

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](mailto:health@town.harwich.ma.us)



TOWN OF HARWICH BOARD OF HEALTH  
TUESDAY, JUNE 15, 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**
- II **MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes)** May 18, 2021 & May 21, 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. **COVID-19 Update-** *Vote to accept/deny/take this under consideration*
  - B. **Review Board of Health Meeting Schedule-** to consider changing start time of Board of Health meetings, including hearings, to 6:30 p.m.- *Vote to accept/deny/take this under consideration*
  - C. **FY22 VNA Contract-Review & vote to submit to Board of Selectmen for approval/signature-** *Vote to accept/deny/take this under consideration*
  - D. **Board of Health Filing Applications-** consider allowing In House Variance approvals to be reviewed by Health Department staff for voluntary upgrades and failed septic systems- *Vote to accept/deny/take this under consideration*
- IV **OLD/UNFINISHED BUSINESS (No earlier than 7:00 p.m.)-** *Vote to accept/deny/take this under consideration*
- V **NEW BUSINESS**

**A. Hearing-Schofield, 37 Old County Road-** to consider a variance request to upgrade a Title 5 septic system. Plan prepared by Bass River Engineering. *Vote to accept/deny/take this under consideration*  
Variances from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 7' from the slab foundation where 10' is required. Variance request of 3'.
2. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 4' from the property line where 10' is required. Variance request of 6'.

**B. Hearing-Webber, 79 Deep Hole Road-** to consider a variance request to upgrade a Title 5 septic system. Plan prepared by Bass River Engineering. *Vote to accept/deny/take this under consideration*  
Variances from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 16' from the cellar wall where 20' is required. Variance request of 4'.

**C. Hearing-Harwich Associates, 17 Rocky Way-** to consider a variance to install a new Title 5 septic system on a vacant lot. Plan prepared by J.C. Ellis Design Co. Inc. *Vote to accept/deny/take this under consideration*

Variance from Harwich Board of Health Regulation 4.20-Distance to Impervious Layer

1. Per Harwich Board of Health Regulation 4.20: To allow the soil absorption system to be installed in an impervious layer.

Variance from Harwich Board of Health Regulation 4.30-Thickness of Permeable Layer

2. Per Harwich Board of Health Regulation 4.30: To allow the soil absorption system to be installed in an impervious layer.

**D. Hearing-Tarca, 11 Shore Road Extension-**to request a reconsideration of Order of Conditions granted on April 18, 2000 which include a condition of no increase in habitable space, square footage or number of bedrooms as shown on the plan dated March 21, 2000. The proposed addition will add of the existing 1<sup>st</sup> floor master bedroom and bath and add a bathroom to the 2<sup>nd</sup> floor. *Vote to accept/deny/take this under consideration*

**VI REPORT OF THE HEALTH DIRECTOR- MAY 2021-** *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*

ESTABLISHMENT	ADDRESS	TYPE	TYPE
<b>RECREATIONAL CAMP</b>			
Pleasant Bay Community Boating *	2287 Route 28		
US Sports Camp/Nike Lacrosse Camp *	75 Oak Street		
<b>SEPTIC INSTALLER</b>			
JTC Contractors *			
<b>McDougall Brothers Enterprises LLC (2021 NEW)</b>			
<b>POOL</b>			
A Beach Breeze Inn *	169 Route 28		
Handkerchief Shoals Inn *	888 Route 28		
The Platinum Pebble *	186 Belmont Ave		
Winstead Inn & Beach Resort *	114 Parallel St.		
Wychmere Village Condo *	767 Route 28		
<b>FOOD</b>			



Handkerchief Shoals Inn *	888 Route 28	Limited Food Service	
Mobile Mixers *		Mobile Food Service	
Perrys Ice Cream Truck *		Mobile Food Service	
Perrys Ice Cream Truck *		Mobile Food Service	
<b>Summer House Café (2021 NEW)</b>	<b>126 Route 28</b>	<b>Limited Food Service</b>	
<b>Taste &amp; Sea (2021 NEW)</b>	<b>245 Lower County Road</b>	<b>Limited Food Service</b>	<b>Event</b>
<b>Upper Crust Pizza (2021 NEW OWNER)</b>	1421 Orleans Road	1-30 seats	

**MOTEL**

Seadar Inn \* 1 Braddock Street

**BATHING BEACH**

Great Sand Lakes Association *	Pleasant Park Circle	Bucks Pond
Great Sand Lakes Association *	Vacation Lane	John Joseph Pond
Great Sand Lakes Association *	Clearwater Drive	Bucks Pond
Great Sand Lakes Association *	Lakeside Terrace	John Joseph Pond

**\*2021 Renewal**

**IX**     **OTHER-** *Vote to accept/deny/take this under consideration*

**X**     **ADJOURN-** *Vote to accept/deny/take under consideration*

Authorized posting officer:

Posted by:

Jennifer Clarke

*Antie S. Doucette*

Signature

Date

Town Clerk

Date

***Per the Attorney General's Office: The committee 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***

II

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**TOWN OF HARWICH BOARD OF HEALTH  
TUESDAY, MAY 18, 2021- 6:30 P.M.  
HARWICH TOWN HALL – REMOTE MEETING**

BOARD OF HEALTH MEMBERS PRESENT: Chairwoman Pamela Howell, R.N., Member Matthew Antoine, Member Ronald Dowgiallo, D.M.D., & Member Kevin DuPont

BOARD OF HEALTH MEMBERS ABSENT: Vice Chairwoman Sharon Pflieger

STAFF MEMBERS PRESENT: Health Director Kathleen O'Neill & Executive Assistant Jennifer Clarke

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**I CALL TO ORDER**

Ms. Howell called the meeting to order at 6:30 p.m. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

**II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) April 20, 2021 & May 6, 2021**



Mr. Dowgiallo moved to approve the minutes of the April 20, 2021 Board of Health meeting, 2<sup>nd</sup> by Mr. Antoine. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

Mr. Antoine moved to approve the minutes of the May 6, 2021 Board of Health meeting, 2<sup>nd</sup> by Mr. DuPont. The vote was 4-0-0 with Ms. Howell, 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 Director O'Neill briefly reviewed the COVID-19 updates that were provided in the Board's packet. The Board of Health will be meeting at 10:00 a.m. on Friday, May 21, 2021 to discuss the mask mandate on Route 28 from Bank Street to Lower County Road.

Governor Baker announced that as of today, students are no longer required to wear masks while outdoors on school property. As of May 29, 2021, all existing COVID-19 protocols will be lifted. Governor Baker has projected that he will lift the State of Emergency on June 15, 2021.

The Health Department is only following one active COVID-19 case at this time.

The 2<sup>nd</sup> COVID-19 vaccine clinic for employees of certain sectors is being held on May 26, 2021 from 8:00 a.m.-11:00 a.m. at the Harwich Community Center.

Mr. Dowgiallo asked if Chatham has lifted their mask order. Health Director O'Neill responded that Chatham has rescinded their order.

Health Director O'Neill asked for a general consensus of the Board to see if they would consider removing the work session portion of the Board of Health meetings, and having the agenda, including old/unfished business and new business start at 6:30 p.m. The Board agreed to this request. Staff stated that this discussion and vote would be on the June 15, 2021 Board of Health meeting agenda.

When COVID starts to slow down, Health Director O'Neill stated that the Board should start reviewing some of their outdated regulations, starting with the stable/animal regulations.

Mr. Dowgiallo asked if there has been any discussion about resuming in-person Board meetings. Health Director O'Neill responded that the discussion has started, but no answer has been given from the State as of yet.

Selectman Larry Ballantine asked if there is any update on the refillable water station installations. Health Director O'Neill responded that she would look into this further and follow up as soon as possible.

Mr. Dowgiallo asked what percentage of residents in Harwich have been fully vaccinated. Health Director O'Neill responded that close to 70% of full time residents have been fully vaccinated.

Health Director O'Neill has been contacted by UMASS about remote internship possibilities and asked the Board if they had any suggestions for undergrad projects. Mr. DuPont suggested something involving nitrogen runoff.

Health Director O'Neill stated that Town Hall will be re-opening to the public on June 15, 2021.

**IV OLD/UNFINISHED BUSINESS (No earlier than 7:00 p.m.)**

No old/unfinished business was discussed.

**V NEW BUSINESS**

**A. Hearing-Popkiewicz/McGann, 8 Ruth Lane**, to consider a variance request to upgrade a Title 5 septic system. Plan prepared by JC Engineering, Inc.

Variances from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 1' from the front property line where 10' is required. Variance request of 9'.
2. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 18.3' from the existing housing foundation where 20' is required. Variance request of 1.7'.

Variance from Harwich Board of Health Regulation 1.210

1. Per Harwich Board of Health Regulation 1.210: To allow the proposed soil absorption system to be 80.6' from the wetland where 100' is required. Variance request of 19.4'

Chairwoman Howell opened the hearing. Health Director O'Neill read the variances being requested. Mike Pimentel from JC Engineering, Inc., was present on behalf of the owner. The application proposes to upgrade a failed septic system. The plan shows a proposal to keep the existing 1000 gallon septic tank and upgrade the distribution box and leaching facility. The existing dwelling contains three (3) bedrooms and there are no plans for addition or alteration to the dwelling at this time. The proposed septic system has been designed for three (3) bedrooms. Variances are being requested due to site constraints of the property and the location of an old bog behind the house. The Conservation Department has reviewed and approved the administrative review application last week.

No public comment was heard. Chairwoman Howell closed the hearing.

Health Director O'Neill recommended approval of the request with the following conditions:

1. No increase in square footage or habitable space without further review by the Board of Health.
2. The property shall be deed restricted to a maximum of three (3) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds

**Mr. Antoine moved to accept the recommendation of the Health Director, 2<sup>nd</sup> by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**B. Hearing-Crooks, 18 Bob White 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: To allow the proposed soil absorption system to be 14' from the foundation where 20' is required. Variance request of 6'.
2. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 6' from the property line where 10' is required. Variance request of 4'.

Variances from Harwich Board of Health Regulation 1.210

1. Per Harwich Board of Health Regulation 1.210: To allow the proposed soil absorption system to be 56' from the top of coastal bank where 100' is required. Variance request of 54'.



2. Per Harwich Board of Health Regulation 1.210: To allow the proposed soil absorption system to be 54' from the top of coastal bank where 100' is required. Variance request of 56'.
3. Per Harwich Board of Health Regulation 1.210: To allow the proposed pump chamber to be 48' from the top of coastal bank where 50' is required. Variance request of 2'.
4. Per Harwich Board of Health Regulation 1.210: To allow the septic tank to be 39' from the top of coastal bank where 50' is required. Variance request of 11'.
5. Per Harwich Board of Health Regulation 1.210: To allow the proposed septic tank to be 37' from the top of coastal bank where 50' is required. Variance request of 13'.

Chairwoman Howell opened the hearing. Health Director O'Neill read the variances being requested. Dan Speakman of Dan A. Speakman Construction was present on behalf of the owner. The applicant is proposing to upgrade the existing septic system. The plan shows a proposed 1500 gallon septic tank, 1000 gallon pump chamber, distribution box and leaching facility. The existing dwelling contains three (3) bedrooms and there are no plans for alterations or additions to the dwelling at this time. The proposed septic system has been designed for three (3) bedrooms. Variances are being requested due to site constraints and the location of the coastal bank and bordering vegetated wetland that abut the property. The Conservation Commission reviewed and approved the project on May 5, 2021.

Mr. DuPont stated his concern with the number of variances being requested, but noted that if the Health Director doesn't have any concerns about the request, that he would vote in favor of approval. Health Director O'Neill stated that this is a very tough lot and if it were new construction, would not be considered buildable. The existing septic system is failed and the proposed upgrade is an improvement.

No public comment was heard. Chairwoman Howell closed the hearing.

Health Director O'Neill recommended approval of the request with the following conditions:

1. No increase in square footage or habitable space without review by the Board of Health.
2. The property shall be deed restricted to a maximum of three (3) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.

**Mr. Dowgiallo moved to accept the recommendation of the Health Director, 2<sup>nd</sup> by Mr. DuPont. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**C. Hearing-Reis, 4 Eastern Avenue**, to consider a variance request to upgrade a Title 5 septic system. Plan prepared by Moran Engineering Associates, LLC.

Variances from 310 CMR 15.211(1)-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed septic tank to be 5' from the East lot line where 10' is required. Variance request of 5'.
2. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 5' from the East lot line where 10' is required. Variance request of 5'.
3. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 5' from the North lot line where 10' is required. Variance request of 5'.
4. Per 310 CMR 15.211: To allow the proposed septic tank to be 5' from the crawl space where 10' is required. Variance request of 5'.
5. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 5' from the slab foundation where 10' is required. Variance request of 5'.

Variances from Harwich Board of Health Regulation 1.210

1. Per Harwich Board of Health Regulation 1.210: To allow the proposed septic tank to be 36' from the coastal bank where 50' is required. Variance request of 12'.
2. Per Harwich Board of Health Regulation 1.210: To allow the proposed soil absorption system to be 60' from the coastal bank where 100; is required. Variance request of 40'.

Chairwoman Howell opened the hearing. Health Director O'Neill read the variances being requested. Dan Croteau of Moran Engineering Associates, LLC was present on behalf of the owner. The applicant is proposing to remove the existing four (4) bedroom house and construct a new four (4) bedroom house. No new variances are being created by this project from what would be needed for the upgrade of the septic system. The proposed septic system shows a 0.5 MicroFAST 1500 gallon septic tank, 1000 pump chamber and soil absorption system. I/A treatment is proposed to allow for the reduction in the leaching area size, and to improve treatment of effluent. The septic system has been designed for four (4) bedrooms. The Conservation Commission reviewed and approved the request on April 7, 2021.

No public comment was heard. Chairwoman Howell closed the hearing.

Health Director O'Neill recommended approval of the request with the following conditions:

1. No increase in square footage or habitable space without review by the Board of Health.
2. The property shall be deed restricted to a maximum of four (4) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.
4. The alternative septic system must be under an operation and maintenance contract for the life of the system.
5. The alternative septic system must be tested and maintained in accordance with the Health Department's requirements for testing.

**Mr. Antoine moved to accept the recommendation of the Health Director, 2<sup>nd</sup> by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**D. Hearing-Henriksen, 17 Eastern Avenue,** to consider a variance request to upgrade a Title 5 septic system. Plan prepared by Meyer & Sons, Inc.

Variance from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 10.3' from the dwelling where 20' is required. Variance request of 9.7'. (liner provided)
2. Per 310 CMR 15.221(7): To allow the proposed soil absorption system to be 3.67' below grade where 3' is required. Variance request of 0.67'. (vent/h-20 load provided)

Chairwoman Howell opened the hearing. Health Director O'Neill read the variances being requested. Darren Meyer of Meyer & Sons, Inc., was present on behalf of the owner. The applicant is proposing to upgrade the failed septic system. The plan shows a proposed 1500 gallon septic tank, distribution box and leaching facility. The existing dwelling contains four (4) bedrooms and there are no plans for additions or alterations to the dwelling at this time. The proposed septic system has been designed for four (4) bedrooms. The variances are being requested due to the limited lot size and the fact that the property sites a four (4) bedroom dwelling.

No public comment was heard. Chairwoman Howell closed the hearing.

Health Director O'Neill recommended approval of the request with the following conditions:



1. No increase in square footage or habitable space without review by the Board of Health.
2. The property shall be deed restricted to a maximum of four (4) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.

**Mr. Antoine moved to accept the recommendation of the Health Director, 2<sup>nd</sup> by Mr. DuPont. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**VII PERMITS**

ESTABLISHMENT	ADDRESS	TYPE	TYPE	TYPE	TYPE
<b>SEPTIC INSTALLER</b>					
Cardinal Construction *					
Earth & Stone, LLC *					
<b>Peter J. Govoni Land Services (2021 NEW)</b>					
PKM Contractors *					
<b>R.A. Spiller, Inc. (2021 NEW)</b>					
<b>STABLE</b>					
Catherine Karras *	105 Round Cove Road	Residential			
<b>FOOD SERVICE</b>					
<b>711 Food Mart (2021 NEW)</b>	<b>711 Main Street</b>	<b>Retail: Less than 5000 sf</b>	<b>1-30 seats</b>	<b>milk &amp; cream</b>	<b>take out</b>
<b>Cape Cod Macarons (2021 NEW)</b>	<b>11 Katie's Pond Lane</b>	<b>Limited Food Service</b>			
Cape Farm Supply & Cranberry Co *	1601 Factory Road	Limited Food Service			
Georges Place Fish Market *	30 Kildee Road	Retail: Less than 5000 sf	Shucking License	Take Out	
Good Times Cape Cod *		Mobile Food Service			
<b>Inn on the Beach (2021 NEW OWNER)</b>	<b>16 Bank Street</b>	<b>Limited Food Service</b>			
Judecraft Specialty Foods *		Event Permit			
Monopati *		Event Permit			
Perks *	545 Route 28	31-60 seats			
Schoolhouse Ice Cream *	749 Route 28	1-30 seats	Frozen Dessert		
Stone Horse Yacht Club *	2 Harbor Road	1-30 seats			
Villa Roma *	278 Route 28	31-60 seats			
<b>POOL</b>					
Red River Condo Association *	1011 Route 28				
Seascapes Village Condo *	231 Route 28				
Tern Inn, The *	91 Chase Street				
Wychmere Beach Club *	23 Snow Inn Road	Spa			
Wychmere Beach Club *	23 Snow Inn Road	Toddler Pool			
Wychmere Beach Club *	23 Snow Inn Road	Young Adult Pool			
Wychmere Beach Club *	23 Snow Inn Road	Main Pool			
Wyndemere Condo *	405 Lower County Road				
<b>SEPTIC HAULER</b>					
PKM Contractors *					
<b>BATHING BEACH</b>					
<b>Inn on the Beach (2021 NEW OWNER)</b>	<b>16 Bank Street</b>	<b>Nantucket Sound</b>			
Winstead Inn & Beach Resort *	4 Braddock Street	Nantucket Sound			
<b>MOTEL</b>					
<b>Inn on the Beach (2021 NEW OWNER)</b>	<b>16 Bank Street</b>				
<b>FUNERAL DIRECTOR</b>					

**\*2021 Renewal**

**Mr. Antoine moved to approve the permits as per the list dated May 18, 2021, 2<sup>nd</sup> by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**VIII     OTHER**

No other items were discussed.

**IX        ADJOURN- The meeting adjourned at 7:21 p.m.**

**Mr. Antoine moved to adjourn the meeting of the Board of Health at 7:21 p.m., 2<sup>nd</sup> by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**Respectfully Submitted,**

**Jennifer Clarke**

**Next meeting is Tuesday, June 15, 2021 at 6:30 p.m.**

Documents included in May 18, 2021 Board of Health Meeting Packet:

- May 18, 2021 Board of Health Agenda
- Draft April 20, 2021 Board of Health Minutes
- Draft May 6, 2021 Board of Health Minutes
- COVID-19 update dated May 7, 2021
- COVID-19 update dated April 29, 2021
- COVID-19 update dated April 23, 2021
- COVID-19 update dated April 16, 2021
- Site Summary for 8 Ruth Lane dated May 18, 2021
- Application for variances and associated documents for 8 Ruth Lane dated April 9, 2021
- Site Summary for 18 Bob White Lane dated May 18, 2021
- Application for variances and associated documents for 18 Bob White Lane dated March 24, 2021
- Site Summary for 4 Eastern Avenue dated May 18, 2021
- Application for variances and associated documents for 4 Eastern Avenue dated May 4, 2021
- Site Summary for 17 Eastern Avenue dated May 18, 2021
- Application for variances and associated documents for 17 Eastern Avenue dated May 5, 2021
- Any other documents submitted for/at the May 18, 2021 Board of Health meeting



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**TOWN OF HARWICH BOARD OF HEALTH  
FRIDAY, MAY 21, 2021-10:00 A.M.  
HARWICH TOWN HALL – REMOTE MEETING**

BOARD OF HEALTH MEMBERS PRESENT: Chairwoman Pamela Howell, R.N., Vice Chairwoman Sharon Pflieger, Member Ronald Dowgiallo, D.M.D., Member Matthew Antoine & Member Kevin DuPont, R.N.

STAFF MEMBERS PRESENT: Health Director Kathleen O’Neill & Executive Assistant Jennifer Clarke

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**I CALL TO ORDER**

**Ms. Howell called the meeting to order at 10:00 a.m. The vote was 5-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

**II REVIEW THE EXISTING MANDATORY MASK ZONE ORDER-** to consider modifying, lifting or keeping in place the existing Declaration of Public Health Emergency Order-mandatory mask zone order adopted on July 21, 2020, which states that any member of the public utilizing Route 28 between Lower County Road and Bank Street between 9am-10pm, must wear a face covering at all times over their nose and mouth and must exercise social distancing, whenever possible.

At the Board's last meeting, Health Director O'Neill informed the Board that Governor Baker will be lifting all remaining COVID-19 restrictions on May 29, 2021 and that the Public Health Emergency would be lifted on June 15, 2021. Many abutting towns who had mask mandates in place, have since lifted them.

Health Director O'Neill provided the Board with current vaccination numbers for Harwich residents, noting that the town is doing very well with vaccination rates.

Mr. Dowgiallo suggested that the existing mask mandate for Harwich should be lifted on May 29, 2021.

Ms. Pflieger agreed with Mr. Dowgiallo and noted that she agrees with where the mandates are headed. When vaccinated people are outside, the spread of COVID-19 is fairly low. For people who are not vaccinated and not wearing a mask, they are not protected and they should also be concerned about people around them who have reduced immune systems. Ms. Pflieger would caution people who have not been vaccinated and who do not wear a mask, of their vulnerability to COVID-19.

Mr. Dowgiallo asked if signs could be put out in Town recommending that those who have not been vaccinated be cautious.

Mr. DuPont commented that after May 29<sup>th</sup>, it will be up to individual businesses to make the decision if they will require customers to wear masks or not while inside of their store. He added that he has seen first-hand the conflict that can be created surrounding mask wearing.

Health Director O'Neill stated that if the Board would like to develop an educational pamphlet, it could be posted on the Board of Health, Health Department and COVID-19 resource webpages. Ms. Pflieger suggested a document of easy to read bullet points.

**Mr. Dowgiallo moved that the Board of Health rescind the existing Declaration of Public Health Emergency Order-mandatory mask zone order adopted on July 21, 2020, which states that any member of the public utilizing Route 28 between Lower County Road and Bank Street between 9am-10pm, must wear a face covering at all times over their nose and mouth and must exercise social distancing, whenever possible, effective on May 29, 2021, 2<sup>nd</sup> by Ms. Pflieger.**

Ms. Howell stated that she would like to see the declaration rescinded immediately.

**Mr. Dowgiallo amended his motion and moved that the Board of Health rescind the existing Declaration of Public Health Emergency Order-mandatory mask zone order adopted on July 21, 2020, which states that any member of the public utilizing Route 28 between Lower County Road and Bank Street between 9am-10pm, must wear a face covering at all times over their nose and mouth and must exercise social distancing, whenever possible, effective immediately, 2<sup>nd</sup> by Ms. Pflieger. The vote was 5-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.**

Mr. Dowgiallo would like to see the sandwich board signs set up to include educational information. Ms. Pflieger suggested the following for signs:

- "Not vaccinated...not wearing a mask = not protected"
- "Immunocompromised-Beware of risk even if vaccinated"
- "Respect businesses decision to mandate mask use"



Health Director O'Neill responded that the signs would be updated and placed around town as soon as possible. Ms. Pflieger added that she would like to see the bullet points above posted on the Town webpage.

**III     OTHER**

No other items were discussed.

**IV     ADJOURN**

**Ms. Pflieger moved to adjourn the meeting at 10:25 a.m., 2<sup>nd</sup> by Mr. Dowgiallo. The vote was 5-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo, Mr. DuPont and Mr. Antoine all voting aye by roll call.**

**Respectfully Submitted,**

**Jennifer Clarke**

**Next meeting is Tuesday, June 15, 2021, 2021 at 6:30 p.m.**

Documents included in May 21, 2021 Board of Health Meeting Packet:

- May 21, 2021 Board of Health Agenda
- Declaration of Public Health Emergency dated July 21, 2020
- Email from Ken & Sue Miller dated May 17, 2021
- Email from Michael Ulrich dated May 13, 2021
- Email from Marvin Slayton dated May 12, 2021
- Email from John Rinkacs dated May 11, 2021
- Governors Update guidance time line
- Town of Orleans Board of Health Face Covering Order dated May 4, 2020
- Town of Truro Board of Health Face Covering order dated May 1, 2020
- Survey of Cape Cod Towns Face Covering Orders
- SARS-CoV-2 transmission dynamics should inform policy
- Outdoor transmission of SARS-CoV2 and other respiratory viruses, a systematic review
- Wellcome Open Research documents
- Any other documents submitted for/at the May 21, 2021 Board of Health Meeting

III-A.



**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](mailto:health@town.harwich.ma.us)

June 4, 2021

**WEEKLY COVID-19 UPDATE**

**CASES & STATISTICS**

To date, Harwich has seen a cumulative total of 756 cases of COVID-19. The Health Department and VNA are not currently tracking any active cases. The positivity rate is 0.80%, which is in the “Grey” designation. Over the last two weeks the Town has seen 3 positive tests out of 374 total tests.

**VACCINATION**

To date, 8,106 of our 11,481 eligible full time residents are fully vaccinated, and 9,396 have received at least one dose. Approximately seventy percent of all eligible residents are fully vaccinated, and approximately sixty four percent of all residents have been vaccinated.

Age Group	Population Size	Individuals with at least one dose	Fully vaccinated individuals	Percent of fully vaccinated
*0-11 Years *Ineligible	*1,108	*0	*0	*0
12-15 Years	457	196	0	0
16-19 Years	426	292	205	34%
20-29 Years	1,055	638	511	38%
30-49 Years	2,146	1,666	1,392	57%
50-64 Years	3,012	2,486	2,176	67%
65-74 Years	2,551	2,281	2,145	82%
75+ Years	1,834	1,837	1,677	91%
<b>Total</b>	12,589 <b>11,481 (Eligible)</b>	<b>9,396</b>	<b>8,106</b>	64.4% <b>70.6%</b>

Vaccine appointments can be scheduled at:

- <https://vaxfinder.mass.gov/>
- <https://mychart-openscheduling.et1149.epichosted.com/MyChart/OpenScheduling>
- <https://www.barnstablecountyhealth.org/vaccine-registration>



.A - III

- [https://www.cvs.com/immunizations/covid-19-vaccine?cid=ps\\_cvdvcc&gclid=EAIaIQobChMIkpXrvYf-8AIVg5-zCh2p2wh3EAAAYASAAEgLRKfD\\_BwE&gclsrc=aw.ds](https://www.cvs.com/immunizations/covid-19-vaccine?cid=ps_cvdvcc&gclid=EAIaIQobChMIkpXrvYf-8AIVg5-zCh2p2wh3EAAAYASAAEgLRKfD_BwE&gclsrc=aw.ds)
- <https://stopandshop.com/covid-vaccine>

### **TESTING**

Testing is available at a variety of locations. Please visit <https://www.barnstablecountyhealth.org/falmouth-and-hyannis-covid-19-test-sites> for a location available near you.

Best,  
Katie O'Neill, Sc.D., R.S.  
*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](mailto:health@town.harwich.ma.us)

May 14, 2021

### WEEKLY COVID-19 UPDATE

#### CASES & STATISTICS

To date, Harwich has seen a cumulative total of 755 cases of COVID-19. We are currently following two active cases. The positivity rate has dropped to 1.50%, which moves us down to the “Green” designation. Over the last two weeks the Town has seen 11 positive tests out of total 732 tests.

#### VACCINE

To date, 7,204 of our 12,591 full time residents are fully vaccinated, and 8,893 have received at least one dose. As of Thursday May 13, children between the ages of 12 & 15 are now eligible to receive the Pfizer vaccine. Outer Cape Health is working with the schools to provide clinic dates to children and parents.

Age Group	Population Size	Individuals with at least one dose	Fully vaccinated individuals
0-19 Years	1,993	242	107
20-29 Years	1,055	581	346
30-49 Years	2,146	1,566	945
50-64 Years	3,012	2,404	1,684
65-74 Years	2,551	2,259	2,085
75+ Years	1,834	1,893	1,659
<b>Total</b>	<b>12,591</b>	<b>8,893</b>	<b>7,204</b>

To find a vaccine appointment please visit <https://vaxfinder.mass.gov/>.

#### BOARD OF HEALTH UPDATE

The Board of Health will meet on Friday May 21, 2021 at 10 am to discuss and vote to determine if they will uphold the existing mask mandate on Route 28 between Lower County Road and Bank Street. The order states: *Any member of the public utilizing Route 28, between Lower County Road and Bank Street between 9 am and 10 pm, must wear a face covering at all times over their nose and mouth and must exercise social distancing, whenever possible.*



## **STATE UPDATE**

Masks are still be required for now in all indoor public places, at all events and outdoors when social distancing is not possible in Massachusetts, despite new guidance from the Centers from Disease Control advising fully vaccinated individuals that it's safe in most cases to stop wearing a face covering. Governor Baker's office issued a statement on Thursday night saying the governor welcomed the new health guidelines from the CDC and would be "updating Massachusetts' COVID restrictions in the near future."

## **TESTING**

For free testing at Outer Cape Health, please call [508-905-2888](tel:508-905-2888) to make an appointment. Barnstable County offers FREE COVID-19 testing at the Barnstable County Fairgrounds Tuesdays 10:00 AM – 12:00 PM and Fridays 10:00 AM – 12:00 PM. Call to make an appointment 774-330-3002 – or take 1 minute and schedule online at <https://bit.ly/3doeaH5>

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

Stay Safe!  
~Dr. O'Neill  
*Health Director*

## 5/13/2021: Barnstable County Regional COVID-19 Update

**(News) The DPH has launched an on-site vaccination program for employers with 35 or more persons willing to be vaccinated ([www.mass.gov/employervaccine](http://www.mass.gov/employervaccine))**

The third-wave surge in cases continues to wane in Barnstable County, and in Dukes and Nantucket Counties as well. The surge in new cases in late February/early March is assumed to have been associated in part with the arrival and spread of the **P1 and B117 variants**.

**Hospitalizations and fatalities in Barnstable County are greatly reduced.** They did increase alongside case increases at the height of the third wave but not with the amplitude seen during prior surges. We attribute this to, in part, vaccination coverage of persons most likely to be hospitalized with COVID--persons aged 65+.

As of last Thursday's (5/6) DPH weekly report **none of the 15 towns on Cape Cod** remain in the highest risk (red) category in terms of average 2-week new case numbers.

**Now all persons age 12+ are eligible to be vaccinated in Massachusetts.**

**1. New Cases:** DPH new cases reported yesterday:

<b>Barnstable County:</b>	<b>17</b> new cases;
<b>Martha's Vineyard:</b>	<b>9</b> new cases;
<b>Nantucket:</b>	<b>5</b> new cases;

**2. Hospitalizations and Fatalities:** 3-day avg. hospitalization (now **11**, down from **25 a month ago**) is greatly reduced from the recent high of 35 seen on 3/30. **1** patient was in the ICU yesterday afternoon. There have been **2 COVID fatalities** reported during the past 7 days. CCH and Falmouth Hospital have expanded visitation to two persons per inpatient per day.

**3. Schools and Childcare Centers:** Schools are open to in-person learning. Superintendents may authorize remote learning if/as a need arises.

**4. Test Positivity Rates** (14-day average, as of **5/5/21**):

Barnstable County:	<b>2.68%</b> (vs. 3.40%) ( <b>lower</b> vs. previous fortnight)
Dukes County:	<b>6.50%</b> (vs. 6.94%) ( <b>lower</b> )
Nantucket County:	<b>5.37%</b> (vs. 6.12%) ( <b>lower</b> )
Dukes & Nantucket Counties	<b>6.04%</b> (vs. 6.61%) ( <b>lower</b> )

A test percent positivity rate below 5% suggests that an outbreak is on the way to **containment**.

**5. Weekly Town Risk:** See chart below.

**6. Vaccination:**



-The Pfizer vaccine has been approved to vaccinate children 12 and older.

-Barnstable, Dukes, and Nantucket Counties are making excellent progress in vaccinating their residents. In Barnstable County 66% of all residents have received at least one dose of vaccine as of 5/6/21, and the percentage vaccinated among the higher age brackets aged 50 and older is even better.

The one-dose vaccination rates in Dukes and Nantucket Counties are 75% and 73% respectively.

<b>Individuals with at Least One Dose Administered by County and Age Group, as of 5/6/21</b>							
<small>Source: Data, MA DPH, 4/29/21; Analysis, V. Harik, Barnstable County Dept. of Human Services</small>							
<b>Barnstable County</b>	<b>0-19 Years</b>	<b>20-29 Years</b>	<b>30-49 Years</b>	<b>50-64 Years</b>	<b>65-74 Years</b>	<b>75+ Years</b>	<b>Total</b>
Total Population by Age Bracket	36,252	22,041	38,725	51,716	38,964	28,931	216,629
Age Bracket % of County Population	17%	10%	18%	24%	18%	13%	
<b>Persons in Age Group with at Least One Dose</b>	<b>3,789</b>	<b>10,488</b>	<b>26,199</b>	<b>40,459</b>	<b>34,272</b>	<b>27,808</b>	<b>143,015</b>
<b>Percent of Age Group with at Least One Dose</b>	<b>10%</b>	<b>48%</b>	<b>68%</b>	<b>78%</b>	<b>88%</b>	<b>96%</b>	<b>66.0%</b>
<b>Persons in Age Group Not Yet Vaccinated.</b>	<b>32,463</b>	<b>11,553</b>	<b>12,526</b>	<b>11,257</b>	<b>4,692</b>	<b>1,123</b>	<b>73,614</b>
<b>Percent of Age Group Not Yet Vaccinated</b>	<b>90%</b>	<b>52%</b>	<b>32%</b>	<b>22%</b>	<b>12%</b>	<b>4%</b>	<b>34.0%</b>
<b>Dukes County</b>	<b>0-19 Years</b>	<b>20-29 Years</b>	<b>30-49 Years</b>	<b>50-64 Years</b>	<b>65-74 Years</b>	<b>75+ Years</b>	<b>Total</b>
Total Population by Age Bracket	3,385	1,881	4,009	3,888	2,719	1,523	17,405
Age Bracket % of County Population	19%	11%	23%	22%	16%	9%	
<b>Persons in Age Group with at Least One Dose</b>	<b>440</b>	<b>1,262</b>	<b>3,695</b>	<b>3,474</b>	<b>2,596</b>	<b>1,594</b>	<b>13,061</b>
<b>Percent of Age Group with at Least One Dose</b>	<b>13%</b>	<b>67%</b>	<b>92%</b>	<b>89%</b>	<b>95%</b>	<b>105%</b>	<b>75.0%</b>
<b>Persons in Age Group Not Yet Vaccinated.</b>	<b>2,945</b>	<b>619</b>	<b>314</b>	<b>414</b>	<b>123</b>	<b>-71</b>	<b>4,344</b>
<b>Percent of Age Group Not Yet Vaccinated</b>	<b>87%</b>	<b>33%</b>	<b>8%</b>	<b>11%</b>	<b>5%</b>	<b>-5%</b>	<b>25.0%</b>
<b>Nantucket County</b>	<b>0-19 Years</b>	<b>20-29 Years</b>	<b>30-49 Years</b>	<b>50-64 Years</b>	<b>65-74 Years</b>	<b>75+ Years</b>	<b>Total</b>
Total Population by Age Bracket	2,586	1,457	3,403	2,329	1,009	632	11,416
Age Bracket % of County Population	23%	13%	30%	20%	9%	6%	
<b>Persons in Age Group with at Least One Dose</b>	<b>248</b>	<b>999</b>	<b>3,097</b>	<b>2,317</b>	<b>1,100</b>	<b>575</b>	<b>8,336</b>
<b>Percent of Age Group with at Least One Dose</b>	<b>10%</b>	<b>69%</b>	<b>91%</b>	<b>99%</b>	<b>109%</b>	<b>91%</b>	<b>73.0%</b>
<b>Persons in Age Group Not Yet Vaccinated.</b>	<b>2,338</b>	<b>458</b>	<b>306</b>	<b>12</b>	<b>-91</b>	<b>57</b>	<b>3,080</b>
<b>Percent of Age Group Not Yet Vaccinated</b>	<b>90%</b>	<b>31%</b>	<b>9%</b>	<b>1%</b>	<b>-9%</b>	<b>9%</b>	<b>27.0%</b>

\* Due to privacy concerns, vaccination figures are suppressed where less than 30 persons are vaccinated.

- Cape Codders are being vaccinated by the Cape Cod Regional Vaccine Consortium, a partnership between the Barnstable County Health Dept, Local Town Boards of Health (LBOHs), Community Health Centers (CHCs), and Cape Cod Healthcare. In addition, vaccination continues at various retail pharmacies.

-DPH mass vaccination sites around the state remain operational, however the DPH will be closing some mass vax sites due to reduced demand at those locations and redirecting vaccine to local consortiums and other get-out-the-vax efforts.

-The DPH has launched an on-site vaccination program for employers with 35 or more persons willing to be vaccinated ([www.mass.gov/employervaccine](http://www.mass.gov/employervaccine))

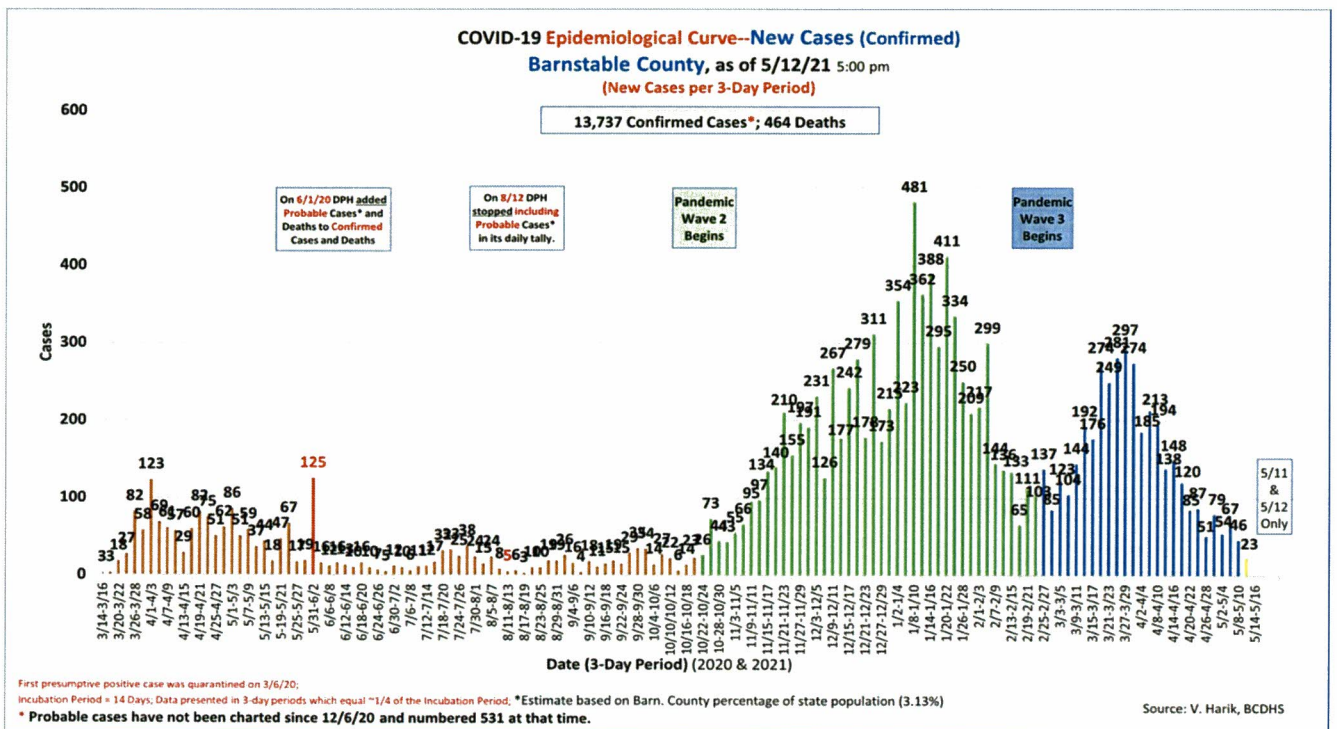
-Cape Cod Consortium members report reduced demand for vaccination as well.

7. **COVID Mutation and Changes in Transmissibility/Virulence/Other:** While there are several variants of concern in circulation globally, MA public health officials report upon three in particular: **B117 (UK), P1 (Brazil), and B1351 (S. Africa)**. All three are significantly more transmissible than the virus which dominated Wave 1 of the pandemic. **The B117 variant is now the predominant strain circulating in the US as well.**

-B117 and P1 have been identified in Massachusetts and are circulating in Barnstable County.

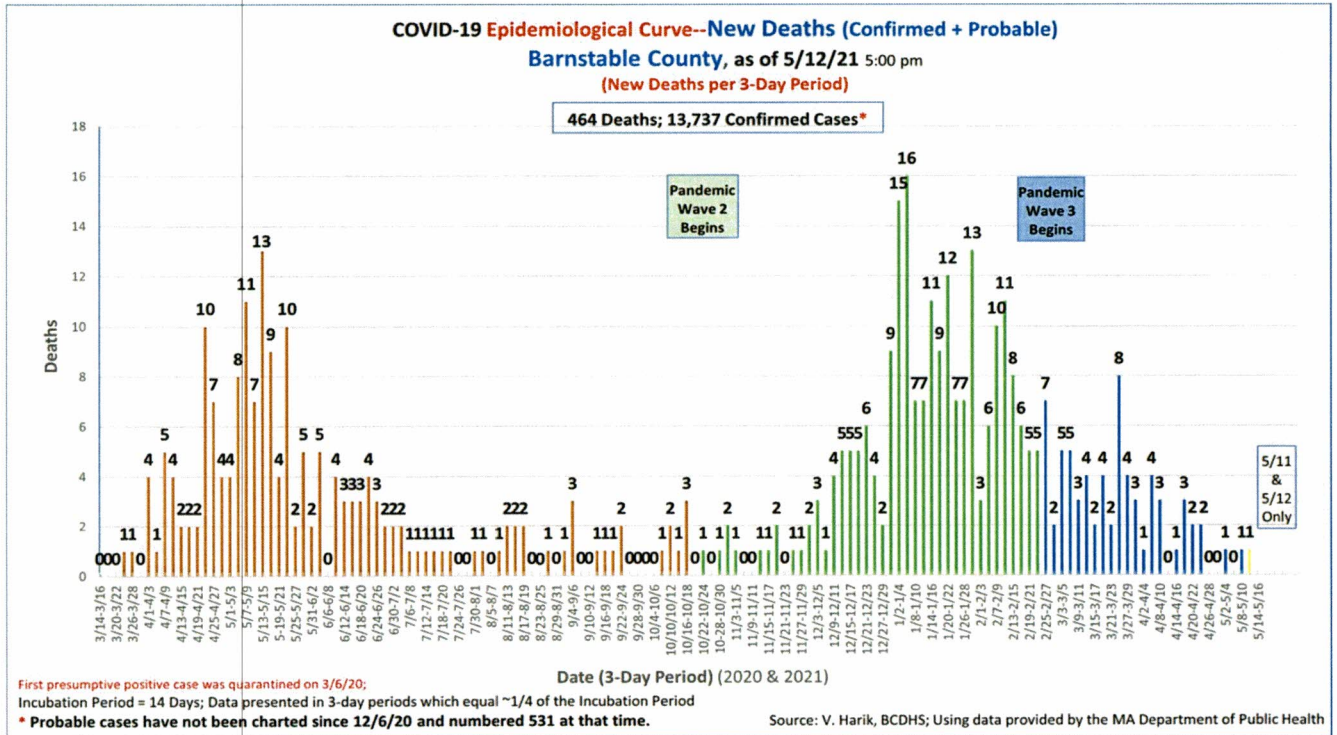
The CDC posts surveillance information on variant circulation in the US: <https://www.cdc.gov/coronavirus/2019-ncov/transmission/variant-cases.html>.

**B. CHARTS:**





Hospitalizations, Last Report:		Not Cumulative		Cumulative		3-Day Avg. of Persons in Hosp. (Med/Surg + ICU)	ICU Percent of Beds Occupied
		Hospital Beds Occupied (Last Report)	ICU Beds Occupied (Last Report)	Barnstable County Cases (Confirmed)	Barnstable County Deaths		
<b>5/12/2021</b> (3pm)	Cape Cod Hospital	5	1	<b>13,736</b>	<b>464</b>	<b>11.0</b>	<b>8%</b>
	Falmouth Hospital	6	0				
		<b>11</b>	<b>1</b>				





**VISITING NURSE ASSOCIATION  
OF CAPE COD**

Member Cape Cod Healthcare

**III-C.**

**Hyannis - Main Office**  
255 Independence Drive  
Hyannis, MA 02601

**Falmouth**  
67 Ter Heun Drive  
Falmouth, MA 02540

**Hospice and Palliative Care**  
434 Route 134  
S. Dennis, MA 02660

**Public Health & Wellness**  
434 Route 134, D3  
South Dennis, MA 02660

**Private Services**  
255 Independence Drive  
Hyannis, MA 02601  
67 Ter Heun Drive  
Falmouth, MA 02540  
57 Obery Street, Unit 3  
Plymouth, MA 02360

**Philanthropy**  
P.O. Box 370  
Hyannis, MA 02601

**Tradewinds Adult Day Health**  
290 Route 130, Box 6  
Sandwich, MA 02563

**Compass Adult Day Health**  
One Auston Rd., Unit F  
E. Harwich, MA 02645

**Child Care Center**  
67B Ter Heun Drive  
Falmouth, MA 02540

**Volunteer Services**  
434 Route 134  
S. Dennis, MA 02660

**Medicare/Medicaid Certified  
Joint Commission Accredited**

The VNA is a not-for-profit agency.

May 4, 2021

Kathleen O'neill, Health Director  
Harwich Health Department  
732 Main Street  
Harwich, MA 02645

RE: VNA/Town of Harwich Contract- FY 2022

Dear Katie:

Enclosed you will find 2 copies of the FY 2022 Public Health Nursing Contract. Please return 1 signed copy in the enclosed envelope. We've enjoyed working with you and look forward to serving your community in the coming year.

Sincerely,

Meg Payne, MBA

Public Health and Wellness  
Operations Manager



Connecting all offices, call 1-800-631-3900.  
[www.vnacapecod.org](http://www.vnacapecod.org)





## VISITING NURSE ASSOCIATION

Member Cape Cod Healthcare

This agreement (the “Agreement”) is made between the **Visiting Nurse Association of Cape Cod, Inc.** (the “Agency”), a private non-profit corporation operating in accordance with the recommended standards and procedures of the Massachusetts Department of Public Health, with a place of business at 255 Independence Drive, Hyannis, MA. 02601, and the **Town of Harwich** through the **Harwich Board of Health** (the “Town”).

**WHEREAS**, the Agency is in the business of providing public health care services; and

**WHEREAS**, the Agency is a licensed visiting nurse association that provides services to patients in patient’s homes; and

**WHEREAS**, the Town wishes to obtain the benefit of the Agency’s nursing and wellness services for the residents of the Town.

**NOW THEREFORE**, in consideration of these premises, the parties hereto agree as follows:

**A. DUTIES OF THE AGENCY**

1. The Agency shall furnish such services as recommended by the Town consistent with the recommended practices of the Massachusetts Department of Public Health and the Visiting Nurse Association of Cape Cod, Inc. These services will generally include:
  - a) Maternal and Child Health Services to include: visits to newborns and mothers on referral with follow-up home visits according to adjudged need; office visits for the purpose of childhood immunization; and social work assessment visits to families with identified needs. Maternal and Child Health visits are not to exceed three (3) visits per admission in a calendar year per individual without the Town’s approval.<sup>1</sup>
  - b) Health Promotion: health and wellness teaching in relation to both physical and mental health for all age groups. Immunization clinics held as necessary for children and adults.
  - c) Communicable Disease Surveillance and follow-up investigation including immunization clinics as deemed necessary by MADPH and Harwich BOH. TB contact testing; DOT; Public Health Nursing Case-management in cooperation with MADPH TB surveillance and Epidemiology

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<sup>1</sup> In instances where services are necessary for a longer duration and no means of Third Party Payment are available, the case will be referred to the Health Director to assess the Town’s commitment to continued services or VNA referral to other appropriate sources.

2. Supplies or Equipment: The Agency will provide the required perishable supplies for all Public Health Services provided to the Town by the Agency as a part of the approved appropriation.
3. The Agency shall maintain licensing/accreditation/certification.
4. The Agency shall invoice the Town monthly for services performed with a statement detailing the type of services performed.

**B. DUTIES OF THE TOWN**

1. The Town agrees to give the Agency as much advance notice as possible of the Services and Supplies that residents served pursuant to this Agreement may require.
2. The Town will provide assistance to the Agency in carrying out recommended Board of Health programs and policies.
3. The Town will pay the Agency for approved services and supplies rendered to residents of the Town in accordance with the charges detailed in the attached Addendum A within thirty (30) days of receipt of invoice.

**C. MUTUAL DUTIES/AGREEMENTS**

1. The amount of time provided for the services to the Town will be adjusted so that the charges for these services will not exceed the appropriation for these services. The Appropriation for July 1, 2021 through June 30, 2022 is \$4,000.00 as defined in Addendum A. All individual records will be maintained in The Agency's office and will be available for review by the Town.
2. Services performed by the Agency will be for Town residents only. Referrals may come from town residents or a party related to the resident including but not limited to the Town.
3. The Agency and The Town shall each maintain or cause to be maintained at no expense to the other, professional malpractice and general liability insurance for itself and its employees, in form and substance acceptable to the other, and in amounts customary to the nature of each party's obligations hereunder. Upon request, each party shall furnish to the other a current certificate of insurance. Each party shall provide the other with thirty (30) days advance written notice of any proposed alteration, non-renewal, or cancellation of insurance required hereunder. Each party shall promptly notify the other of any claim or suit alleged to arise out of any activity or activities undertaken pursuant to this Agreement.
4. The Town shall indemnify and hold harmless the Agency, its officers, director, agents, and employees from any and all injuries, losses, claims, actions, or damages to any person or property, and all costs, expenses, including reasonable attorneys' fees, or other liability



incurred by the Agency that are caused by the negligence of the Town, its employees, or its independent contractors (with the exception of the Agency) occurring in connection with the subject matter of this Agreement.

5. The Agency shall indemnify and hold harmless the Town and its partners, officers, agents, and employees from any and all injuries, losses, claims, actions, or damages to any person or property, and all costs, expenses, including reasonable attorneys' fees, or other liability incurred by the Town that are caused by the negligence of the Agency, its employees, or its independent contractors occurring in connection with the subject matter of this Agreement.
6. It is expressly understood and agreed that this Agreement does not intend and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association between the Town and the Agency, but rather, is an agreement by and between the Town and the Agency as independent contractors.
7. This Agreement will terminate upon the occurrence of any of the following events, whichever transpires first:
  - a. One year from date herein.
  - b. Depletion of the allocated funds.
  - c. By either party upon sixty (60) days written advance notice.

#### **D. MISCELLANEOUS**

1. Any notice required to be given hereunder shall be provided by registered or certified mail, postage prepaid, addressed to the parties at the respective addresses stated at the beginning of this Agreement or such other person or address as either party may from time to time designate by written notice to the other party. Notice shall be deemed given when deposited with the United States mails in accordance with the provisions of the preceding sentence.
2. This Agreement shall be deemed to have been entered into in the Commonwealth of Massachusetts and its interpretation, construction, and enforcement shall be determined pursuant to the laws of that Commonwealth.
3. If a court of competent jurisdiction holds any provision of this Agreement in violation of any applicable law, the remaining provisions shall be enforced and remain in full force and effect to the extent they are not unlawful or unenforceable.
4. This Agreement shall be binding upon and inure to the benefit of the parties and their successors and assigns. This Agreement and all rights under it shall be assignable by either party only with the prior written consent of the other party.
5. Captions contained in this Agreement are inserted only as a matter of convenience and

in no way define, limit, or extend the scope or intent of this Agreement or any provision thereof.

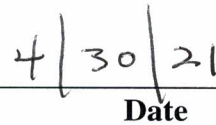
6. Where appropriate, references in the plural shall be construed as being in the singular and references in the singular as being in the plural.


**IN WITNESS WHEREOF**, authorized representatives of the parties have signed this Agreement.

**VISITING NURSE ASSOCIATION  
OF CAPE COD**



**Ann-Marie Peckham/President  
Visiting Nurse Association of Cape Cod**

  
Date

  
**Larry Ballantine, Chair  
Harwich Board of Selectmen**

  
Date







## VISITING NURSE ASSOCIATION

Member Cape Cod Healthcare

### MISSION

To coordinate and deliver the highest quality, accessible health services which enhance the health of all Cape Cod residents and visitors.

### VISION

We will be the health services provider of choice for Cape Cod residents by achieving and maintaining the highest standards in health care delivery and service quality. To do so, we will partner with other health and human service providers as well as invest in needed medical technologies, human resources and clinical services. Above all, we will help identify and respond to the needs of our community.

### VALUES

To be compassionate, respectful, and professional in the way we deliver care.

To be relentless in pursuing continuous quality improvement, emphasizing the power of teamwork.

To be honest, ethical, and open in all our relationships.

To be responsible stewards of the community's resources by working efficiently and cost effectively.

To serve all without regard to sex, race, creed, residence, national origin, sexual orientation, or ability to pay.

DATE: April 30, 2021

**CERTIFICATE OF COVERAGE**

<b>PRODUCER</b>  N/A	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED TO THE COVERED PERSON.	
	PROGRAMS/COMPANIES AFFORDING COVERAGE	
	<b>PROGRAM/COMPANY</b> A CAPE COD HEALTHCARE, INC. SELF INSURANCE PROGRAM	
<b>COVERED PERSON</b> VNA of Cape Cod, An insured affiliate of Cape Cod Healthcare, Inc. 88 Lewis Bay Road Hyannis, MA 02601	<b>COMPANY</b>	
	B	N/A
	<b>COMPANY</b>	
	C	N/A
<b>COMPANY</b>		
D		N/A

**COVERAGE**  
 THIS IS TO CERTIFY THAT THE COVERAGE LISTED BELOW HAS BEEN ISSUED TO THE COVERED PERSON NAMED ABOVE FOR THE COVERAGE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF THE POLICIES OR OTHER EVIDENCE OF SUCH COVERAGE, ON FILE AT INSURANCE OFFICE OF CAPE COD HEALTHCARE, INC. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

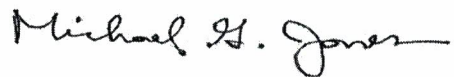
CO LTR	TYPE OF COVERAGE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS
A	GENERAL & PROFESSIONAL LIABILITY	**060121	06/01/21	06/01/22	NOT TO EXCEED*: \$2,000,000 EACH INCIDENT \$6,000,000 AGGREGATE

\*/ In the event of any conflict between limits shown on this certificate and the limits to be afforded under certificate holder's contract with the Covered Person, the lesser of the two limits applies.

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS:**

Evidence of General and Professional Liability Insurance.

\*\*The specific policy terms of the CAPE COD HEALTHCARE, INC. SELF-INSURANCE PROGRAM are found in the policy issued to Cape Cod Healthcare, Inc. by its wholly-owned Cayman Islands captive insurance company, the Cape Health Insurance Company ("CHICO").

<b>CERTIFICATE-HOLDER</b>          Town of Harwich Town Administrator 732 Main Street Harwich, MA 02645	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED COVERAGE BE CANCELLED BEFORE THE EXPIRATION DATE HERETO, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE:    Michael G. Jones Senior VP & Chief Legal Officer Cape Cod Healthcare, Inc.





**TOWN OF BREWSTER**  
2198 MAIN STREET  
BREWSTER, MA 02631  
PHONE: (508) 896-3701 EXT 1120  
FAX: (508) 896-4538  
BRHEALTH@BREWSTER-MA.GOV

**III-D.**  
OFFICE OF  
HEALTH DEPARTMENT

## CHECK LIST FOR VARIANCE/LOCAL UPGRADE APPROVAL APPLICATION(S)

Variances will be considered by the Board of Health at their regularly scheduled meeting on the **FIRST WEDNESDAY OF EACH MONTH** at 7:00p.m., Town Hall, 2198 Main Street (unless otherwise noted-please confirm)

### BOARD OF HEALTH PUBLIC HEARING CHECK LIST:

The following information shall be submitted **14 days** prior to the scheduled hearing:

- Completed Application for Variances
- Six (6) Site/Septic Plans
- Six (6) Floor Plans (existing & proposed layouts)
- If necessary, a copy of the hearing notice sent to abutters (notice shall include a description of requested variance) (please check with the office)
- If necessary, a list of abutter's names and mailing addresses (**abutters shall be identified through a list obtained from the Brewster Assessor's Department. The certified mail receipts shall be submitted to the Board of Health at the time of the hearing) (please check with the office)**
- Filing Fee: \$75.00
- On the application please reference the specific regulation of Title 5 and/or the Brewster Board of Health Regulations from which the variance/upgrade is being sought including (add sheets if needed):
  - ◇ A description of the variance/upgrade being sought, for example, "a 25' variance to the 100-foot setback requirement, 75' provided".
  - ◇ A statement outlining why full compliance with Title 5 is not feasible.
  - ◇ A description of the restrictive physical conditions of the site.
  - ◇ A statement establishing enforcement of the provision from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances of the individual case.
  - ◇ A statement that the proposed system provides the same level of environmental protection that would be provided under Title 5 and the Brewster Board of Health regulations.
- In the case of new construction, a statement must be made showing:
  - ◇ Enforcement of the provision from which a variance is being sought will deprive the applicant of all beneficial use of the subject property.

### IN-HOUSE LOCAL UPGRADE APPROVAL CHECK LIST:

The following information shall be submitted for approval by the Health Department:

- Completed application for Board of Health variances (Check In-House Local Upgrade Approval Box)
- Three (3) Site/Septic plans
- One (1) floor plan (existing & proposed of entire dwelling)
- Copy of notice sent to abutters
- List of abutters names and mailing addresses (Abutters list must be obtained from the Assessor's Department)
- Filing fee (see above)
- Certified Mail receipts (green post cards) shall be submitted prior to the issuance or signature of permits

***In accordance with Title 5, abutters must be notified at least 10 days prior to action by the Board Of Health. The Health Department has 45 days to review the application in accordance with M.G.L., Chapter 111. Written decisions will be sent to the applicant and a copy to the design Engineer.***

WWW.BREWSTER-MA.GOV

N:\HEALTH\BOH REGS\INHOUSE SEPTIC LOCAL UPGRADE APPROVAL 2019\VARIANCEINSTRUCTIONFORM FINAL 12.18.19.DOC



**TOWN OF BREWSTER**

2198 MAIN STREET

BREWSTER, MA 02631

PHONE: (508) 896-3701 EXT 1120

FAX: (508) 896-4538

BRHEALTH@BREWSTER-MA.GOV

WWW.BREWSTER-MA.GOV

OFFICE OF  
HEALTH DEPARTMENT

Received: \_\_\_\_\_ Paid: \_\_\_\_\_  
Abutter Deadline: \_\_\_\_\_

**Application for Board of Health Variances**

In-House Local Upgrade Approval  Public Hearing

Date: \_\_\_\_\_

**SUBJECT PROPERTY ADDRESS:** \_\_\_\_\_

Map: \_\_\_\_\_ Parcel: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_ LC Certificate: \_\_\_\_\_  
LC Plan: \_\_\_\_\_ Lot: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

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

Telephone # \_\_\_\_\_ Email: \_\_\_\_\_

Owner(s) of Record : \_\_\_\_\_

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

Design Engineer/Sanitarian: \_\_\_\_\_ Firm/Company Name: \_\_\_\_\_

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

Telephone #: \_\_\_\_\_ Email address: \_\_\_\_\_

Signature: \_\_\_\_\_  
Applicant or Engineer

New Construction  Voluntary Upgrade  Addition/Alteration  Failed system  Real Estate Transfer   
Design flow of existing system: \_\_\_\_\_ Reason for failure: \_\_\_\_\_  
Design flow of proposed system: \_\_\_\_\_  
Total sewage flow of site: \_\_\_\_\_ Total lot size (sf): \_\_\_\_\_  
Conservation Commission approval required: yes  no   
Order of Conditions/Det. Of Applicability attached  Date of ConCom hearing: \_\_\_\_\_

**List of all Variances from State and Local codes (add sheets if needed)**

TITLE 5, Sec. #:	Description of Variance(s)

Brewster Reg. #:	Description of Variance(s)

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
Health Department

**BREWSTER IN-HOUSE SEPTIC LOCAL UPGRADE APPROVAL NOTICE:**

Date: \_\_\_\_\_

Re: \_\_\_\_\_ Map: \_\_\_\_\_ Lot: \_\_\_\_\_  
Subject Address

Dear Abutter:

Please be advised that an application for septic local upgrade approvals from the regulations of the Massachusetts Department of Environmental Protection, Title 5 and/or the Town of Brewster Regulations for Subsurface Disposal of Sewage, has been submitted to the Brewster Health Department for approval. The following variances are requested:

**List of all variances from State and Town Codes**

Title 5, Sec #	Description of Variance(s)

Brewster Reg. #	Description of Variance(s)

The application and plans are available for review and comment at the Brewster Health Department, Brewster Town Offices, 2198 Main Street Brewster, Monday through Friday (excluding holidays) from 8:30 a.m. to 4:00 p.m.

Sincerely,

\_\_\_\_\_  
Applicant/Representative

**CC: Brewster Health Department**



TOWN OF DENNIS  
HEALTH DEPARTMENT

### Variance Process

(please note that the time frames given regarding letter authoring are general, not guaranteed)

Depending on the type of Variance you have applied for, there may be a waiting period:

- **In-House Variances** – there is a 10 business day abutter notification period – generally, on the 11<sup>th</sup> business day following submission of a complete application, the application will be reviewed. If there are no issues with the plan/variance request, Variance paperwork will be authored (within a business day of review). This paperwork will be sent to the owner on file, via US mail. *If you wish to pick up Variance paperwork, please email the Health Department that you wish to do so within the 10 day abutter waiting period - healthdepartment@town.dennis.ma.us*
- **Board of Health Variances** – These Variances are approved, denied, or continued at the monthly Board of Health Meetings (2<sup>nd</sup> Thursday of each month). Variance paperwork is authored within 5-7 business days of the Board of Health meeting, and mailed to the owner on file. *If you wish to pick up Variance paperwork, please email the Health Department that you wish to do so prior to the date of the Board meeting - healthdepartment@town.dennis.ma.us*

Variance paperwork must be recorded at the Barnstable County Registry of Deeds- 3195 Route 6A, Barnstable Village (rear of the Superior Court House). They accept original signatures only, no copies permitted. Once the variance is recorded, please return a recorded copy to the Health Department (email/hand-delivery/mail). Once the variance is received, final review/signature of awaiting permits (septic, building) will occur, generally within 1-2 business days, pending the receipt of green cards from the abutter certified mailing.

The Commonwealth of Massachusetts  
Town of Dennis Health Department  
685 Route 134  
South Dennis, MA 02660

Mon – Fri 8:30 a.m. to 4:30 p.m.  
(508) 760-6158  
[healthdepartment@town.dennis.ma.us](mailto:healthdepartment@town.dennis.ma.us)

### Check List for Variance Applications

#### Filing Fees:

- |   |          |
|---|----------|
| <input type="checkbox"/> New Building Construction.....                   | \$110.00 |
| <input type="checkbox"/> Additions/Alterations to Existing Dwellings..... | \$110.00 |
| <input type="checkbox"/> Voluntary Upgrades.....                          | \$60.00  |
| <input type="checkbox"/> Failed System Upgrades.....                      | \$60.00  |

#### Board of Health Public Hearing Check List:

The following information shall be submitted by the filing deadline:

#### Six complete packets which include:

- One (1) Copy of Completed Application for Board of Health Variances (Check Public Hearing Box)
- One (1) Site/Septic Plan
- One (1) Floor Plan (Existing & Proposed of entire dwelling)
- One (1) Copy of Hearing Notice Sent to Abutters
- One (1) Copy of List of Abutters Names and Mailing Addresses (Abutters list must be obtained from the Assessor's Department)
- One (1) Copy of Nitrogen Loading Calculations - Per Town of Dennis Regulation 16.B.3: All new or repaired septic systems in Environmentally Sensitive Areas, as defined in Regulation 9.3A, shall have Nitrogen Loading Calculations submitted with the application (*required for all 16B variance applications*)
- One (1) Copy of Conservation Commission Sign Off form and, if applicable, Subsequent Documentation, per Town of Dennis Regulation 16.B
- Filing Fee (See Above)
- The Certified Mail Receipts (green post cards) must be submitted to the Board of Health at the time of the hearing

Board of Health hearings are held on the second Thursday of each month at 7:00 p.m., in the Nathan Stone Jr Hearing Room (basement level) of the Town of Dennis Offices, 685 Route 134, South Dennis.

#### In-House Variance Approval Check List:

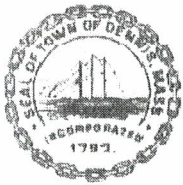
The following information shall be submitted for approval by the Health Department:

- Completed Application for Board of Health Variances (Check In-House Approval Box)
- Two (2) Site/Septic Plans
- One Floor Plan (Existing & Proposed of entire dwelling)
- Copy of Notice Sent to Abutters
- List of Abutters Names and Mailing Addresses (Abutters list must be obtained from the Assessor's Department).
- One Nitrogen Loading Calculation - Per Town of Dennis Regulation 16.B.3: All new or repaired septic systems in Environmentally Sensitive Areas, as defined in Regulation 9.3A, shall have Nitrogen Loading Calculations submitted with the application (*required for all 16B variance applications*)
- One Conservation Commission Sign Off form and, if applicable, Subsequent Documentation, per Town of Dennis Regulation 16.B
- Filing Fee (See Above)
- Certified Mail Receipts (green post cards) shall be submitted prior to the issuance or signature of Permits.

In accordance with Title 5, abutters must be notified at least 10 days prior to action by the Board of Health. The Health Department has 45 days to review the application, in accordance with M.G.L., Chapter 111. Written decisions will be sent to the applicant and a copy to the design engineer.

Rev 05/2019





**Town of Dennis**  
**Health Department**  
 685 Route 134, South Dennis, MA 02660  
 Phone: 508-760-6158  
 Email: [healthdepartment@town.dennis.ma.us](mailto:healthdepartment@town.dennis.ma.us)

Received: \_\_\_\_\_  
 Abutter Deadline: \_\_\_\_\_  
 Due: \_\_\_\_\_

**Application for Board of Health Variances**

In-House Approval       Public Hearing

Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

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

Telephone Number: (      ) \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Owner(s) of Record: \_\_\_\_\_

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

Property Address: \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Street No. \_\_\_\_\_ Village \_\_\_\_\_

Map:	Parcel:	Book:	Page:	LC Certificate:	LC Plan:	Miscellaneous:
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Design Engineer/Sanitarian: \_\_\_\_\_

Firm/Company Name: \_\_\_\_\_

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

Telephone Number: (      ) \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Signature: \_\_\_\_\_  
 Engineer or Applicant

New Construction       Voluntary Upgrade       Addition/Alteration       Failed System

Conservation Commission Approval Required: No  Yes  Date of Hearing \_\_\_\_/\_\_\_\_/\_\_\_\_

Conservation Commission Sign-Off, and if required, Order of Conditions/Det. of Applicability attached:

**List all Variances from State and Local Codes**

TITLE 5, SEC. #:	DESCRIPTION OF VARIANCE(S):

DENNIS REG. #:	DESCRIPTION OF VARIANCE(S):

**IHV Office Use Only**

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

1. The design engineer shall submit a certified as built plan, with OR without elevations, to the Health Department.
2. Record variances and conditions at the Registry of Deeds to run with the property with a copy to the Health Dept.
3. \_\_\_\_\_







V-A.

**BOARD OF HEALTH MEETING- SITE SUMMARY  
JUNE 15, 2021**

To: Board of Health  
From: Kathleen O'Neill, Health Director  
Engineer: Thomas McLellan, P.E./Bass River Engineering  
Owner: Glen & Susan Schofield  
Address: 37 Old County Road

On behalf of the owner, Thomas McLellan of Bass River Engineering is applying for variances from the State Environmental Code, Title 5 as follows:

Variances from 310 CMR 15.211(1)-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 7' from the slab foundation where 10' is required. Variance request of 3'.
2. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 4' from the property line where 10' is required. Variance request of 6'.

The application proposes to upgrade the existing system with a Title 5 septic system. The plan reflects that the existing 1000 gallon septic tank will be retained. The distribution box and soil absorption system will be replaced. The septic system has been designed for two (2) bedrooms and the dwelling currently contains two (2) bedrooms. There are no plans for additions or alterations to the dwelling at this time.

I recommend approval with conditions (please see suggested motion, Option 2, below).

**SUGGESTED MOTIONS FOR BOARD CONSIDERATION**

**IF THE BOARD IS NOT READY TO VOTE, DO NOT CLOSE THE PUBLIC HEARING, BUT CONTINUE THE HEARING TO A DATE AND TIME CERTAIN (OPTION #1).**

**OPTION #1:** If the Board requires additional information, or wants to take the matter under advisement, the following motion is recommended: Move to continue the hearing for 37 Old County Road to no earlier than 6:30/7:00 PM (depending on work session vote) on \_\_\_\_\_ (Next meeting Date is July 20, 2021) for the following reason(s): *Need to provide reasons for the continuance- additional information, take under advisement, etc.*

**IF THE BOARD IS READY TO CLOSE THE PUBLIC HEARING AND VOTE:**

**OPTION #2:** Move to approve the variance request for 37 Old County Road from Variances from Variances from 310 CMR 15.211(1)-Minimum Setbacks; Per 310 CMR 15.211: To allow the proposed soil absorption system to be 7' from the slab foundation where 10' is required. Variance



request of 3'; Per 310 CMR 15.211: To allow the proposed soil absorption system to be 4' from the property line where 10' is required. Variance request of 6'. With the following conditions:

1. No increase in square footage or habitable space without review by the Board of Health.
2. The property shall be deed restricted to a maximum of two (2) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.

**OPTION #3:** Move to deny the variance request at 37 Old County Road (*state reason*).



**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

Office Use Only	
Filing Fee Paid/Amount:	\$125-
Check #/Cash:	✓ 3263
Date App Received:	5/28/21
Meeting Date:	6/15/21
Date Approved:	
Date Denied:	
Reason for Denial:	

**Application for Board of Health Variances**

Date: 5.24.21

Property Address: 37 OLD COUNTY ROAD

Map: 25 Parcel: A3

Book: 15650 Page: 131 Land Court No: \_\_\_\_\_

Name of Applicant: GLEN & SUSAN SCHOFIELD

Applicant Mailing Address: 10455 BERKSHIRE DRIVE

LOS ALTOS CA 94024

City State Zip Code

Applicant Telephone Number: 508.432.7242

Applicant E-Mail Address: \_\_\_\_\_

Owner(s) of Record: SAME

Owner(s) Mailing Address: SAME

City State Zip Code

Design Engineer/Sanitarian: THOMAS MCLELLON, P.E.

Firm/Company Name: BASS RIVER ENGINEERING

Mailing Address: P.O. Box 1163

E. DENNIS MA 02641

City State Zip Code

Telephone Number: 508.364.9048

Design Engineer/Sanitarian E-Mail Address: TJMCLELLON@COMCAST.NET

**Please Choose Application Type:**

Voluntary Upgrade: \_\_\_ Addition/Alteration: \_\_\_ Failed System:  EIR: \_\_\_  
 Other: \_\_\_\_\_

Conservation Commission Approval Required: No:  Yes: \_\_\_ Date of CC Hearing: \_\_\_\_\_

**List All Variances from State & Local Codes**

Title 5, Section #	Description of Variance(s):
15.211 (1)	LEACH AREA TO BE LESS THAN 10' FROM SLAB (VARIANCE OF 3').
15.211 (1)	LEACH AREA TO BE LESS THAN 10' FROM LOT LINE, (VARIANCE OF 6').

In addition to this form, 8 packets of the following must be submitted by 4:00 p.m. on the filing deadline date:

- Letter to Board of Health
- Letter to abutters (bring certified mail receipts to the meeting)
- Copy of certified abutter list
- Existing variance letter (if applicable)
- Floor plans (all floors/existing & proposed)
- Site plan
- Filing Fee \$125.00 (Variance)/\$300.00 (EIR)



**BASS RIVER ENGINEERING**

Site Plans - Septic system design

**Thomas McLellan, P.E.**

Civil Engineer

May 24, 2021

Kathleen O'Neill, Sc.D., R.S.  
Harwich Health Director  
732 Main Street  
Harwich, MA 02645

RE: Variance requests for septic system upgrade.  
Glen & Susan Schofield  
37 Old County Road  
Harwich Port, MA

Dear Kathleen:

The Schofields are in the process of upgrading the septic system at the above referenced site. The following variances from Title 5 and/or the Town of Harwich Regulations are requested:

Title 5:

1. Section 15.211 (1): Leach area to be less than 10' from slab, (variance of 3').
2. Section 15.211 (1): Leach area to be less than 10' from lot line, (variance of 6').

These variances become necessary due to the wicked small lot size, (3,736 sf).

I feel that the septic system design, as shown on the enclosed plan, represents maximum feasible compliance with the regulations and is a substantial improvement when compared to the existing system.

We would appreciate being on the agenda for the next Board of Health hearing.

Sincerely,



Thomas McLellan, P.E.

## BASS RIVER ENGINEERING

Site Plans - Septic system design

Thomas McLellan, P.E.

Civil Engineer

May 24, 2021

Property abutter of:  
Glen & Susan Schofield  
37 Old County Road  
Harwichport, MA

RE: Notification of property abutters, as required by State regulations.  
Variances are required for a septic system upgrade.  
Location of work: 37 Old County Road, Harwichport, MA

Dear Abutter:

A public hearing has been scheduled for the Harwich Board of Health to act on the application for variances from regulations of the Massachusetts Department of Environmental Protection, Title 5 and/or the Town of Harwich septic system regulations. The following variances are requested:

Title 5:

1. Section 15.211 (1): Leach area to be less than 10' from slab, (variance of 3').
2. Section 15.211 (1): Leach area to be less than 10' from lot line, (variance of 6').

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for 6-15-21 at 7:00 pm. Pursuant to Governor Baker's March 12 order suspending certain provisions of the open meeting law, G.L.c.30A, section 20, and the Governor's 3-15-20 order imposing strict limitation of 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. The agenda, including dial-in instructions, will be posted on the Town of Harwich website, [www.town.harwich.ma.us](http://www.town.harwich.ma.us).

Sincerely,

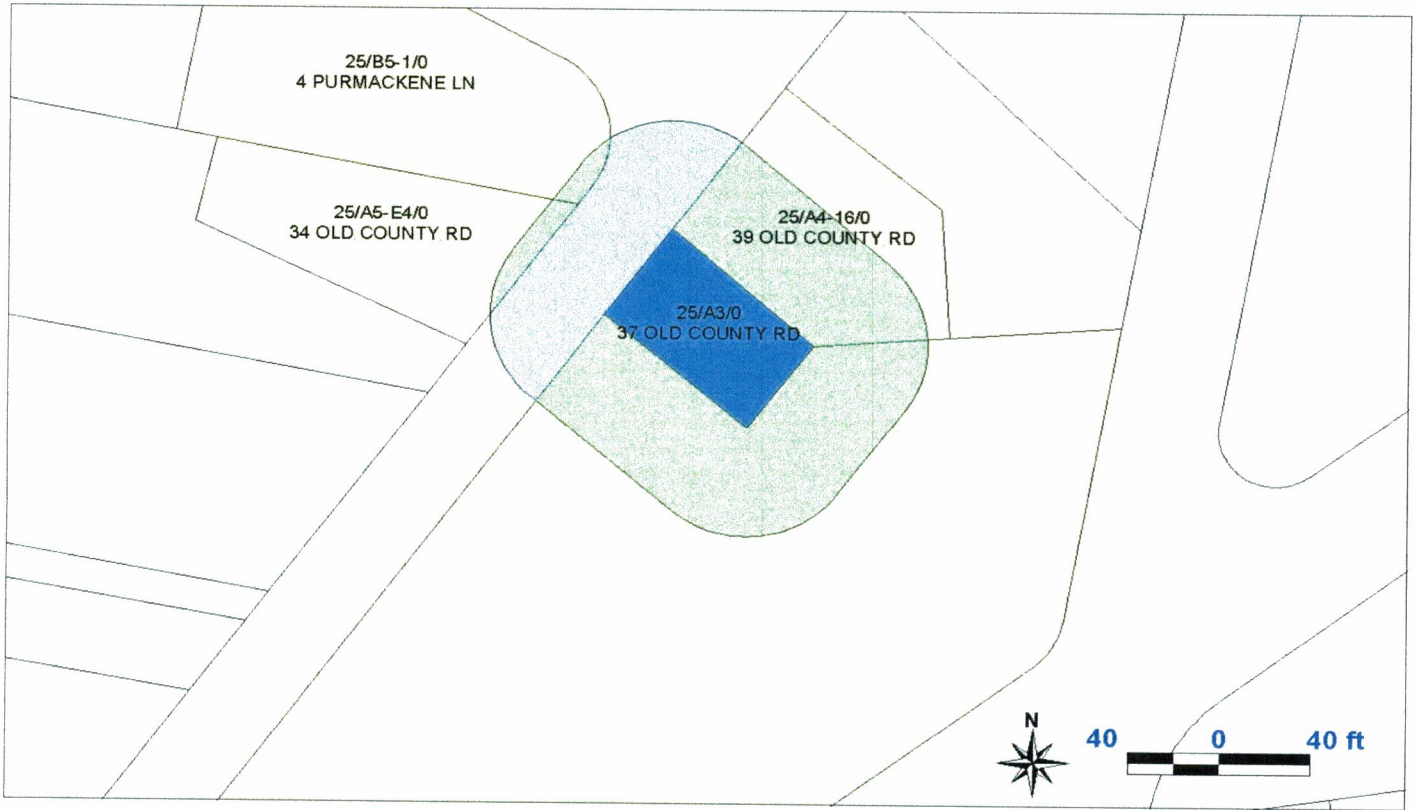


Thomas McLellan, P.E.



TOWN OF HARWICH, MA  
 BOARD OF ASSESSORS  
 732 Main Street, Harwich, MA 02645

Abutters List Within 50 feet of Parcel 25/A3/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
9028	25-A2-0-R	MAIN STREET STONE HORSE LLC	872 ROUTE 28	PO BOX 25	CHATHAM	MA	02633
2817	25-A3-0-R	SCHOFIELD GLEN W TRS ET AL SCHOFIELD SUSAN WARD TRS	37 OLD COUNTY RD	10455 BERKSHIRE DR	LOS ALTOS	CA	94024
23282	25-A4-16-0-R	OLIVER HOMES LLC	39 OLD COUNTY RD	39 OLD COUNTY RD	HARWICH PORT	MA	02646
9030	25-A5-E4-0-R	KANE MARY E ET AL DAVIS CHERI L	34 OLD COUNTY RD	34 OLD COUNTY RD	HARWICH PORT	MA	02646
9034	25-B5-1-0-R	PFLEGER TIFFANY C	4 PURMACKENE LN	4 PURMACKENE LN	HARWICH PORT	MA	02646





V-B.

**BOARD OF HEALTH MEETING- SITE SUMMARY  
JUNE 15, 2021**

To: Board of Health  
From: Kathleen O'Neill, Health Director  
Engineer: Thomas McLellan, P.E./Bass River Engineering  
Owner: Ronald & Susan Webber  
Address: 79 Deep Hole Road

On behalf of the owner, Thomas McLellan of Bass River Engineering is applying for variances from the State Environmental Code, Title 5 as follows:

Variances from 310 CMR 15.211(1)-Minimum Setbacks

1. Per 310 CMR 15.211: To allow the proposed soil absorption system to be 16' from the cellar wall where 20' is required. Variance request of 4'.

The application proposes to upgrade the existing system with a Title 5 septic systems. The plan reflects that the existing 1000 gallon septic tank will be retained. The septic system has been designed for two (2) bedrooms and the dwelling currently contains two (3) bedrooms. According to the site plan provided by Bass River Engineering, the floor plan will be modified back to a two (2) bedroom dwelling. The variances are necessary due to the small lot size.

I recommend approval with conditions (please see suggested motion, Option 2, below).

**SUGGESTED MOTIONS FOR BOARD CONSIDERATION**

**IF THE BOARD IS NOT READY TO VOTE, DO NOT CLOSE THE PUBLIC HEARING, BUT CONTINUE THE HEARING TO A DATE AND TIME CERTAIN (OPTION #1).**

**OPTION #1:** If the Board requires additional information, or wants to take the matter under advisement, the following motion is recommended: Move to continue the hearing for 79 Deep Hole Road to no earlier than 6:30/7:00 PM (depending on the vote during the work session) on \_\_\_\_\_ (Next meeting Date is July 20, 2021) for the following reason(s): *Need to provide reasons for the continuance- additional information, take under advisement, etc.*

**IF THE BOARD IS READY TO CLOSE THE PUBLIC HEARING AND VOTE:**

**OPTION #2:** Move to approve the variance request for 79 Deep Hole Road; Variances from Per 310 CMR 15.211: To allow the proposed soil absorption system to be 16' from the cellar wall where 20' is required. Variance request of 4'. With the following conditions:

1. No increase in square footage or habitable space without further review by the Board of Health.

2. The property shall be deed restricted to a maximum of two (2) bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.
4. A building permit must be applied for to eliminate one bedroom.

**OPTION #3:** Move to deny the variance request at 79 Deep Hole Road (*state reason*).





**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

Office Use Only	
Filing Fee Paid/Amount:	\$125 <sup>-</sup>
Check #/Cash:	✓ 3263
Date App Received:	5/28/21
Meeting Date:	6/15/21
Date Approved:	
Date Denied:	
Reason for Denial:	

**Application for Board of Health Variances**

Date: 5.24.21

Property Address: 79 DEEP HOLE RD

Map: 25 Parcel: R1-20

Book: \_\_\_\_\_ Page: \_\_\_\_\_ Land Court No: 154116

Name of Applicant: RONALD & SUSAN WEBBER

Applicant Mailing Address: 79 DEEP HOLE ROAD  
HARWICH PORT 02646  
City State Zip Code

Applicant Telephone Number: 781-726-0361

Applicant E-Mail Address: \_\_\_\_\_

Owner(s) of Record: SAME

Owner(s) Mailing Address: SAME  
\_\_\_\_\_  
City State Zip Code

Design Engineer/Sanitarian: THOMAS MCLELLAN, P.E.

Firm/Company Name: BASS RIVER ENGINEERING

Mailing Address: P.O. BOX 1163  
E. DENNIS 02641  
City State Zip Code

Telephone Number: 508-364-9048

Design Engineer/Sanitarian E-Mail Address: TJMCLELLAN@COMCAST.NET

**Please Choose Application Type:**

Voluntary Upgrade: \_\_\_\_\_ Addition/Alteration: \_\_\_\_\_ Failed System:  EIR: \_\_\_\_\_  
 Other: \_\_\_\_\_

Conservation Commission Approval Required: No:  Yes: \_\_\_\_\_ Date of CC Hearing: \_\_\_\_\_

**List All Variances from State & Local Codes**

Title 5, Section #	Description of Variance(s):
15.211(1)	LEACH AREA TO BE LESS THAN 20' FROM
	CELLAR WALL (VARIANCE OF 4').

In addition to this form, 8 packets of the following must be submitted by 4:00 p.m. on the filing deadline date:

- Letter to Board of Health
- Letter to abutters (bring certified mail receipts to the meeting)
- Copy of certified abutter list
- Existing variance letter (if applicable)
- Floor plans (all floors/existing & proposed)
- Site plan
- Filing Fee \$125.00 (Variance)/\$300.00 (EIR)

**BASS RIVER ENGINEERING**

Site Plans - Septic system design

**Thomas McLellan, P.E.**

Civil Engineer

May 24, 2021

Kathleen O'Neill, Sc.D., R.S.  
Harwich Health Director  
732 Main Street  
Harwich, MA 02645

RE: Variance requests for septic system upgrade.  
Ronald & Susan Webber  
79 Deep hole Road  
Harwich Port, MA

Dear Kathleen:

Ron Webber is in the process of upgrading the septic system at the above referenced site. The following variances from Title 5 and/or the Town of Harwich Regulations are requested:

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 4').

These variances become necessary due to the small lot size, (9,273 sf).

I feel that the septic system design, as shown on the enclosed plan, represents maximum feasible compliance with the regulations and is a substantial improvement when compared to the existing system.

We would appreciate being on the agenda for the next Board of Health hearing.

Sincerely,



Thomas McLellan, P.E.



May 24, 2021

Property abutter of:  
Ronald & Susan Webber  
79 Deep Hole Road  
Harwichport, MA

RE: Notification of property abutters, as required by State regulations.  
Variances are required for a septic system upgrade.  
Location of work: 79 Deep hole Road, Harwichport, MA

Dear Abutter:

A public hearing has been scheduled for the Harwich Board of Health to act on the application for variances from regulations of the Massachusetts Department of Environmental Protection, Title 5 and/or the Town of Harwich septic system regulations. The following variances are requested:

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 4').

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for 6-15-21 at 7:00 pm. Pursuant to Governor Baker's March 12 order suspending certain provisions of the open meeting law, G.L.c.30A, section 20, and the Governor's 3-15-20 order imposing strict limitation of 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. The agenda, including dial-in instructions, will be posted on the Town of Harwich website, [www.town.harwich.ma.us](http://www.town.harwich.ma.us).

Sincerely,

  
Thomas McLellan, P.E.



TOWN OF HARWICH, MA  
 BOARD OF ASSESSORS  
 732 Main Street, Harwich, MA 02645

Abutters List Within 50 feet of Parcel 25/R1-20/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
2967	25-N1-2-0-R	ROGERS MATTHEW L & ROGERS MARGARET M	86 DEEP HOLE RD	4 ROBERTA LN	QUINCY	MA	02170
3018	25-N6-3-0-R	WINER JOEL W & WINER LISA M	78 DEEP HOLE RD	2897 DEER CHASE LN	YORK	PA	17403
3034	25-R1-20-0-R	WEBBER RONALD C & WEBBER SUSAN M	79 DEEP HOLE RD	79 DEEP HOLE RD	HARWICH PORT	MA	02646
3035	25-R1-21-0-R	SKAHEN THOMAS C & SKAHEN SHARON A	4 LANTERN LN	11 CUSHING PL	CHELMSFORD	MA	01824
3038	25-R1-24-0-R	BOMBACI ELIZABETH G TR C/O BIERY ANDREW &	3 LANTERN LN	3 LANTERN LN	HARWICH PORT	MA	02646
3039	25-R1-25-0-R	CHASE STREET PROPERTIES INC	5 LANTERN LN	4 BATTERY WHARF UNIT 4411	BOSTON	MA	02109
3046	25-R2-0-R	DEEP HOLE ROAD REALTY LLC	81 DEEP HOLE RD	24 BROOK ST	E LONGMEADOW	MA	01116







V-C

**BOARD OF HEALTH MEETING- SITE SUMMARY  
JUNE 15, 2021**

To: Board of Health  
From: Kathleen O'Neill, Health Director  
Engineer: Jason C. Ellis, R.S.L.S.I.T/ J.C. Ellis Design Co. Inc.  
Owner: Harwich Associates c/o R. Hoerle, Stone Capital, LLC  
Applicant: Tony Lorusso  
Address: 17 Rocky Way

On behalf of the owner, Jason Ellis of J.C. Ellis Design Co. Inc. is applying for variances from the Harwich Board of Health Regulation 4.20 & 4.30

Variance from Harwich Board of Health Regulation 4.20-Distance to Impervious Layer

1. Per Harwich Board of Health Regulation 4.20: To allow the soil absorption system to be installed in an impervious layer

Variance from Harwich Board of Health Regulation 4.30-Thickness of Permeable Layer

1. Per Harwich Board of Health Regulation 4.30: To allow the soil absorption system to be installed in an impervious layer

The applicant is in the process of purchasing the vacant lot located at 17 Rocky Way and proposing to construct a new four (4) bedroom dwelling. Suitable soil conditions are less than favorable on the site and due to these conditions, the above variances are being requested to install the new septic system.

The Board of Health is not able to approve a variance for new construction in an environmentally sensitive area. Therefore, I recommend Option #3, denial of variance request at 17 Rocky Way. The denial does not do manifest injustice or create a hardship, as the lot was considered not to be suitable in 1998.

**SUGGESTED MOTIONS FOR BOARD CONSIDERATION**

**IF THE BOARD IS NOT READY TO VOTE, DO NOT CLOSE THE PUBLIC HEARING, BUT CONTINUE THE HEARING TO A DATE AND TIME CERTAIN (OPTION #1).**

**OPTION #1:** If the Board requires additional information, or wants to take the matter under advisement, the following motion is recommended: Move to continue the hearing for 17 Rocky Way to no earlier than 6:30/7 PM (depending on vote during work session) on \_\_\_\_\_ (Next meeting Date is July 20, 2021) for the following reason(s): *Need to provide reasons for the continuance- additional information, take under advisement, etc.*

**IF THE BOARD IS READY TO CLOSE THE PUBLIC HEARING AND VOTE:**

**OPTION #2:** Move to approve the variance request for 17 Rocky Way- Variance from Harwich Board of Health Regulation 4.20-Distance to Impervious Layer; Per Harwich Board of Health Regulation 4.20: To allow the soil absorption system to be installed in an impervious layer; Variance from Harwich Board of Health Regulation 4.30-Thickness of Permeable Layer; Per Harwich Board of Health Regulation 4.30: To allow the soil absorption system to be installed in an impervious layer.

With the following conditions:

- No further expansion of square footage, habitable space is allowed without further review of the Board of Health.
- The dwelling is restricted to four bedrooms maximum.
- The approval shall be recorded at the Barnstable County Registry of Deeds.

**OPTION #3:** Move to deny the variance request at 17 Rocky Way. The Board of Health does not have the provision to approve variances for new construction of vacant lots in and environmentally sensitive areas, the soil conditions do not meet the requirements of the Harwich Board of Health, and the denial does not do manifest injustice.

## HARWICH BOARD OF HEALTH REGULATIONS

### 4.20 DISTANCE TO IMPERVIOUS LAYER

The bottom interface of any subsurface disposal or leaching facilities shall be located a minimum of ten (10) feet above the elevation of an impervious soil layer. ***Impervious soil shall be defined as having a percolation rate of greater than 20 minutes per inch.***

### 4.30 THICKNESS OF PERMEABLE SOIL

A depth of at least four (4) feet of naturally occurring permeable soil shall be maintained below the bottom of the leaching area. ***To be considered permeable, the soil shall have a percolation rate of 20 minutes per inch or less.***

### BOARD OF HEALTH PRIORITIES FOR GRANTING VARIANCES- Page 38

- Be aware of the Regulations for environmentally sensitive areas (***no variances for new construction***, extensive scrutiny for expansions).

### PART I – ENVIRONMENTALLY SENSITIVE AREA

The following shall be considered environmentally sensitive areas by the Board of Health:

a. Land area (whether developed or not) that borders on, and is within one hundred feet (100') of marshland, tidal flats, coastal dunes, barrier beaches, coastal banks, coastal beaches, surface water, bog or inland wetland as identified by the Harwich Conservation Commission;

***b. Land area containing maximum groundwater elevation (adjusted) which is 6 feet (6') or less below natural ground surface elevation in the area of installation;***

c. Existing or known future water supplies, and

d. Terrestrial and/or aquatic plant/animal habitats of threatened or endangered species when certified by any agency that specializes in such taxonomy and/or environmental science.

Credibility of the certifying agency shall be determined by the Board of Health.

### PART II

***Environmental variances from septic Regulations shall not be granted in environmentally sensitive areas***, as defined in Part I above, except under exceptional circumstances. Failed systems and/or upgrading of existing systems shall be exempt from this Regulation, provided there is no additional sewage flow (i.e. additional bedrooms) and/or no significant increase in habitable space or change in use that, in the Board's judgment has the potential to increase sewage flow.



**310 CMR 15: STATE ENVIRONMENTAL CODE, TITLE 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage**

When full compliance pursuant to 310 CMR 15.404(1) is not feasible, the Approving Authority may issue a local upgrade approval authorizing upgrade of the system with the goal of maximizing protection of public health, safety, welfare and the environment to the maximum extent feasible. ***The following requirements shall not be varied by the Approving Authority except as explicitly set forth in 310 CMR 15.404(3)(b) and (d): (c) a minimum of four feet of naturally occurring pervious soil below the entire area of the soil absorption area and reserve area shall be provided;***

**15.415: Provisions from Which No Variance May be Granted**

***(1) No variance from the minimum requirement of four feet of naturally occurring pervious material set forth in 310 CMR 15.240(1) shall be granted for new construction.***

(2) For upgrade of systems, or increase of flow to existing systems, no variance from the minimum requirement of four feet of naturally occurring pervious material set forth in 310 CMR 15.240(1) shall be granted unless the applicant demonstrates that alternatives for siting an on-site system with four feet of naturally occurring pervious material or connection to a sanitary sewer or connection to a shared system are not feasible. Where no such alternatives are feasible, a variance to allow the repair or replacement in the disposal area with no less than two feet of naturally occurring pervious material may be considered upon the applicant's demonstration of the following: (a) evidence, the result of deep observation hole testing, that the four feet requirement cannot be met anywhere on the site; (b) evidence that easements to adjacent property on which a system in compliance with the four feet requirement could be installed have been requested and cannot be obtained; and (c) evidence that site testing to establish high ground-water elevation conducted in accordance with the procedures set forth in 310 CMR 15.103 has been conducted in conjunction with preparation of design plans and specifications for the repair or replacement of the system.

**15.410: Variances - Standard of Review**

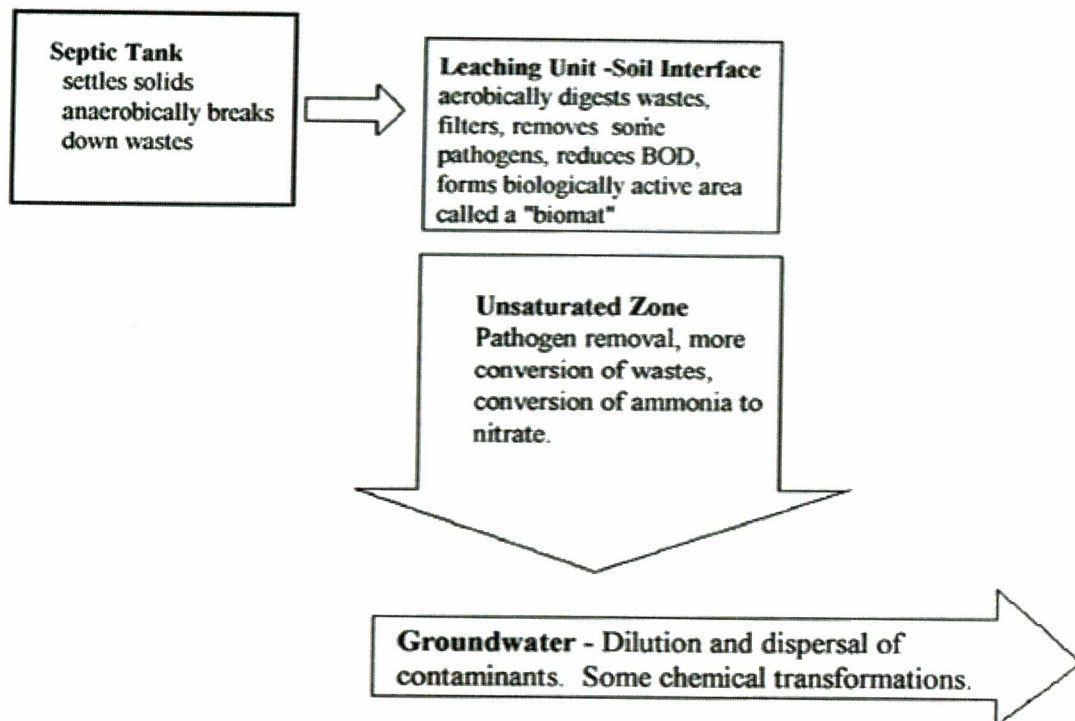
(1) Local Approving Authorities and the Department may vary the application of any provisions of 310 CMR 15.000 with respect to any particular case except those listed in 310 CMR 15.415. Variances for increased flow to existing systems shall be governed by the provisions of 310 CMR 15.414. Variances for schools shall be governed by the provisions of 310 CMR 15.416. Variances shall be granted only when, in the opinion of the Approving Authority: (a) The person requesting a variance has established that enforcement of the provision of 310 CMR 15.000 from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances of the individual case; and (b) The person requesting a variance has established that a level of environmental protection that is at least equivalent to that provided under 310 CMR 15.000 can be achieved without strict application of the provision of 310 CMR 15.000 from which a variance is sought.

(2) With regard to variances for new construction, enforcement of the provision from which a variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust.

## TITLE 5 SETBACKS & SEPARATIONS

<https://www.learntitle5.org/Module2.PDF>

The soil beneath a leaching facility is a matrix made up the grains of soil, the void spaces, moisture, and the organisms living on the surface of the soil grains. Treatment of the wastes occurs as it passes over and through the areas where the organisms have colonized. The number of organisms and their diversity depends on, among other factors, the moisture conditions, the amount of oxygen, the amount of food or nutrients, and the acidity.



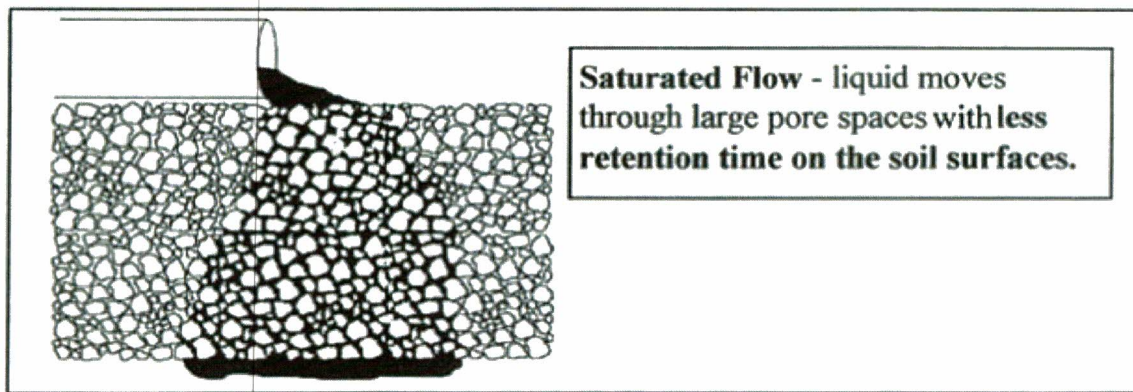
The second function of the biomat is to provide for unsaturated flow of effluent from the leaching components to the groundwater. Beneath the biomat in a properly designed leaching facility is at least 4-5 ft of permeable material prior to encountering groundwater. In this zone, in a decreasing gradient away from the bottom of the biomat, is a community of organisms that further break down the wastes aerobically (remember - in the presence of oxygen). The organisms in this area are thinly distributed over the soil particles. Many of these organism cannot exist in the "harsher" environment of the biomat and rely on the major strength of the sewage to be reduced there. For these communities to do their job properly, the effluent must pass over them in a thin layer or film. To support these beneficial communities of sewage digesting organisms, the void space between the soil particles must also allow for the passage of necessary air containing oxygen. When the void spaces between the grains of sand or other soil allows the passage of effluent, and also allows the majority of the space to contain air, we say that the flow through the soil is unsaturated. The biomat, which forms a restrictive layer across



the leaching component soil interface evens the flow across the entire infiltrative surface and provides for unsaturated flow beneath the leaching facility. In the process, limited ponding of effluent across the entire infiltrative surface occurs.

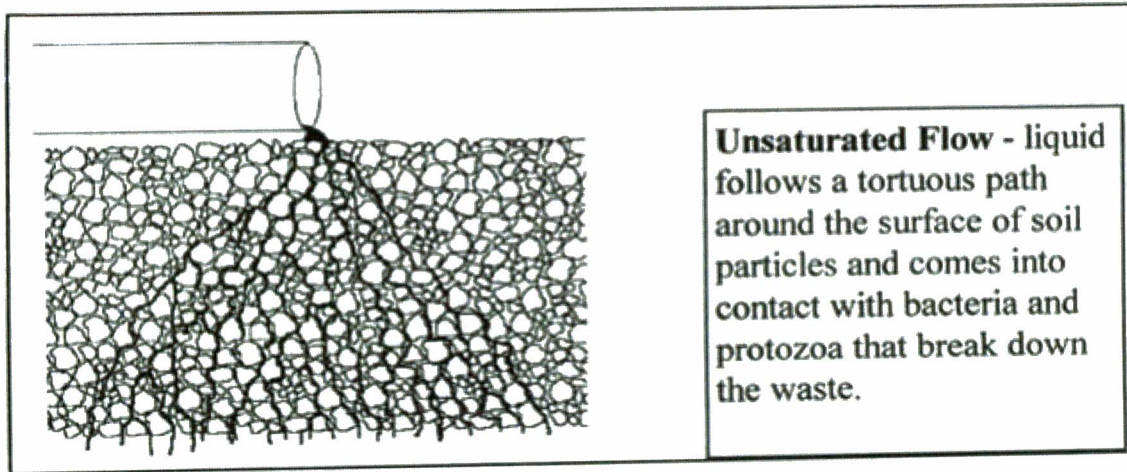
**THE OBJECTIVE OF A LEACHING FACILITY IS TO PROVIDE UNSATURATED FLOW OF EFFLUENT TO THE GROUNDWATER THE OBJECTIVE OF A LEACHING FACILITY IS TO PROVIDE UNSATURATED FLOW OF EFFLUENT TO THE GROUNDWATER**

The reason for this performance objective is that **unsaturated flow of effluent through soils offers superior treatment**. Again, unsaturated flow results in superior treatment because the effluent passes in a thin film over the biologically-active surface of the soil particles where it receives maximum exposure to attached microorganisms. During saturated flow, effluent fills the voids of the receiving soil and allows particulate contaminants (such as bacteria and viruses) to pass untreated through the large passageways between the soil particles. Since most of the biological activity that transforms and treats wastes occurs in the thin surface film of the soil particles, large passageway flow minimizes the treatment.



In unsaturated flow, the effluent passes through a tortuous path over the soil particles. Bacteria and protozoa that grow on the soil particles come in contact with the effluent and break the wastes down. A key thing to remember is that unsaturated flow exposes the effluent to the biologically active sites on the soil surfaces that transform the wastes and reduces the pathogens.

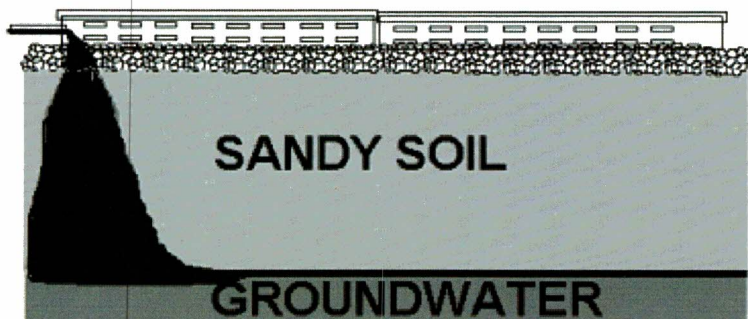




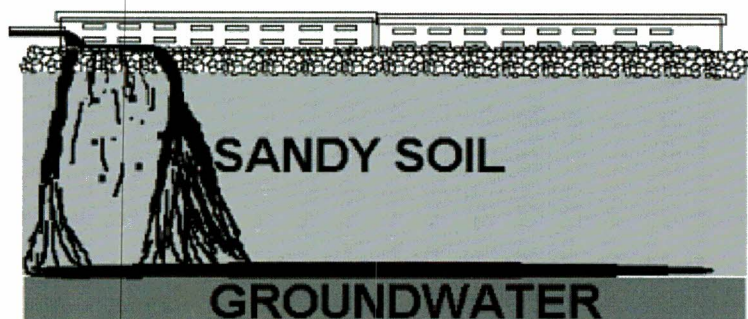
So, how can we achieve aerobic and unsaturated flow beneath the soil absorption system ? It's actually quite simple. Spread smaller amounts of effluent per given area, closer to the surface of the ground where air exchange is more likely. Sound familiar ? It should! Recent revisions to Title 5 requiring shallower profile systems within three feet of the surface , with greatly reduced loading rates (Section 310 CMR 15.242: LTAR - Effluent Loading Rates) are designed to encourage aerobic unsaturated flow. The reduction in allowable loading rates is a large step toward recognizing the need for treatment in addition to mere disposal.

Since Unsaturated Conditions Beneath the Leaching Facility Are So Essential to Good Treatment, How do Septic Systems that Conform to the Revised Title 5 Promote the Necessary Unsaturated Flow Beneath their Leaching Facility?

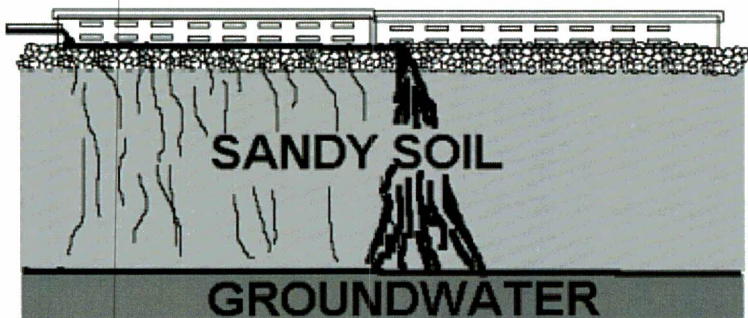
We have seen that in order to get the most out of the soil absorption system relative to treatment, the septic tank effluent must be evenly distributed over the maximum amount of infiltrative surface. Does this happen in a regular gravity-fed leachfield? Yes and No! Even in the best constructed gravity-fed system, effluent in a newly-constructed system spills out onto only a limited portion of the infiltrative surface area. As the biomat forms, that limited area becomes somewhat clogged and less infiltrative, and the effluent spills to adjacent areas. This process continues until the entire infiltrative surface of the soil absorption system seals to some extent. This process has been variously called progressive maturation, progressive clogging, progressive biological mat formation, and even progressive "failure".



**Early stage of biomat formation, still resulting in uneven and locally high hydraulic loading.**



**Still later stage of progressive biomat formation, continuing to show some areas of high hydraulic loading. Some flow is evened out by passage through existing biomat.**



**Idealized final stage of biomat formation. Ideally, the biomat covers the entire infiltrative surface, evening out the vertical flow to groundwater, yet not being hydraulically restrictive to the point where there is excessive ponding of effluent on top of the biomat.**

In gravity-fed systems, unsaturated flows beneath the leaching facility are supposedly maintained by the uniform restrictive action of the biomat. The biomat evens and slows the vertical flow through the system when it completely covers the infiltrative surface. In ideal situations, the continual addition of cells, organisms and byproducts to the biomat is balanced by the breakdown and digestion of dead cell mass and byproducts. Ideally ponding in the system is maintained at a minimum, which promotes the continuance of aerobic conditions. Under these conditions the biomat remains "healthy"; digesting and recycling the dead biomass, at the same

rate that new biomass is added during the waste-digestion process. This principle forms the basis of the long term acceptance rate (LTAR) referred to in Section 15.242 LTAR - Effluent Loading Rates. A logical question arising from this discussion is "How long does it take the biomat to mature?" The answer depends on the strength of the sewage, the soil characteristics, and other factors. Many have speculated that in general six months up to one or two years may be necessary to form a "mature" biomat. What happens in the meantime? Higher hydraulic loadings in certain sections of the system occur until the vertical flows are evened by the biomat, with less residence time of effluent in the treatment zone, and possibly saturated flow to the groundwater. In some situations, it is unlikely that the previously described scenario of a progressive biomat formation that ultimately results in a stable biomat and even unsaturated flow to the groundwater, will occur.



**COASTAL  
ENGINEERING**  
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260 Cranberry Highway  
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Orleans, MA 02653

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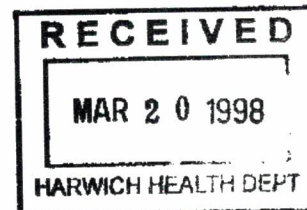
exists to help our clients achieve their goals. We do this by understanding our clients' needs; by understanding the issues that impact their projects; and by providing appropriate consulting, engineering and surveying solutions.

March 19, 1998

**COPY**

File No.: C14-599

Mr. David A. Hoerle  
P.O. Box 1023  
N. Eastham, MA 02651



**RE: Soil Test Report**  
17 **Rocky Way**  
**Harwich, MA**  
**Map: 39 Parcel: A17-9**

Dear Mr. Hoerle,

Attached please find results of subsurface soil testing performed at the above noted location. Approximate location of deep observation holes are shown, along with logs of soil types, percolation data and depth to water if encountered.

Soils encountered in deep observation holes 1 and 2 are unsuitable for the disposal of subsurface sewage as determined in the enclosed report

Additional soil testing is required to determine if there are suitable soils on Parcel A17-9.

If you have any questions, please do not hesitate to contact our office.

Very truly yours,

COASTAL ENGINEERING CO., INC.

John G. Schnaible, R.S.

JGS/mp

Enclosure



260 Cranberry Highway \* Route 6A  
Orleans, MA 02653  
Ph: (508) 255-6511 Fax: (508) 255-6700

File No: C14-599Date: 3/17/98

Commonwealth of Massachusetts  
Harwich, Massachusetts

**Soil Suitability Assessment for On-site Sewage Disposal**Performed by: John G. SchnaibleWitnessed by: Herbert Schnitzer

<b>Location Address or</b> <b>Lot #:</b> <u>Map 39, Parcel A17-9</u> <u>17 Rocky Way, Lot 9</u>	<b>Owner's Name</b> <u>David A. Hoerle</u> <b>Address:</b> <u>P.O. Box 1023</u> <u>N. Eastham, MA 02651</u> <b>Telephone #</b>
---	---

New Construction  Repair Office Review

Published Soil Survey Available: No  Yes   
 Year Published: 1993 Publication Scale: 1:25000 Soil Map Unit: DeA  
 Drainage Class: Moderately Well Drained Soil Limitations: Poor Filter

Surficial Geologic Report Available: No  Yes   
 Year Published: 1969 Publication Scale: 1:24000  
 Geologic Material (Map Unit): Ohw Harwich Outwash Plains  
 Landform: Outwash Plain

## Flood Insurance Rate Map:

Above 500 year flood boundary No  Yes   
 Within 500 year flood boundary No  Yes   
 Within 100 year flood boundary No  Yes

## Wetland Area:

National Wetland Inventory (map unit) Upland  
 Wetlands Conservancy Program Map (map unit) --

Current Water Resource Conditions (USGS): \_\_\_\_\_ Month: February  
 Range: Above Normal  Normal  Below Normal

Other References Reviewed: \_\_\_\_\_

On-site ReviewDeep Hole Number: 1 Date: 3/10/98 Time: 10:00 Weather: SunnyLocation (identify on site plan) Middle of LotLand Use: Residential Slope (%): 0-3 Surface Stones: NoneVegetation Pine and Oak TreesLandform Outwash PlainPosition on landscape (sketch on the back): See Sketch

Distances from:

Open Water Body	<u>200+</u> feet	Drainageway	<u>150±</u> feet
Possible Wet Area	<u>170±</u> feet	Property Line	<u>10±</u> feet
Drinking Water Well	<u>200+</u> feet	Other	_____

DEEP OBSERVATION HOLE LOG					
Depth from Surface (Inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
<u>0" - 4"</u>	<u>O</u>				
<u>4" - 12"</u>	<u>A</u>	<u>Sandy Loam</u>	<u>10 YR 2/1</u>		
<u>12" - 24"</u>	<u>B</u>	<u>Sandy Loam</u>	<u>10 YR 4/6</u>		
<u>24" - 150"</u>	<u>C</u>	<u>Sandy Loam</u>	<u>2.5 Y 5/4</u>	<u>Mottling @ 36"</u>	

Parent Material (geologic) Proglacial Outwash Depth to Bedrock: 200'+  
 Depth to Groundwater: Standing Water in the Hole: None Weeping from Pit Face: 60"  
 Estimated Seasonal High Ground Water: 36"



On-site ReviewDeep Hole Number: 2 Date: 3/10/98 Time: 10:45 Weather: SunnyLocation (identify on site plan) Middle of LotLand Use: Residential Slope (%): 0-3 Surface Stones: NoneVegetation Pine and Oak TreesLandform Outwash PlainPosition on landscape (sketch on the back): See Sketch

## Distances from:

Open Water Body 200+ feetPossible Wet Area 170± feetDrinking Water Well 200+ feetDrainageway 170± feetProperty Line 20± feet

Other \_\_\_\_\_

## DEEP OBSERVATION HOLE LOG

Depth from Surface (Inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0" - 1"	O				
1" - 7"	A	Sandy Loam	10 YR 3/2		
7" - 22"	B	Sandy Loam	10 YR 5/6		
22" - 30"	C1	Loamy Sand	2.5 Y 5/4	Mottling @ 30"	
30" - 113"	C2	Silt Loam w/Sand Pockets	2.5 Y 5/4		
113" - 175"	C3	Silt Loam	Gley 2 4/5 PB		

Parent Material (geologic) Proglacial Outwash Depth to Bedrock: 200'+Depth to Groundwater: \_\_\_\_\_ Standing Water in the Hole: None Weeping from Pit Face: 24"Estimated Seasonal High Ground Water: 30"

Location Address or Lot No. Lot 9, Rocky Way

COMMONWEALTH OF MASSACHUSETTS  
Harwich , Massachusetts

PERCOLATION TEST*		
Date: <u>3/10/98</u>		Time: _____
Observation Hole #	<u>1</u>	<u>2</u>
Depth of Perc	<u>36"</u>	<u>-</u>
Start Pre-soak	<u>0:00</u>	<u>-</u>
End Pre-soak	<u>15:00</u>	
Time at 12"	<u>-</u>	
Time at 9"	<u>-</u>	
Time at 6"	<u>-</u>	
Time (9" - 6")	<u>-</u>	
Rate Min./Inch	<u>-*</u>	

*\* Minimum of 1 percolation test must be performed on both the primary area AND reserve area.*

Site Passed  Site Failed

Performed by: John G. Schnaible

Witnessed by: Herbert Schnitzer

Comments: \* Percolation test could not be performed due to soil saturation.



260 Cranberry Highway \* Route 6A  
Orleans, MA 02653  
Ph: (508) 255-6511 Fax: (508) 255-6700

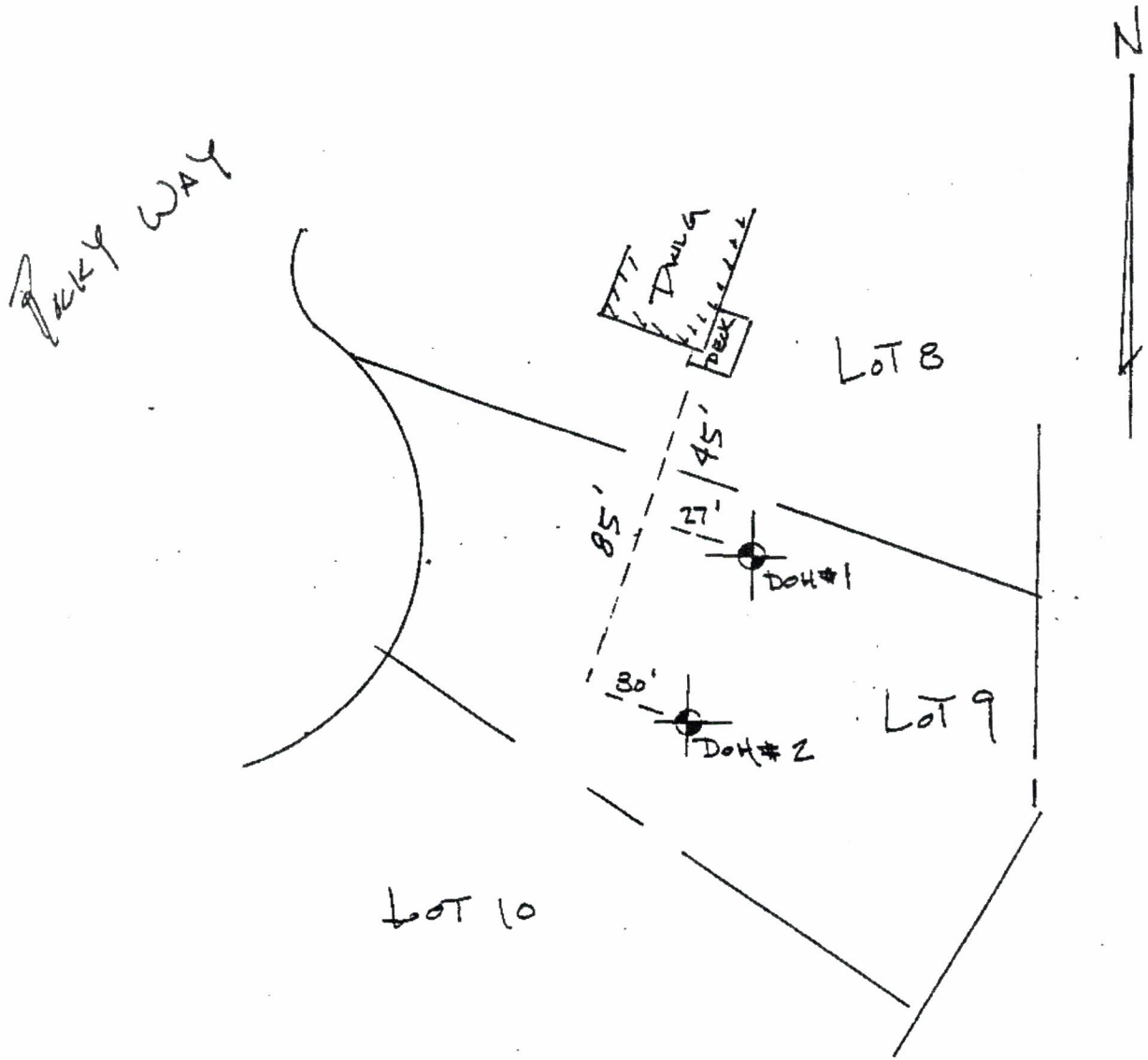
Job C14-599

Sheet No 4 Of 5

Calculated by: JGS Date: 3/16/98

Scale 1" = 40'

SKETCH PLAN SHOWING DEEP OBSERVATION HOLE LOCATIONS:





Determination for Seasonal High Water Table

Method Used:

- Depth observed standing in observation hole \_\_\_\_\_ inches
- Depth weeping from side of observation hole \_\_\_\_\_ inches
- Depth to soil mottles 30 inches (DOH #2)
- Ground water adjustment \_\_\_\_\_ feet

Index Well Number \_\_\_\_\_ Reading Date \_\_\_\_\_ Index well level \_\_\_\_\_

Adjustment Factor \_\_\_\_\_ Adjusted ground water level \_\_\_\_\_

Depth of Naturally Occurring Pervious Material

Does at least four feet of naturally occurring pervious material exist in all areas observed throughout the area proposed for the soil absorption system?

NO

If not, what is the depth of naturally occurring pervious material?

None (further testing required)

Certification

I certify that on 5/9/95 (date) I have passed the examination approved by the Department of Environmental Protection and that the above analysis was performed by me consistent with the required training, expertise and experience described in 310 CMR 15.017.

Signature \_\_\_\_\_ Date 5/17/98



# TOWN OF HARWICH BOARD OF HEALTH

## SOIL LOG

WEATHER <sup>PARTLY</sup> SUNNY / 45°

CLIENT \_\_\_\_\_  
 ADDRESS LOT 9  
17 ROCKY WAY  
HARWICH  
 LOCUS OFF GREAT WESTERN  
 \_\_\_\_\_  
 ASSESSORS MAP 39 PARCEL A-17-9

DATE 3/10/98 TIME 10:00  
H88 BOARD OF HEALTH  
COASTAL/JOHN ENGINEER  
REYNOLDS/JOE EXCAVATOR  
 BEDROOMS \_\_\_\_\_ EXPANSION ATTIC \_\_\_\_\_  
 TOWN WATER  PRIVATE WELL \_\_\_\_\_  
 GARBAGE DISPOSAL \_\_\_\_\_

### DEEP OBSERVED BOREHOLE LOG

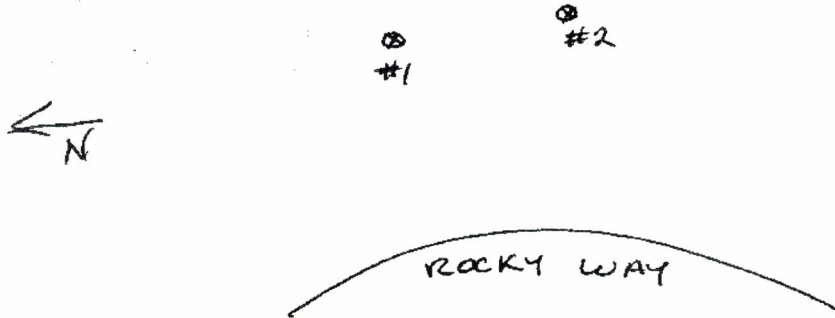
Depth from surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency % gravel)
<b>Test Hole # 1</b>					
0-4	O				
4-12	A	SANDY LOAM	10YR 2/1		
12-24	B	SANDY LOAM	10YR 4/6		
24-150	C	SANDY LOAM	2.5Y 5/4	@ 36 IN	MOIST AT 36 IN
WEEPING Ground water 60 yes <input checked="" type="checkbox"/> no <input type="checkbox"/>					
<b>Test Hole # 2</b>					
0-1	O				
1-7	A	SANDY LOAM	10YR 3/2		
7-22	B	SANDY LOAM	10YR 5/6		
22-32	C <sub>1</sub>	SANDY LOAM	2.5Y 5/4	@ 30 IN	
32-113	C <sub>2</sub>	SILT LOAM			SANDY POCKETS
113-175	C <sub>3</sub>	SILT LOAM			BLUE 4/5 P B G L E Y
WEEPING Ground water 24 yes <input checked="" type="checkbox"/> no <input type="checkbox"/>					

OFFICE USE: FEE 60 PAID

COMPUTER LOG

"GREEN CARD"

4  
SKETCH



Percolation Test

Date: 3/10/98

Time: 10:30

Observation Hole #	1	2
Depth of Perc	36 IN	NO PERC
Start Pre-soak	0	
End Pre-soak	715 MIN - 6 GAL - NO PROX	
Time at 12 "	PERC ABANDONED	
Time at 9 "		
Time at 6 "		
Time (9" - 6")		
Rate Min./Inch		

Site Suitability Assessment:  Site Passed  Site Failed

Additional Testing Needed:

Performed By: J SCHNAIBLER

Certification Number: \_\_\_\_\_

Witnessed By: H SCHNITZER

Comments: \_\_\_\_\_





# TOWN OF HARWICH BOARD OF HEALTH

## SOIL LOG

WEATHER Cloudy w/RAIN

CLIENT DAVID HUERLE

DATE 12-30-05 TIME 10:00

ADDRESS \_\_\_\_\_  
15 Rocky Way (Lot 9)

JANE EVANS, R.S. BOARD OF HEALTH  
ERIC WILLIAMS, JASON ELLIS ENGINEER  
MINOT REYNOLDS EXCAVATOR

LOCUS HARWICH CENTER

BEDROOMS \_\_\_\_\_ EXPANSION ATTIC \_\_\_\_\_

ASSESSORS MAP 39 PARCEL A17-9

TOWN WATER  PRIVATE WELL \_\_\_\_\_

GARBAGE DISPOSAL \_\_\_\_\_

VACANT LOT

### DEEP OBSERVATION HOLE LOG

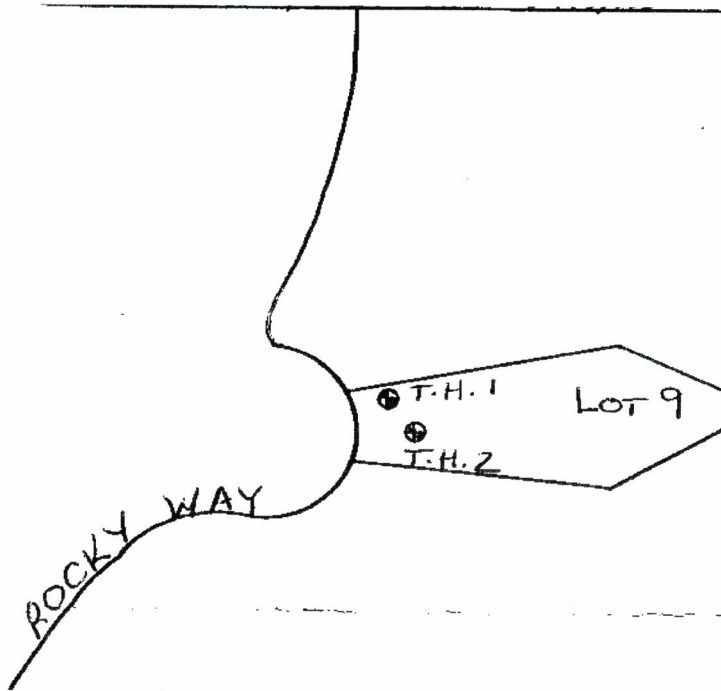
Depth from surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency % gravel)
Test Hole # <u>1</u> 0"-13"	<u>A</u>	<u>LOAMY SAND</u>	<u>10YR 3/3</u>	<u>NONE</u>	<u>FINE GRAIN SAND</u>
13"-22"	<u>B</u>	<u>LOAMY SAND</u>	<u>10YR 4/6</u>	<u>NONE</u>	<u>MEDIUM GRAIN SAND</u>
22"-51"	<u>C<sub>1</sub></u>	<u>MEDIUM TO COARSE GRAIN SAND</u>	<u>10YR 5/8</u>	<u>NONE</u>	<u>LOAM + SILT CONTENT</u>
51"-108"	<u>C<sub>2</sub></u>	<u>SANDY LOAM</u>	<u>2.5Y 5/6</u>	<u>NONE</u>	
108"-192"	<u>C<sub>3</sub></u>	<u>SLTY LOAM</u>	<u>2.5Y 6/4</u>	<u>NONE</u>	
<u>PERCHED WATER LOCATED 147" BELOW GRADE</u>					Ground water      yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
Test Hole # <u>2</u> 0"-13"	<u>A</u>	<u>LOAMY SAND</u>	<u>10YR 3/3</u>	<u>NONE</u>	<u>FINE GRAIN SAND</u>
13"-22"	<u>B</u>	<u>LOAMY SAND</u>	<u>10YR 4/6</u>	<u>NONE</u>	<u>MEDIUM GRAIN SAND</u>
22"-38"	<u>C<sub>1</sub></u>	<u>MEDIUM TO COARSE GRAIN SAND</u>	<u>10YR 5/8</u>	<u>NONE</u>	<u>SILT + LOAM CONTENT</u>
38"-78"	<u>C<sub>2</sub></u>	<u>SANDY LOAM</u>	<u>2.5Y 5/6</u>	<u>NONE</u>	
78"-140"	<u>C<sub>3</sub></u>	<u>SILTY LOAM</u>	<u>2.5Y 6/4</u>	<u>NONE</u>	
140"-180"	<u>C<sub>4</sub></u>	<u>CLAY</u>	<u>10YR 4/5</u>	<u>NONE</u>	
<u>PERCHED WATER LOCATED 102" BELOW GRADE</u>					Ground water      yes <input type="checkbox"/> no <input checked="" type="checkbox"/>

OFFICE USE: FEE \_\_\_\_\_

COMPUTER LOG \_\_\_\_\_

"GREEN CARD" \_\_\_\_\_

SKETCH



Percolation Test

Date: 12/30/05

Time: 10:00

Observation Hole #	1	2
Depth of Perc MEASURED TO BOTTOM OF PERC HOLE	30" BELOW GRADE	36" BELOW GRADE
Start Pre-soak	00:00:00	00:00:00
End Pre-soak	00:15:00	00:15:00
Time at 12"	00:00:00	00:00:00
Time at 9"	01:06:05	02:13:30
Time at 6"	02:20:30	04:19:30
Time (9" - 6")	74 MINUTES; 25 SECONDS	126 MINUTES; 0 SECONDS
Rate Min./ Inch	22 MINUTES PER INCH	42 MINUTES PER INCH

Site Suitability Assessment:  Site Passed  Site Failed

Additional Testing Needed: NO

Performed By: ERIC WILLIAMS & JASON ELLIS

Certification Number: \_\_\_\_\_

Witnessed By: JANE EVANS, R.S.

Comments: \_\_\_\_\_





# TOWN OF HARWICH BOARD OF HEALTH

## SOIL LOG

WEATHER OVERCAST 50°F

CLIENT \_\_\_\_\_

DATE Feb 25/08 TIME 10.30

ADDRESS 17 ROCKY WAY

LISA LYONS BOARD OF HEALTH

R WILCOX (SWEETSER) ENGINEER

BRIAN MONTERO EXCAVATOR

LOCUS \_\_\_\_\_

BEDROOMS \_\_\_\_\_ EXPANSION ATTIC \_\_\_\_\_

TOWN WATER \_\_\_\_\_ PRIVATE WELL \_\_\_\_\_

ASSESSORS MAP 39 PARCEL A17-9

GARBAGE DISPOSAL \_\_\_\_\_

### DEEP OBSERVATION HOLE LOG

Depth from surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency % gravel)
Test Hole # <u>3</u>					
0-11	A	LS	10YR 4/1		coarse some sand (use mottles)
11-33	B	LS	10YR 7/4	48"	
33-58	C <sub>1</sub>	LS	2.5Y 7/3	7.5YR 4/6	
58-120	C <sub>2</sub>	silt L	2.5Y 7/1		
Ground water <u>64"</u> yes <input checked="" type="checkbox"/> no <input type="checkbox"/>					
Test Hole # <u>4</u>					
0-7	A	LS	10YR 4/1		(use H <sub>2</sub> O)
7-30	B	LS	10YR 7/4		
30-44	C <sub>1</sub>	LS	2.5Y 7/3		
44-120	C <sub>2</sub>	silt L	2.5Y 7/1	yes.	
Ground water <u>40"</u> yes <input checked="" type="checkbox"/> no <input type="checkbox"/>					

OFFICE USE: FEE \_\_\_\_\_

COMPUTER LOG \_\_\_\_\_

"GREEN CARD" \_\_\_\_\_



SKETCH

*Percs done previously.*

### Percolation Test

Date: \_\_\_ / \_\_\_ / \_\_\_

Time: \_\_\_\_\_

Observation Hole #		
Depth of Perc		
Start Pre-soak		
End Pre-soak		
Time at 12 "		
Time at 9 "		
Time at 6 "		
Time (9 " - 6 ")		
Rate Min./ Inch		

Site Suitability Assessment : \_\_\_ Site Passed  Site Failed

Additional Testing Needed : \_\_\_\_\_

Performed By : \_\_\_\_\_

Certification Number : \_\_\_\_\_

Witnessed By : \_\_\_\_\_

Comments : \_\_\_\_\_



**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

Office Use Only	
Filing Fee Paid/Amount:	\$125-
Check #/Cash:	7814
Date App Received:	6/2/21
Meeting Date:	6/15/21
Date Approved:	
Date Denied:	
Reason for Denial:	

**Application for Board of Health Variances**

Date: June 2, 2021

Property Address: 17 Rocky Way

Map: 39 Parcel: A-17-9

Book: 4098 Page: 136 Land Court No: \_\_\_\_\_

Name of Applicant: Tony Lorusso

Applicant Mailing Address: 35 Lisa Drive

Wrentham MA 02093

City State Zip Code

Applicant Telephone Number: \_\_\_\_\_

Applicant E-Mail Address: \_\_\_\_\_

Owner(s) of Record: Harwich Associates - c/o R. Hoerle, Stone Capital LLC

Owner(s) Mailing Address: 551 Fifth Avenue - 33rd Floor

New York NY 10176

City State Zip Code

Design Engineer/Sanitarian: Jason C. Ellis R.S. L.S.I.T.

Firm/Company Name: J.C. Ellis Design Co. Inc.

Mailing Address: P.O. Box 81

North Eastham MA 02651

City State Zip Code

Telephone Number: 508-240-2220

Design Engineer/Sanitarian E-Mail Address: jason@jcellisdesign.com



**Please Choose Application Type:**

Voluntary Upgrade: \_\_\_\_ Addition/Alteration: X Failed System: \_\_\_\_ EIR: \_\_\_\_  
 Other: New Construction

Conservation Commission Approval Required: No: X Yes: \_\_\_\_ Date of CC Hearing: \_\_\_\_\_

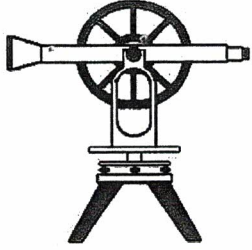
**List All Variances from State & Local Codes**

Title 5, Section #	Description of Variance(s):
Harwich Reg. #	Description of Variance(s):
4.20	Distance to Impervious Layer
4.30	Distance of Impervious Layer

In addition to this form, 8 packets of the following must be submitted by 4:00 p.m. on the filing deadline date:

- Letter to Board of Health
- Letter to abutters (bring certified mail receipts to the meeting)
- Copy of certified abutter list
- Existing variance letter (if applicable)
- Floor plans (all floors/existing & proposed)
- Site plan
- Filing Fee \$125.00 (Variance)/\$300.00 (EIR)





# J.C. ELLIS DESIGN COMPANY, INC.

SEPTIC SYSTEM DESIGN & ENGINEERING – SEPTIC INSPECTION –  
SITE PLANNING – WETLAND CONSULTATION & PERMITTING  
P.O. BOX 81, NORTH EASTHAM, MA 02651 PHONE 508-240-2220 FAX 508-240-2221  
EMAIL [jcellisdesign@verizon.net](mailto:jcellisdesign@verizon.net)

May 26, 2021

Harwich Board of Health  
732 Main Street  
Harwich, MA 02645

**Re: Variance Requests – Septic System Installation**  
**Tony Lorusso**  
**17 Rocky Way, Harwich, MA**  
**Assessor's Map 39 Parcel A17-9**

Dear Board Members,

Mr. Lorusso is in the process of purchasing the lot referenced above and proposing to construct a new 4 bedroom dwelling. Suitable soil conditions are less than favorable on the site, and due to these conditions, the following variance is requested to install the new septic system:

Specifically, the following 2 variances are sought to install the new septic system.

Harwich Board of Health Regulation 4.20 – Distance to Impervious Layer

1. Leaching facility to be installed in an “impervious layer”.

Harwich Board of Health Regulation 4.30 – Thickness of Permeable Layer

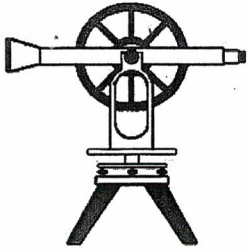
2. Leaching facility to be installed in an “impervious layer”.

Thank you for your attention to this matter.

Sincerely,

Jason C. Ellis, R.S., L.S.I.T.  
J.C. Ellis Design Co., Inc.

Cc: file



# J.C. ELLIS DESIGN COMPANY, INC.

SEPTIC SYSTEM DESIGN & ENGINEERING – SEPTIC INSPECTION –  
SITE PLANNING – WETLAND CONSULTATION & PERMITTING

P.O. BOX 81, NORTH EASTHAM, MA 02651 PHONE 508-240-2220 FAX 508-240-2221  
EMAIL [jcellisdesign@verizon.net](mailto:jcellisdesign@verizon.net)

May 26, 2021

**Re: Variance Requests – Septic System Installation  
Tony Lorusso  
17 Rocky Way, Harwich, MA  
Assessor's Map 39 Parcel A17-9**

Dear Abutter,

Mr. Lorusso is in the process of purchasing the lot referenced above and proposing to construct a new 4 bedroom dwelling. Suitable soil conditions are less than favorable on the site, and due to these conditions, the following variance is requested to install the new septic system:

Specifically, the following 2 variances are sought to install the new septic system.

Harwich Board of Health Regulation 4.20 – Distance to Impervious Layer

1. Leaching facility to be installed in an “impervious layer”.

Harwich Board of Health Regulation 4.30 – Thickness of Permeable Layer

2. Leaching facility to be installed in an “impervious layer”.

The Harwich Board of Health will hold a public hearing to consider these variance requests on Tuesday, June 15, 2021, at 7:00 p.m. in the Donn B. Griffin Room in Harwich Town Hall, located at 732 Main Street, Harwich. If you are interested in attending the hearing, please confirm the hearing date, time and location with the Harwich Health Department at 508-430-7509.

Pursuant to Governor Baker's March 12, 2020 Order Suspending certain provisions of the Open Meeting Law, G.L. c. 30A, section 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. The agenda, including dial-in instructions, will be posted on the Town of Harwich website: [www.town.harwich.ma.us](http://www.town.harwich.ma.us)

Thank you for your attention to this matter.

Sincerely,

Jason C. Ellis, R.S., L.S.I.T.  
J.C. Ellis Design Co., Inc.

Cc: file

TOWN OF HARWICH, MA  
 BOARD OF ASSESSORS  
 732 Main Street, Harwich, MA 02645

Abutters List Within 50 feet of Parcel 39/A17-9/0

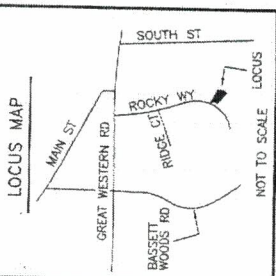


Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
4076	39-A17-8-0-R	BORNAS MARK J & BORNAS JENNIFER J	21 ROCKY WAY	21 ROCKY WAY	HARWICH	MA	02645
4077	39-A17-9-0-R	HARWICH ASSOCIATES	17 ROCKY WAY	C/O R HOERLE, STONE CAPITAL LLC 551 FIFTH AVE - 33RD FLOOR	NEW YORK	NY	10176
9216	39-A17-10-0-R	BANFORD RICHARD F & BANFORD SHIRLEY A	15 ROCKY WAY	15 ROCKY WAY	HARWICH	MA	02645
9217	39-A17-11-0-R	CHARRAN BIBI & C/O CHARRAN BIBI SHAMEEZA &	9 ROCKY WAY	9 ROCKY WAY	HARWICH	MA	02645
4088	39-A17-24-0-R	WILLOW RIDGE ASSOCIATION INC C/O ROBERT HOERLE	0 ROCKY WAY	12 WAGON LN	HYANNIS	MA	02601

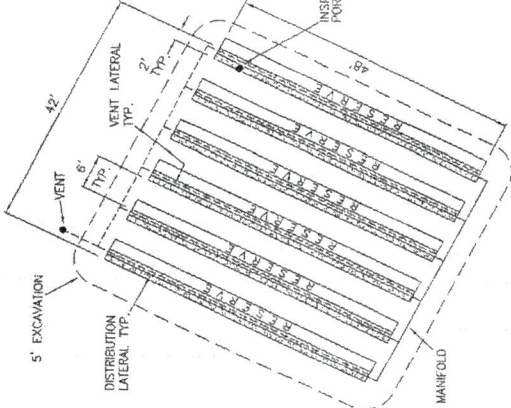
*Low*



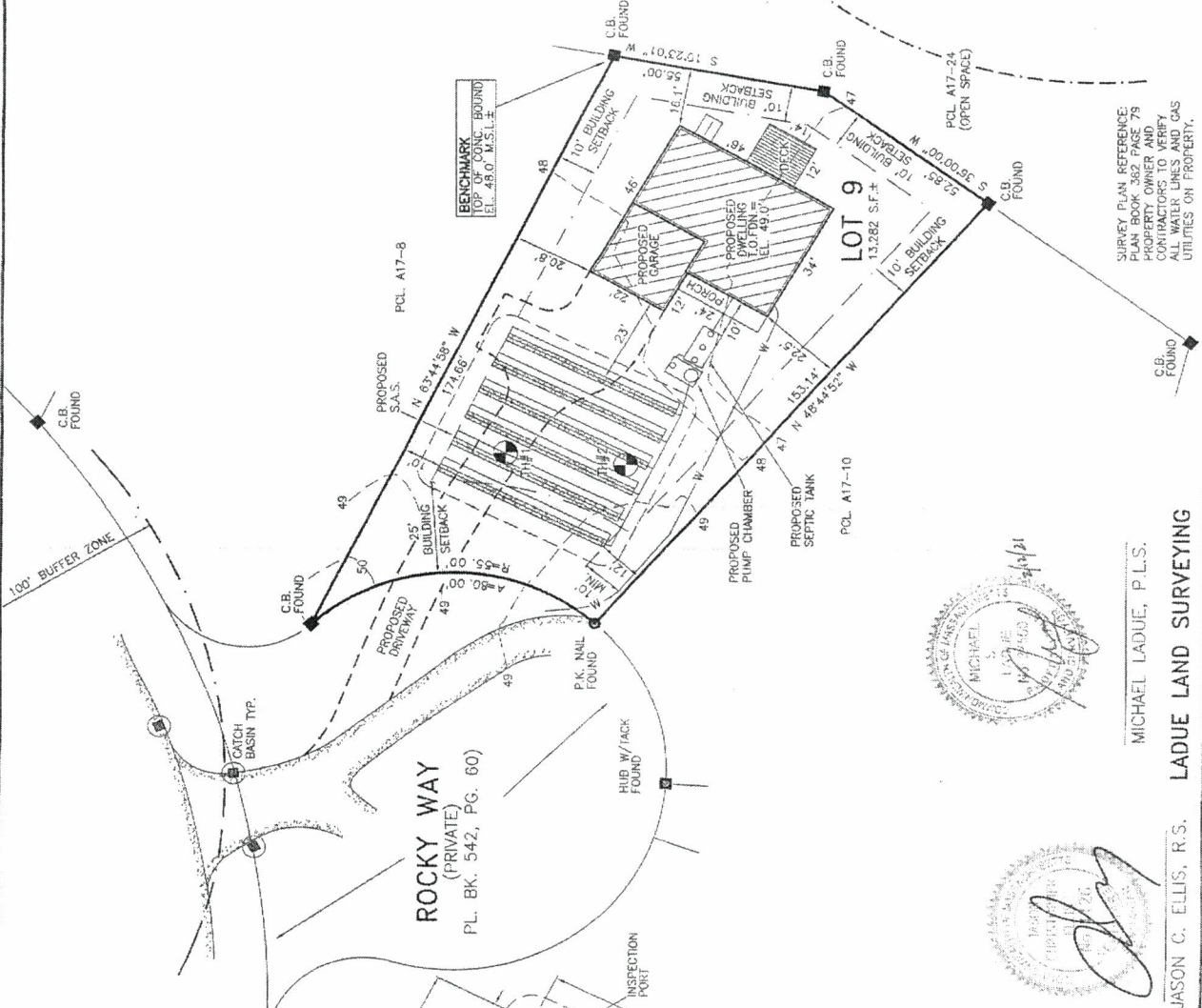
SUBMISSION DATE: DECEMBER 6, 1983  
 ZONING DISTRICT: R-4  
 MAXIMUM BUILDING HEIGHT = 30'  
 FRONT SETBACK = 25'  
 SIDE & REAR SETBACK = 10'  
 MAXIMUM BUILDING COVERAGE = 20%  
 PROPOSED BUILDING = 2,146 S.F.  
 PROPOSED BUILDING COVERAGE = 16.2%



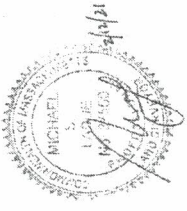
NOT TO SCALE



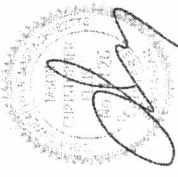
S.A.S. DETAIL



<b>SEPTIC SYSTEM DESIGN PLAN</b>	
SUBJECT:	17 ROCKY WAY HARWICH, MA
PREPARED FOR:	TONY LORUSSO NORFOLK, MA 02056
ASSESSOR'S MAP 39, PARCEL A17-9	SCALE: 1"=30'
DATE: FEBRUARY 8, 2021	SHEET 1 OF 2

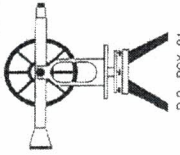


MICHAEL LADUE, P.L.S.



JASON C. ELLIS, R.S.

LADUE LAND SURVEYING



J.C. ELLIS DESIGN

P.O. BOX 81  
 NORTH EASTHAM, MA 02651  
 (508)240-2220  
 jellison@jellisdesign.com

SURVEY PLAN REFERENCE:  
 PLAN BOOK 362 PAGE 79  
 PROPERTY OWNER AND  
 CONTRACTORS TO VERIFY  
 ALL WATER LINES AND GAS  
 UTILITIES ON PROPERTY.



ISOLATED WETLAND

PCL A18-4 (VACANT)

100' BUFFER ZONE

PCL A17-24 (OPEN SPACE)

PCL A17-10

PCL A17-8

PCL A17-24

PCL A17-10

PCL A17-8

PCL A17-24

PCL A17-10

PCL A17-8

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PCL A17-10

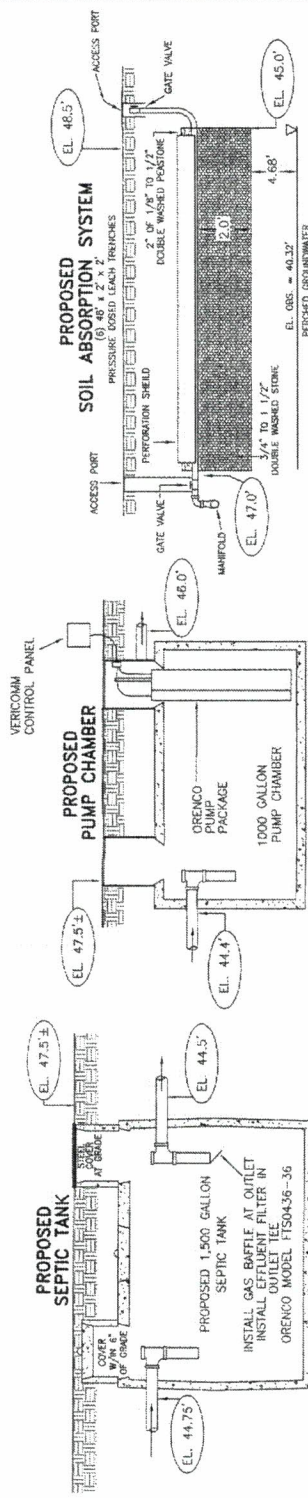
PCL A17-8

PCL A17-24

PCL A17-10

# SECTION DETAIL - COMPONENTS

NOT TO SCALE



VERICOMM CONTROL PANEL  
 ORENGO PUMP PACKAGE  
 1000 GALLON PUMP CHAMBER  
 PROPOSED SEPTIC TANK  
 1500 GALLON  
 ORENGO MODEL 1750A36-36  
 PROPOSED SEPTIC TANK  
 1500 GALLON  
 ORENGO MODEL 1750A36-36  
 SOIL ABSORPTION SYSTEM  
 PRESSURE BORED LEACH TRENCHES  
 PERFORATION SHIELD  
 DOUBLE WASHED LEACH TRENCHES  
 PERFORATED GROUNDWATER ENCOUNTERED @ 14.7' ELEV. = 40.32'

ORENGO COMPONENTS:  
 HIGH HEAD PUMP PF5000511  
 DISCHARGE ASSEMBLY NY0150-KIT  
 ORIFICE DISC F00150U-875  
 FLOW INDICATOR TOWER UT-14 (FIELD CUT HEIGHT)  
 CLICK TIGHT FLOAT SWITCHES MF1P-CLK (3)  
 USE VERICOMM CONTROL PANEL VCOM-S1PTROHS1APPSA

## DEEP HOLE DATA

PERFORMED BY: JASON C. ELLIS, R.S., S.E.  
 WITNESSED BY: JANE EVANS, HARRWICH BOH  
 TEST DATE: DECEMBER 30, 2005

DEPTH	ELEV.	#1	#2	ELEV.
0.00'	48.58'	LOAMY SAND 10953/3	LOAMY SAND 10953/3	48.82'
1.00'	47.6'	LOAMY SAND 10957/8	LOAMY SAND 10957/8	47.74'
1.83'	46.85'	MEDIUM COURSE SAND 10955/6 PERC. RATE 25 MM/HR. (ASSUMED)	MEDIUM COURSE SAND 10955/6 PERC. RATE 42 MM/HR. (ASSUMED)	46.99'
4.22'	44.43'	SANDY LOAM 2.575/6 PERC. RATE 25 MM/HR.	SANDY LOAM 2.575/6 PERC. RATE 42 MM/HR.	45.56'
9.00'	39.68'	SANDY LOAM 2.576/4	SANDY LOAM 2.576/4	42.32'
16.00'	32.88'	PERCHED GROUNDWATER ENCOUNTERED @ 14.7' ELEV. = 36.43'	PERCHED GROUNDWATER ENCOUNTERED @ 14.7' ELEV. = 40.32'	37.16'
				33.82'

## NOTES

- ALL PRECAST COMPONENTS WITH ANY ANTICIPATED VEHICULAR TRAFFIC TO BE H-20 RATED.
- ELEVATION DATUM IS FROM USGS QUAD MAP.
- MUNICIPAL WATER IS AVAILABLE.
- ALL CONSTRUCTION TO CONFORM WITH 310 CMR 15.000 AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
- INSTALLER/CONTRACTOR TO REVIEW & VERIFY ALL ELEVATIONS AND DETAILS AND REPORT ANY DISCREPANCIES IMMEDIATELY PRIOR TO CONSTRUCTION OR ASSUME ALL RESPONSIBILITY.
- INSTALLER/CONTRACTOR IS RESPONSIBLE FOR MAINTAINING DIG SAFE WORK AREA, VERIFYING ALL UTILITIES AND NOTIFYING BOARD OF HEALTH.
- ANY CHANGES TO OR DEVIATIONS FROM THIS PLAN MUST BE APPROVED IN WRITING BY J.C. ELLIS DESIGN CO. AND BE 310 CMR 15.000.
- ALL COMPONENTS TO BE PROVIDED WITH WATERTIGHT ACCESS PORTS WITHIN 6" OF FINISH GRADE.
- ALL SEPTIC TANKS, DISTRIBUTION BOXES AND PIPING TO BE INSTALLED WATERTIGHT.
- ALL SEPTIC TANKS, DISTRIBUTION BOXES AND PIPING TO BE INSTALLED WITHIN 100' OF PROPOSED LEACH AREA.
- LEACH AREAS TO BE PROVIDED WITH AT LEAST ONE INSPECTION PORT CONSISTING OF A PERFORATED FOUR INCH PIPE PLACED VERTICALLY DOWN INTO THE STONE TO THE BOTTOM OF THE TRENCH. THE PIPE SHALL BE CAPPED WITH A SCREEN TYPE CAP AND ACCESSIBLE WITHIN 3' OF GRADE.
- PRECAST SEPTIC TANK AND PUMP CHAMBER TO BE INSTALLED WATERPROOFED. SOIL ONLY AS NECESSARY, 5' AROUND AND UNDER S.A.S. DOWN TO B LAYER AND REPLACE WITH CLEAN MEDIUM SAND.
- INSTALL VENT WITH CHARCOAL FILTER ON LEACH TRENCHES.

## DESIGN CALCULATIONS

FLOW RATE:  
 4 BEDROOM DWELLING = 440 G/P/D REQUIRED  
 (110 G/P/D PER BEDROOM x 4 BEDROOMS)  
 NO GARBAGE GRINDER ALLOWED  
 SEPTIC TANKS:  
 440 G/P/D x 2 = 880 G/P/D REQUIRED  
 USE 1500 GALLON SEPTIC TANK  
 SOIL ABSORPTION SYSTEM:  
 PERC. RATE (46 + 2V(2)/2) = 200 S.F.  
 SIDEWALL (48)(2) + 2(2)(2) = 200 S.F.  
 BOTTOM (200 + 96)(0.25) = 74(6) = 444 G/P/D PROVIDED  
 USE: (6) 48" x 2' x 2' LEACH TRENCHES  
 AS SHOWN IN DETAIL.

## SEPTIC SYSTEM DESIGN PLAN

SUBJECT: 17 ROCKY WAY  
 HARRWICH, MA

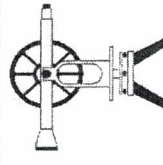
PREPARED FOR: TONY LORUSSO  
 NORFOLK, MA 02056

ASSESSOR'S: MAP 39, PARCEL A17-9

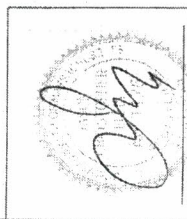
DATE: FEBRUARY 8, 2021

SHEET 2 OF 2

## J.C. ELLIS DESIGN

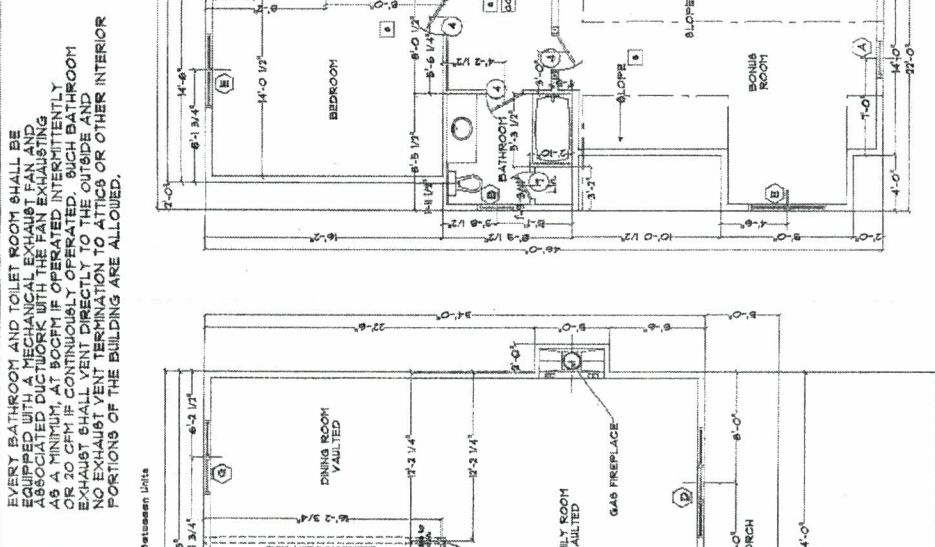
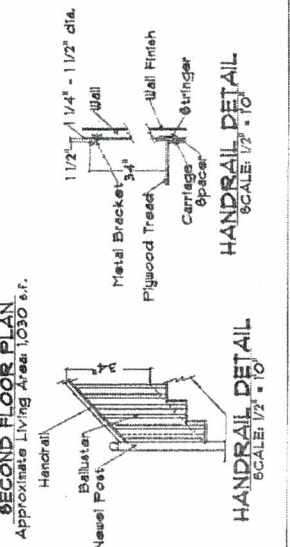
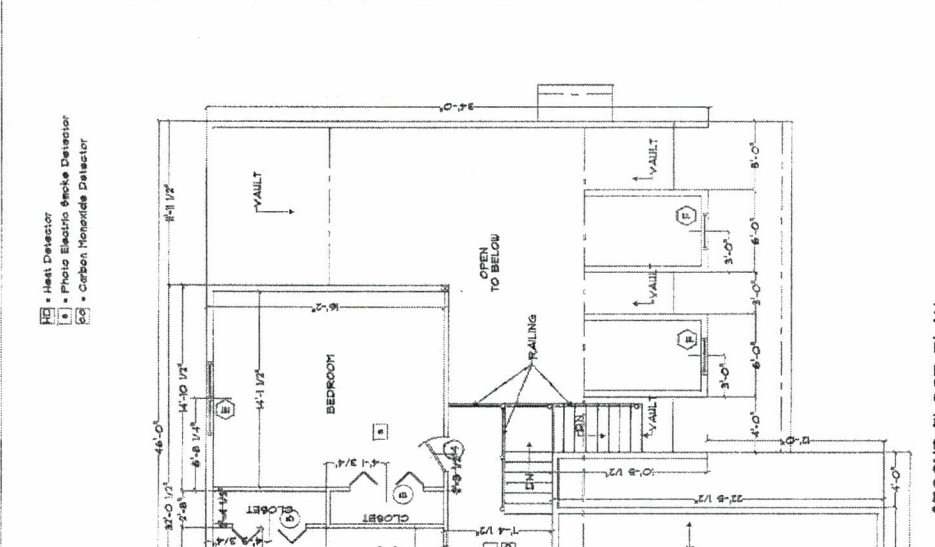


P.O. BOX 81  
 NORTH EASTHAM, MA 02651  
 (508) 240-2220  
 jason@jcelldesign.com



JASON C. ELLIS, R.S.





**MAXIMUM SPANS FOR HEADERS LOCATED OVER OPENINGS IN WALLS**

Size of Header	Supporting Roof & Ceiling	One Story Above	Two Stories Above	Floors or Roofs
2 - 2x6	4'-0"	3'-0"	2'-9"	10'-0"
2 - 2x8	5'-1"	4'-0"	3'-6"	12'-0"
2 - 2x10	6'-5"	5'-0"	4'-3"	14'-0"
2 - 2x12	7'-6"	6'-9"	5'-0"	16'-0"

For 4x, 1 inch - 25.4 mm, 1 foot = 304.8 mm  
 1. Nominal four inch thick angle headers may be substituted for double members.

Headers in bearing walls  
 Headers in walls not supporting floors or roofs

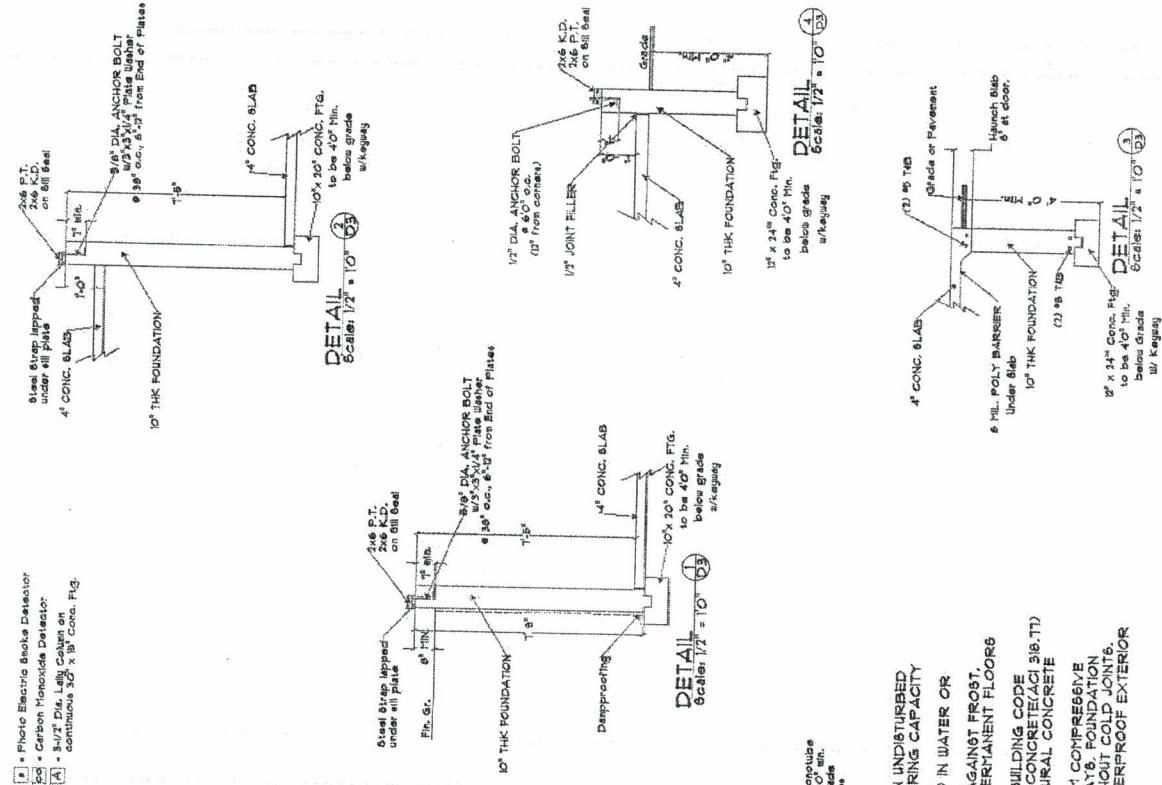
Packert Design is a residential design service and not an engineering firm. We are not responsible for structural, mechanical, electrical, plumbing, or other professional engineering or architectural work. Engineering stamped in the drawings is the sole responsibility of the customer and/or architect.

These plans must be reviewed by the contractor before construction to ensure accuracy.

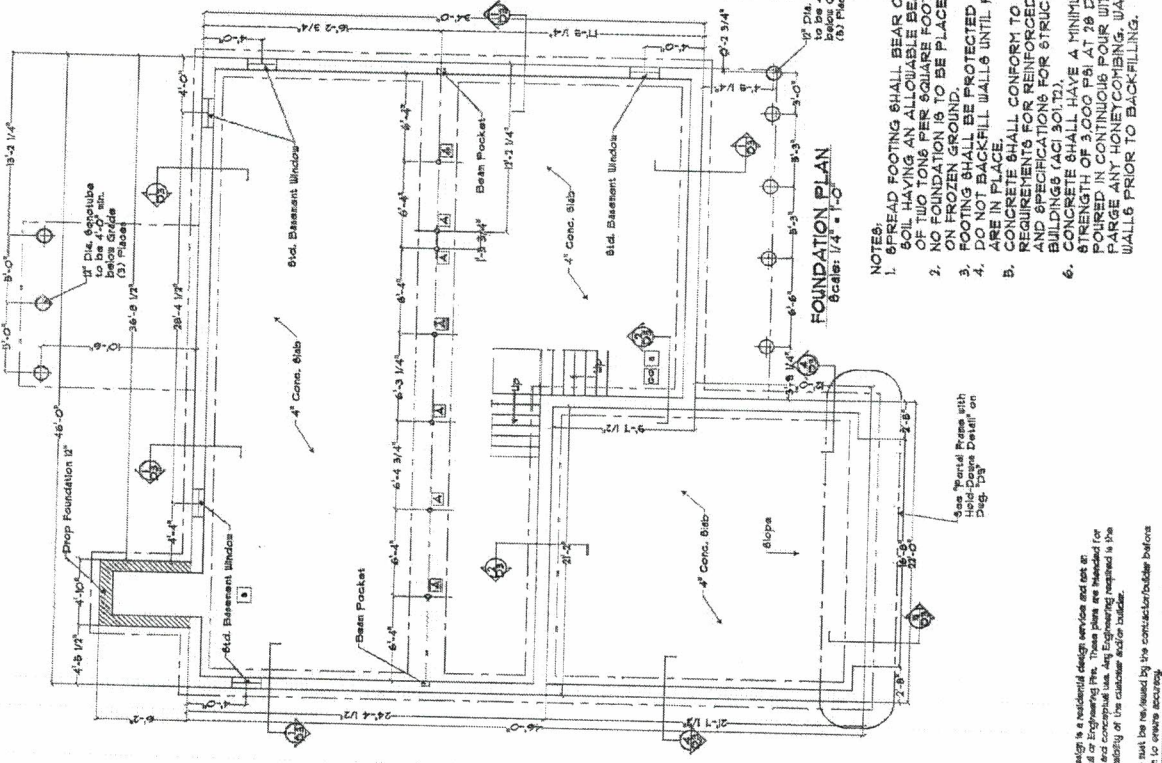


**PROPOSED CAPE**  
**9 PLATMOUTH DRIVE**  
**III FALMOUTH, MA**

This drawing is not to be reproduced or used for anything without the authorization of Packert Design and/or Packert Design.



- A - Photo Electric Smoke Detector
- B - Carbon Monoxide Detector
- C - 3/4" Dia. Lull Call on continuous 30' x 18" Conc. Ftg.



- NOTES:
1. SPREAD FOOTING SHALL BEAR ON UNDISTURBED SOIL HAVING AN ALLOWABLE BEARING CAPACITY OF TWO TONS PER SQUARE FOOT.
  2. NO FOUNDATION IS TO BE PLACED IN WATER OR ON FROZEN GROUND.
  3. FOOTING SHALL BE PROTECTED AGAINST FROST ARE IN PLACE.
  4. DO NOT BACKFILL WALLS UNTIL PERMANENT FLOORS CONCRETE SHALL CONFORM TO BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318.11) BUILDING SPECIFICATIONS FOR STRUCTURAL CONCRETE CONCRETE (ACI 308.11).
  5. STRENGTH OF 3000 PSI 28 DAY. FOUNDATION Poured in continuous pour without cold joints. PARGE ANY HONEYCOMBING WATERPROOF EXTERIOR WALLS PRIOR TO BACKFILLING.
  - 6.

Packert Design is a residential design service and not an Architectural or Engineering firm. These plans are intended for informational use only. No Engineering required is the sole responsibility of the customer and/or builder. These plans shall be reviewed by the contractor/builder before construction to ensure accuracy.

V-D.

**JUNE 15, 2021  
BOARD OF HEALTH MEETING**

To: Board of Health  
From: Kathleen O'Neill, Health Director  
Owner: Peter & Maureen Tarca  
Design Engineer/Sanitarian: Stephen A. Haas, P.E.  
Address: 11 Shore Road Extension

On behalf of the property owner, Stephen Haas is applying for a reconsideration of a previous condition placed on April 18, 2000. The condition reads "There is to be no increase in habitable space, square footage or number of bedrooms beyond those as shown on the plan dated 3/21/2000." The applicant is requesting a proposed addition to the existing first floor master bedroom and bath and add a bathroom to the second floor. The addition will be constructed on a sono-tube foundation which will not change any of the existing approved variances.

Other conditions that were placed in 2000 were:

- There is no provision for a garbage disposal with this plan.
- System is to be inspected and maintained, if necessary, every three years.
- Variances are to be recorded with the Barnstable County Registry of Deeds and Harwich Town Clerk, prior to obtaining a disposal works construction permit.

I recommend approval with conditions (please see suggested motion, Option #2, below).

**SUGGESTED MOTIONS FOR BOARD CONSIDERATION**

**IF THE BOARD IS NOT READY TO VOTE, DO NOT CLOSE THE PUBLIC HEARING, BUT CONTINUE THE HEARING TO A DATE AND TIME CERTAIN (OPTION #1).**

**Option #1:** Continuance If the Board will require additional information or wants to take the matter under advisement the following motion is recommended: Move to continue the hearing for 11 Shore Road Extension, to no earlier than 6:30/7:00 p.m (depending on earlier work session vote) on \_\_\_\_\_ (Next Meeting Date: July 20, 2021) for the following reason(s): Need to provide reasons for the continuance- additional information, take under advisement, etc.

**IF THE BOARD IS READY TO CLOSE THE HEARING AND VOTE:**

**Option #2:** Approve the reconsideration of a previous condition placed on April 18, 2000 located at 11 Shore Road Extension with the following conditions:

1. No further increase in square footage or habitable space without review by the Board of Health as shown on plan dated March 17, 2021, prepared by Rick Roy Construction.

2. The property shall be deed restricted to a maximum of 3 bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Registry of Deeds.
4. A passing Title 5 inspection be submitted to the Health Department prior to Building Permit approval.
5. All previous conditions apply.

**Option #3:** Move to deny the variance reconsideration request for 11 Shore Road Extension. The denial is based on the fact that the application does not meet the necessary requirements and criteria for approval pursuant to the Code of Town of Harwich, specifically: (Need to list or note which requirements/criteria are not being met).





**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](mailto:health@town.harwich.ma.us)

Office Use Only	
Filing Fee Paid/Amount:	4125-
Check #/Cash:	2028
Date App Received:	6/3/21
Meeting Date:	6/15/21
Date Approved:	
Date Denied:	
Reason for Denial:	

**Application for Board of Health Variances**

Date: 6/2/2021

Property Address: 11 Shore Road Ext.

Map: 5 Parcel: P1-28

Book: \_\_\_\_\_ Page: \_\_\_\_\_ Land Court No: 158021

Name of Applicant: Peter & Maureen Tarca

Applicant Mailing Address: 128 Sudbury Road

Concord, MA 01742

City State Zip Code

Applicant Telephone Number: 508-432-6840 (Rick Roy Const)

Applicant E-Mail Address: rroycon@comcast.net

Owner(s) of Record: Same

Owner(s) Mailing Address: \_\_\_\_\_

City State Zip Code

Design Engineer/Sanitarian: Stephen A Haas, P.E.

Firm/Company Name: \_\_\_\_\_

Mailing Address: 293 Cranview Road

Brewster, MA 02631

City State Zip Code

Telephone Number: 508-367-1691

Design Engineer/Sanitarian E-Mail Address: sahaas@comcast.net

**Please Choose Application Type:**

Voluntary Upgrade: \_\_\_\_\_ Addition/Alteration:  \_\_\_\_\_ Failed System: \_\_\_\_\_ EIR: \_\_\_\_\_  
 Other: \_\_\_\_\_

Conservation Commission Approval Required: No:  Yes: \_\_\_\_\_ Date of CC Hearing: \_\_\_\_\_

<b>List All Variances from State &amp; Local Codes</b>	
Title 5, Section #	Description of Variance(s):
	EXISTING VARIANCES
	APPROVED 4-18-2000
15.211	1) DISTANCE BETWEEN SAS AND NORTH PROPERTY LINE, 10' REQUIRED, 4.6' AVAILABLE 2) DISTANCE BETWEEN SAS AND WEST PROPERTY LINE, 10' REQUIRED, 6.2' AVAILABLE 3) DISTANCE BETWEEN SAS AND EAST PROPERTY LINE, 10' REQUIRED, 6.7' AVAILABLE 4) TO ALLOW THE SAS TO BE 5.6' TO A CRAWL SPACE WHERE 10' IS REQUIRED
Harwich Reg. #	Description of Variance(s):

In addition to this form, 8 packets of the following must be submitted by 4:00 p.m. on the filing deadline date:

- Letter to Board of Health
- Letter to abutters (bring certified mail receipts to the meeting)
- Copy of certified abutter list
- Existing variance letter (if applicable)
- Floor plans (all floors/existing & proposed)
- Site plan
- Filing Fee \$125.00 (Variance)/\$300.00 (EIR)



Stephen A. Haas, P.E.

293 Cranview Road  
Brewster, Massachusetts 02631  
508-367-1691  
sahaas@comcast.net

June 2, 2021

Harwich Board of Health  
732 Main Street  
Harwich, MA 02645

Re: Tarca, 11 Shore Road Ext, Map 5, Parcel P1-28



Dear Members of the Board:

I am requesting time at your next Board meeting to review a proposed addition for the above location.

The existing three bedroom septic system was designed and permitted with variances in 2000. The proposed addition will add to the existing first floor master bedroom and bath and add a bathroom to the second floor. The addition will be constructed on a sono-tube foundation which will not change any of the existing approved variances.

Attached are existing and proposed floor and site plans for your review.

Thank you for your time,

A handwritten signature in black ink, appearing to be "S.A. Haas".

Stephen A. Haas, P.E.





Stephen A. Haas, P.E.

293 Cranview Road  
Brewster, Massachusetts 02631  
508-367-1691  
sahaas@comcast.net

June 2, 2021

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: Proposed addition, 11 Shore Road Extension, West Harwich

You have been identified as a neighbor to the above property. We are required to notify you that an application to review the proposed floor plan has been submitted to the Health Department. The proposed 6' x 19'7" addition will add to the master bedroom and bath on the first floor and add a bathroom on the second floor.

A public hearing has been scheduled for June 15, 2021 at 7:00 pm.

**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. The agenda, including dial-in instructions, will be posted on the Town of Harwich website [www.town.harwich.ma.us](http://www.town.harwich.ma.us)**

The application and plans are available for review from the Harwich Health Department, 508-430-7509.

Sincerely,

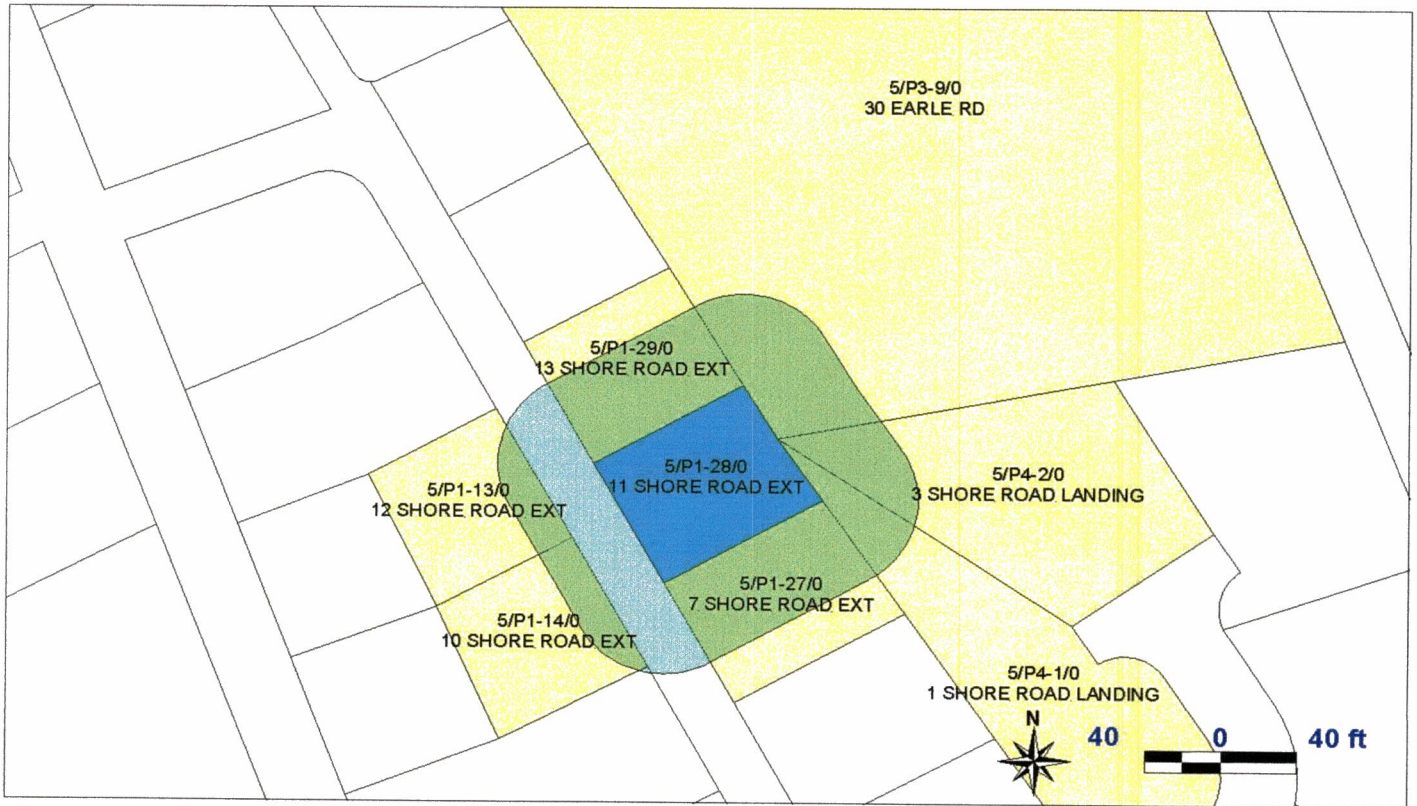
STEPHEN A. HAAS, PE

cc: Harwich Health Department



TOWN OF HARWICH, MA  
 BOARD OF ASSESSORS  
 732 Main Street, Harwich, MA 02645

Abutters List Within 50 feet of Parcel 5/P1-28/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
8303	5-P1-13-0-R	KUSHINSKY ALAN & KUSHINSKY ELIZABETH	12 SHORE ROAD EXT	23 DUCK RD	READING	MA	01867
8115	5-P1-14-0-R	RONALTER PETER J & RONALTER JANICE M	10 SHORE ROAD EXT	PO BOX 383	W HARWICH	MA	02671
1108	5-P1-27-0-R	DELORY FREDERICK LEO TRS ET AL DELORY JANICE D TRS	7 SHORE ROAD EXT	PO BOX 181	W HARWICH	MA	02671
1111	5-P1-28-0-R	TARCA PETER M & TARCA MAUREEN Q	11 SHORE ROAD EXT	128 SUDBURY RD	CONCORD	MA	01742
1113	5-P1-29-0-R	COSTELLO JOHN M & COSTELLO CHERYL C	13 SHORE ROAD EXT	2 WOODRIDGE RD	WELLESLEY	MA	02181
8117	5-P3-9-0-R	30 EARLE ROAD LLC	30 EARLE RD	11 NAPLES CT	SAN ANTONIO	TX	78257
1134	5-P4-1-0-R	EVANS MARK W	1 SHORE ROAD LANDING	2 ESSEX CT	LONGMEADOW	MA	01116
7790	5-P4-2-0-R	PATEY FREDRICK R TRS ET AL PATEY EVANGELINE M TRS	3 SHORE ROAD LANDING	43 PARKER RD	NEEDHAM	MA	02494





# TOWN OF HARWICH

BOARD OF HEALTH  
732 Main Street  
Harwich, MA 02645  
508/430-7509  
FAX 508/432-5039

HARWICH BOARD OF HEALTH  
VARIANCE APPROVAL  
105 CMR 15.000 Title 5  
// Shore Road Extension  
May 2, 2000

Ms. Patricia Zingaro  
11 Shore Road Extension  
West Harwich, MA 02671

Dear Ms. Zingaro:

At a meeting of the Board of Health on April 18, 2000 a hearing was conducted to consider variance requests to replace a sewage disposal system at the above referenced property on a plan prepared by Labarge Engineering & Contracting.

After considerable review and discussion it was a decision of the Board to grant the following:

1. Distance between SAS and north property line, 10' required, 4.6' available..
2. Distance between SAS and west property line, , 10' required, 6.2' available.
3. Distance between SAS and east property line, 10' required, 6.7' available.
4. To allow the SAS to be 5.6' feet to a crawl space where 10' is required..

In granting the variance the Board imposed the following orders of condition:

1. There is to be no increase in habitable space, square footage or number of bedrooms beyond those as shown on the plan dated 3/21/2000.
2. There is no provision for a garbage disposal with this plan.
3. System is to be inspected and maintained, if necessary, every three years.
4. Variances are to be recorded with the Barnstable Registry of Deeds and Harwich Town Clerk. prior to obtaining a disposal works construction permit.

CUT 123888  
Lot 28 PL 18396-E



Harwich Board of Health 25 18396-E



Page 2

Re: 11 Shore Road Extension

Please be advised that all variances will be considered null and void unless a disposal works construction permit is obtained within six months of the hearing.

Sincerely,



Paula J. Champagne, R.S., C. H.O.,  
Health Director

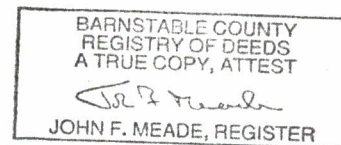
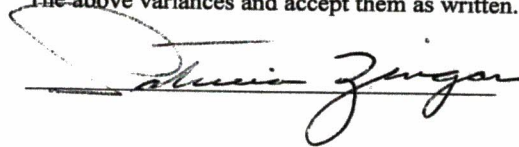
PJC:jms

Cert. Mail #709934000020425

CC: Labarge Engineering & Contracting.

Cc: DEP, SE Region

I have read and fully understand the conditions of  
The above variances and accept them as written.



**BARNSTABLE REGISTRY OF DEEDS**

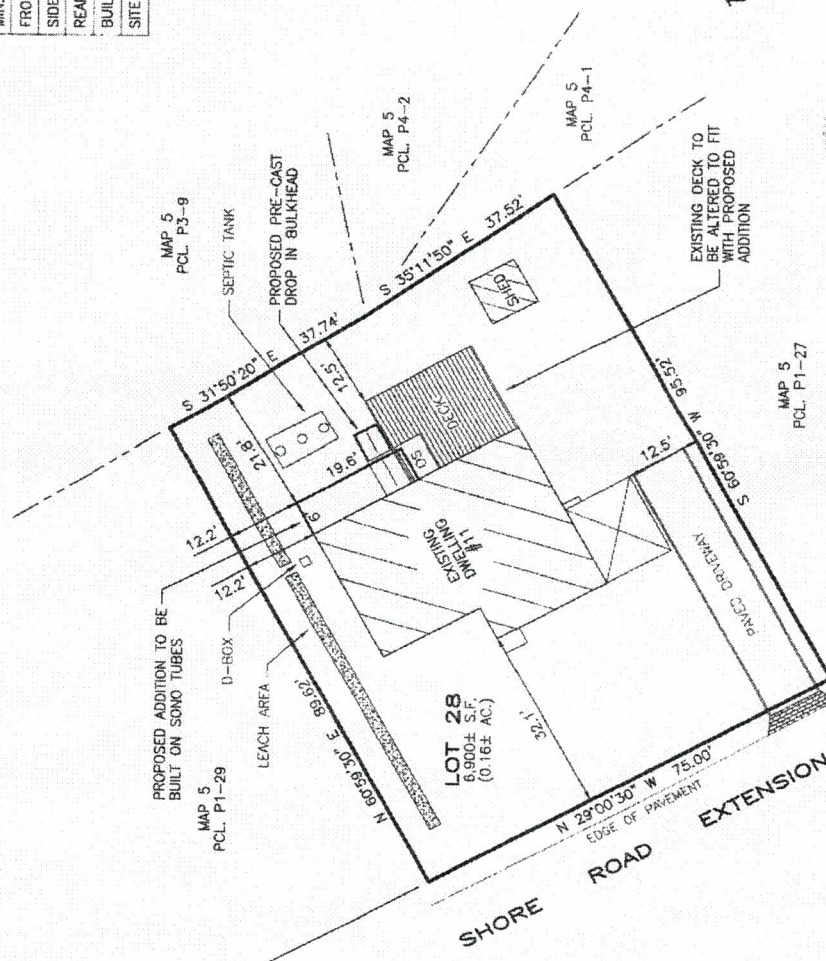
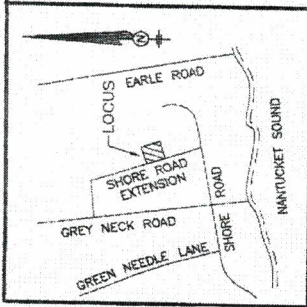
ZONING DISTRICT: RH-1	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	40,000 S.F.	6,900± S.F.	6,900± S.F.
MIN. LOT FRONTAGE	150'	75.00'	75.00'
FRONT SETBACK	25'	32.1'±	32.1'±
SIDE SETBACK	20'	12.2'±	12.2'±
REAR SETBACK	20'	12.5'± DECK	20.5'± DECK
BUILDING COVERAGE	30%	18.7±%	20.5±%
SITE COVERAGE	35%	30.4±%	31.9±%

**OWNER OF RECORD:**

PETER M. & MAUREEN Q. TARCA  
128 SUDBURY ROAD  
CONCORD, MA 01742

**REFERENCES:**

CERTIFICATE #158021  
LAND COURT PLAN #18396-E  
ASSESSORS MAP 5 PARCEL P1-28  
FLOOD HAZARD ZONE: X  
THE SEPTIC SYSTEM SHOWN IS AN  
APPROXIMATE LOCATION BASED ON  
BOARD OF HEALTH RECORDS



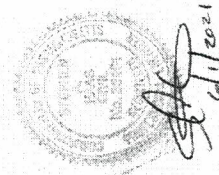
**SITE PLAN**  
**11 SHORE ROAD EXTENSION**  
**HARWICH, MA**

PREPARED FOR:  
**PETER & MAUREEN**  
**TARCA**

SCALE: 1" = 20' MARCH 9, 2021  
GRAPHIC SCALE IN FEET

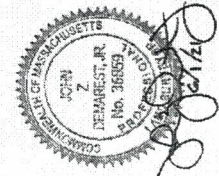


**DEMAREST LAND SURVEYING**  
338 MAYFAIR ROAD  
SOUTH DENNIS, MA 02660  
508-364-9049



REVISIONS	DATE	DESCRIPTION
1	4/26/21	SEPTIC
2	6/1/21	VARIANCES

- EXISTING VARIANCES APPROVED APRIL 18, 2000
- 1) DISTANCE BETWEEN SAS AND NORTH PROPERTY LINE, 10' REQUIRED, 4.6' AVAILABLE
  - 2) DISTANCE BETWEEN SAS AND WEST PROPERTY LINE, 10' REQUIRED, 6.2' AVAILABLE
  - 3) DISTANCE BETWEEN SAS AND EAST PROPERTY LINE, 10' REQUIRED, 6.7' AVAILABLE
  - 4) TO ALLOW THE SAS TO BE 5.6' TO A CRAWL SPACE WHERE 10' IS REQUIRED



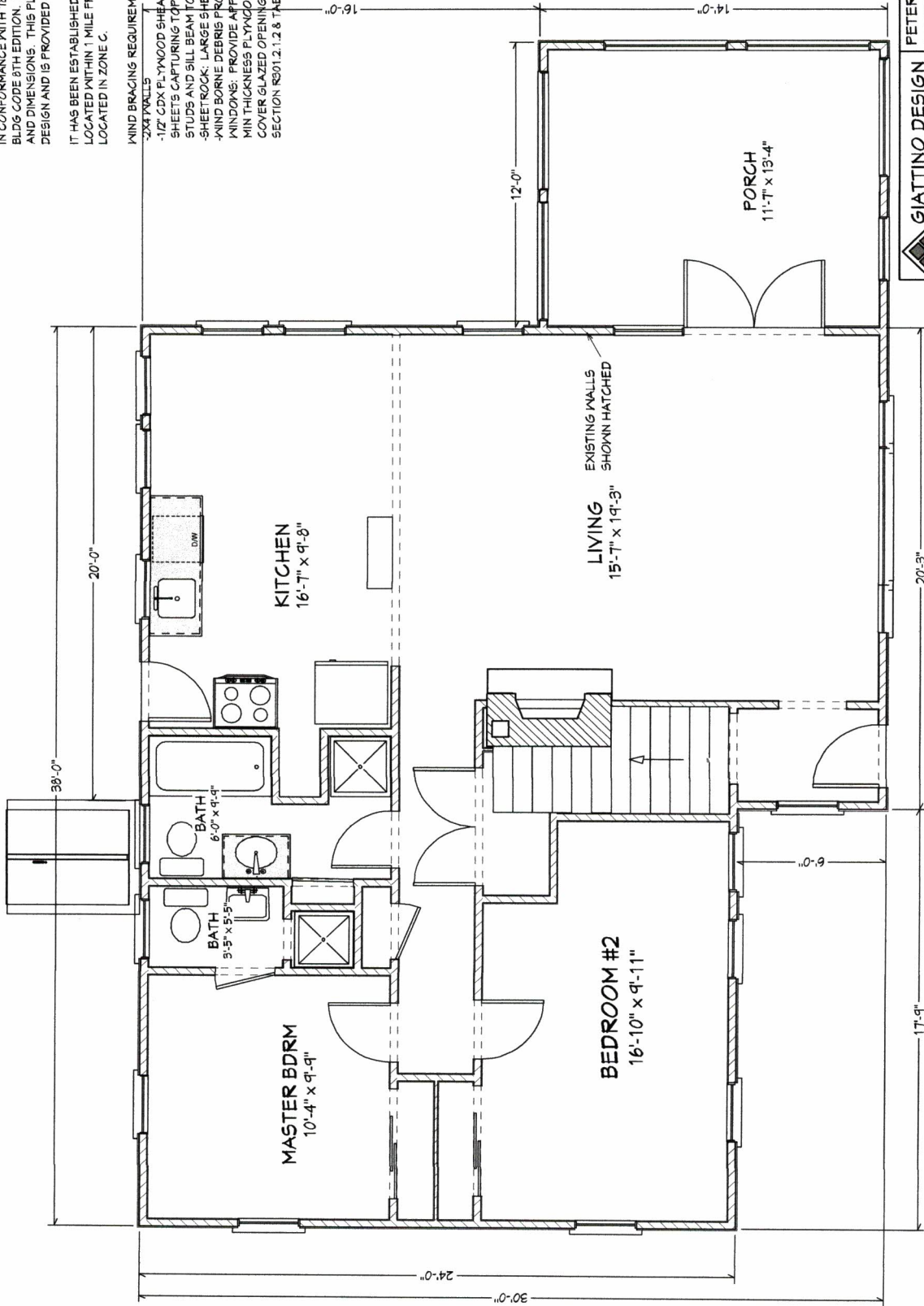


ALL DETAILS TO MATCH EXISTING. ALL WORK TO BE DONE IN CONFORMANCE WITH 180 CMR MASSACHUSETTS STATE BLDG CODE 8TH EDITION. BUILDER TO VERIFY ALL DETAILS AND DIMENSIONS. THIS PLAN IS COPYRIGHTED BY GIATTINO DESIGN AND IS PROVIDED FOR A ONE TIME BUILD.

IT HAS BEEN ESTABLISHED THAT THIS BUILDING IS LOCATED WITHIN 1 MILE FROM THE COAST AND IS LOCATED IN ZONE C.

**WIND BRACING REQUIREMENTS:**

- 2X4 WALLS
- 12' GDX PLYWOOD SHEATHING: HORIZONTAL FULL SHEETS CAPTURING TOP PLATES, MINIMUM 8" ONTO STUDS AND SILL BEAM TO STUDS
- SHEETROCK: LARGE SHEETS HORIZONTAL
- WIND BORNE DEBRIS PROTECTION FOR GLAZED WINDOWS: PROVIDE APPROVED GLAZING OR 7/16" MIN THICKNESS PLYWOOD SHUTTERS PRECUT TO COVER GLAZED OPENINGS WITH FASTENERS PER SECTION R301.2.1.2 & TABLE R301.2.1.2



**GIATTINO DESIGN**  
 312 Chilopoe Row, Groton, MA 01450  
 Telephone: 508-254-2266  
 Mail: ma@giattinodesign.com

**PETER & MAUREEN TARGA**  
 11 SHORE ROAD EXTENSION  
 HARVICH, MA

**EXISTING ENTRY LEVEL PLAN**  
 1/4"=1'-0"

**EXISTING ENTRY LEVEL PLAN**  
 10/26/11 1/18/12  
 11/10/11 2/8/12  
 11/28/11 2/15/12

**PAGE NO.**  
 5 OF 6

EXISTING FIRST FLOOR

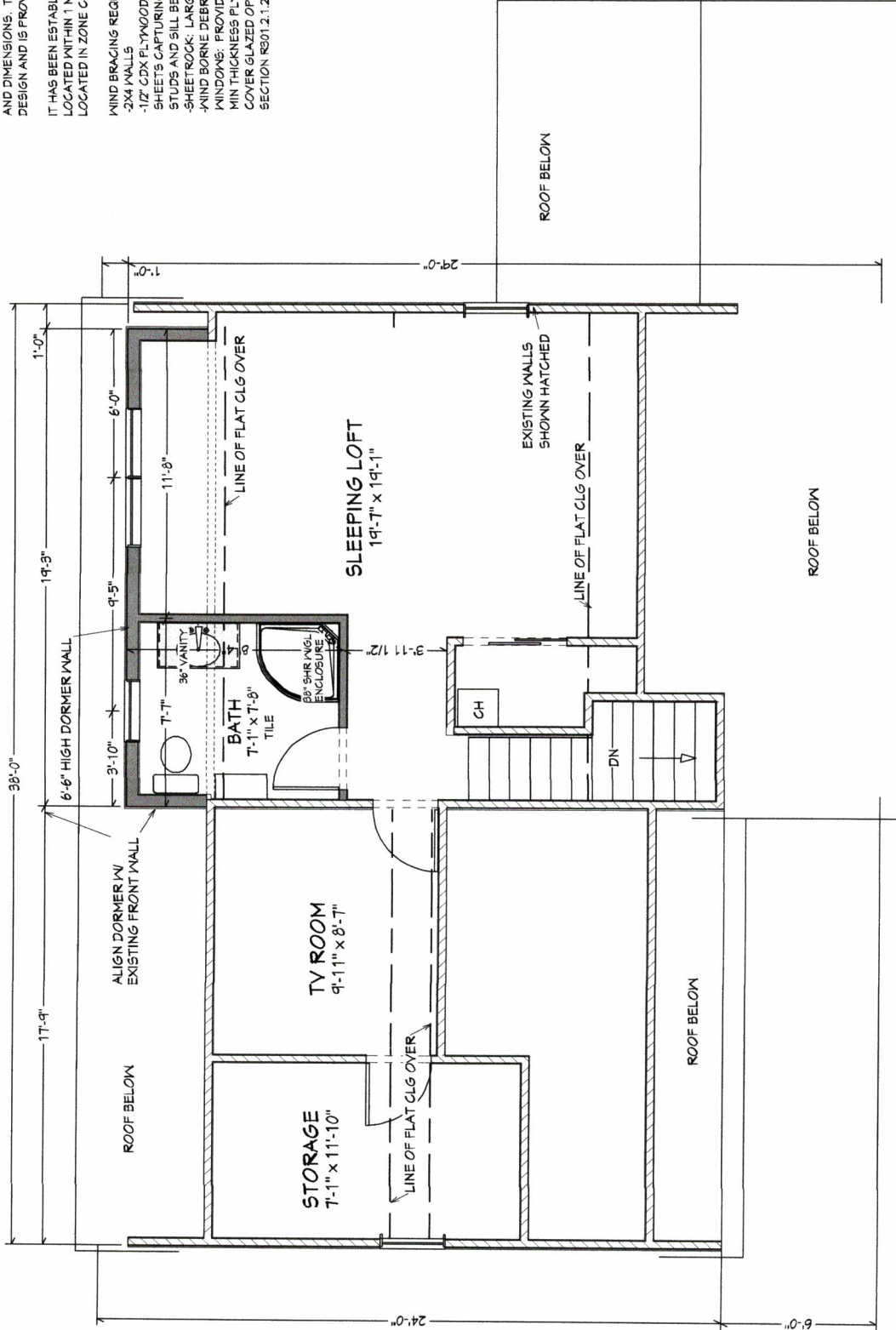



ALL DETAILS TO MATCH EXISTING. ALL WORK TO BE DONE IN CONFORMANCE WITH 180 CMR MASSACHUSETTS STATE BLDG CODE 8TH EDITION. BUILDER TO VERIFY ALL DETAILS AND DIMENSIONS. THIS PLAN IS COPYRIGHTED BY GIATTINO DESIGN AND IS PROVIDED FOR A ONE TIME BUILD.

IT HAS BEEN ESTABLISHED THAT THIS BUILDING IS LOCATED WITHIN 1 MILE FROM THE COAST AND IS LOCATED IN ZONE C.

**WIND BRACING REQUIREMENTS:**

- 2X4 WALLS
- 1/2" CDX PLYWOOD SHEATHING: HORIZONTAL FULL SHEETS CAPTURING TOP PLATES, MINIMUM 8" ONTO STUDS AND SILL BEAM TO STUDS
- SHEETROCK: LARGE SHEETS HORIZONTAL
- WIND BORNE DEBRIS PROTECTION FOR GLAZED WINDOWS: PROVIDE APPROVED GLAZING OR 1/16" MIN THICKNESS PLYWOOD SHUTTERS PRECUT TO COVER GLAZED OPENINGS WITH FASTENERS PER SECTION R301.2.1.2 & TABLE R301.2.1.2



 <b>GIATTINO DESIGN</b> 312 Chatham Row, Boston, MA 02110 Residential Design Services 781-462-2842 mauren@giattinodesign.com	<b>PETER &amp; MAUREEN TARGA</b> 11 SHORE ROAD EXTENSION HAVENHURST, MA	PAGE NO. <b>1 OF 3</b>
	6/4/12	UPPER LEVEL DORMER PLAN 1/4" = 1'-0"

EXISTING SECOND FLOOR

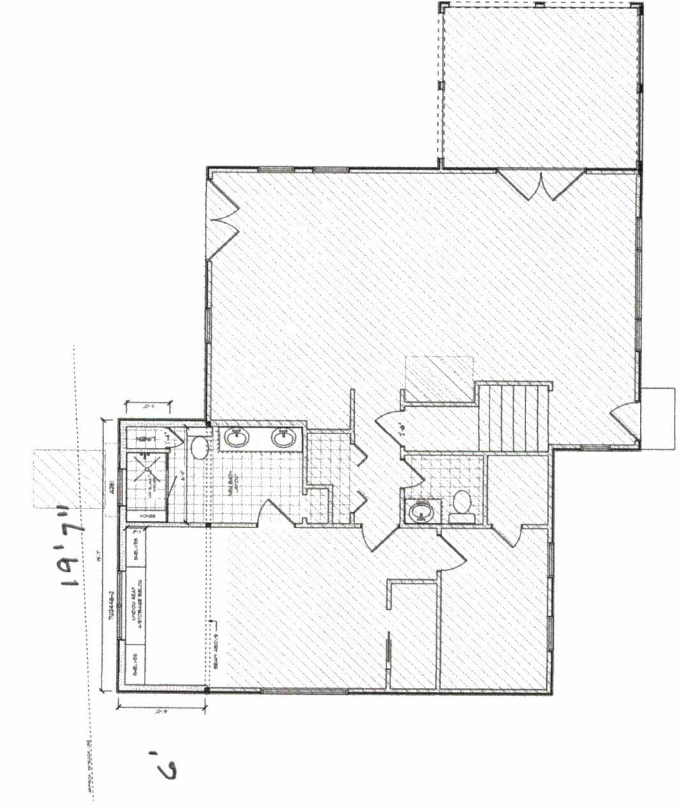
Rick Roy Construction LLC  
 123A Queen Anne Road  
 Harwich, MA 02631  
 508-432-6840  
 508-432-4814 FAX  
 rroycon@comcast.net

1/4" = 1'-0"  
 (ALL DIMENSIONS UNLESS NOTED)

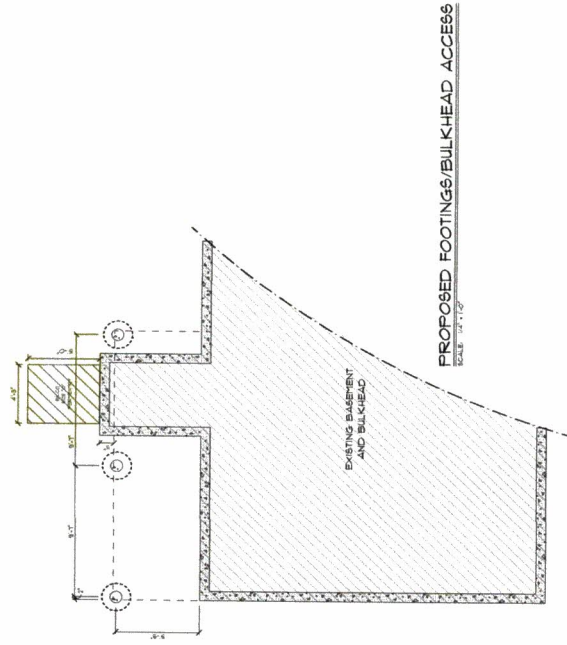
TARCA ALTERATION  
 11 SHORE ROAD EXTENSION  
 HARWICH MA. 02645

TUESDAY, MARCH 11, 2021  
 SCALE 1/4" = 1'-0"

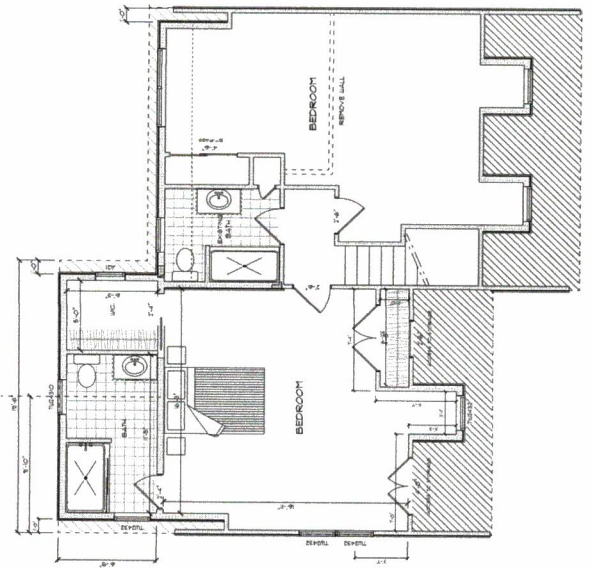
P2



PROPOSED 1ST FLOOR ALTERATIONS  
 SCALE 1/4" = 1'-0"



PROPOSED FOOTINGS/BULKHEAD ACCESS  
 SCALE 1/4" = 1'-0"



PROPOSED 2ND FLOOR ALTERATIONS  
 SCALE 1/4" = 1'-0"

PROPOSED ADDITION  
 AND ALTERATIONS  
 3-17-21

EXISTING BASEMENT  
 AND BULKHEAD



**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](mailto:health@town.harwich.ma.us)

VI.

June 9, 2021

**REPORT OF THE HEALTH DIRECTOR**

**STAFFING UPDATE**

We currently have two open positions advertised, an Assistant Health Director, which was previously called the Senior Health Agent, and a part time temporary health inspector. Mark's temporary position will be ending in July. Our Barnstable County Health Department Summer Sanitarian is starting next week. We are very excited to have Fiona with us on Mondays to assist with pool and restaurant inspections until the end of August. Having an extra hand is a huge help to get our quarterly health inspections completed at our food establishments, in addition to the three time a year pool inspections. Our remote intern Kasey has started making educational flyers.

**TOWN HALL/REMOTE MEETING UPDATE**

Town Buildings will be re-opened to the public on June 15<sup>th</sup>. After that time, meetings will resume in person. The remainder of our meetings will be held in the Griffin Room.

**COVID EDUCATIONAL SIGNAGE UPDATE**

The educational COVID signs have been placed along Route 28, as requested.

Best,  
Katie O'Neill, Sc.D., R.S.  
*Health Director*