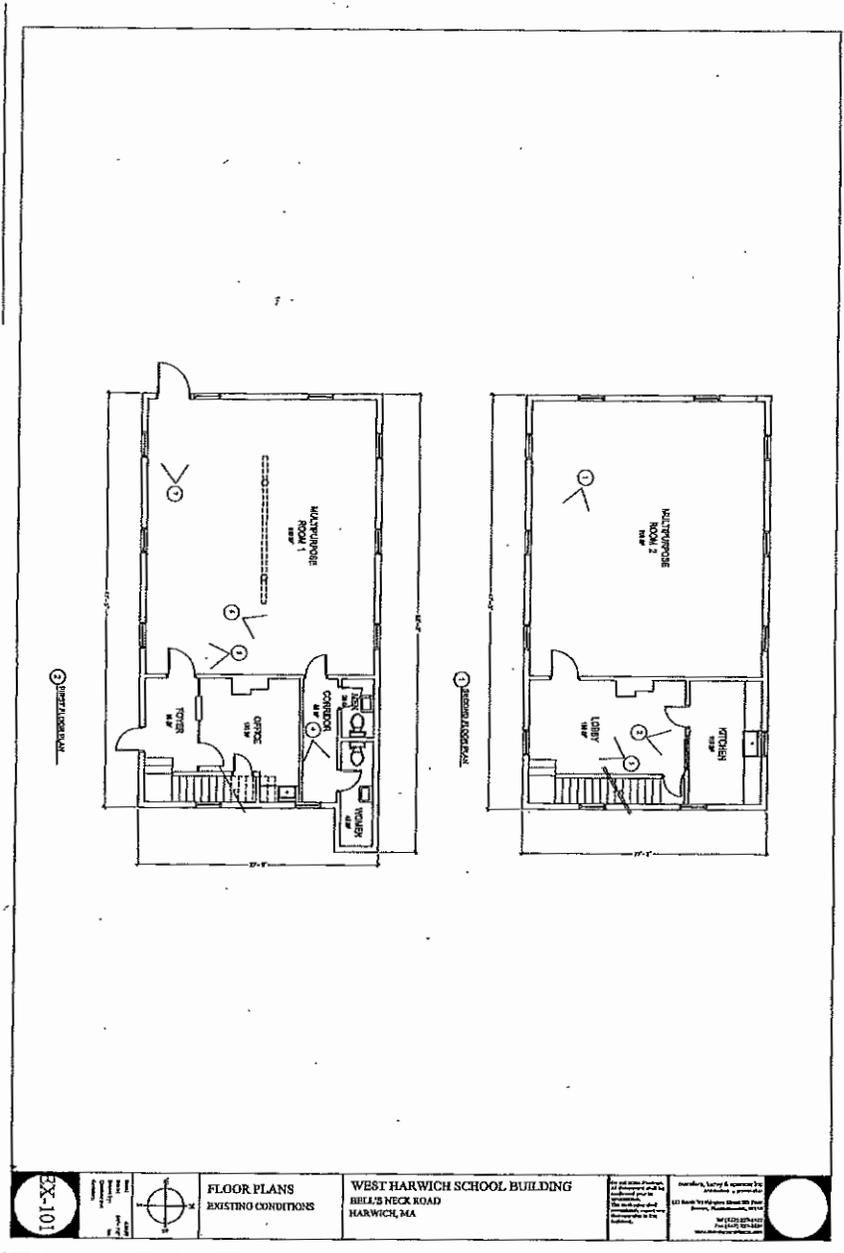
Very truly yours,

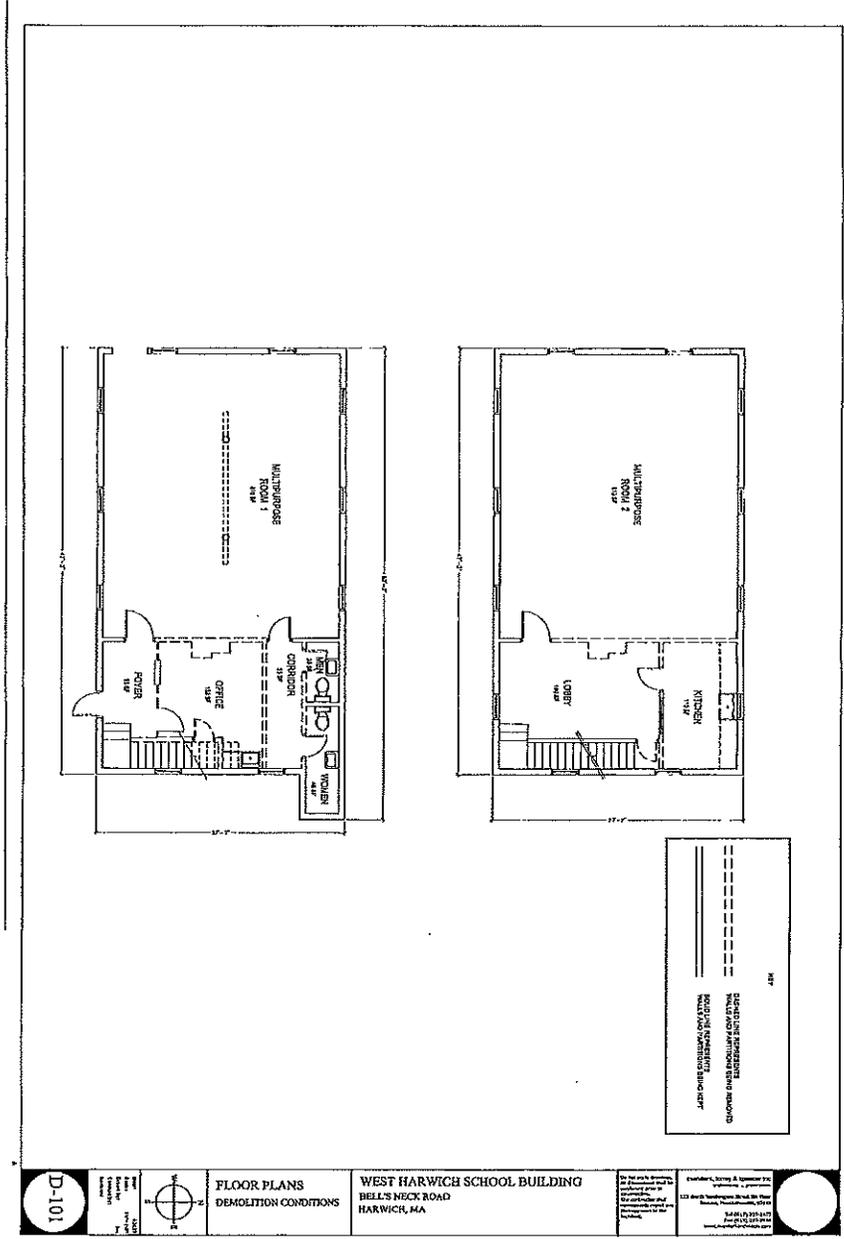
**COASTAL ENGINEERING CO., INC.**

  
Jon Downing E.I.T.

  
John A. Bologna P.E.

JMD/dlb





<http://public.dep.state.ma.us/fileviewer/Rtn.aspx?rtn=4-0013326>

The link, above, is to the webpage in the MassDEP sites database that pertains to the Bell's Neck property investigations.

As you will see, there is only one file under the "Electronically Submitted Files" tab. This is because the work was performed prior to the full implementation of MassDEP's electronic record keeping system. It was not until 2009 that LSPs were required to only submit their work electronically. MassDEP prior to that had kept paper files, and once the electronic system was up and running, began the long process of scanning and uploading older files. So -- to view the older files, click on the Scanned Files tab, then, click on the "Submit Date" column of the table of records and all records will be presented in the order in which they were submitted. The Release Tracking Number (RTN) for this site is RTN 4-0013326.

As you are aware, this site came to MassDEP's attention after routine water supply testing of a deep well that served the residences on the property tested positive for chlorinated volatile organic compounds (cVOCs) including some that are typically used in dry cleaning operations. Investigations were required to determine whether the contamination originated on site, or came from an upgradient source. Shallow groundwater was the issue: if it also were contaminated at the Bell's Neck property, this would suggest an on-site source. If it were only found at depth, however, that would provide evidence of an upgradient (in terms of groundwater flow) source.

Wells were installed at different depths on the subject property and tested for contamination. Briefly, results indicated that the contamination was found at depth only. This work was performed under an IRA Plan, a Supplemental IRA Plan, and results reported in an IRA Completion Report. Because the evidence pointed to an upgradient, rather than on-site source at the Bell's Neck property, a Downgradient Property Status Opinion was filed pointing to potential upgradient sources.

Meanwhile, a greater area of the aquifer underlying Harwich and Dennisport was under similar investigations by MassDEP, and the data found in this much larger area dovetailed with the data and conclusions reached for the Bell's Neck Property. This is all described and contained in the 3/31/2003 submittal of the Harwich PCE/TCE Study Area Site Investigation Report. Figure 3 of this report presents a cross sectional view of the aquifer, which indicates the presence of cVOCs as not being present at the Bell's Neck Road area in shallow groundwater. Figure 4 presents the groundwater contours, flowing approximately to the northeast from the apparent source area in Dennisport. The plume of cVOCs flowing through the aquifer at that time appeared to be, appropriately, shallower at its point of origin, deeper as it proceeded toward the Bass River, where it appears to rise to the discharge to the river. Also, as you are aware, the contaminated deeper well at the Bell's Neck property has been abandoned, and water is now supplied from the Town's municipal system.

I hope the preceding is sufficiently clear -- any questions, please give me a call.

Jan Niemiec, Hydrogeologist  
MassDEP 20 Riverside Drive, Lakeville, MA 02347  
(508) 946-2841 PHONE / (508) 947-6557 FAX

# West Harwich School RFI

Regarding the Use or Relocation of  
the Historic West Harwich School Building

HAW 424



April 10, 2017

Since 1993, there have been 3, town-wide, historic survey reports urging districting of the Route 28 corridor through West Harwich, and another report seeking individual nomination of the Schoolhouse.

In 1993, a town-funded survey of historic town properties proposed a local West Harwich Historic District, in addition to historic districts in each of the other 6 Harwich villages. In 2000 the West Harwich Schoolhouse was presented for National Register Eligibility as an individual property. At that time the Schoolhouse was deemed ineligible for individual National Register status, primarily due to the existence of vinyl siding, but it was stated in the Eligibility Opinion that " (t)he West Harwich School would contribute to a potential historic district". In 2007, the Massachusetts Heritage Landscape Inventory identified the "Western End of Route 28" from the Dennis line to Bank Street as the single area of Critical Concern in Harwich. This stretch of road was identified as an important heritage landscape and as containing areas threatened with loss of community character and sight lines. The report urgently recommended designation of historically significant neighborhoods and individual properties. In 2015, I prepared an Historic Buildings Inventory of Harwich in which I proposed an expansion of the boundaries to the (still undesignated) Proposed West Harwich historic district as delineated in 1993.

In early 2016, a private resident submitted the 1993, Proposed West Harwich historic district for National Register eligibility review. (In contrast to a local historic district, National Register designations may be initiated and conducted independent of a local Historic Commission.) Not only was the proposed area determined to be eligible for National Register District nomination, but the State Historic Preservation Office recommended that the boundaries be further expanded. In the National Register Eligibility Opinion (see MACRIS under West Harwich Area) the West Harwich Schoolhouse was called out specifically for inclusion in the district.

All this background is for the purpose of reporting that a National Register District in West Harwich is imminent (and long overdue), and that the West Harwich Schoolhouse is an important component.

It is also important to understand something of the theory and practice of Historic Preservation to fully recognize the value of the Schoolhouse at its site. The definition and practice of Historic Preservation is quite distinct from the work of museums and architectural collections, in that Historic Preservation is about "historical context", not the presentation of an object (even a large architectural object) independent from its original location. A building that has been moved is significantly devalued because it has lost its contextual integrity.

Because of the Schoolhouse, the proposed West Harwich District is immediately identifiable as an historic village. Even a cursory understanding of the a schoolhouse's original use informs one of a village's population, geographic distribution, economic standing. A schoolhouse's

architectural style and structural method, relative to other town properties and other schools in the region, reflects attitudes towards public education as well as other social and political markers.

The edifices of public institutions are the embodiment of a community's values, and as such are inherently culturally significant. An old schoolhouse is almost always obsolete and/or redundant and these buildings are not typically preserved. It becomes clear that historic schoolhouses are rare and culturally significant, thus requiring especially careful consideration and protection. To have an early schoolhouse in its original location, within a registered historic district, and that is also suitable for rehab is a very valuable asset to the town. There are distinct public and private incentives and funding not only for specific architectural projects, but also available to overall town projects (for example, see Preserve America Communities). Historic districts are a tourism destination, and further, as West Harwich is identified as a lower income census tract, there are additional incentives for private businesses to undertake economic development projects (for example, see New Market Tax Credits).

So it follows that the Old West Harwich Schoolhouse is important and valuable because of where it is situated and no proposal to move it should be entertained. Should the Schoolhouse be removed from its location there would actually be little purpose in following the Secretary of the Interior's Standards for Preservation because the schoolhouse would be ineligible for NR status, due to loss of contextual integrity.

Rehabbed in its original location the Old Schoolhouse will be the anchor building to the identity and understanding of the historic West Harwich village, and I believe that it should be considered the anchor from which a revitalized and landmarked neighborhood spreads significance throughout Harwich and the lower and mid-Cape region.

**Use:**

A coherent and detailed use proposal for the West Harwich School House was submitted by Lou Urbano to the CPC for renovation funding. As you know, this proposal was not accepted, however it remains an intelligent proposed use that serves many Federal historic preservation guidelines. Any proposal that includes a school would maintain the building's "integrity of use" (see Secretary of the Interior's Standards).

**Financial Benefit to Town:**

Historic Preservation is identified as essential to the values and goals of the U.S. (see Section 1, "Purposes" of the National Historic Preservation Act of 1966) To achieve these ends, there are numerous Federal incentives to towns, communities and individuals to engage in true Historic Preservation, I have only touched on a couple in the previous paragraphs. Additionally, there is much research on how National Register and Local Historic Districts benefit communities and homeowners financially, as well as how old neighborhoods and buildings meet current local and regional Planning and Environmental guidelines, both here in Harwich and throughout the country.

It is also worthwhile to point to the President's frequent use in his private development practice of rules and incentives to promote historic preservation.

In conclusion, I will not bring facts and figures to you. It is sufficient, I believe, to familiarize this governing body with the purpose of Historic Preservation and for it to do only a cursory search of government programs designed to promote true Historic Preservation to recognize the benefit to the Town of Harwich of the creation of a West Harwich Historic District, with the Old West Harwich Schoolhouse as its anchor.

Respectfully submitted,  
Mirande Dupuy, MS Historic Preservation

## **Appointments and Reappointments to Boards, Committees and Commissions**

A subcommittee of two (2) members of the Board Selectmen (BOS) will conduct interviews and make recommendations to the full BOS for appointments to the various Boards, Committees and Commissions (BCC) for which they are given the appointment responsibility. The members of the two person interview committee will be voted during the annual reorganization of the BOS.

The Interview Committee (IC) may, at its discretion, discuss position requirements or specific candidates with the appropriate BCC Chair. A BCC Chair could also participate in the interview process if the IC considers this beneficial. The IC shall interview the candidates seeking the appointment to the specific BCC.

Upon completion of the interview process, all applicants will be notified of the results of the interviews and the date that the IC will make its recommendation to the full BOS. If, after discussion, the BOS is not in agreement by majority vote with any one of the recommended appointees, the IC or the full board can re-interview candidates, seek new candidates or request additional candidates.

Upon appointment by the full BOS, the appointee will be notified in writing by the Town Administrator's office of the appointment to the BCC and the term of the appointment.

It should be noted that, from the Town of Harwich Committee Handbook, Section III C, "a committee member is under no obligation to accept reappointment nor is the appointing authority obligated to offer reappointment"

### **Attendance**

As BCC members have routine meeting nights, members are expected to give high priority to attending and participating in scheduled meetings. Members are expected to notify the chair of their BCC if they will not be in attendance. Chairs are expected to maintain attendance records. Individual attendance history will be considered by the IC when assessing reappointments.

In the case of extended or numerous absences, the BCC Chair will:

1. Notify the IC of members who have had 4 or more consecutive unexcused absences
2. The IC shall determine whether there was good cause for the absences by contacting the individual directly, in writing.
3. After such a review is completed, the results will be sent, in writing, to the individual, the BCC chair and to the BOS. If the review indicates that the position has been essentially vacated, written notice will be sent by the IC to the individual and the process to fill a vacancy will be followed.

### **Appointment to Fill Vacancy**

Upon written notification to the BOS that an appointed position on a BCC has been determined to be vacant, the following shall be initiated:

1. Notice of vacancy to be posted for a minimum of seven (7) days.
2. Posting to be made on town website, through press release, and on the public bulletin board at Town hall.

3. Interested parties will be required to complete and submit to the Town Administrator's Office the Citizens' Activity Record Form.
4. The IC will then follow the process as listed above, under appointments/reappointments.

**Code of Conduct of appointed BCC member**

All appointed BCC members will be given a copy of the Committee Handbook by the Town Clerk upon being sworn in as a BCC member. The appointee is required to review this handbook and be familiar with the responsibilities and conduct expected of a member of a board or committee or commission of the Town of Harwich.

Any concerns regarding a BCC member's ability to meet the responsibilities or conduct as outlined in the Committee Handbook will be referred to the IC for review. The results of this assessment will be reviewed with the member. The IC will then report to the BOS as appropriate. A recommendation of removal is warranted if the IC finds that the member has not performed the responsibilities of the position for a sustained period or that his/her conduct has not been consistently within the bounds of the standards as outlined in the Committee Handbook. If a recommendation to remove is made, the member will be notified in writing prior to the report to the full BOS.

Adopted at a Public Meeting of the Board of Selectmen on January 30, 2012.

# BIKE PATH COMMITTEE

APR, 1983

REGULAR MEMBERS  
(7)

Article 12. To see if the Town will vote to instruct the Board of Selectmen to appoint a Committee of seven (7) members to investigate the feasibility of constructing a bike-path within the Town and to act fully thereon. By request of the Board of Selectmen.

APRIL 1983

## **TRAIL COMMITTEE CHARGE**

### Background

Harwich is a community where residents and visitors alike enjoy a vast array of natural recreational opportunities. Along with its beaches and bike trail, Harwich has a network of trails which can potentially be enjoyed by many bicyclists and hikers.

### Purpose

The Trail Committee shall assist the public in enjoying our walking trails by working to mark or otherwise post such existing trails on public properties including conservation, forest and open space parcels. Additionally, the committee shall be charged with encouraging the passive recreational use of such trails and recommending, for review by the authority with land jurisdiction, rules and regulations to protect public safety and natural resource values.

### Committee Make-up

The Trail Committee shall be composed of five members appointed by the Board of Selectmen to overlapping three year terms. To initially accomplish this, the Selectmen shall appoint two members for three years, two members for two years and one member for one year. A member from the Conservation Commission, Real Estate and Open Space Committee, and the Planning Board shall be among the five members.

## **HARWICH HOUSING COMMITTEE**

### **Background**

The citizens of Harwich have maintained a proud history of caring for the housing needs of their families and neighbors. Through the years, efforts have been made in both the private and public sectors to ensure that Harwich would remain a place where decent, hard working citizens could place roots and raise their families. Of particular note, many private citizens from all walks of life (including Cape Verdians, members of the religious community, newcomers, and residents who trace their family roots back many generations) have continued to make this their highest priority. Some have dedicated their entire lives to working for this cause. Others have taken their own land holdings and extended lease-to-purchase options to tenants in a private, selfless effort to encourage affordable housing. Still others have volunteered to serve with their fellow Harwich citizens in efforts to have the town government actively pursue the purchase and development of land under the auspices of the Harwich CDC and other organizations to address the problem.

This ongoing struggle to provide decent housing was reenergized, as citizens throughout the Cape met in April of 2000 to champion the cause. They recognized, as those before them had, that the very existence of our society would be imperiled without the ability to house our commercial and town employees at a rate which could maintain the economic and social diversity and interdependence under which Harwich had thrived for literally hundreds of years.

### **Mission**

The Harwich Board of Selectmen shall appoint a Harwich housing Committee of five (5) members to work in partnership with the Harwich Housing Authority, an independently elected body. The HHC shall work towards diverse solutions to the affordable housing shortage that will further our stated goal of 10% of such housing under the Harwich Local Comprehensive Plan. The terms of said members shall be overlapping to ensure the continuity of the committee membership. The HHC shall organize and meet sufficiently to deliver its findings and recommendations to the Board of Selectmen annually.

## HARWICH HOUSING COMMITTEE CHARGE

1. Identify the need for affordable housing in the Town of Harwich including:
  - Emergency cases
  - Handicap accessible housing
  - Rental and owner-occupant needs
  - Seasonal needs and issues
2. Review the Harwich LCP with regards to goals and objectives related to affordable housing.
3. Identify existing housing resources in Harwich
  - Available low and moderate housing stock
  - Commercial property with affordable housing potential
  - Current town property suitable for multiple and single unit housing
4. Identify potential remedies and courses of action to alleviate our affordable housing situation.
5. Develop financial analysis of candidate solutions.
6. Identify potential funding sources:
  - Local
  - State
  - Federal
7. Develop a written report for presentation to the Board of Selectmen **annually by December 15<sup>th</sup>**. The report shall include specific recommendations **with** a plan to address our affordable housing needs.

**TOWN OF HARWICH  
NOTICE OF VACANCIES ON VARIOUS TOWN BOARDS, COMMISSIONS  
AND COMMITTEES**

The Board of Selectmen will give consideration to the appointment of members to the following Boards, Commissions and Committees:

Appeals Board (alternate) .....	1
Board of Health.....	1
Brooks Academy Museum.....	1
Building Code Board of Appeals.....	5
Conservation Commission (2 alternate).....	2
Council on Aging.....	3
Disability Rights Committee.....	5
Forest Committee.....	1
Historic District/Historical Commission (alternate) .....	1
Traffic Safety Committee .....	2
Treasure Chest Committee (1 full – 1 alternate).....	2
Utility and Energy Conservation .....	2

A description of Committee duties and **Citizens Activity Record Forms** are available at the Selectmen’s Office, 732 Main Street, Harwich

OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, *Town Administrator*  
Charleen Greenhalgh, *Assistant Town Administrator*

732 MAIN STREET, HARWICH, MA

# MEMO

TO: Board of Selectmen 

FROM: Christopher Clark, Town Administrator

RE: Evaluation

DATE: May 8, 2017

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I believe that FY 17 has been an exceptionally productive year for me as the Town Administrator. I have prepared this overview of the year that is consistent, in general, with the goals of the Board of Selectmen and achievements in other areas that were not anticipated. I have initially highlighted a few of the challenges that emerged during this fiscal year that were not necessarily specifically included in the goals and objectives to be achieved but were nonetheless important elements to a successful year.

Recruitment and the transition of new Finance Director: This is the second year out of the last three that I have been asked to develop the Capital and Operating Budget when the position of the Finance Director has been in transition. Two years ago the incumbent retired, the assistant who was filling in departed days before Town Meeting started and then Andy Gould started just before Town Meeting. This year we had the departure of Andy Gould in February, the recruitment of an interim (Dave Withrow) and then the hiring of Carol Coppola. In both instances, I acted as not only the developer of the Capital and Operating Budgets but I also had to be sure that the Sources and Uses were balanced going into and out of Town Meeting. I will freely admit that this has significantly increased the complexity of my job by not only doing my portion but working in both cases with three different people. Our overall financial picture has continued to improve.

Health Insurance is a very significant element of our operations. My role on the Cape Cod Municipal Health Group has gone beyond just managing our Health Insurance program. I have been leading the effort in my position on the Steering Committee to start to put into place a review of the so called Cadillac Tax and the successful adoption by the group of the new option to the municipal market place of a High Deductible Plan. One only needs to review the minutes to see the leading role I have taken in this important effort to manage our Health Care costs. I am very proud of the fact that 6 of the 8 Unions voluntarily agreed to the plan implementation.

Goal 1: Financial Leadership/Development of the FY.2018 Budget

The Capital Budget balancing and coordination continues to be one of my primary focal points. I believe that the Summary and Applicable Charts help to show the plan in a clear and understandable way. The system utilized is one that I brought to Harwich and revised during my time. The Operating Budget as

present by Administration was clearly in line with the Goals of the Board of Selectmen. The Operating Budget process that includes identifying of Enhancement of Services was designed as a forward looking tool to give the Board of Selectmen insight into the operational needs of the organization. Once again approximately one million dollar in cuts are made from requests and for the fourth consecutive budget we are within the limits of Proposition 2 ½ for operations. Careful financial management is attempted to always be used even under challenging conditions as identified above. Having the ability to work with six different Finance Directors successfully, I believe is an indication of my ability to communicate and lead the organization from a fiscal management perspective.

### Goal 2: Communicate and Conduct Town Government Business in an Efficient, Effective and Transparent Way

I have also worked very hard to make subtle but effective ways to communicate organizational initiatives. This year alone, I incorporated more maps into Warrant and explanations to be able to explain actions contemplated in the Warrant. Town Meeting also is provided with the motions on a screen with images of presentations or sites. The last two years, Town Meeting has been completed in two nights. Not everyone may know, but I coordinate the motions myself and work closely with both Town and Bond Counsel to navigate the Town Meeting through some fairly complex items. I believe that I have been very effective in helping to organize Town Meeting.

I also personally took over the coordination of the Accela implementation and resolved several operational issues to bring the system online, not only internally but to the residents of the community. Like other towns on the Cape that use Accela, it is a rolling implementation.

### Goal #3: Infrastructure Improvements

During FY 17, I have worked very closely with the SAQ Landside Improvement project where we attempted to maximize the money that was previously programmed into our capital budget at \$3 million dollars. The SAQ Development Committee did outstanding work towards this end. I participated at strategic times to help provide direction. I participated in the very difficult meeting where we learned that we could not afford the Harbormasters Office, Maintenance Facility, full Restaurant and Ticket Office. Recommendations were made to bring the costs within the approved Capital Plan by eliminating the Ticket Office and downsizing the restaurant operation. This project was favorably voted by Town Meeting.

### Goal #4: Comprehensive Wastewater Management Plan

Numerous people were involved in this project. I believe that my contributions include the concept of presenting the plan to Town Meeting in its entirety as Phase 2 and working with both Town and Bond Counsel to insure the wording of the article and the ballot question. Dave Young and I were very active participants in the IMA Negotiations with Chatham and the initial discussions with Dennis and Yarmouth. I was directly involved in sending a letter and subsequent discussions with the Commissioner of Environmental Protection regarding the Phase 2 Plan. I also created the initial financial plan for funding the full program that was later supplemented by our Financial Advisor. I participated in numerous public meetings and televised information programs or spots to help to inform the community. I worked closely with the press outlining our program and with the School Superintendent to reach all members of our community as to the importance of a clean environment.

#### Goal #5: Planning and Economic Development

One of the objectives under this goal area was to develop plans on how to use, sell or lease various town properties. I believe this objective is a multi-year objective. Since my arrival I have been informed as to how difficult it is to sell off town property that is no longer appropriate or in fully active use. I created the concept of utilizing revenue that could be generated from 203 Bank St. to fund the SAQ landside project. This concept was included into the Annual Town Meeting Warrant and acting as the primary presenter was favorably voted by Town Meeting to sell this property. I believe that this was a fairly significant accomplishment in light of the atmosphere that was prevalent three and half years ago. The Middle School conversion to a cultural center has, I believe, also been a very positive initial success. The concept of creating the reuse as a cultural center was initiated by myself in a memorandum to the Board of Selectmen based upon previous experiences. The implementation of this plan has definitely been a solid team effort with the Facility Maintenance Director and the Community Center Director playing key roles in making this a success to date. Additional work needs to be done in alternative concepts designed for the three other properties.

#### Goal #6: Quality of Life and Public Safety

One of the key objectives under this goal is the support for the Fire Station #2 renovation project. Throughout this project I have provided strategic assistance when needed. I worked closely with the Fire Chief to initially create a Fire Station #2 working group that explored regionalization and worked on concepts for improvements to the station. This group then transformed into a Board of Selectmen's formal committee. The committee, in order to meet its charge, needed some professional construction advice. As a member of the Cape Cod technical high school building committee, I had an opportunity to meet the gentlemen who was clerk of the works for several projects in the town of Dennis. I introduced him to the group and was able to hire him for very minimal dollars due to his public service interest and his semi-retired state. His efforts were instrumental in formulating construction concepts to move the project forward. He acted as a critical resource to the committee. This project was also favorably received by town meeting.

Overall, I believe that my performance during FY 2017 has not only met the ambitious expectations but has in many ways exceeded those expectations. Pursuant to my employment contract, I would request that I receive an above satisfactory performance rating and thus warrant a cost-of-living increase that would commence on July 1, 2017. I would also ask for Board consideration relevant to this year's evaluation that was going to be reconsidered just prior to budget season. I would like for the Board to give some consideration to some retroactive elements for the existing fiscal year. I recognize that agreement was not reached on the goals and objectives laid out, but as you can see many of them were seriously tackled. I also understand that some of this was self-inflicted by my being considered by other towns for their administrative positions. As I have always indicated, I have strong affinity for this organization, workforce and community and seek only treated in a fair and equitable manner.

I will be submitting my request to extend my existing contract that expires on June 30 2018. Longevity in this position is a benefit to both of us.



Commonwealth of Massachusetts  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Kornegay, Undersecretary

April 12, 2017

Mr. Michael P. MacAskill, Chairman  
Harwich Board of Selectman  
Harwich Town Hall  
732 Main Street  
Harwich, MA 02645



Dear Mr. MacAskill:

The Department of Housing and Community Development (DHCD) approves the Town of Harwich's Housing Production Plan (HPP) pursuant to 760 CMR 56.03(4). The effective date for the HPP is March 23, 2017, the date that DHCD received a complete plan submission. The HPP has a five year term and will expire on March 22, 2022.

Approval of your HPP allows the Town to request DHCD's Certification of Municipal Compliance when:

- Housing units affordable to low and moderate income households have been produced during one calendar year, totaling at least 0.5% (31 units) of year round housing units.
- All units produced are eligible to be counted on the Subsidized Housing Inventory (SHI). If you have questions about eligibility for the SHI, please visit our website at: [www.mass.gov/dhcd](http://www.mass.gov/dhcd).
- All units have been produced in accordance with the approved HPP and DHCD Guidelines.

I applaud your efforts to plan for the housing needs of Harwich. Please contact Phillip DeMartino, Technical Assistance Coordinator, at (617) 573-1357 or [Phillip.DeMartino@state.ma.us](mailto:Phillip.DeMartino@state.ma.us), if you need assistance as you implement your HPP.

Sincerely,

Louis Martin  
Associate Director

cc Senator Julian Cyr  
Representative Sarah K. Peake  
Christopher Clark, Town Administrator, Harwich  
Charlene L Greenhalgh, Assistant Town Administer, Harwich



**MEMO**

To: Board of Selectmen  
From: Aly Sabatino, Town Planner  
Date: May 4, 2017

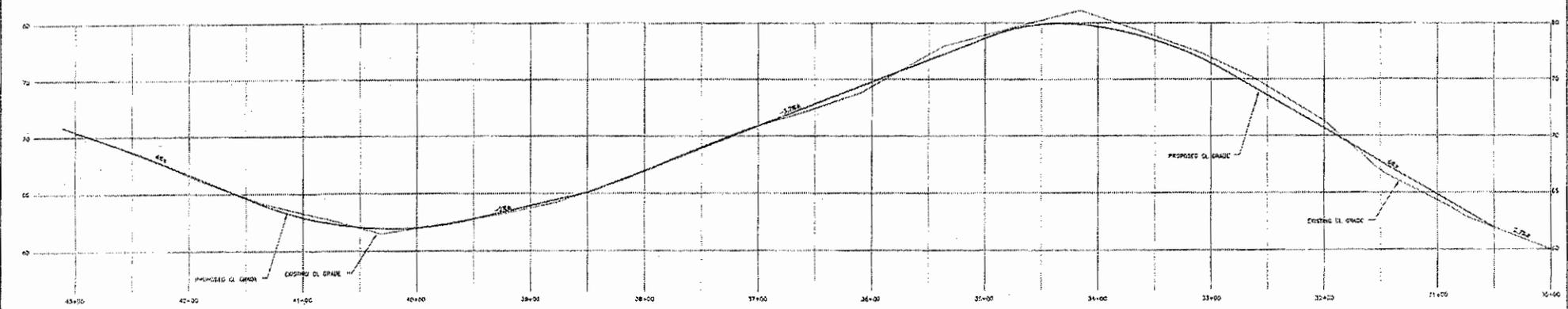
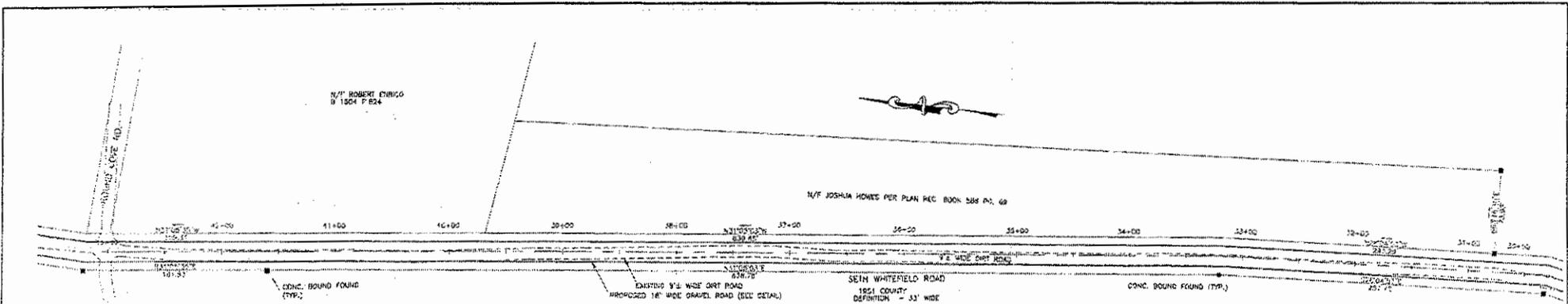


**RE: May 23, 2017 Planning Board Hearing PB2017-15 Robert Fratus, applicant -  
Determination of Adequate Access/Improvements to a Town Way**

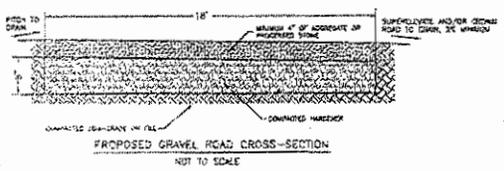
The Planning Board has received an application (described below) from Mr. Robert Fratus, proposing improvements at his own expense to Seth Whitefield Road (Hawksnest Road), a Town way. I have included with this memo the submitted plan for the Board's review. The hearing has been scheduled for May 23, 2017 and has been duly advertised.

**PB2017-15 Robert Fratus, applicant - Determination of Adequate Access/Improvements to a Town Way.** Mr. Fratus seeks approval of a plan for improvements to Seth Whitefield Road (Hawksnest Road), a Town way, including widening, grading and gravel of the stretch between Round Cove Road and Queen Anne Road pursuant to the Planning Board's Rules and Regulations §400-9.C.

Please let us know if you have any comments regarding this application.



ROAD PROFILE  
 1" = 40' HORIZ.  
 1" = 4' VERT.



**down cape engineering, inc.**  
 Civil Engineers  
 Land Surveyors  
 538 Main Street / Box 644  
 Weymouth, MA 02098



DATE: DANIEL A. DUKA, P.E., P.L.S.



PLAN AND PROFILE  
 OF NORTHERLY PORTION OF  
 SETH WHITEFIELD ROAD  
 IN  
 HARWICH, MA  
 PREPARED FOR  
**ROBERT FRATUS, JR.**

SEPTEMBER 12, 2006  
 REVISED: APRIL 12, 2007 (LABELS)