TOWN OF HARWICH



BOARD OF HEALTH
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
E-mail: health@town.harwich.ma.us



TOWN OF HARWICH BOARD OF HEALTH TUESDAY, FEBRUARY 16, 2021-6:30 P.M. HARWICH TOWN HALL – REMOTE MEETING

As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the Chair

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Harwich Board of Health is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

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- I CALL TO ORDER
- MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) January 19, 2021 & January 22, 2021

 Minutes shall be reviewed; proposed changes shall be possible; and a vote to approve with any noted changes shall be taken.
- III 6:30 PM BOARD OF HEALTH WORK SESSION
 - A. Staffing Update-Health Director Status-Vote to accept/deny/take this under consideration
 - B. COVID-19 Update -Vote to accept/deny/take this under consideration
- IV <u>OLD/UNFINISHED BUSINESS</u> (No earlier than 7:00 p.m.)- Vote to accept/deny/take this under consideration
- V NEW BUSINESS- Vote to accept/deny/take this under consideration
- VI REPORT OF THE HEALTH DIRECTOR- JANUARY 2020- Vote to accept/deny/take this under consideration
- VII CORRESPONDENCE- Vote to accept/deny/take this under consideration

VIII PERMITS- Vote to accept/deny/take this under consideration

FOOD ESTABLISHMENT	Address	Permit	Permit	Permit
7-Eleven 34434H *	5 Route 28	Retail: less than 5000 sf	Milk & Cream	Take Out
Cakes For All Occasions *	15 Partridge Lane	Limited Food Service		
First Congregational Church of Harwich *	697 Main Street	Institution		
Friends of the South Harwich Meetinghouse *	270 Chatham Road	Limited Food Service		
Harwich United Methodist Church *	1 Church Street	Institution		
Jake Rooney's *	119 Brooks Road	>150 seats		
Mooncussers Tavern *	86 Sisson Road	61-150 seats		
Noble House *	21 Route 28	61-150 seats		
Pilgrim Lodge *	706 Main Street	Institution		
The Commodore Inn *	30 Earle Road	31-60 seats		
The HarWitch (2021 NEW)	86 Old Chatham Road	Limited Food Service		
TOBACCO				
7-Eleven 34434H *	5 Route 28	Retail Tobacco		
SEPTAGE HAULER				
Daniels Recycling *				
TITLE 5 INSPECTOR				
Michael DeCosta Jr. *				
Nicholas Geneseo *				
SEPTIC INSTALLER				
Cape Coastal Builders *	*			
Sweeney Excavating *				
STABLE				
Solomon & Laurie Jean Ellis *	15 North Westgate Road	Residential Stable		
*2021 Renewal	3			
2021 Nellewal				
IX OTHER- Vote to accept/deny/take	this under consideration			
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X ADJOURN- Vote to accept/deny/to	ake under consideration			
Authorized posting officer:	Po	sted by:		
		. 0 - 1		

Jennifer Clarke

Signature

Date

Town Clerk

Date

Per the Attorney General's Office: The <u>committee</u> 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

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TOWN OF HARWICH



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TOWN OF HARWICH BOARD OF HEALTH TUESDAY, JANUARY 19, 2021-6:30 P.M. HARWICH TOWN HALL – REMOTE MEETING

BOARD OF HEALTH MEMBERS PRESENT: Chairwoman Pamela Howell, R.N., Vice Chairwoman Sharon Pfleger, Member Ronald Dowgiallo, D.M.D., Member Matthew Antoine & Member Kevin DuPont, R.N. STAFF MEMBERS PRESENT: Health Director Meggan Eldredge, Senior Health Agent Kathleen O'Neill & Executive Assistant Jennifer Clarke

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Harwich Board of Health is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

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I CALL TO ORDER

Ms. Howell called the meeting to order at 6:30 p.m.

II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) – December 15, 2020

Ms. Pfleger moved to approve the minutes of the December 15, 2020 Board of Health meeting, 2nd by Mr. Dowgiallo. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

III 6:30 PM - BOARD OF HEALTH WORK SESSION A. COVID-19 Update

Health Agent O'Neill reviewed the Health Director's most recent COVID-19 update dated January 11, 2021 as presented in the Board of Health packet.

Mr. DuPont stated that Outer Cape Health Services is offering COVID-19 asymptomatic testing for travel for a fee of \$110.00. They are also offering the free COVID-19 testing which is expected to run through February.

Ms. Pfleger asked what vaccine is being used at Outer Cape. Mr. DuPont responded that they are using the Moderna vaccine. Health Agent O'Neill added that the existing COVID-19 vaccine clinics for first responders are using Moderna as well. Ms. Howell noted that Cape Cod Hospital was using the Pfizer vaccine for their healthcare workers.

Mr. Antoine asked how Harwich is keeping track of the number of people who have been vaccinated. Health Agent O'Neill responded that Barnstable County has likely been keeping track of vaccines that have been given and should have statistics released soon. Once we are in Phase 2 of the vaccine distribution plan, we will have better information.

B. Proposed FY22 Budget

Health Agent O'Neill read the Health Director's FY22 budget request memo dated December 4, 2020.

The Board did not have any questions about the information presented.

Ms. Pfleger moved that the Board of Health support the FY22 budget request as outlined in the memo dated December 4, 2020, 2nd by Mr. DuPont. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

IV NO EARLIER THAN 7:00 PM -OLD/UNFINISHED BUSINESS

No old/unfinished business was discussed.

V NEW BUSINESS

A. Hearing-Fuller, 26 Kevin Road- to reconsider Order of Conditions granted on February 11, 2014-There is to be no increase in habitable space, flow design, number of bedrooms (one bedroom maximum. Loft/storage not to be used as a bedroom-storage area access by ships ladder only) and square footage to the dwelling. Applicant is requesting to change ships ladder access to an upstairs storage area to a set of stairs

Chairwoman Howell opened the hearing. Present remotely were Attorney William Crowell, Robert Stello of Stello Construction and Colin Fuller.

Health Director Eldredge reviewed the history of the property.

Attorney Crowell was present to represent the property owners who are requesting to modify the existing order of conditions that there is to be no increase in habitable space, flow design, number of bedrooms (one bedroom maximum. Loft/storage space not be used as a bedroom-storage access by

ships ladder only) and square footage to the dwelling. The applicant is requesting to change the ships ladder access to the upstairs storage area to a set of stairs for health reasons to better access the loft for storage and exercise area. Attorney Crowell read into the record a letter from Mr. Fuller's doctor. He added that this request is all about the safety of Mr. Fuller. It was stated that the ships ladder is dangerous for Mr. Fuller to navigate.

Mr. Stello reviewed what the changes to the structure would be, noting that they did try to find alternatives.

Mr. Fuller asked for the Board's consideration of his request so he can safely maintain access to the loft area for storage and exercise.

Chairwoman Howell closed the hearing.

Health Director Eldredge read into the record an email from the previous Health Director dated October 5, 2015. The email references previous complaints about beds in the alcove area by the stairs to the loft. In the email, the owners were reminded that the property has a one bedroom deed restriction. Also in the email is a statement that the Board of health was adamant about the approved floor plan and that they were reluctant to even grant the loft, which they believed did not pass the straight face test. Mr. Fuller acknowledged the email and added that he had verbal agreement with the previous Health Director that a futon could remain in the alcove. Health Director Eldredge reviewed the existing and proposed floor plans of the dwelling.

This property was a very rustic cabin that was served by a cesspool. In 2013, the family had requested to demolish the cabin and construct a one bedroom seasonal cottage. The property is in a Zone II and is served by a tight tank because the lot does not have the space for a conventional septic system. The majority of the property is within 100' of the edge of wetland.

Health Director Eldredge stated that she cannot recommend approval of the request. The proposed staircase is quite large. If you keep the ships ladder, you would still have the living room space which she believes is an adequate amount of space for exercise needs. The loft area must remain for storage only.

Ms. Pfleger asked why the large sunroom could not be used for exercising, which would eliminate the concern of Mr. Fuller having to navigate any steps at all. Mr. Fuller responded that part of the sunroom is used as a dining room and also houses a large sofa and TV, noting that there is very little room for exercise. Mr. Fuller added that he needs access to the loft area to get items that are in storage. Ms. Pfleger asked why someone else couldn't go into the storage area, if Mr. Fuller is concerned about his balance. Mr. Fuller responded that his wife works, so he is alone in the house most of the time. They keep clothes, cooking pots, sailing equipment, swimming equipment etc. in the loft area because there are not many areas for storage on the first floor.

Attorney Crowell stated that he doesn't think that allowing the loft to be used for storage and exercise would rise to the level of making it habitable space. He suggested that the Board could put a limitation on the space that it be used for storage and exercise only, which would take away the assumption of it being considered habitable. He concluded by saying that if Mr. Fuller didn't have his medical condition, that the area could be used for storage and exercise anyways. This request is being made because Mr. Fuller's health has changed and he is not able to negotiate the ships ladder.

Ms. Howell asked what the size of the alcove is. Mr. Stello responded that it is approximately 7.8' by 9.5'.

Mr. DuPont asked if the loft area space would change at all with the addition of the stairs. Mr. Stello stated that there would be a closet that would need to be moved around.

Ms. Pfleger feels that by putting in a permanent staircase, it would make it easier for the loft area to be used as a bedroom or habitable space. She again stated that the sunroom seems like the most logical place for exercise activities to take place.

Mr. Dowgiallo moved to grant the request to modify the order of conditions and allow the ships ladder to be replaced with a permanent set of stairs, 2nd by Mr. DuPont. The vote was 2-3-0 with Mr. Dowgiallo and Mr. DuPont voting aye and Ms. Howell, Ms. Pfleger and Mr. Antoine voting nay. The request for reconsideration was denied.

B. Hearing-Skahen, 4 Lantern Lane- to consider a variance request to upgrade a Title 5 septic system. Plan prepared by Dan A. Speakman Construction

Variances from 310 CMR 15.211: Minimum Setbacks

- 1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 7' from the property line where 10' is required. Variance request of 3'.
- 2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 10' from the foundation where 20' is required. Variance request of 10'.

Chairwoman Howell opened the hearing. Dan Speakman of Dan A. Speakman Construction was present remotely. Health Director Eldredge reviewed the variances that are being requested. The application proposes to replace a failed septic system with a Title septic system. The septic system is designed for three (3) bedrooms and no major alterations or additions are proposed at this time.

Chairwoman Howell closed the hearing.

Health Director Eldredge recommended approval of the request with the following conditions:

- 1. Property is restricted to a maximum of three (3) bedrooms.
- 2. No increase in square footage or habitable space allowed without further review by the Board of Health.
- 3. Variances and conditions to be recorded at the Barnstable County Land Court.

Ms. Pfleger moved to accept the recommendation of the Health Director, 2nd by Mr. DuPont. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

C. Hearing-Smith, 47 North Road, to consider a variance request to install a tight tank prepared by Ryder & Wilcox (variances were previously approved at May 14, 2019 Board of Health meeting) Variance from 310 CMR 15.240(2)(a)

1. Per 310 CMR 15.203: <u>To allow a tight tank to be 1,000 gallons where 2,000 gallons is required.</u> Variance request of 1,000 gallons.

Variances from 310 CMR 15.211 (Minimum Setbacks)

1. Per 310 CMR 15.211: <u>To allow a proposed tight tank to be 3' from a property line where 10' is required.</u> Variance request of 7'.

- 2. Per 310 CMR 15.211: To allow a proposed tight tank to be 7.1' from a property line where 10' is required. Variance request of 2.9'.
- 3. Per 310 CMR 15.211: <u>To allow a proposed tight tank to be 7.9' from a foundation where 10' is required. Variance request of 2.1'.</u>
- 4. Per 310 CMR 15.211: <u>To allow a proposed tight tank to be 4.5' from a water line where 10' is required.</u> <u>Variance request of 5.5'.</u>
- 5. Per 310 CMR 15.227: <u>To allow a proposed tight tank to be less than 1' above the high groundwater</u> elevation. Variance request of 1.7'.
- 6. Per 310 CMR 15.211: <u>To allow a proposed tight tank to be 4' from the wetland where 50' is required.</u> Variance request of 46'.

Variances from Harwich Board of Health Regulation 1.210

- 1. Per Harwich Board of Health Regulation 1.210: <u>To allow a proposed tight tank to be 4' from the wetland where 50' is required. Variance request of 46'.</u>
- 2. Per Harwich Board of Health Regulation 1.210: <u>To allow a proposed building sewer to be 6' from the wetland where 50' is required. Variance request of 44'.</u>

Chairwoman Howell opened the hearing. Tom Smith was present remotely. Health Director Eldredge read the variances that are being requested.

The existing dwelling contains one (1) bedroom and is used seasonally. No additions or alterations are proposed at this time. These variances were approved at the May 14, 2019 Board of Health meeting. The applicant is returning to the Board of Health because a disposal system construction permit was not applied for within six (6) months of the variance approval.

Chairwoman Howell closed the hearing.

Health Director Eldredge recommended approval of the request with the following conditions:

- 1. Property is restricted to a maximum of one (1) bedrooms.
- 2. No increase in habitable space or square footage.
- 3. Property is limited to seasonal use for six (6) months per year.
- 4. Seasonal restriction shall be enforced by a water shut-off order from the Harwich Water Department.
- 5. An operation and maintenance agreement as outlined in the variance application package must be in place prior to issuing a Disposal Works Construction Permit. This agreement must indicate a monitoring and pumping schedule.
- 6. This approval letter and conditions must be recorded at the Barnstable County Registry of Deeds.

Mr. Antoine moved to accept the recommendation of the Health Director, 2nd by Mr. Dowgiallo. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

D. Hearing-Leonard, 52 North Road, to consider a variance request to install a new Title 5 septic system design prepared by Ryder & Wilcox (variances were previously approved at April 9, 2019 Board of Health Meeting)

Variances from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211: <u>To allow a proposed pump chamber to be 7' from the property line where 10' is required.</u> Variance request of 3'.

2. Per 310 CMR 15.227(5): <u>To allow a proposed septic tank and proposed pump chamber invert to be less than 1' above the high groundwater elevation. Variance request of 0.35' & 0.7'.</u>

Variances from Harwich Board of Health Regulation 1.210

3. Per Harwich Board of Health Regulation 1.210: <u>To allow a proposed soil absorption system to be 87' from the edge of wetland where 100' is required.</u> Variance request of 13'.

Chairwoman Howell opened the Hearing. Tom Smith was present remotely. Health Director Eldredge read the variances being requested.

The house is currently served by a cesspool system. The upgraded septic system requires variances due to the small lot, depth to groundwater and location of the wetlands.

These variances were approved at the April 9, 2019 Board of Health meeting. The applicant is returning to the Board of Health because a Disposal System Construction Permit was not applied for within six (6) months of the variance approval.

Health Director Eldredge recommended approval of the request with the following conditions:

- 1. The property shall be restricted to a maximum of two (2) bedrooms.
- 2. No increase in habitable space or number of bedrooms without further review by the Board of Health.
- 3. The approval letter and conditions shall be recorded at the Barnstable County Registry of Deeds.

Mr. Dowgiallo moved to accept the recommendation of the Health Director, 2nd Ms. Pfleger. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

VI REPORT OF THE HEALTH DIRECTOR- DECEMBER 2020

No report of the Health Director was given.

VII CORRESPONDENCE

No correspondence was discussed.

VIII PERMITS

ESTABLISHMENT	ADDRESS	TYPE	TYPE	TYPE	TYPE	
STABLE						
Brian & Gloria Savin *	117 North Westgate Road	Residential Stable				
Cape Farm Supply *	374 Main Street	Residential Stable				
Cape Farm Supply *	1590 Factory Road	Residential Stable				
CB Equestrianv *	32 Derby Lane	Commercial Stable				
Chrystal Kline *	324 Oak Street	Residential Stable				
Eliza Kendall *	90 Old Chatham Road	Residential Stable				
Erin McWilliams *	758 Depot Street	Residential Stable				
Kristen Goulis & Ronald Daigle *	9 Sadies Way	Residential Stable				
Lauren Thonus *	6 Wilma Way	Residential Stable				

Mary Ann & Joe Rego *	3 Jay Z Drive	Commercial Stable			
Michael R. Eldredge *	72 Main Street Ext.	Residential Stable			
Reaching for My Dreams Stable *	38 N. Westgate Road	Commercial Stable			
Sandra Smith *	841 Route 28	Residential Stable			
Seahorse Equestrian Center (2021 NEW)	34 Lynch Lane	Commercial Stable			
Susan Shaw *	326 Main Street	Residential Stable			
Thomas & Ashby Crafts *	41 Gilbert Lane	Residential Stable			
Westgate Farm LLC (2021 NEW)	210 South Westgate Road	Commercial Stable			
FOOD SERVICE					
3 Monkeys Street Bar *	554 Route 28	61-150 seats			
AFC Sushi at Shaws *	18 Sisson Road	Take Out			
Big Rock Oyster	501 Depot Street	Caterer			
Brax Landing *	705 Route 28	>150 seats			
Bucas Tuscan Roadhouse *	4 Depot Road	31-60 seats			
Cape Cod Cranberry Harvest *	33 Rocky Way	Limited Food Service		7.33	
Cape Cod Regional Tech School *	351 Pleasant Lake Ave	Institution	1202.0		
Cape Roots Market & Café	557 Route 28	retail: less than 5000 sf	1-30 seats	milk & cream	
Capeside Kitchen *	537 Route 28	61-150 seats			
Castaways *	986 Route 28	61-150 seats			
Christ Church Episcopal *	671 Route 28	Institution			
Corner of Yum *	31 Sea Street	Caterer			
Cumberland Farms *	578 Route 28	retail: less than 5000 sf	milk & cream	limited food svc	
Depot Dogs *	4 Depot Road	Mobile Food Service			
Dominos Pizza *	16 Route 28	1-30 seats	Take Out		
Dunkin Donuts *	110 Route 137	Take Out			
Dunkin Donuts *	481 Route 28	retail: less than 600 sf	1-30 seats	milk & cream	
Dunkin Donuts *	175 Route 137	retail: less than 600 sf	1-30 seats	milk & cream	
Dunkin Donuts *	173 Pleasant Lake Ave	Take Out			
Elder Services of Cape Cod *	100 Oak Street	Institution			
Harwich Elementary *	263 South Street	Institution			
Harwich Mobil *	173 Pleasant Lake Avenue	retail: less than 5000 sf	milk & cream	limited food svc	
Harwich Port Golf Club *	51 South Street	Limited Food Service			
Harwich Port House of Pizza *	330 Route 28	31-60 seats			
Hissho Sushi at Stop & Shop *	111 Route 137	retail: <600 sf			
Hot Stove Saloon *	551 Route 28	61-150 seats			
Inn on the Beach *	16 Bank Street	Limited Food Service			
J. Bar *	537 Route 28	Take Out			
Kim Jerauld *	1281 Orleans Road	Limited Food Service			
L'Alouette *	787 Route 28	61-150 seats			
Mad Minnow Bar & Kitchen *	554 Route 28	31-60 seats			
Main Street Quik Pik*	715 Main Street	retail: less than 5000 sf	milk & cream	limited food svc	
Mason Jar *	544 Route 28	1-30 seats	caterer		
Monomoy Regional High School *	75 Oak Street	Institution			
Moonshine Liquors *	4 Great Western Road	retail: <600 sf			

One Thirty Seven Gas *	110 Route 137	retail: less than 5000 sf	milk & cream	limited food svc	
Pilgrim Congregational Church *	533 Route 28	Institution			
Pleasant Lake Farm *	2 Birch Drive	retail: <600 sf			
Pleasant Lake Pizza Shark *	403 Pleasant Lake Ave	retail: less than 600 sf	frozen dessert	milk & cream	take out
Rosewood Manor *	671 Main Street	Institution			
Starbucks @ Star Market *	18 Sisson Road	1-30 seats			
Star Market *	18 Sisson Road	retail: greater than 25000 sf	milk & cream	take out	
Szechuan Delight *	1421 Orleans Road	Take Out			
The Lunch Stop *	1421 Orleans Road	Take Out			
Value Mart *	435 Route 28	retail: less than 5000 sf	milk & cream	limited food svc	
Wingate at Harwich *	111 Headwaters Drive	Institution			
SEPTIC INSTALLER					
Aattaboy Septic Service *					
Abb-Solutely Septic Service *					
Accu Sepcheck *	***				
Cape Cod Septic Inspection *					
Condon's Excavating *			41		
Daluze Excavating *					
Holmes Land Service *					
J. O'Loughlin, Inc. *		0.10000			
Lower Cape Excavation *					
Matthew A. Eldredge Landscape Const *					
Northeast Construction *					
Ready Rooter, Inc. *					
Richard Judd *					
Robert B Our Company *					
Rooter Man of Cape Cod *					
Sunwind LLC *	naumping.				
Wall Septic Service *					
SEPTIC HAULER					
Abb-Solutely Septic Service *					
Debarros Septic Service *					
Discount Septic *					
J. O'Loughlin, Inc. *					
Josh M. Barros Septic Service *					
Liquid Environmental Solutions (2021 NEW)					
Ready Rooter, Inc. *					
Robert B Our Company *					
Rooter Man of Cape Cod *					
Tulloch Septic Service *					
Wall Septic Service *					
Wind River Environmental *					
UTILITY INSTALLER					
Borthwick & Summers (2021 NEW)					

Peter W. McIntire & Sons (2021 NEW)					
Robert B Our Company *					
TITLE 5 INSPECTOR					
Andrew Grover *					
Caleb Paus *					
Daniel Croteau *					
Darrell Stone *					
David Burnie *					
David Quinn *					
Jeffrey Wall *					
John Schnaible *					
Joseph M. Martins *					
Kevin J. Sullivan *					
Michael T. Bisienere *					
Rick Judd *			4000000		-
Stephanie Sequin *			- 12 × 12 × 12		
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A.J. Lukes of Harwich *	224 Route 28	Retail Tobacco			
Cumberland Farms *	578 Route 28	Retail Tobacco			
Fully Baked Smoke Shop *	216 Route 28-Unit # 5	Adult Only Tobacco			
Harwich Mobil *	173 Pleasant Lake Avenue	Retail Tobacco			
Main Street Quik Pik*	715 Main Street	Retail Tobacco			
Moonshine Liquors *	4 Great Western Road	Retail Tobacco			
One Thirty Seven Gas *	110 Route 137	Retail Tobacco			
Portside Liquors *	1421 Orleans Road	Retail Tobacco			
Royal Smoke Shop *	721 Main Street	Adult Only Tobacco			
Value Mart *	435 Route 28	Retail Tobacco			
West Harwich Say On Gas *	4 Route 28	Retail Tobacco			

REFUSE HAULER

The Brothers Disposal *

Waste Management of Mass, Inc. *

*2021 Renewal

Ms. Pfleger moved to approve the permit list as presented, 2nd by Mr. DuPont. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

IX OTHER

No other items were discussed.

X ADJOURN

Ms. Pfleger moved to adjourn the meeting at 8:00 p.m., 2nd by Mr. Dowgiallo. The vote was 5-0-0 with Ms. Howell, Ms. Pfleger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

Jennifer Clarke

Next meeting is Tuesday, February 16, 2021 at 6:30 p.m.

Documents included in January 19, 2021 Board of Health Meeting Packet:

- January 19, 2021 Board of Health Agenda
- Draft Board of Health Minutes dated December 15, 2020
- COVID-19 update dated January 11, 2021
- COVID-19 update dated December 30, 2020
- COVID-19 update dated December 18, 2020
- COVID-19 update dated December 11, 2020
- COVID-19 update dated December 10, 2020
- FY22 Budget Request memo and associated documents dated December 4, 2020
- Site Summary for 26 Kevin Road dated January 19, 2021
- Application for Board of Health Variances for 26 Kevin Road dated December 21, 2020
- Site Summary for 4 Lantern Lane dated January 19, 2021
- Application for Board of Health Variances for 4 Lantern Lane dated December 23, 2020
- Site Summary for 47 North Road dated January 19, 2021
- Application for Board of Health Variances for 47 North Road dated December 16, 2020
- Site Summary for 52 North Road dated January 19, 2021
- Application for Board of Health Variances for 52 North Road dated December 16, 2020
- Any other documents submitted for/at the January 19, 2021 Board of Health meeting

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BOARD OF HEALTH
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531

E-mail: health@town.harwich.ma.us

TOWN OF HARWICH BOARD OF HEALTH FRIDAY, JANUARY 22, 2021-1:00 P.M. HARWICH TOWN HALL – REMOTE MEETING

BOARD OF HEALTH MEMBERS PRESENT: Chairwoman Pamela Howell, R.N., Vice Chairwoman Sharon Pfleger & Member Kevin DuPont, R.N.

BOARD OF HEALTH MEMBERS ABSENT: Member Ronald Dowgiallo, D.M.D & Member Matthew Antoine STAFF MEMBERS PRESENT: Health Director Meggan Eldredge, Senior Health Agent Kathleen O'Neill & Executive Administrative Assistant Jennifer Clarke

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I CALL TO ORDER

Ms. Howell called the meeting to order at 1:00 p.m.

II NEW BUSINESS

A. PUBLIC HEARING-Town of Harwich Fertilizer and Nutrient Control Regulation

Ms. Pfleger moved to open the public hearing, 2nd by Mr. DuPont. The vote was 3-0-0 with Ms. Howell, Ms. Pfleger & Mr. DuPont all voting aye by roll call.

Chairwoman Howell read the public hearing notice.

Health Director Eldredge summarized the Town of Harwich Fertilizer and Nutrient Control Regulation draft dated December 17, 2020. The purpose of the regulation is to provide a regulatory framework that results in reducing the nutrient loading from the application of fertilizers.

Clara McLardy was present remotely and asked if this regulation addresses golf courses or only residential properties. Health Director Eldredge responded that this regulation is town wide. Ms. McLardy noted that Cape Cod National Golf Course is located in Brewster, but that it has a small piece of land in Harwich and asked if they would be responsible for following the regulation. Health Director Eldredge responded that the Town of Brewster already has a regulation in place, which ours will mirror and will be regulated in the same manner. Ms. McLardy went on to read her comments which were in support of adopting the regulation. In addition to the regulation, she hopes that there is more that can be done in the way of educating the public. She suggested putting a dollar amount of the cost of fertilizing to show how much it would add to the sewer plan if we continue without any regulation, noting that dollar amounts are connected to our pollution.

Patrick Otton was present remotely and thanked the Board of Health for their awareness and movement of this issue. Mr. Otton stated that he supports this regulation noting that it is important for our environment. He feels that our current lawn care is a false economy and that we are not looking at the long term effects.

Sandy McLardy was present remotely and stated that he is in support of this regulation and thanked the Board for bringing it forward. He feels that although a fertilizer regulation isn't going to solve all of the problems, it is one of the easier things we can do to reduce the nitrogen overload. While sewering is part of the solution, the mitigating factor might not be seen until 10 years down the road, while a fertilizer regulation could have a positive impact in the very near future.

Health Director Eldredge read into the record an email from Mary Albis who is in support of the regulation. A full copy of Ms. Albis email is available in the Health Department.

Ms. Pfleger moved to close the public hearing, 2nd by Mr. DuPont. The vote was 3-0-0 with Ms. Howell, Ms. Pfleger & Mr. Dupont all voting aye by roll call.

Mr. DuPont would like to make sure that this information is readily available to everyone.

Ms. Pfleger asked if the Health Department would be sending this regulation to the landscapers who do work in Harwich, even if their business is not located in Town. Health Director Eldredge responded that the Department does not maintain a list of landscapers as they are not required to register with our office. The regulation and educational information will be made widely available. She suggested sending out a reverse 9-1-1 call so that people are aware that there is a new regulation. Information will be in the papers, on the Town of Harwich website and in all of the places where you can purchase fertilizer. The Health Department will educate through our website and develop a flyer to hand out.

Ms. Pfleger moved that the Board of Health adopt the Town of Harwich Fertilizer and Nutrient Control Regulations as presented, 2nd by Mr. DuPont. The vote was 3-0-0 with Ms. Howell, Ms. Pfleger and Mr. DuPont all voting aye by roll call.

III ADJOURN

Ms. Pfleger moved to adjourn the meeting at 1:22 p.m., 2nd by Mr. DuPont. The vote was 3-0-0 with Ms. Howell, Ms. Pfleger & Mr. DuPont all voting aye by roll call.

Respectfully Submitted,

Jennifer Clarke

Next meeting is Tuesday, February 16, 2021 at 6:30 p.m.

Documents included in January 22, 2021 Board of Health Meeting Packet:

- Board of Health Agenda dated January 22, 2021
- Legal Ad dated December 28, 2020
- Draft Town of Harwich Fertilizer and Nutrient Control Regulation dated December 17, 2020
- UMASS Extension Best Management Practices for Soil & Nutrient Management in Turf Systems
- Any other documents submitted for/at the January 22, 2021 Board of Health meeting





February 16, 2021 BOARD OF HEALTH MEETING

To:

Board of Health

From:

Meggan Eldredge, Assistant Town Administrator/Interim Health Director

RE:

Staffing Update

As you may be aware, I have accepted a position as the Assistant Town Administrator for the Town of Harwich. My appointment was confirmed by the Board of Selectmen on February 8, 2021. The decision to move from the Health Department to Administration was filled with mixed emotions. I have been in public health for over 20 years and thoroughly enjoy the community health aspect of the job. I believe the skills that I have developed in communication and public relations through public health will translate well to the new position of Assistant Town Administrator.

The Health Director position has been posted internally. My position with the Administrator's office begins immediately and as ATA, I will be the Interim Health Director until the position is filled. The Health Department daily functions and services will not be impacted. I will continue to ensure productivity and responsiveness from the Health Department throughout the future transition to a new Director.

Thank you all for your kindness and support over the years. I am always available for questions and am happy to assist the Health Department will any issues that may arise.





Town of Harwich Board of Health

732 Main Street Harwich, MA 02645 508-430-7509 – Fax 508-430-7531 E-mail: health@town.harwich.ma.us

February 5, 2021

Weekly COVID-19 Case Update

CASES AND STATISTICS

To date there have been a total of 512 cases of COVID-19 in the Town of Harwich. As of today, we are following 31 active cases of COVID-19 in Harwich residents (not including Wingate). We continue to have an elevated active caseload.

Harwich remains in the "red" which designates us as a High Risk Community. This designation is made when a community of our size reaches a positivity rate of over 5% and has had more than 25 positive cases in a two week period. We have a positivity rate of 5.45% which is determined by the number of tests administered. There were 1266 tests administered and 69 tests were positive in the last 2 weeks. This is lower than last week.



City/Town	Total Case Count	Case Count (Last 14 Days)	Average Daily Incidence Rate per 100,000 (Last 14 days) ¹	Relative Change in Case Counts ²	Total Tests	Total Tests (Last 14 days)	Total Positive Tests (Last 14 days)	Percent Positivity (Last 14 days)	Change in Percent Positivity ³
Hampden	324	31	45.2	Lower	7748	560	34	6.07%	Higher
Hancock	14	0	0	Lower	209	11	0	0%	Lower
Hanover	1011	135	67.1	Lower	18318	2125	148	6.96%	Lower
Hanson	668	79	52.4	Lower	12520	1167	89	7.63%	Lower
Hardwick	63	7	15.0	Lower	2709	398	11	2.76%	Lower
Harvard	101	11	11.3	Lower	6648	603	12	1.99%	Lower
Harwich	512	60	34.0	Lower	13795	1266	69	5.45%	Lower

RE-OPENING

The temporary capacity limits that Governor Baker imposed after the holidays has been lifted as of Monday, February 8, 2021. Capacity limits return to Phase 3, Step 1 levels which have been amended to 40% for most sectors. Restaurants are restricted to 40% capacity and the 90 minute seating limitation remains in place. https://www.mass.gov/info-details/reopening-massachusetts

VACCINE UPDATE

As of Monday, February 1st, all groups in Phase 1 and the first group in Phase 2 (people age 75 and over) are eligible to receive the vaccine. Eligibility of additional groups within Phase 2 has not been announced. Only Phase 1 and those age 75 and over are currently eligible.

All clinics require an appointment. Appointments must be made via the online sign-up found at: https://www.mass.gov/info-details/covid-19-vaccination-locations

The difficulties surrounding transporting vaccine are being worked out and The Visiting Nurses Association has advised Health Departments that they will be available to assist with homebound individuals. Please ensure that the Council on Aging is aware of a person's homebound status in

order to utilize this service. Homebound, for the purposes of COVID-19 vaccine distribution, means that a person is unable to leave their home without the assistance of an ambulance. If a person is able to get to a drive-through or walk-in clinic they are not considered "homebound" for this program. Individuals should not contact the VNA directly for this service at this time.

The Department of Public Health has a new program that assists people over the age of 75 who do not have the ability to use the online system sign up for a vaccine.

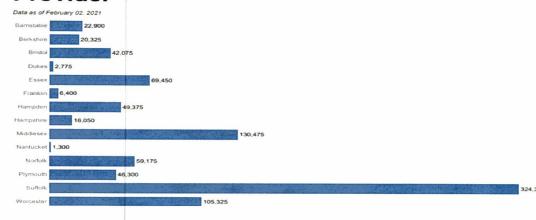
Massachusetts Vaccine Scheduling Resource Line

- Reach by calling 2-1-1, starting at 11:30 AM on 2/5/21
- Available in English and Spanish, with translators to support approximately 100 additional languages.
- Individuals ages 75 and older will be able to speak to a representative on the phone to assist them with an appointment through the state's public website; it will not give individuals access to additional appointments.
- If no appointments are available, callers can be placed on a call back list for the mass vaccination sites to be called on first-come, first-served basis.
- Only for individuals ages 75 and older who cannot use the internet and therefore are unable to schedule an appointment through the online platforms.
- The resource line is not to answer general questions about COVID-19 or provide individual health care advice.
- The quickest and easiest way to schedule a vaccine appointment or check availability is to use the online system at mass.gov/covidvaccine

Vaccine distribution statistics from the Department of Public Health:

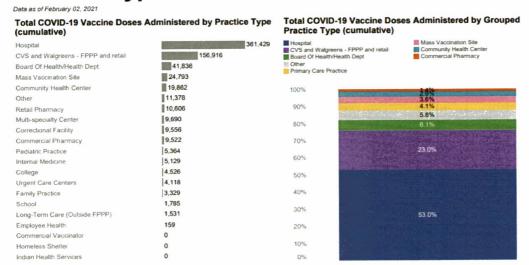
Massachusetts Department of Public Health COVID-19 Dashboard - Thursday, February 4, 2021

Cumulative COVID-19 Vaccine Doses Shipped to Massachusetts Providers by County of Provider



Massachusetts Department of Public Health COVID-19 Dashboard - Thursday, February 4, 2021

Total COVID-19 Vaccine Doses Administered by Practice Type



TESTING

FREE asymptomatic testing for COVID-19 is still available at Outer Cape Health Service through February 28, 2021. This is the rapid antigen test and is not valid for Travel Order compliance. PCR testing is also available here. For testing options at Outer Cape Health, please call <u>508-905-2888</u> in advance to make a testing appointment.

Testing is available in other locations 7 days per week through Cape Cod Healthcare. Call the Community Testing Line at 508-534-7103 to make an appointment.

We continue to be frustrated by the limited supply of vaccine on Cape Cod. Please know that each local board of health has voiced their concern and are working collaboratively to change this inequity.

Keep wearing your mask and social distancing! Meggan Eldredge Health Director



Town of Harwich Board of Health

732 Main Street Harwich, MA 02645 508-430-7509 – Fax 508-430-7531 E-mail: health@town.harwich.ma.us

January 29, 2021

Weekly COVID-19 Case Update

CASES AND STATISTICS

To date there have been a total of 481 cases of COVID-19 in the Town of Harwich. As of today, we are following 35 active cases of COVID-19 in Harwich residents (not including Wingate). We continue to have an elevated active caseload.

Harwich remains in the "red" which designates us as a High Risk Community. This designation is made when a community of our size reaches a positivity rate of over 5% and has had more than 25 positive cases in a two week period. We have a positivity rate of 6.22% which is determined by the number of tests administered. There were 1271 tests administered and 79 tests were positive in the last 2 weeks. This is lower than last week.



City/Town	Total Case Count	Case Count (Last 14 Days)	Average Daily Incidence Rate per 100,000 (Last 14 days) ¹	Relative Change in Case Counts ²	Total Tests	Total Tests (Last 14 days)	Total Positive Tests (Last 14 days)	Percent Positivity (Last 14 days)	Change in Percent Positivity ³
Hampden	312	40	58.3	Lower	7502	738	42	5.69%	Higher
Hancock	14	<5	11.1	Lower	205	16	1	6.25%	Lower
Hanover	958	147	73.0	Lower	17252	2152	168	7.81%	Lower
Hanson	634	102	67.7	Lower	11908	1259	116	9.21%	Lower
Hardwick	60	9	19.2	Lower	2590	344	11	3.20%	Lower
Harvard	95	12	12.3	Lower	6336	551	13	2.36%	Lower
Harwich	481	69	39.2	Lower	13113	1271	79	6.22%	Lower

VACCINE UPDATE

As of Monday, February 1st, all groups in Phase 1 and the first group in Phase 2 (people age 75 and over) are eligible to receive the vaccine. Cape Cod can expect a State-run mass vaccination site to be operational within the next several weeks. We can also expect regional County-run clinics in the mid/lower and upper Cape areas. One County-run clinic site will be at the Cape Cod Melody Tent in Hyannis.

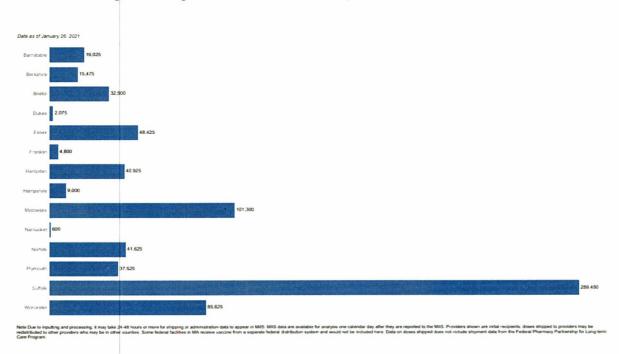
Individual town-run clinic will not be possible until later in Phase 2 due to the small allotment of vaccine given out at one time. The County expects to receive 975 doses of the Pfizer vaccine each week and will be distributing that through regional clinics weekly. Priority for appointment will be given to those remaining in Phase 1, and then to anyone age 75 +.

Getting an appointment for the regional clinics will be through the State website on the vaccine finder map: www.mass.gov/COVIDVaccineMap. Appointments will be hard to find early on in this phase because of the high demand and short supply. Residents may find appointments at private pharmacies faster than a regional clinic. CVS, Stop and Shop and

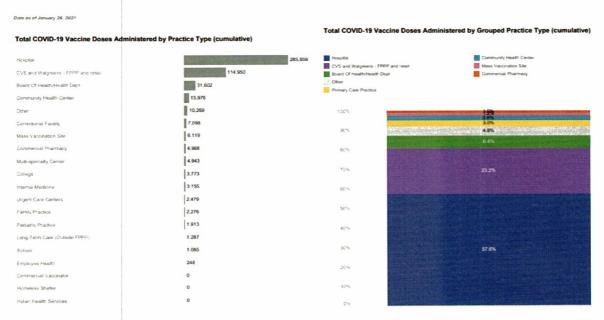
Walgreens are filling appointment through their websites.

Vaccine distribution statistics from the Department of Public Health:

Cumulative COVID-19 Vaccine Doses Shipped to Massachusetts Providers by County of Provider



Total COVID-19 Vaccine Doses Administered by Practice Type



Note immunication data from most (but not all) providers in Massachusetts are reported into the Massachusetts internuciation information System (MISS) through direct messages than electronic health records or direct entity by users. Due to reporting and processing, it may be all 64 focus or more for shipping or administration data to appear in HSS MISS data are available for analysis one calendar all forms and after they are compared to the MISS MISS data are expected by the MISS MISS data are available for analysis one calendar data place or disposed in a consistent of the processing in the processing or administration of the most because the processing in may be proceed to the MISS MISS data are available and expected by fourthly fore (e.g. throught, community health center, correctional facility).

TESTING

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Testing is available in other locations 7 days per week through Cape Cod Healthcare. Call the Community Testing Line at 508-534-7103 to make an appointment.

Stay warm and stay well! Meggan Eldredge Health Director



Town of Harwich Board of Health

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January 22, 2021

Weekly COVID-19 Case Update

CASES AND STATISTICS

To date there have been a total of 447 cases of COVID-19 in the Town of Harwich. As of today, we are following 27 active cases of COVID-19 in Harwich residents (not including Wingate). We continue to have an elevated active caseload.

Harwich remains in the "red" which designates us as a High Risk Community. This designation is made when a community of our size reaches a positivity rate of over 5% and has had more than 25 positive cases in a two week period. We have a positivity rate of 7.52% which is determined by the number of tests administered. There were 1436 tests administered and 108 tests were positive in the last 2 weeks. This is again higher than last week.

Massachusetts Department of Public Health COVID-19 Dashboard – Thursday, January 21, 2021
Count and Rate of Confirmed COVID-19 Cases and Tests Performed in MA by City/Town, January 1, 2020 –
January 19, 2021

City/Town	Total Case Count	Case Count (Last 14 Days)	Average Daily Incidence Rate per 100,000 (Last 14 days) ¹	Relative Change in Case Counts ²	Total Tests	Total Tests (Last 14 days)	Total Positive Tests (Last 14 days)	Percent Positivity (Last 14 days)	Change in Percent Positivity ³
Hampden	296	45	65.6	No Change	7199	878	48	5.47%	Lower
Hancock	12	0	0	No Change	194	18	0	0%	No Change
Hanover	872	170	84.4	Higher	16063	2165	189	8.73%	Lower
Hanson	589	118	78.3	Higher	11279	1353	137	10.13%	Higher
Hardwick	55	10	21.4	Lower	2310	253	10	3.95%	Lower
Harvard	90	15	15.4	Higher	6023	549	17	3.10%	Lower
Harwich	447	95	53.9	Higher	12441	1436	108	7,52%	Higher

RE-OPENING PLANS

Reopening Massachusetts Effective Monday, January 25th at 5:00am

- Mandatory Early Closure of Businesses Order requiring certain businesses to close by 9:30pm will be rescinded.
- The following businesses and activities listed may operate past 9:30pm:

Restaurants	Outdoor Recreational	Close Contact Personal	• Drive-In Movie Theaters
Arcades & Other Indoor &	Experiences	Services (e.g. hair and nail	Youth and Adult Amateur
Outdoor Recreation (Phase	Casinos and Horse	salons)	Sports Activities
3, Step 1 businesses only)	Tracks/Simulcast Facilities	Museums/Cultural &	Golf Facilities
Indoor and Outdoor Events	Driving and Flight Schools	Historical	Recreational Boating and
Movie Theaters and	• Zoos, Botanical Gardens,	Facilities/Guided Tours	Boating Businesses (e.g.
Outdoor Performance	Wildlife Reserves, Nature	Gyms/Fitness Centers and	charter boats)
Venues	Centers	Health Clubs	
		Indoor and Outdoor Pools	

All other parts of the temporary order remain in effect. Businesses on the above list must maintain the 25% occupancy limits. This temporary capacity limitation is extended until February 8th unless extended further.

VACCINE UPDATE

We are currently vaccinating all groups in Phase 1 of the MA COVID-19 vaccine distribution timeline.

As of January 21, 2021, all groups in Phase 1 are eligible to be vaccinated. This includes:

- COVID and non-COVID facing health care workers
- · Residents and staff of long term care facilities
- First responders
- Staff and residents of congregate care settings, such as shelters and prisons
- Home-based health care workers

Individuals eligible for vaccination in Phase 1 can visit mass.gov/CovidVaccineMap to view vaccine locations, including mass vaccination sites, sign-up and eligibility information. Sites will continue to be added with appointments released on a rolling basis.

Each individual Town on the Cape may not be holding a separate clinic during this Phase. Instead, the County will set up general clinics open to all eligible residents. Also, pharmacies such as CVS, and Walgreens are now scheduling the shots. High thru-put sites are now available at Gillette Stadium and Fenway Park for all eligible residents-just keep in mind that a second dose is required and that dose needs to be administered at the same site as the first dose. This aids in vaccine distribution.

Appointments are required for any location and proof of eligibility will be requested upon entering the clinic site. Sign-ups for the general clinics offered by Barnstable County are done through the County website https://www.barnstablecountyhealth.org/covid-19/when-can-i-get-vaccinated The map will be updated as soon as these sites are ready to accept patients.

Phase 2 is still on track to start in early February. Harwich will be coordinating vaccine distribution to our affordable senior housing complexes with Osco Pharmacy. We are exploring the options to hold a clinic specific to Harwich residents that are in the first priority group of Phase 2. Planning efforts are underway to see if this is a viable option.

TESTING

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Testing is available in other locations 7 days per week through Cape Cod Healthcare. Call the Community Testing Line at 508-534-7103 to make an appointment.

Stay warm and stay well! Meggan Eldredge Health Director



Town of Harwich Board of Health

732 Main Street Harwich, MA 02645 508-430-7509 – Fax 508-430-7531 E-mail: health@town.harwich.ma.us

January 15, 2021

Good afternoon, this is Harwich Health Director Meggan Eldredge with a COVID-19 vaccine update. The vaccine distribution plan is controlled by the Department of Public Health and can be reviewed on the mass gov website.

This three phase plan prioritizes groups of people according to risk of infection and likelihood of complications or death as a result of COVID-19 infection. We are currently in the middle of Phase 1 of the plan. First responders and congregate care settings are now eligible for a vaccine. Employers of these groups have been made aware of the steps to take to get workers vaccinated.

The next two groups within Phase 1 include home-based healthcare workers and non-COVID facing healthcare workers. Vaccination of these groups is scheduled to begin on February 1st. The health department is not holding clinics for these two groups. Options for eligible people to obtain a vaccine during Phase 1 can be located on the state vaccine website.

The first group of Phase 2 prioritizes people who are age 75 and over, people who have two or more comorbidities (high risk for COVID-19 complications), as well as residents and staff of public or private low income and affordable senior housing. This Phase is anticipated to begin when Phase 1 is complete, most likely in early February.

The Town of Harwich anticipates distributing vaccine to the people identified in this first group of Phase 2. Clinics will include a drive-thru option as well as accommodations for those unable to get to a vaccination site. Notification of the date, time and location of COVID vaccine clinics will be widespread. Other sources of the vaccine for this group will be available such as primary care providers, pharmacies and regional vaccination clinics.

Please check the Town's website before calling our office for information. Two important websites:

https://www.mass.gov/info-details/massachusetts-covid-19-vaccine-information

https://www.harwich-ma.gov/

Please remember that Harwich remains a high risk community. Over the last two weeks there have been 103 new cases in town, resulting in a positivity rate of 6.84%. Take extra care to social distance during this surge.

Thank you and stay safe.