

TOWN OF HARWICH



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



**TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, JULY 21, 2020-6:30 P.M.
HARWICH TOWN HALL – REMOTE MEETING
REVISED TO INCLUDE AGENDA ITEM VI-E
ORIGINAL POSTING: JULY 15, 2020 AT 9:00 A.M.
REVISED POSTING: JULY 15, 2020 2:45 P.M.**

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 **REORGANIZATION OF THE BOARD OF HEALTH**
- II **CALL TO ORDER**
- III **MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes)** – June 16, 2020- *Minutes shall be reviewed; proposed changes shall be possible; and a vote to approve with any noted changes shall be taken.*
- IV **6:30 PM - BOARD OF HEALTH WORK SESSION**
 - A. **COVID-19 Update**
Vote to accept/deny/take this under consideration
 - B. **Review of Town of Harwich Public & Semi-Public Bathing Beaches- testing frequency, results and regulation review**
Vote to accept/deny/take this under consideration
- V **NO EARLIER THAN 7:00 PM -OLD/UNFINISHED BUSINESS**
 - A. **Hearing-Delory/Murnane, 113 Brooks Road**, to consider a variance request to upgrade a Title 5 septic system prepared by Moran Engineering, Associates, LLC. (Continued from May 19, 2020 Board of Health meeting)- *Vote to accept/deny/take this under consideration*
Variances from 310 CMR 15.211: Minimum Setbacks
 1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 6.5' from the North property line where 10' is required. Variance request of 3.5'.

2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 6' from the East property line where 10' is required. Variance request of 4'.
 3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 16' from the crawl space where 20' is required. Variance request of 4'.
 4. Per 310 CMR 15.211(1): To allow a proposed septic tank invert to be 0.3' to high groundwater where 1' is required. Variance request of 0.7'.
 5. Per 310 CMR 15.211(1): To allow a proposed pump chamber invert to be 0.2' to high groundwater where 1' is required. Variance request of 0.8'.
- Variance from Harwich Board of Health Regulation 1.210
1. Per Harwich Board of Health Regulation 1.210: To allow a proposed soil absorption system to be 83' from the edge of wetland where 100' is required. Variance request of 17'.

VI NEW BUSINESS

A. Hearing-Delory, 113 Brooks Road, to consider a variance request to upgrade a Title 5 septic system prepared by Moran Engineering Associates, LLC- *Vote to accept/deny/take this under consideration*
Variations from 310 CMR 15.211(1) & 15.227 (5)

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 5' from the property line (North) where 10' is required. Variance request of 5'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 16' from the crawl space where 20' is required. Variance request of 4'.
3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 18.5' from the crawl space where 20' is required. Variance request of 1.5'.
4. Per 310 CMR 15.227(5): To allow a proposed septic tank invert to be 0.2' to high groundwater where 1' is required. Variance request of 0.8'.
5. Per 310 CMR 15.227(5): To allow a proposed pump chamber invert to be 0.1' above high groundwater where 1' is required. Variance request of 0.9'.

B. Hearing-Lawrence, 24 Central Avenue, to reconsider Order of Conditions granted May 1, 2012-No increase in square footage, the number of bedrooms beyond those as shown on said plan by Moran Engineering dated January 18, 2011 (further revised March 27, 2012)-Project consists of adding approximately 50 square feet on the first floor and expanding the second floor by approximately 200 square feet to become a full second story- *Vote to accept/deny/take this under consideration*

C. Hearing-Wakeby Development Corp, 42 Marlin Road, to consider a variance request to upgrade a Title 5 septic system prepared by Engineering Works, Inc. - *Vote to accept/deny/take this under consideration*
Variations from 310 CMR 15.405 (a) & (b)

1. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 6' from the property line (side) where 10' is required. Variance request of 4'.
2. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 6' from the property line (front) where 10' is required. Variance request of 4'.
3. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 8' from the crawl space where 20' is required. Variance request of 12'.
4. Per 310 CMR 15.405(b): To allow for up to 6' of cover over the soil absorption system where 3' is allowed. Variance request of 3'.

D. Show Cause Hearing-Borthwick, 7 Philip Court, failure to comply with Health Department order to upgrade failed septic system - *Vote to accept/deny/take this under consideration*

E. Review and adopt a mandatory mask zone order, to consider implementing an Emergency Board of Health Order requiring the use of face coverings while in public along Route 28, Harwichport between Saquatucket Harbor and Lower County Road.

Vote to accept/deny/take this under consideration

VII REPORT OF THE HEALTH DIRECTOR (June 2020) - *Vote to accept/deny/take this under consideration*

VIII CORRESPONDENCE- *Vote to accept/deny/take this under consideration*

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

ESTABLISHMENT	ADDRESS	TYPE	TYPE	TYPE	TYPE
POOL					
A Beach Breeze Inn *	169 Route 28				
The Tern Inn *	91 Chase Street				
Winstead Inn & Beach Resort *	114 Parallel Street				
Wyndemere Condominium *	405 Lower County Road				
BATHING BEACH					
Winstead Inn & Beach Resort *	4 Braddock Street	Nantucket Sound			
FOOD SERVICE					
Dr. Cavity's *	560A Route 28	Limited Food Service			
Irish Pub *	126 Route 28	Limited Food Service			
Judecraft Specialty Foods *		Event Permit			
Monopati *		Event Permit			
Pizza Shark (2020 New)	403 Pleasant Lake Ave	Retail: <600 sf	Milk & Cream	Frozen Dessert	Take Ou
Starbucks @ Shaws # 4596 (2020 New)	18 Sisson Road	1-30 seats			
Sweet Izzy (2020 New)	296 Route 28	frozen dessert			
FUNERAL DIRECTOR					
Doane, Beal & Ames *	260 Main Street				
MOTEL					
Seadar Inn By The Sea *	1 Braddock Street				
* 2020 Renewal					

X OTHER- Vote to accept/deny/take this under consideration

XI ADJOURN- Vote to accept/deny/take under consideration

Authorized posting officer:

Jennifer Clarke
Signature

Date

Posted by:

Marybeth Markowski
~~Town~~ Clerk

7/15/2020
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

TOWN OF HARWICH



BOARD OF HEALTH

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**TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, JUNE 16, 2020-6:30 P.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.

STAFF MEMBERS PRESENT: Health Director Meggan Eldredge & Executive Assistant Jennifer Clarke

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

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I CALL TO ORDER

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

II **MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes)** – May 19, 2020 & June 5, 2020

Mr. Dowgiallo moved to approve the minutes of the May 19, 2020 meeting, 2nd by Ms. Pflieger. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo & Mr. Antoine all voting aye by roll call.

Mr. Dowgiallo moved to approve the minutes of the June 5, 2020 meeting, 2nd by Ms. Pflieger. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo & Mr. Antoine all voting aye by roll call.

III **6:30 PM - BOARD OF HEALTH WORK SESSION**

A. COVID-19 Update from Health Director

Health Director Eldredge reported that Harwich remains at 121 positive cases of COVID-19 with 23 deaths. 71 of the 121 cases are associated with Wingate residents or staff. Of the 50 cases outside of Wingate, 43 have recovered and there are only 3 active cases in town. All 3 of the positive cases are in the same household. Massachusetts is seeing a very slow rise in numbers and has a current positive case number of 105,885 with 7,665 deaths. Barnstable County has reported 1,494 positive cases and 141 deaths. The average age of fatality is 82 and the average age of people contracting the virus is 52. The majority of positive cases are in their 50's.

Health Director Eldredge reviewed the COVID-19 control plan as well as the draft COVID-19 mandatory safety standards and workplace training manual. All businesses must develop a written control plan for its workplace and state how it will comply with the mandatory state standards.

In the training manual, Ms. Pflieger suggested adding a note that people should use a paper towel to turn off the water spigots. She also suggested that pens and pencils in office areas should be wiped down in between use, or have people use their own writing implement. Health Director Eldredge responded that those suggestions could be added.

Ms. Howell would like the term paper towel be used instead of clean towel under the five steps to wash your hands the right way.

Health Director Eldredge is planning on conducting a remote meeting to go through the training manual. A video presentation will go through the manual and it will be mandatory for all employees in the town to watch as part of our own COVID-19 certification plan. It can also be provided to other businesses if they need a starting point to re-open.

In order to meet the mandatory safety standards, all town buildings have to have proper signage and hand sanitizer available. For office buildings across the state, there is a 25% maximum occupancy for office spaces. The 25% occupancy also applies to the public, so when Town Hall re-opens for visitors, it will need to be restricted to a maximum of 8 people at a time. The meeting rooms have their own occupancy which would allow for meetings to happen at the

same time as when staff is present. The idea is to have people call each department to schedule an appointment. Ms. Howell suggested looking into a buzzer system for the building. Health Director Eldredge reviewed the opening status of each of the town buildings.

Ms. Howell noted that she did not see any mask required signs at Stop and Shop. Health Director Eldredge responded that she would have staff investigate.

The Health Department is receiving a high volume of COVID-19 related complaints. She is going to propose an additional staff member, even if only on a temporary basis. The Health Department is overwhelmed with COVID-19 related matters and having an extra staff member to handle them would be very helpful.

In response to mass gatherings that have been happening across the state, Outer Cape Health Services has been selected as a pop up testing site for COVID-19. The clinic will be held on Wednesday June 17 and Thursday June 18, 2020. Health Director Eldredge reviewed details of the clinic layout.

Ms. Pflieger asked if the state has made any contingency plans if there are more requests for testing than time slots available. Selectman Larry Ballantine responded that his understanding is that they may be able to add an additional staff member to increase testing capacity. Health Director Eldredge added that she is sure there will be an overwhelming request for testing.

B. FY21 VNA Contract-Review & vote to submit to Board of Selectmen for approval/signature

Health Director Eldredge reviewed the VNA contract for FY21. The budget of \$4,000 is used for communicable disease surveillance, maternal and child health visits and follow up visits. The VNA is also able to do wellness and immunization clinics as requested.

Ms. Pflieger asked if the VNA is able to assist with COVID-19 related matters. Health Director Eldredge responded that the VNA has been contracted by the town for COVID-19 surveillance. All COVID-19 related services are billed separately from the contract being presented tonight.

Mr. Antoine moved to approve the FY21 VNA Contract for the Town of Harwich and to submit to the Board of Selectmen for their approval and signature, 2nd by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. Antoine all voting aye by roll call.

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

A. Hearing-Delory/Murnane, 113 Brooks Road, to consider a variance request to upgrade a Title 5 septic system prepared by Moran Engineering, Associates, LLC. (Continued from May 19, 2020 Board of Health meeting)

Variances from 310 CMR 15.211: Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 6.5' from the North property line where 10' is required. Variance request of 3.5'.

2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 6' from the East property line where 10' is required. Variance request of 4'.
 3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 16' from the crawl space where 20' is required. Variance request of 4'.
 4. Per 310 CMR 15.211(1): To allow a proposed septic tank invert to be 0.3' to high groundwater where 1' is required. Variance request of 0.7'.
 5. Per 310 CMR 15.211(1): To allow a proposed pump chamber invert to be 0.2' to high groundwater where 1' is required. Variance request of 0.8'.
- Variance from Harwich Board of Health Regulation 1.210
1. Per Harwich Board of Health Regulation 1.210: To allow a proposed soil absorption system to be 83' from the edge of wetland where 100' is required. Variance request of 17'.

The applicant has requested a continuance until the July 21, 2020 Board of Health meeting.

Mr. Dowgiallo moved to continue the hearing for 113 Brooks Road until the July 21, 2020 Board of Health meeting, 2nd by Mr. Antoine. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo & Mr. Antoine all voting aye by roll call.

V NEW BUSINESS

A. Application for Extension of Sampling Variance for a Massachusetts Tier 3 Beach-Zylpha

Health Director Eldredge reviewed the application request. The Department of Public Health requires that public and semi-public beaches have their water quality tested weekly for bacteria levels. Beaches that have had no failures over the last 4 years can apply for an extension to do monthly testing rather than weekly.

Ms. Pflieger questioned the large difference between sample results from different years. Health Director Eldredge responded that she would assume the difference is due to tides or bather loads.

Mr. Dowgiallo asked why this beach should be testing monthly while other beaches are tested weekly. Health Director Eldredge responded that there are other beaches in town that are tested monthly. There are 26 beaches that are tested and variances are valid for 3 years.

Ms. Pflieger asked if the tide is noted on the testing form. Health Director Eldredge responded that the sampling form does ask for information including the temperature of the water, time the sample was taken and the tide. She recommends approval of the extension request.

Mr. Antoine moved to approve the application for extension of sampling variance for a Massachusetts Tier 3 Beach (Zylpha), 2nd by Ms. Pflieger. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. Antoine all voting aye by roll call.

Mr. Dowgiallo asked to have further discussion on the beaches at an upcoming Board of Health meeting.

VI REPORT OF THE HEALTH DIRECTOR (May 2020)

Health Director Eldredge read her May 2020 report.

VII CORRESPONDENCE

No correspondence was discussed.

VIII PERMITS

ESTABLISHMENT	ADDRESS	TYPE
POOL		
The Platinum Pebble *	186 Belmont Road	
Wychmere Beach Club * (3 pools)	23 Snow Inn Road	
Wychmere Village Condo *	767 Route 28	
BATHING BEACH		
Allen Harbor Beach Assoc *	0 Dunes Road/Nantucket Sound	
Sandy Shore Assoc Beach *	0 Sandy Shore Way/Aunt Edies Pond	
Wychmere Beach Club *	23 Snow Inn Road/Nantucket Sound	
FOOD SERVICE		
Cape Sea Grille *		Mobile Food Service
Fiona's Scottish Scones *		Event Permit
Hot Stove at Cranberry Valley *	183 Oak Street	31-60 seats
Mobile Mixers *	Bank Street Beach	Mobile Food Service
Murphy's General Store *	540 Route 28	Retail: less than 5,000 sf
Perrys Last Stand * (2 trucks)	Harwich Beaches	Mobile Food Service
Stone Horse Yacht Club *	2 Harbor Road	1-30 seats
Villa Roma *	278 Route 28	31-60 seats
Wychmere Harbor Functions * (clubhouse)	23 Snow Inn Road	>150 seats
Wychmere Harbor Functions * (café)	23 Snow Inn Road	61-150 seats
FUNERAL DIRECTOR		
Morris, O'Connor & Blute *	678 Main Street	
MOTEL		
Old Harwich Lodgings *	40-44 Route 28	
* 2020 Renewal		

Mr. Antoine moved to approve the permit list dated June 16, 2020, 2nd by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. Antoine all voting aye by roll call.

Ms. Pflieger asked if establishments should be sent information about seating restrictions due to COVID-19. Health Director Eldredge responded that every licensed establishment has received e-mail notices about COVID-19 restrictions and that if the Board would like, staff could send establishments a memo specific to seating restrictions. Health Director Eldredge also added that the Governor's order supersedes any local order. Ms. Pflieger thinks that it would be a

smart thing to send a memo to cover us, but would leave the decision up to the Health Director. Ms. Howell doesn't think it would hurt.

Mr. Dowgiallo asked if anyone is checking on the restaurants to ensure compliance. Health Director Eldredge responded that right now, we are working on routine inspections and checking for COVID-19 compliance at the same time. All of the written plans for outdoor dining have been reviewed as will plans for indoor dining when it is allowed. Staff is working on a complaint basis for other inspections such as overcrowding or too many seats. We have limited staff to go to every restaurant every day and there are always new rules being released.

IX OTHER

Ms. Howell would like to schedule a Board of Health work session to discuss the role of the Board of Health and Health Director as well as to discuss how regulations go through the process in town. Health Director Eldredge agreed. Ms. Howell will reach out to Meggan regarding a date and time for the meeting.

X ADJOURN

Mr. Antoine moved to adjourn the meeting at 7:35 p.m., 2nd by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. Antoine all voting aye by roll call.

Respectfully Submitted,

Jennifer Clarke

Next meeting is Tuesday, July 21, 2020 at 6:30 p.m.

Documents included in June 16, 2020 Board of Health Meeting Packet:

- Board of Health Agenda dated June 16, 2020
- Draft Board of Health Minutes dated May 19, 2020
- Draft Board of Health Minutes dated June 5, 2020
- Weekly COVID-19 case update dated June 4, 2020
- COVID-19 control plan
- Employer Guidance-Mandatory Safety Standards for Workplaces
- Draft Town of Harwich COVID-19 Mandatory Safety Standards and Workplace Training Manual
- FY21 VNA Contract dated June 1, 2020
- Continuance request for 113 Brooks Road dated June 12, 2020
- Site Summary for 113 Brooks Road dated May 19, 2020
- Variance Application and supporting documents for 113 Brooks Road dated May 2, 2020
- Application for Extension of Sampling Variance-Zylpha
- Any other documents submitted for/at the June 16, 2020 Board of Health Meeting

IV-A.



**Town of Harwich
Board of Health**

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July 16, 2020

Weekly COVID-19 Case Update

As of July 16, 2020 Harwich has seen a total of 131 cases. 71 of those cases are related to Wingate. We have 104 recoveries and 24 deaths (21 at Wingate), leaving 3 active cases. Two of the three active cases are travel related.

The weekly public health report from the Department of Public Health indicates that a total of 2117 tests have been conducted for Harwich residents or visitors. Over the last two weeks, 268 tests were performed.

We had our first Covid-positive case related to a food establishment this week at The Port. The restaurant took all necessary safety measures including closing for 24 hours, deep cleaning and disinfecting as well as notifying patrons who may have been exposed. Fellow employees were also voluntarily tested with no positive results as of yet. The Port followed all Mandatory Safety Standards and have been cleared to reopen.

If you have not been contacted by the Restaurant, a Covid Contact Tracer or the Visiting Nurse Association, there is no need to feel that you have been exposed. Coronaviruses are spread mainly from person to person through respiratory droplets and there is no evidence to suggest transmission is through the consumption of food. As with any case, if you feel symptomatic or would like to get tested, get in contact with your primary care physician.

Handwashing, social distancing and wearing a face covering are the best ways to keep yourself safe from this virus. The risk of transmission is lowest when outside, so get out and enjoy the great outdoors!

Thank you and stay safe!

Meggan Eldredge
Health Director

BATHING BEACHES

Barnstable County Department of Health and Environment tests the water for two different types of fecal bacteria; Enterococcus in marine water, and E. coli in fresh water. These two bacteria are considered indicator organisms, which, as their name implies, are used to “indicate” the presence of conditions that have the potential to cause illness. Both organisms are found in the intestines of warm-blooded animals, including humans. Their presence in recreational waters suggests that other harmful organisms and viruses (called pathogens) might be present. If these pathogens are inadvertently ingested while swimming, they may cause a variety of diseases, the most common of which is a mild gastroenteritis with flu-like symptoms. This can be inconvenient and even dangerous, especially for those who are immunocompromised.

Stormwater runoff is the dominant cause for elevated indicator bacteria levels. Runoff carries pollutants from roads and other paved surfaces directly to the surface water of beaches and ponds. Other possible causes of fecal contamination of recreation waters are animal wastes from pets and wild animals. Common waste observed on beaches can be from dogs, geese, ducks, seagulls, seals and fox.

In order to adequately protect beach goers Cape wide and maintain compliance with Massachusetts Bathing Beach Regulations 105 CMR 445.000, Barnstable County utilizes a seasonal staff of four bathing beach sampler/analysts to collect and analyze weekly beach water samples. The samples are delivered to their water quality laboratory, and analyzed for the indicator organisms described above. It takes 24 hours to determine if the bacteria are present in a given sample. The maximum allowable number of Enterococci are 104 colony forming units per 100 ml of marine water, or 235 colony forming units per 100 ml of fresh water. If these standards are exceeded, a sampler is deployed immediately to collect a re-test. Based on recent amendments to the bathing beach regulations, the beach may remain open unless the results of the re-test indicate levels higher than the Massachusetts standards. Some beaches that have a history of consecutive closures over the last four bathing seasons must be closed after only one exceedance.

When a beach sample re-test exceeds the limit for bacteria in bathing water, the program notifies the town, where we then have 24 hours to ensure that the beach is closed to swimming. When the second re-test results show acceptable bacteria levels, the beach may be re-opened to swimming. Please remember that a beach posted closed to swimming does not mean you cannot still enjoy walking on the beach, collecting seashells, building sand castles and playing sports.

Harwich has 26 public beach locations, and 14 semi-public beach locations. There are currently 7 beaches with variances that are allowed to test monthly, as opposed to weekly. Please see 105 CMR 445.100 for variance regulations.

11-B

**105 CMR 445.000: MINIMUM STANDARDS FOR BATHING BEACHES (STATE
SANITARY CODE, CHAPTER VII)**

<https://www.mass.gov/doc/minimum-standards-for-bathing-beaches-state-sanitary-code/download>

445.100: Variance

(A) The Board of Health may grant a variance from the provisions of 105 CMR 445.000 for any public or semi-public bathing beach not operated by the Commonwealth. The Department may grant a variance for any bathing beach operated by the Commonwealth. In granting a variance, the Board of Health and the Department shall review available epidemiological data and a written sanitary survey of the bathing beach, as provided by the operator. The survey shall include:

(1) All possible sources of contamination, both bacterial and chemical, on the watershed tributary to the bathing beach including the location and volume of:

- (a) sewage and industrial wastewater discharges;
- (b) storm water overflows;
- (c) bird and animal populations; and
- (d) commercial and agricultural drainage.

(2) The volume and quality of the diluting water, water depth, water surface area, tides and confluence of tributaries, water currents and prevailing winds.

(B) Any variance granted by the Board of Health shall specify the required bacteriological testing schedule, provided that the frequency of bacteriological testing shall not be less than once prior to the bathing season and at least every 30 days thereafter throughout the duration of the bathing season.

(C) Any variance granted by a Board of Health or the Department shall expire:

- (1) at any time as determined by the Board of Health or the Department, but in no instance greater than four years, at which time the operator may apply for an extension, or
- (2) at any time the results of bacterial testing exceed the levels specified in 105 CMR 445.031.

(D) No variance from the requirement of weekly testing shall be granted until the applicant provides the Board of Health or the Department with water quality data collected for at least two complete and consecutive bathing seasons.

(E) In granting a variance, the Board of Health or the Department must determine that the enforcement of 105 CMR 445.000 would not serve a significant public health purpose and that the granting of the variance will not conflict with the intent and spirit of these minimum standards. Any variance or other modification authorized to be made by these regulations may be subject to such qualification, revocation, suspension, or other expiration as the Board of Health or the Department expresses in its grant. A variance or other modification authorized to be made by this regulation may otherwise be revoked, modified, or suspended in whole or in part, only after the holder thereof has been notified in writing and has been given the opportunity to be heard.

TESTING FREQUENCY

PUBLIC BEACHES		
Beach Name	Water type	Testing
Bucks Pond	Fresh	Weekly
Hinkley's Pond	Fresh	Weekly
Long Pond 1 -Cahoon Rd	Fresh	Weekly
Long Pond 2 - Long Pond Dr.	Fresh	Weekly
Long Pond 3 -Route 124	Fresh	Weekly
Robbins Pond	Fresh	Weekly
Sand Pond	Fresh	Weekly
Seymore Pond	Fresh	Weekly
Skinequit Pond	Fresh	Weekly
Atlantic St Beach	Marine	Weekly
Bank Street Beach	Marine	Weekly- exceedances 2017
Brooks Road Beach	Marine	Monthly - variance valid until 5/13/23
Earle Road Beach	Marine	Monthly - variance valid until 5/14/2022
Grey Neck Beach	Marine	Weekly- exceedances 2017
Merkel Beach	Marine	Weekly- exceedances 2017
Neel Road Beach	Marine	Monthly - variance valid until 5/13/23
Pleasant Bay	Marine	Monthly - variance valid until 5/14/2022
Pleasant Road Beach	Marine	Weekly- exceedances 2017
Red River (East)	Marine	Weekly- exceedances 2017
Red River (Middle)	Marine	Weekly - exceedances 2010 & 2012
Red River (West)	Marine	Weekly- exceedances 2017
Sea Breeze Road	Marine	Weekly- exceedances 2017

Sea Street		Marine	Surrogate (Bank Street)
WahWah Taysee		Marine	Monthly - variance valid until 5/13/23
Wyndemere Bluffs Road		Marine	Surrogate (Sea Breeze)
Zylpha Road		Marine	Monthly - variance valid until 06/16/2024

SEMI-PUBLIC BEACHES			
Beach Name		Water type	Testing
Buck's Pond		Fresh	Weekly
Aunt Edies Pond		Fresh	Weekly
Allen Harbor Beach		Marine	Surrogate (Brooks Road)
Inn on the Beach		Marine	Surrogate (Bank Street)
Lakeside Terrace		Fresh	Weekly
Pleasant Park Circle		Fresh	Surrogate (Bucks Pond)
Seaway		Marine	Surrogate (Pleasant Road)
Stone Horse Yacht Club Inc.		Marine	Weekly
Strand Way		Marine	Weekly
Belmont Condominium		Marine	Weekly
Winstead Inn Beach Resort		Marine	Surrogate (Bank Street)
Vacation Lane		Fresh	Weekly
Wequassett Inn Resort		Marine	Weekly
Wychmere Beach Club		Marine	Weekly

BEACHES WITH VARIANCES RESULTS 2018 AND 2019

	June 2018	July 2018	August 2018	June 2019	July 2019	August 2019
Brooks Road/ Allen Harbor	2	<2	<2	<2	<2	4
Earle Road	<2	<2	<2	2	2	4
Neel Road	2	<2	2	2	4	4
Pleasant Bay	2	2	<2	<2	4	2
Wah Wah Taysee	<2	<2	<2	<2	2	2
Zylpha Road		<2	<2	2	<2	4

*Results are in CFU/100 mL. Maximum Contaminant Level (MCL) is 104 CFU/100 mL. CFU refers to Colony Forming Units.

VI-A.

JULY 21, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director
Applicant: Joseph Delory
Engineer: Moran Engineering Associates, LLC. *ME*
Address: 113 Brooks Road

On behalf of the owner, Moran Engineering Associates LLC. is applying for variances from Harwich Board of Health Regulation 1.210 & 310 CMR 15:000, the State Environmental Code, Title 5 as follows:

Variances from 310 CMR 15.211(1) & 15.227 (5)

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 5' from the property line (North) where 10' is required. Variance request of 5'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 16' from the crawl space where 20' is required. Variance request of 4'.
3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 18.5' from the crawl space where 20' is required. Variance request of 1.5'.
4. Per 310 CMR 15.227(5): To allow a proposed septic tank invert to be 0.2' to high groundwater where 1' is required. Variance request of 0.8'.
5. Per 310 CMR 15.227(5): To allow a proposed pump chamber invert to be 0.1' above high groundwater where 1' is required. Variance request of 0.9'.

The request is for the purpose of upgrading the existing cesspool system to a Title 5 septic system only. There are no alterations to the building proposed at this time. The dwelling is on a crawlspace, no changes are proposed.

A previous variance request for this property was withdrawn without prejudice; that proposal included the SAS in the back yard within 100' of the wetland. This new proposal keeps the SAS outside of the 100' wetland buffer.

I recommend approval of the variances with the following conditions:

1. No increase in bedrooms, habitable space or square footage without further review by the Board of Health.
2. The dwelling shall be restricted to a maximum of 4 bedrooms.
3. Record the variances and conditions at the Barnstable County Registry of Deeds.

CONTINUED ON NEXT PAGE



**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:	3496
Date App Received:	7/8/2020
Meeting Date:	7/21/2020
Date Approved:	
Date Denied:	
Reason for Denial:	

Application for Board of Health Variances

Date: 7/7/20

Property Address: 113 Brooks Road

Map: 12 Parcel: L4

Book: 11423 Page: 68 Land Court No: _____

Name of Applicant: Joseph Delory

Applicant Mailing Address: 35 Milkyway Rd.

Troy NY 02180

City State Zip Code

Applicant Telephone Number: 518-527-1103

Applicant E-Mail Address: JOMD@lundbeck.com

Owner(s) of Record: Joseph Delory and Joanne Murnane

Owner(s) Mailing Address: 35 Milkyway Rd.

Troy NY 12180

City State Zip Code

Design Engineer/Sanitarian: Daniel Croteau

Firm/Company Name: Moran Engineering Assoc., LLC

Mailing Address: PO Box 183

So. Harwich MA 02661

City State Zip Code

Telephone Number: 508-432-2878

Design Engineer/Sanitarian E-Mail Address: moraneng@gmail.com

Please Choose Application Type:

Voluntary Upgrade: Addition/Alteration: Failed System: EIR:
 Other: _____

Conservation Commission Approval Required: No: Yes: Date of CC Hearing: 4/2/20

List All Variances from State & Local Codes

Title 5, Section # Variance Requested From	Description of Variance(s):
310CMR:15.211(1)	Dist. Between SAS and North Lot Line: 10' req., 5' proposed; 5' variance
310CMR:15.211(1)	Dist. Between SAS and Crawl space: 20' req., 16' & 18.5' proposed; 4' & 1.5' variance
310CMR:15.227:(5)	Dist. Between ST Invert to High GW: 1' req., 0.2' proposed; 0.8' variance
310CMR:15.227:(5)	Dist. Between PC Invert to High GW: 1' req., 0.1' proposed; 0.9' variance
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)

MORAN ENGINEERING ASSOCIATES, LLC

941 ROUTE 28, HARWICH

P.O. BOX 183
South Harwich, MA 02661

moraneng@gmail.com

O: 508-432-2878
F: 508-432-3501

July 7, 2020

Harwich Board of Health
732 Main Street
Harwich Center, MA 02645

Re: Septic System Upgrade Variance Request for 113 Brooks Road, Harwich Port, MA.

Dear Member of the Harwich Board of Health,

On behalf of property owners Joanne and Joseph Delory, I respectfully request review of the following variances for the purpose of installing a new Title 5 septic system to replace the existing cesspools at the locus property.

Variances From 310 CMR 15.211 (1) Minimum Setback Distances:

1. Per 310 CMR: 14.405 (1) (a): S.A.S. to north property line: 10' required; 5' available.
(Variance request of 5')
2. Per 310 CMR: 14.405 (1) (b): SAS to Crawl Space Wall: 20' required; 16' & 18.5' available.
(Variance request of 4' & 1.5')

Variances From 310 CMR 15.227 (5): Minimum Separation Distance:

3. Per 310 CMR: 14.405 (1) (j): Septic Tank Invert to High Groundwater: 1' required; 0.2' available.
(Variance request of 0.8')
4. Per 310 CMR: 14.405 (1) (j): Pump Chamber Invert to High Groundwater: 1' required; 0.1' available.
(Variance request of 0.9')

This request is for the purpose of upgrading the existing cesspool systems to a Title-5 septic system only. There are no alterations to the building proposed as part of this proposal.

Sincerely,

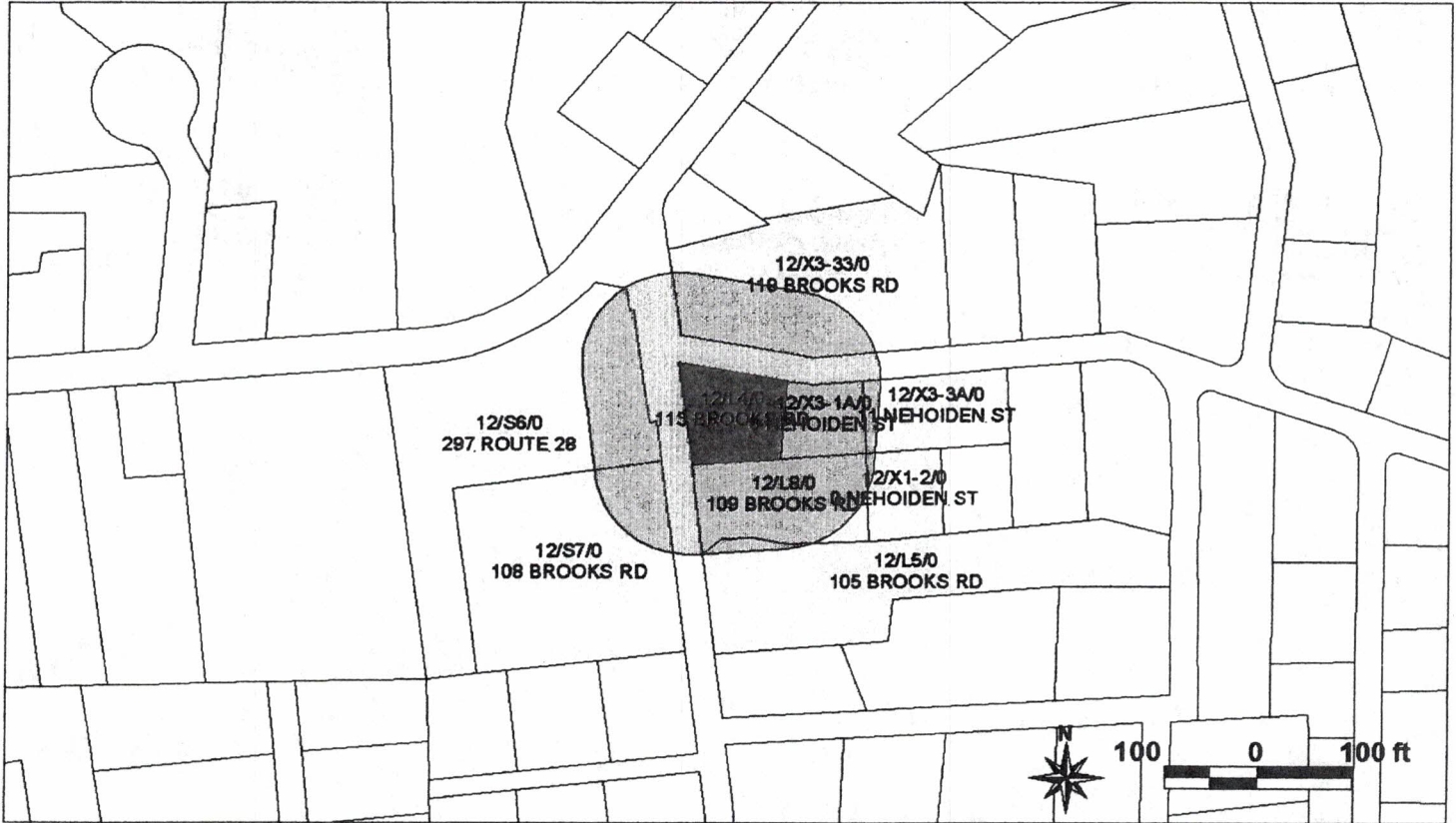


Daniel Croteau, PE



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

Abutters List Within 100 feet of Parcel 12/L4/0

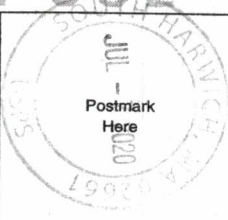


Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
8264	12-L4-0-R	DELORY JOSEPH M ET AL MURNANE JOANNE	113 BROOKS RD	35 MILKYWAY RD	TROY	NY	12180
		<i>Locus</i>					
8267	12-L5-0-R	RICHARDSON THOMAS W LIFE ESTAT RICHARDSON JACQUELINE F LIFE E	105 BROOKS RD	100 SOUTH HIGH ST	FOXBORO	MA	02035
1394	12-L8-0-R	CUMMINGS ROBERT M ET AL CUMMINGS PAUL F	109 BROOKS RD	109 BROOKS RD	HARWICH PORT	MA	02646
1370	12-S6-0-R	WEST HARWICH REALTY TRUST A & W DRIVE INN	297 ROUTE 28	297 ROUTE 28	HARWICH PORT	MA	02646
1474	12-S7-0-R	KEPPEL EDWARD A ET ALS	108 BROOKS RD	C/O LINDA HARJU 108 BROOKS RD	HARWICH PORT	MA	02646
1693	12-X1-2-0-R	DAMICO THEODORE & GOZIER YVETTE	0 NEHOIDEN ST	369 ARBORWAY	JAMAICA PLAIN	MA	02130
7955	12-X3-1A-0-R	FRANKLIN BARBARA ANN TR BALLINACURRA TRUST	5 NEHOIDEN ST	71 LOVELL RD	WATERTOWN	MA	02472
8500	12-X3-33-0-R	THE ASHWOOD REALTY TRUST	119 BROOKS RD	119 BROOKS RD	HARWICH PORT	MA	02646
1639	12-X3-3A-0-R	DAMICO THEODORE & GOZIER YVETTE	11 NEHOIDEN ST	369 ARBORWAY	JAMAICA PLAIN	MA	02130

7012 2210 0002 2486 3354

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

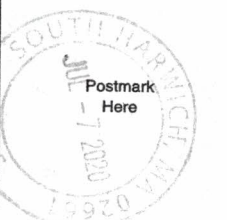


Sent To **12-S7-0-R**
Street, Apt. No., or PO Box No. **KEPPEL EDWARD A ET ALS
C/O LINDA HARJU
108 BROOKS RD
HARWICH PORT, MA 02646**
PS Form 3800, August 2009 See Reverse for Instructions

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Total Postage & Fees	\$

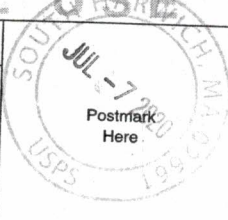


Sent To **12-X3-1A-0-R**
Street, Apt. No., or PO Box No. **FRANKLIN BARBARA ANN TR
BALLINACURRA TRUST
71 LOVELL RD
WATERTOWN, MA 02472**
PS Form 3800, August 2009 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To **12-S6-0-R**
Street, Apt. No., or PO Box No. **WEST HARWICH REALTY TRUST
A & W DRIVE INN
297 ROUTE 28
HARWICH PORT, MA 02646**
PS Form 3800, August 2009 See Reverse for Instructions

7012 2210 0002 2486 3378

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

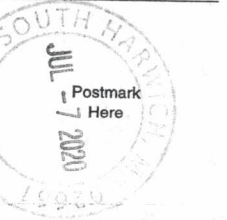


Sent To **12-L8-0-R**
Street, Apt. No., or PO Box No. **CUMMINGS ROBERT M ET AL
CUMMINGS PAUL F
109 BROOKS RD
HARWICH PORT, MA 02646**
PS Form 3800, August 2009 See Reverse for Instructions

7012 2210 0002 2486 3361

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To **12-X3-33-0-R**
Street, Apt. No., or PO Box No. **THE ASHWOOD REALTY TRUST
119 BROOKS RD
HARWICH PORT, MA 02646**
PS Form 3800, August 2009 See Reverse for Instructions

MORAN ENGINEERING ASSOCIATES, LLC

941 ROUTE 28, HARWICH

P.O. BOX 183
South Harwich, MA 02661

moraneng@gmail.com

O: 508-432-2878
F: 508-432-3501

Re : 113 Brooks Road, Harwich Port, MA
Assess. Map 12, Parcel L4
Owner: Joseph Delory

July 7, 2020

Dear Abutter of 113 Brooks Road, Harwich Port

This letter serves to notify you, as an abutter, that there will be a hearing before the Harwich Board of Health for **# 113 Brooks Rd., Harwich Port**. The owner is proposing to install a new Title-5 septic system to replace the existing cesspools to service the existing building and is requesting local upgrade approvals as stated below.

Variations From 310 CMR 15.211 (1) Minimum Setback Distances:

1. Per 310 CMR: 14.405 (1) (a): S.A.S. to north property line: 10' required; 5' available.
(Variance request of 5')
2. Per 310 CMR: 14.405 (1) (b): SAS to Crawl Space Wall: 20' required; 16' & 18.5' available.
(Variance request of 4' & 1.5')

Variations From 310 CMR 15.227 (5): Minimum Separation Distance:


3. Per 310 CMR: 14.405 (1) (j): Septic Tank Invert to High Groundwater: 1' required; 0.2' available.
(Variance request of 0.8')
4. Per 310 CMR: 14.405 (1) (j): Pump Chamber Invert to High Groundwater: 1' required; 0.1' available.
(Variance request of 0.9')

This request is for the purpose of upgrading the existing cesspool systems to a Title-5 septic system only. There are no alterations to the building as part of this proposal.

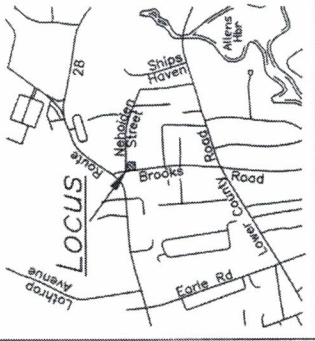
You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for Tuesday, July 21st, 2020 at 7:00 pm.

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

Sincerely,



,Daniel Croteau, PE



LOCATION MAP
 Assessors' ID: 12-L4
 Deed: Bk.11423, Pg.68
 Plan: See Bk.98, Pg.127

SYSTEM DESIGN CALC.

Design Flow:
 4 bedrooms @ 110 gal/day = 440 gal/day
 Septic Tank: 440 gal. x 200% = 880 gal.
 Use: Monolithic 1500 Gal. 2-Compartment (1000/500) H-20 Septic Tank
 Pump Chamber: Monolithic 1000 Gal. H-20
 Leaching Facility: 6 Rows of Cultec-100 Chambers,
 Proposed Layout:
 6 x 20 LF of Chamber x 5.0sf/lf = 600 sf
 Capacity: 600 sf x 0.74 gal/1sf = 444 gal/day
 *Per Mass DEP Certification For General Use
 NOTE: Garbage disposal is not permitted with this design.

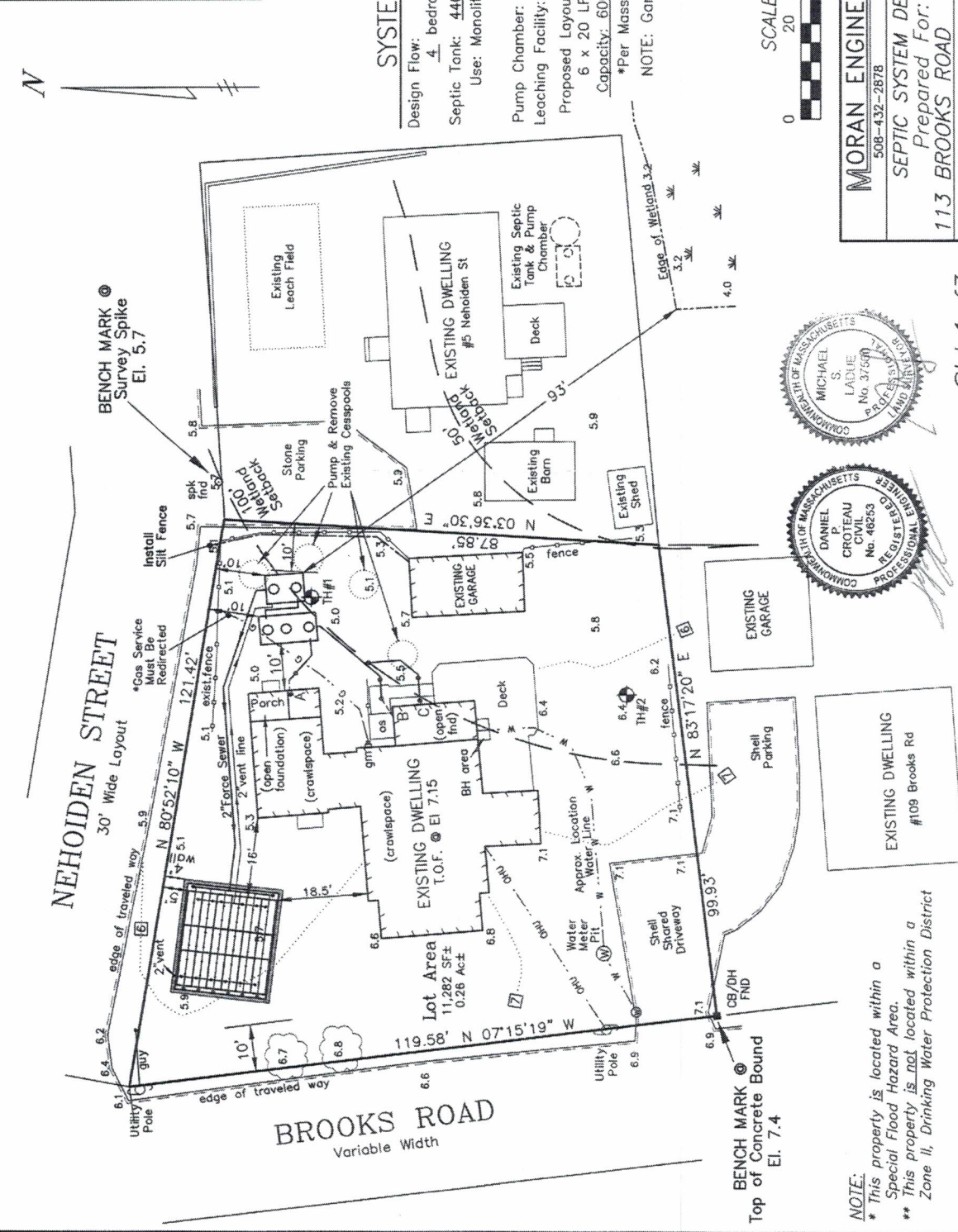


MORAN ENGINEERING ASSOC., LLC
 508-432-2878 941 ROUTE 28, HARWICH, MA

SEPTIC SYSTEM DESIGN PLAN IN HARWICH
 Prepared For: Joseph M. Delory
 113 BROOKS ROAD HARWICH, MA

PROJECT: 19-254 DATE: 3/2/2020

Rev: 3/25/2020, 7/1/20

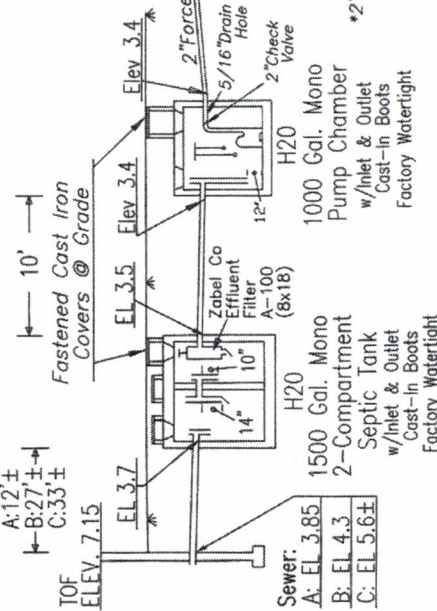


Sht: 1 of 3

NOTE:
 * This property is located within a Special Flood Hazard Area.
 ** This property is not located within a Zone II, Drinking Water Protection District

SYSTEM PROFILE

N. T. S.
 ** LATERALS, MANIFOLD, AND FORCE MAIN ARE TO BE SLOPED TO DRAIN BACK INTO PUMP CHAMBER AT THE END OF EACH PUMP CYCLE.



Sewer:
 A: EL 3.85
 B: EL 4.3
 C: EL 5.6±

- 1.) ALL COMPONENTS ARE TO MEET TITLE 5 MATERIAL AND CONSTRUCTION REQUIREMENTS.
- 2.) SYSTEM COMPONENTS ARE TO BE SET ON A STABLE COMPACTED BASE.
- 3.) *CONFIRM ALL EXIT FLOW AT TIME OF SYSTEM INSTALLATION*

TEST HOLE 1 El. 5.0

Depth	Horizon	Texture	Color	Other
0-12"	A	Loamy Sand	10YR3/2	
12-24"	B	Loamy Medium Sand	7.5YR3/4	V. Friable
24-72"	C	Medium-Coarse Sand	2.5Y5/4	Loose

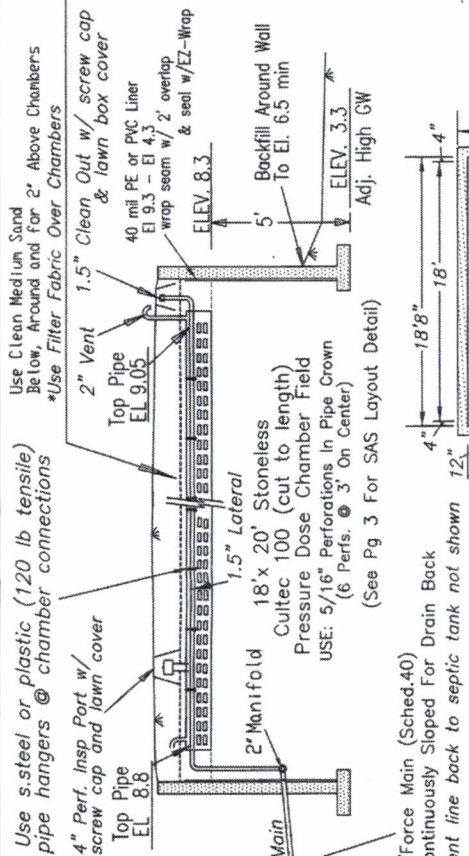
Blm El. -1.0 Groundwater Found @ 32" (El. 2.3)

TEST HOLE 2 El. 6.4

Depth	Horizon	Texture	Color	Other
0-6"	A	Loamy Sand	10YR3/2	
6-30"	B	Loamy Medium-Coarse Sand	7.5YR5/6	V. Friable
30-72"	C	Medium-Coarse Sand	2.5Y5/4	Loose

Blm El. 0.4 Groundwater Found @ 48" (El. 2.0)

Date: 2/26/20
 Performed By: Daniel P. Croteau, PE, SE481
 Witness: K. Tenaglia, HA

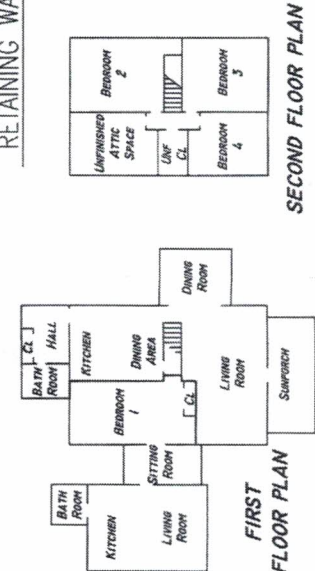


Use s-steel or plastic (120 lb tensile) pipe hangers @ chamber connections
 Use Clean Medium Sand Below, Around and for 2' Above Chambers
 *Use Filter Fabric Over Chambers
 1.5" Clean Out w/ screw cap & lawn box cover
 40 mil PE or PVC Liner El 9.3 - El 4.3 wrap seam w/ 2" overlap & seal w/EZ-Wrap
 2" Vent
 2" Pipe EL 9.05
 Top Pipe EL 9.3
 1.5" Lateral
 18' x 20' Stoneless Cultitec 100 Pressure Dose Chamber Field USE: 5/16" Perforations In Pipe Crown (6 Perfs. @ 3" On Center) (See Pg 3 For SAS Layout Detail)
 2" Manifold
 2" Force Main (Sched.40) Continuously Sloped For Drain Back
 *2" vent line back to septic tank not shown

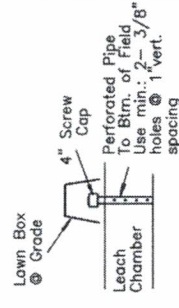
GROUNDWATER ADJ.
 Groundwater Found: El. 2.3
 Index Well: JSW-89
 Zone A (2/20, 11.2') => +1.0'
 Adj. High GW Depth= El. 3.3

PERC. TEST @ TH #2

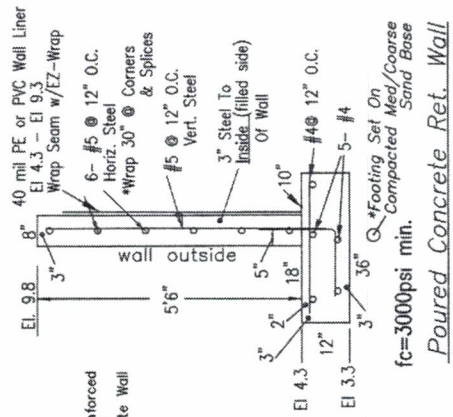
Time Drop
 2min 00sec 12-9"
 3min 57sec 9-6"
 Perc @ Depth Of 25"
 Perc & Design Rate = <= 2 min./in.



FIRST FLOOR PLAN
 SECOND FLOOR PLAN



SAS INSP. PORT DETAIL



RETAINING WALL DIMENSIONS

fc=3000psi min.
 Poured Concrete Ret. Wall

Sht: 2 of 3

MORAN ENGINEERING ASSOC., LLC
 508-432-2878 941 ROUTE 28, HARTWICH, MA
 SEPTIC SYSTEM DESIGN PLAN IN HARTWICH
 Prepared For: Joseph M. Delory
 113 BROOKS ROAD HARTWICH, MA
 PROJECT: 19-254 DATE: 3/2/2020

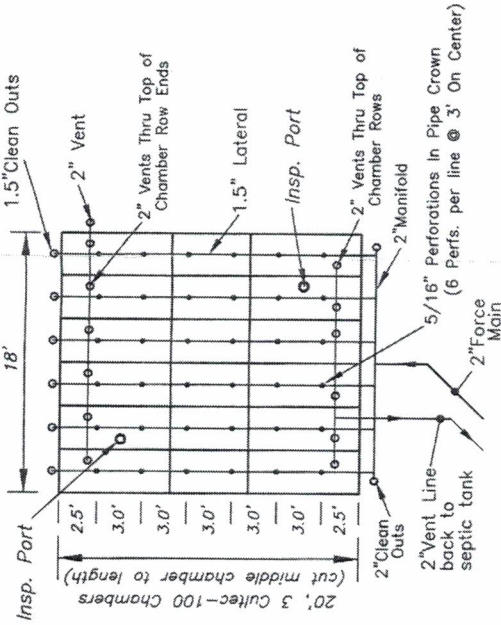
Rev: 3/25/2020, 7/1/20

PUMP NOTES

- 1) Submersible Pump—Liberty FL50 Series 1/2 hp
- 2) 2" Force Main to drain back into pump chamber at the end of each pumping cycle. Use 5/16" Drain Hole following 2" Check Valve.
- 3) Alarm Panel — SJE Rhombus Tank Alert Alarm To Be Visible and Audible From Both Living Units.
- 4) Alarm is to be on a separate circuit from the pump
- 5) Pump Sequence:
 - a) Pump off El 0.2 (1' Off Tank Btm.)
 - b) Pump on El 0.7 (1.5' Off Tank Btm.)
 - c) Alarm on El 1.2 (2' Off Tank Btm.)
- 6) Pump to be set on blocks to avoid bottom debris.
- 7) Quick Disconnect Fitting to be installed on horizontal line of force main for use when servicing or removing pump.
 - *Disconnect must be accessible from pump manhole without entering chamber.
- 8) Electrical Permit is required. Electric wiring is to be installed in conduit.

SAS LAYOUT DETAIL

- 1) All Piping Is To Drain Back into Pump Chamber at End of Pump Cycles
- 2) Use Clean Medium Sand Around and for 2" Above Chambers
- 3) Use Filter Fabric over Chambers



GENERAL NOTES

- 1) INSTALL SILT FENCE/ WORK LIMIT LINE PRIOR TO THE START OF EXCAVATION.
- 2) EXISTING SEWER ELEVATIONS ARE TO BE VERIFIED PRIOR TO THE INSTALLATION OF NEW SYSTEM COMPONENTS.
- 3) EXISTING CESSPOOLS ARE TO BE LOCATED, PUMPED AND REMOVED, ALONG WITH ALL CONTAMINATED SOILS WITHIN 5' OF THE PROPOSED SAS.
- 4) SEWER LINES ARE TO BE REPLACED BACK TO ORIGINAL PVC OR CAST IRON DRAINS. INSTALL 4" PVC CLEAN OUTS TO GRADE AT PIPE CHANGES IN DIRECTION PRIOR TO THE SEPTIC TANK.
- 5) SEPTIC TANK AND PUMP CHAMBER ARE TO HAVE CAST-IN PLACE RUBBER BOOTS AT INLET AND OUTLET HOLES. *ALL TANK INLETS, OUTLETS, SEAMS, COVERS, AND RISER SEAMS ARE TO BE SEALED WATERTIGHT WITH BITUMINOUS SEAL OR HYDRAULIC CEMENT.
- 6) A 5' UNSUITABLE SOIL OVER-DIG IS REQUIRED TO UNCOMPACTED B SOIL LAYER (LOAMY MEDIUM SAND). DESIGNER SHALL BE NOTIFIED FOR INSPECTION PRIOR TO THE PLACEMENT OF TITLE 5 FILL.
- 7) CAST IRON ACCESS COVERS ARE TO BE SET AT FINISHED GRADE ON SEPTIC TANK OUTLET AND PUMP CHAMBER OUTLET MANHOLES. COVERS AT GRADE ARE TO BE FASTENED TO PROTECT AGAINST UNWARRANTED ENTRY. LEACHING AREA INSPECTION PORTS (2) ARE TO BE SET AT GRADE WITH IRRIGATION CONTROL BOX COVERS AT GRADE.
- 8) PERFORATED 1.5" LATERALS ARE TO BE PREPARED IN SHOP TO INSURE HOLE UNIFORMITY. USE 5/16" PERFORATIONS AT 3' SPACING. USE 6 PERFS. PER LATERAL. ALL PLASTIC BURRS ARE TO BE CLEANED FROM HOLES AND PIPES.
- 9) LATERALS ARE TO BE INSTALLED WITH PERFS. AT PIPE CROWN.
- 10) LATERALS, MANIFOLD AND FORCE MAIN ARE TO BE SLOPED TO DRAIN BACK INTO PUMP CHAMBER AT THE END OF PUMP CYCLES.

ENGINEER REQUIRED INSPECTIONS

- 1.) DESIGN ENGINEER TO STAKEOUT SEPTIC COMPONENT LOCATION.
- 1.) DESIGN ENGINEER TO CERTIFY UNSUITABLE SOIL REMOVAL PRIOR TO SYSTEM INSTALLATION.
- 2.) DESIGN ENGINEER TO CERTIFY RET. WALL STEEL INSTALLATION PRIOR TO CONCRETE POUR.
- 2.) DESIGN ENGINEER TO INSPECT LATERALS PRIOR TO INSTALLATION.
- 3.) DESIGN ENGINEER TO CERTIFY SYSTEM INSTALLATION (ELEVATIONS & LOCATIONS) AND OPERATION PRIOR TO BACKFILLING.

BOH VARIANCES REQUIRED

- VARIANCES FROM 310CMR:15.211:(1)
- 1.) Per 310CMR15.405(1)(a): Dist. Between Road (north) Lot Line & S.A.S.: 10' Required; 5' Proposed
 - 2.) Per 310CMR15.405(1)(b): Dist. Between Crawl Space & S.A.S.: 20' Required; 16' & 18.5' Proposed
- VARIANCES FROM 310CMR15.227:(5)
- 3.) Per 310CMR15.405(1)(i): Dist. Between Septic Tank Invert Elevation & High Groundwater: 1' Required, 0.2' Proposed
 - 4.) Per 310CMR15.405(1)(j): Dist. Between Pump Chamber Invert Elevation & High Groundwater: 1' Required, 0.1' Proposed

BUOYANCY CALCULATIONS

SEPTIC TANK:

USE: ACME 1500—GALLON (H-20) 2-COMPARTMENT MONO. SEPTIC TANK
 High GW El. 3.3 — Btm. Tank El. -1.0 = 4.3' Submerged Depth
 Submerged Volume: 4.3' x 11.5' x 6.0' = 296.7 cf
 Buoyancy: 296.7 cf x 62.4 lbs/cf = 18,514 lbs uplift
 Tank Weight (empty) per ACME Co. Specs: 24,600 lbs
 24,600 lbs - 18,514 lbs = 6,086 lbs

PUMP CHAMBER:

USE: ACME 1000—GALLON (H-20) MONOLITHIC ST./PUMP CHAMBER
 High GW El. 3.3 — Btm. Tank El. -1.3 = 4.6' Submerged Depth
 Submerged Volume: 4.6' x 7.7' x 6.0' = 212.5 cf
 Buoyancy: 212.5 cf x 62.4 lbs/cf = 13,260 lbs uplift
 Tank Weight (empty) per Shorey Co. Specs: 16,000 lbs
 16,000 lbs - 13,260 lbs = 2,740 lbs



Sht:3of3

MORAN ENGINEERING ASSOC., LLC
 508-432-2878 941 ROUTE 28, HARWICH, MA

SEPTIC SYSTEM DESIGN PLAN IN HARWICH
 Prepared For: Joseph M. Delory
 113 BROOKS ROAD HARWICH, MA

PROJECT: 19-254

DATE: 3/2/2020

Rev: 3/25/2020, 7/1/20

VI-B.

JULY 21, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director
Applicant: Lawrence
Address: 24 Central Avenue

ME

On behalf of the owner, Thadd Eldredge of East-Southeast, LLC is apply for a reconsideration of a previous condition placed on May 1, 2012. The condition was a result of granting variances to Title 5 and Harwich Board of Health Regulations.

Previously approved variances include lot line and property line variances as well as a 23% reduction in the SAS size.

The proposal includes the addition of approximately 50 square feet on the first floor with the squaring off of the rear corner of the building and converting the porch to habitable space. The proposal continues with the expansion of the second floor by approximately 250 square feet to become a full second story. The existing dwelling contains 3 bedrooms and approximately 1,120 square feet of living space and the proposed dwelling will contain 3 bedrooms and approximately 1,420 square feet of living space.

No new variances are required for this proposed expansion to the dwelling. The expansion does not impact the existing variances.

I recommend approval of the reconsideration with the following conditions:

1. No further expansion of square footage, habitable space is allowed without further review of the Board of Health.
2. The dwelling is restricted to a maximum of 3 bedrooms.
3. The reconsideration approval shall be recorded at the Barnstable County Registry of Deeds.



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:	3280
Date App Received:	7/8/2020
Meeting Date:	7/21/2020
Date Approved:	
Date Denied:	
Reason for Denial:	

Application for Board of Health Variances

Date: July 7, 2020

Property Address: 24 Central Avenue

Map: 6B Parcel: L91

Book: 30344 Page: 182 Land Court No: _____

Name of Applicant: Manijeh Lawrence

Applicant Mailing Address: 50 Noon Hill Avenue

<u>Norfolk</u>	<u>MA</u>	<u>02056</u>
City	State	Zip Code

Applicant Telephone Number: 617-291-2874

Applicant E-Mail Address: _____

Owner(s) of Record: Manijeh Lawrence

Owner(s) Mailing Address: 50 Noon Hill Avenue

<u>Norfolk</u>	<u>MA</u>	<u>02056</u>
City	State	Zip Code

Design Engineer/Sanitarian: J. Thaddeus Eldredge, PLS

Firm/Company Name: East-SouthEast, LLC

Mailing Address: 1038 Main Street

<u>Chatham</u>	<u>MA</u>	<u>02633</u>
City	State	Zip Code

Telephone Number: 508-945-3965

Design Engineer/Sanitarian E-Mail Address: office@ese-llc.com

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):
	Distance between lot line and septic tank, 10' required, 8.5' and 2' proposed.
	Distance between lot line and leaching area, 10' required, , 2', 2' and 5' proposed.
	Distance between cellar wall and septic tank, 10' required, 2' proposed.
	Distance between cellar wall and leaching area, 20' required, 2', 9', 12' & 13.5' proposed.
	23% reduction of SAS area design requirements.
Harwich Reg. #	Description of Variance(s):
	Distance between lot line and septic tank, 10' required, 8.5' and 2' proposed.
	Distance between lot line and leaching area, 10' required, , 2', 2' and 5' proposed.
	Distance between cellar wall and septic tank, 10' required, 2' proposed.
	Distance between cellar wall and leaching area, 20' required, 2', 9', 12' & 13.5' proposed.
	23% reduction of SAS area design requirements.

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)

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

Surveying, Geomatics Engineering and Mapping

1038 Main Street ° Chatham, Massachusetts 02633

41°41'14.73425" N 69°58'24.87695" W -10.019 M

July 7, 2020

Town of Harwich
BOARD OF HEALTH
732 Main Street
Harwich, MA 02645

Re: Amendment to Variance
Manijeh Lawrence, Owner/Applicant
24 Central Avenue
Assessors' Map 6B, Parcel L91

Dear Board Members:

Enclosed please find eight (8) copies the following:

1. **Application for Board of Health Variance;**
2. This letter;
3. Hearing Notice sent to abutters;
4. **Certified Abutters' list;**
5. **Existing Variance Letter**, recorded at the Barnstable County Registry of Deeds in Deed Book 26,901, Page 306;
6. **Site Plan and Sewage Disposal System**, dated 01/18/2011, last revised 03/27/2012, prepared by Moran Engineering Associates, Inc. (reduced copy);
7. **Site Plan** (including existing and proposed floorplans) dated 06/26/2020, prepared by East-SouthEast, LLC; and
8. **Check** made payable to the Town of Harwich in the amount of \$125.00.

The owner / applicant purchased the property in 2017 and is proposing the reconstruction of the building. The proposal includes the addition of approximately 50 S.F. on the first floor with the 'squaring off' of the rear corner of the building. The proposal continues with the expansion of the second floor by approximately 250 S.F. to become a full second story.

The existing dwelling contains approximately 1,120 S.F. of living space. The proposed dwelling contains approximately 1,420 S.F. of living space.

The existing dwelling has three bedrooms and a sitting room on the second floor. The sitting room was very specifically restricted from providing the isolation necessary to be used as a bedroom. The proposal includes three bedrooms and a bathroom on the second floor without the potentially controversial sitting room. The bedrooms are increasing in size but are still modest. The master bedroom will have approximately 230 S.F. of floor area and the smallest room will have about 100 S.F. of floor area.

The proposed first floor addition is more than 10 feet from the existing septic tank. A substantial portion of the proposed addition is within 20' of the leaching and therefore a crawl space is proposed.

With this proposal, no new variances are requested. However, in 2012 when the Board of Health issued the variances, the following condition was imposed:

1. There is to no increase in square footage, the number of bedrooms beyond those shown on said plan by Moran Engineering, dated January 18, 2011, revised June 6, 2011. (further revised 03/27/2012) This plan is designed for a three bedroom dwelling. The current sitting area is <70 ft and also does not meet the requirements for a bedroom. Privacy is to be eliminated in this room as part of the permit process. Three bedroom maximum restriction on this property.

The applicant is seeking to modify the variance to allow for the proposed increase in square footage. The requirement to ensure the sitting area is not used for sleeping purposes will be unnecessary once the space is removed.

It is my understanding that the public hearing for this variance request has been scheduled for Tuesday, July 21, 2020 at 6:30 pm. Please notify us if this is not the case.

In the meantime, should you have any questions, please contact me.

Thank you for your consideration in this matter.

~~EAST SOUTHEAST, LLC~~



J. Thaddeus Eldredge, PLS

Y:\Clients\Martucci, Jim 5211\BOH\01 Variance Request Letter.docx

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

Surveying, Geomatics Engineering and Mapping
1038 Main Street ° Chatham, Massachusetts 02633
41°41'14.73425" N 69°58'24.87695" W -10.019 M



REVISED Public Hearing Notice

July 8, 2020

To: Abutters within 50' of Parcel 6B/L91/0 (abutters' list enclosed)

Re: Board of Health Variance Request for 24 Central Avenue

Dear abutter:

*"You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for **Tuesday, July 21, 2020** at 7:00 p.m. 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**"*

The following existing variances are requested:

- Distance between lot line and septic tank, 10' required, 8.5' and 2' proposed.
- Distance between lot line and leaching area, 10' required, 2', 2' and 5' proposed.
- Distance between cellar wall and septic tank, 10' required, 2' proposed.
- Distance between cellar wall and leaching area, 20' required, 2', 9', 12' & 13.5' proposed.
- 23% reduction of SAS area design requirements.

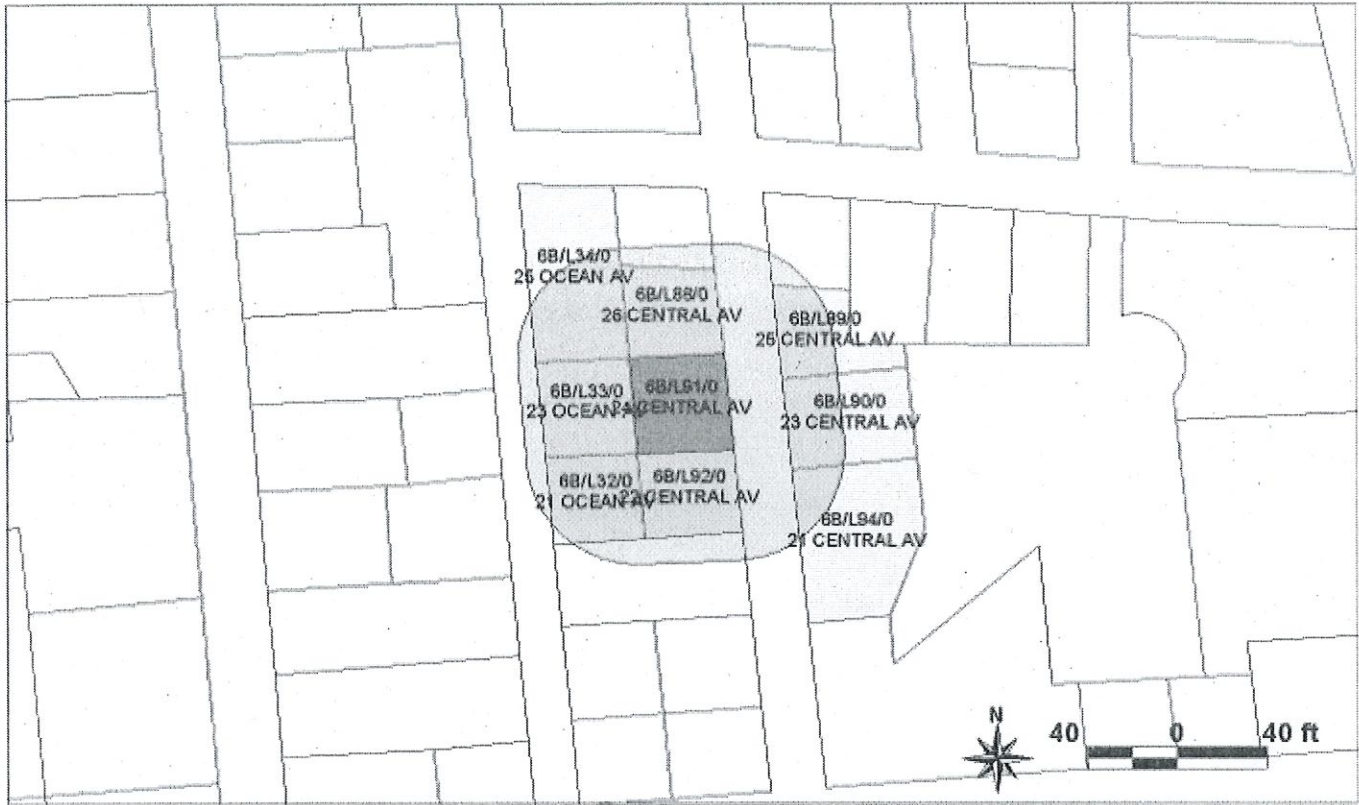
The applicant is seeking to modify the variance issued in 2012 to allow for the proposed increase in square footage.

cc: Harwich Health Department



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

Abutters List Within 50 feet of Parcel 6B/L91/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1028	6B-L32-0-R	BOIRE PHILIP & CHRISTOPHER JULIA	21 OCEAN AV	21 OCEAN AV	HARWICH PORT	MA	02646
7796	6B-L33-0-R	TAYLOR PHILIP J & WHITE-TAYLOR PAULA	23 OCEAN AV	1199 PIPPIN ORCHARD RD	CRANSTON	RI	02921
1029	6B-L34-0-R	DALEY-FABRIZIO ELIZABETH TRS E FABRIZIO DONALD P TRS	25 OCEAN AV	43 TROY LN	NEWTON	MA	02468
1076	6B-L88-0-R	SEGIEN KATHRYN & SEGIEN CRAIG	26 CENTRAL AV	26 CENTRAL AV	HARWICH	MA	02645
1078	6B-L89-0-R	FELT CHARLES N	25 CENTRAL AV	3 DOTTIES CT	NATICK	MA	01760
8203	6B-L90-0-R	GERAGHTY THOMAS J TRS ET AL GERAGHTY MARGARET M TRS	23 CENTRAL AV	5149 39TH ST	W BRADENTON	FL	34210
7798	6B-L91-0-R	LAWRENCE MANIJEH	24 CENTRAL AV	50 NOON HILL AVE	NORFOLK	MA	02056
1079	6B-L92-0-R	TWOMEY JOHN E TRS ET AL TWOMEY SUSAN J TRS	22 CENTRAL AV	23 MADAWASKA ST	BEDFORD	MA	01730
12008	6B-L94-0-R	BROWN JANET M	21 CENTRAL AV	119 DECOTA DR	STOUGHTON	MA	02072

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

Surveying, Geomatics Engineering and Mapping

1038 Main Street ° Chatham, Massachusetts 02633

41°41'14.73425" N 69°58'24.87695" W -10.019 M

Public Hearing Notice

July 7, 2020

To: Abutters within 50' of Parcel 6B/L91/0 (abutters' list enclosed)

Re: Board of Health Variance Request for 24 Central Avenue

Dear abutter:

A public hearing has been scheduled for the Harwich Board of Health to take action on an application for variances from the regulations of the Harwich Board of Health and/or Title 5 for Subsurface Disposal of Sewage. The following existing variances are requested:

- Distance between lot line and septic tank, 10' required, 8.5' and 2' proposed.
- Distance between lot line and leaching area, 10' required, 2', 2' and 5' proposed.
- Distance between cellar wall and septic tank, 10' required, 2' proposed.
- Distance between cellar wall and leaching area, 20' required, 2', 9', 12' & 13.5' proposed.
- 23% reduction of SAS area design requirements.

The applicant is seeking to modify the variance issued in 2012 to allow for the proposed increase in square footage.

Said hearing will be held in the Donn B. Griffin Room of the Harwich Town Offices, 732 Main Street, Harwich, on **Tuesday, July 21, 2020 at 7:00 pm.**

The application and plans are available for review at the Harwich Health Department, Harwich Town Hall, 732 Main Street, Harwich; Monday through Friday from 8:30am to 4:00 pm.

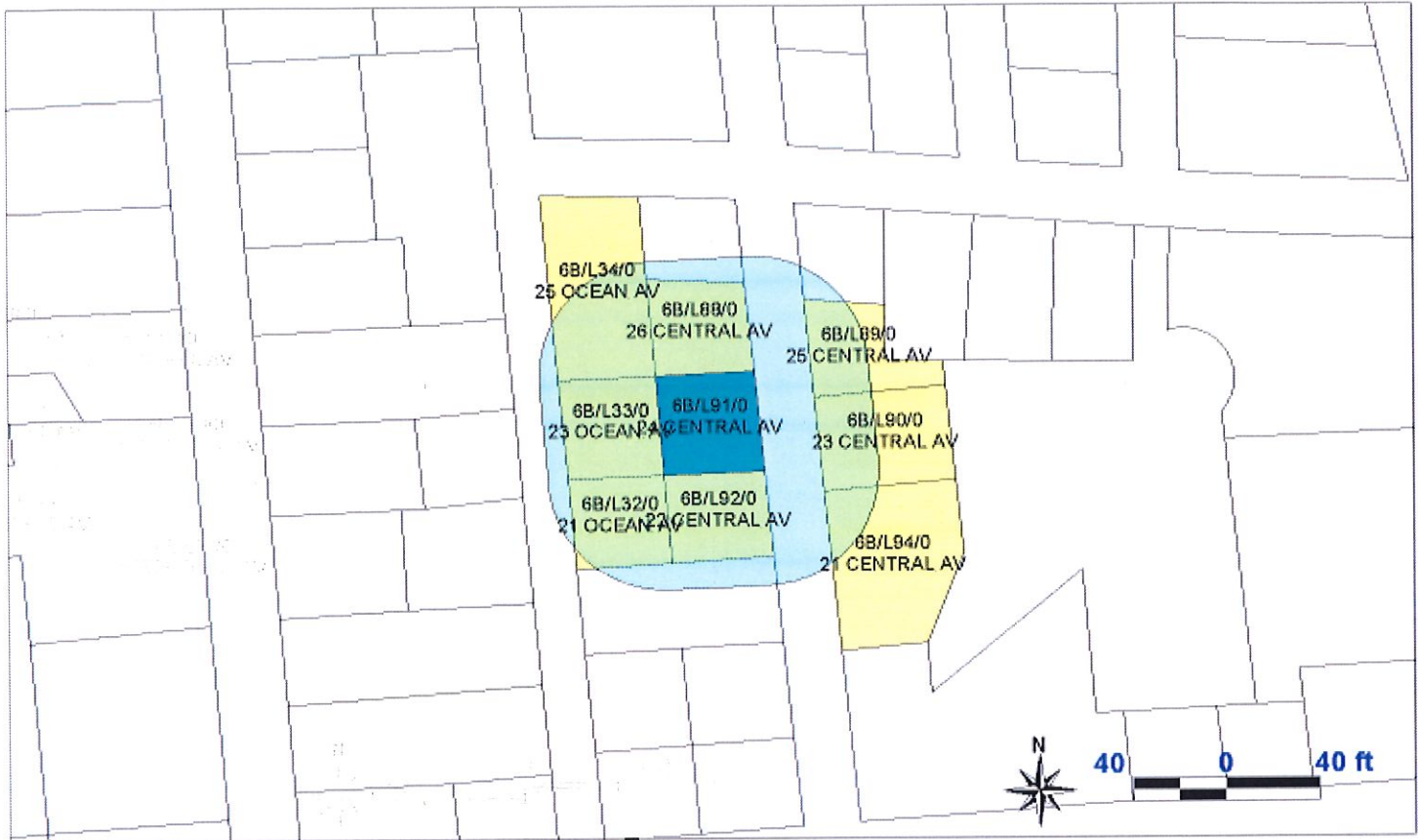
cc: Harwich Health Department

By certified mail



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

Abutters List Within 50 feet of Parcel 6B/L91/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1028	6B-L32-0-R	BOIRE PHILIP & CHRISTOPHER JULIA	21 OCEAN AV	21 OCEAN AV	HARWICH PORT	MA	02646
7796	6B-L33-0-R	TAYLOR PHILIP J & WHITE-TAYLOR PAULA	23 OCEAN AV	1199 PIPPIN ORCHARD RD	CRANSTON	RI	02921
1029	6B-L34-0-R	DALEY-FABRIZIO ELIZABETH TRS E FABRIZIO DONALD P TRS	25 OCEAN AV	43 TROY LN	NEWTON	MA	02468
1076	6B-L88-0-R	SEGIEN KATHRYN & SEGIEN CRAIG	26 CENTRAL AV	26 CENTRAL AV	HARWICH	MA	02645
1078	6B-L89-0-R	FELT CHARLES N	25 CENTRAL AV	3 DOTTIES CT	NATICK	MA	01760
8203	6B-L90-0-R	GERAGHTY THOMAS J TRS ET AL GERAGHTY MARGARET M TRS	23 CENTRAL AV	5149 39TH ST	W BRADENTON	FL	34210
7798	6B-L91-0-R	LAWRENCE MANIJEH	24 CENTRAL AV	50 NOON HILL AVE	NORFOLK	MA	02056
1079	6B-L92-0-R	TWOMEY JOHN E TRS ET AL TWOMEY SUSAN J TRS	22 CENTRAL AV	23 MADAWASKA ST	BEDFORD	MA	01730
12008	6B-L94-0-R	BROWN JANET M	21 CENTRAL AV	119 DECOTA DR	STOUGHTON	MA	02072



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

NOTICE OF TITLE 5 VARIANCE

October 30, 2012

**HARWICH BOARD OF HEALTH
VARIANCE APPROVAL
310 CMR 15.000
24 CENTRAL AVE
HARWICHPORT, MA
MAP 6B PARCEL L-91**

Catherine L. Vinton
38 Orchard Meadow Drive
Shrewsbury, MA 01545

Dear Mrs. Vinton:
Re: 24 Central Ave, Harwichport, MA

At a meeting of the Board of Health on May 1, 2012 a hearing was conducted to consider reinstatement of lapsed variances issued June 6, 2011. At that time variance requests from Title 5 and Harwich Board of Health regulations to replace a sewage disposal were granted with conditions at the above referenced property on a plan designed by Moran Engineering, Inc.,

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

To reinstate the variances and conditions per the plan dated 01/18/2011, rev 03/27/2012.

The Board of Health is on record as making the condition of returning the dwelling to a three bedroom property by way of removing the privacy for the sitting room is required to commence prior to the issuance of the sewage disposal permit.

1. Distance between lot line and septic tank, 10' required, 8.5 proposed.
2. Distance between lot line and septic tank, 10' required, 2' proposed.
3. Distance between lot line and leaching area, 10' required, 2' proposed.
4. Distance between lot line and leaching area, 10' required, 2' proposed.
5. Distance between lot line and leaching area, 10' required, 5' proposed.
6. Distance between cellar wall and septic tank, 10' required, 2' proposed.
7. Distance between cellar wall and leaching area, 20' required, 2' proposed.
8. Distance between cellar wall and leaching area, 20' required, 9' proposed.

MR: Deed Book 667 Page 302

9. Distance between cellar wall and leaching area, 20' required, 12' proposed.
10. Distance between cellar wall and leaching area, 20' required, 13.5' proposed.

Page 2
Re: 24 Central Avenue

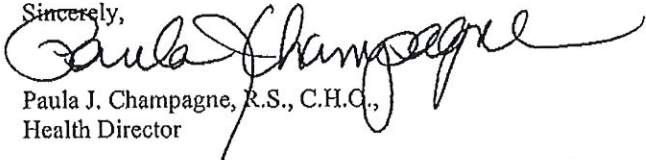
11. 310 CMR 14.405(1) (C) - 23 % reduction of SAS area design requirements.

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

1. There is to no increase in square footage, the number of bedrooms beyond those as shown on said plan by Moran Engineering, dated January 18, 2011, revised June 6, 2011. (further revised 03/27/2012) This plan is designed for a three bedroom dwelling. The current sitting area is <70 ft and also does not meeting the requirements for a bedroom. Privacy is to be eliminated in this room as part of the permit process. Three bedroom maximum restriction on this property.
2. System is to be maintained, if necessary, every three years.
3. This variance letter shall be recorded with the Barnstable County Registry of Deeds and a recorded copy of same furnished to the Harwich Board of Health. All variances shall be recorded as "margin referenced".
4. There is no provision for a garbage disposal with this plan.

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

Sincerely,


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

I have read and fully understand
The terms and conditions of the
Above


Catherine L. Weston

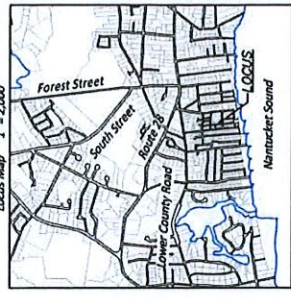
This plan is the compilation of several datasets. Each dataset meets or exceeds the minimum requirements of the National Map Accuracy Standard.

The geographic information is based on aerial LIDAR surveys prepared for the USGS in 2011 and 2013.

The background imagery is based on a drone orthomosaic compiled from images acquired in June of 2020 by ESE-LLC.

The planimetric information off focus is based on digitization of the drone orthomosaic.

The property lines are based on the plans of record translated to the datum based on GPS observations.



Locus Map 1" = 2,000'

SITE PLAN

24 Central Avenue, Harwichport, Massachusetts
June 26, 2020

OWNER OF RECORD:
Manijeh Lawrence
Deed Book 30,344, Page 382
Plan Book 33, Page 7, Lot 51

Description of Revision	Date

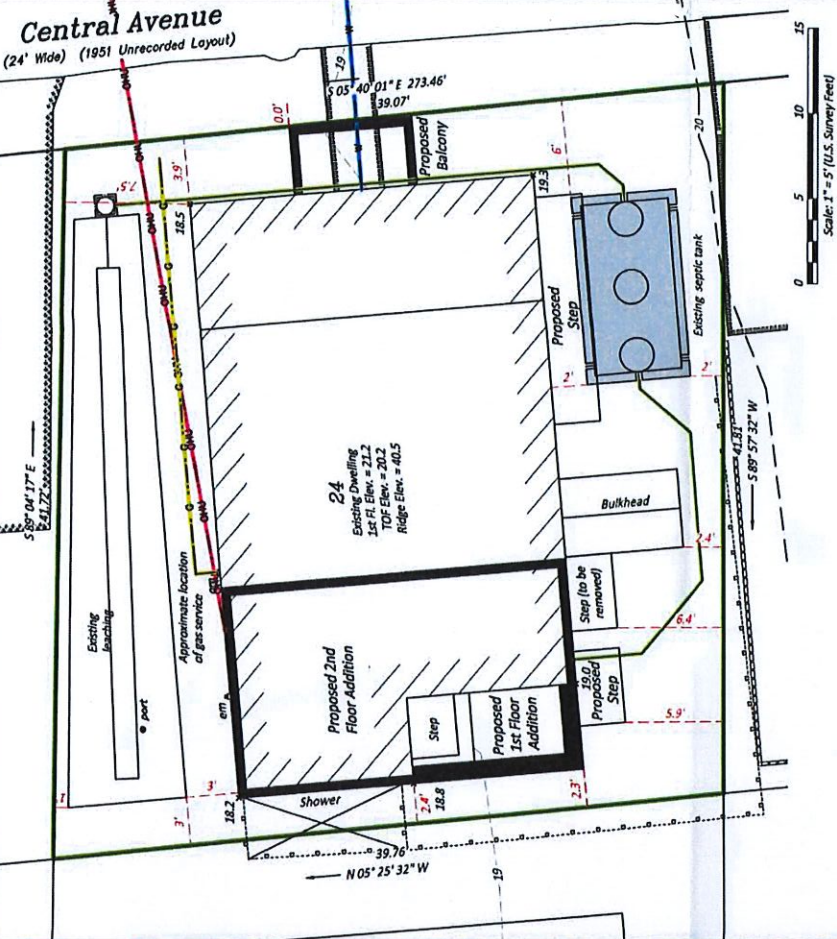
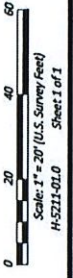
MANIJEH LAWRENCE

EAST-SOUTHEAST, LLC

www.e-se-llc.com * office@e-se-llc.com
1038 Main Street, Chatham, MA 02633
(508) 945-9965 * Fax: (508) 945-5885

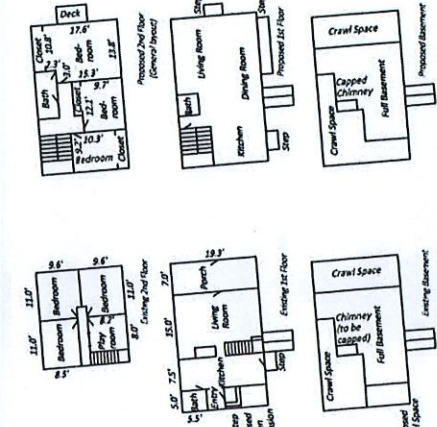


Vertical Datum: NAVD 88
Horizontal Datum: NAD 83 (2011)



Scale: 1" = 5' (U.S. Survey Feet)

Zone	R-H-2 (Residential)	
	Existing	Proposed
Lot area	1,637 S.F.±	1,637 S.F.±
or	40,000 S.F.	0,038 AC±
Frontage	39.07 FL	39.07 FL
Side 1 setback	3.9 FL	25 FL
Side 2 setback	7.5 FL	20 FL
Rear setback	2.4 FL	20 FL
Building coverage	661 S.F.±	491 S.F.
or	40.38%	30%
Site coverage	797 S.F.±	573 S.F.
or	45.02%	35%
Building height	21.8 FL	30 FL



FLOOR PLANS

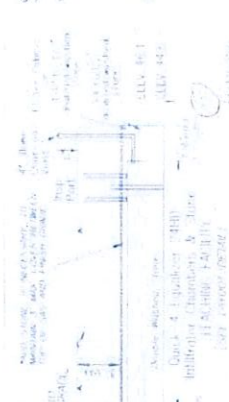
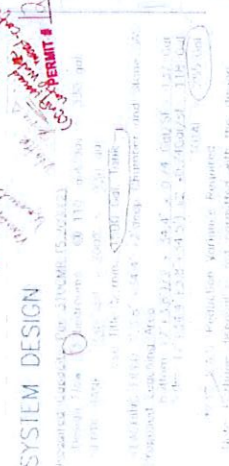
X:\ARCHIVED DRAWINGS\05211 010 Harwich\05211 010 Lawrence SITE 2020-06-26.dwg



© Copyright 2020 by East-SouthEast, LLC



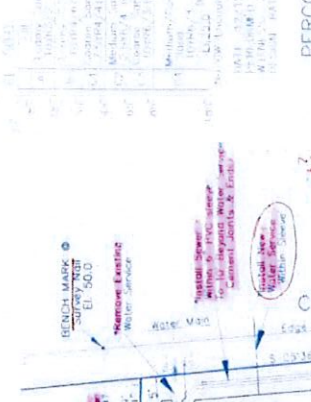
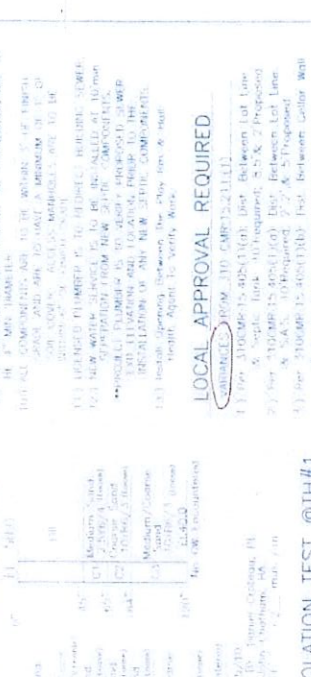
PLUMBING PERMIT REQUIRED
 (See Town of Harwich Code, Chapter 127B, Section 127B.01(1)(b))
 Both



TOWN OF HARWICH
 DEPT. OF HEALTH
 FOR THE BOARD OF HEALTH

DISPERSED SEPTIC SYSTEM NOTES:

1. ALL SEPTIC SYSTEMS ARE TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE TOWN OF HARWICH SEPTIC SYSTEM REGULATIONS, WHICH ARE AVAILABLE AT THE TOWN ENGINEERING OFFICE.
2. THE SEPTIC SYSTEM SHALL BE DESIGNED TO SERVE THE ENTIRE HOUSEHOLD AND SHALL BE CAPABLE OF HANDLING ALL WASTEWATER GENERATED BY THE HOUSEHOLD.
3. THE SEPTIC SYSTEM SHALL BE DESIGNED TO OPERATE AT ALL SEASONS AND SHALL BE CAPABLE OF HANDLING ALL WASTEWATER GENERATED BY THE HOUSEHOLD.
4. THE SEPTIC SYSTEM SHALL BE DESIGNED TO OPERATE AT ALL SEASONS AND SHALL BE CAPABLE OF HANDLING ALL WASTEWATER GENERATED BY THE HOUSEHOLD.
5. THE SEPTIC SYSTEM SHALL BE DESIGNED TO OPERATE AT ALL SEASONS AND SHALL BE CAPABLE OF HANDLING ALL WASTEWATER GENERATED BY THE HOUSEHOLD.



LOCAL APPROVAL REQUIRED

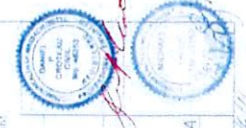
1. PER 310CMR 15.405(1)(b) (1) The design shall be approved by the local health department.

2. PER 310CMR 15.405(1)(b) (2) The design shall be approved by the local health department.

3. PER 310CMR 15.405(1)(b) (3) The design shall be approved by the local health department.

4. PER 310CMR 15.405(1)(b) (4) The design shall be approved by the local health department.

5. PER 310CMR 15.405(1)(b) (5) The design shall be approved by the local health department.



MORAN ENGINEERING, INC.
 941 MAIN STREET, 50, HARWICH, MA 02645
 432-2678

Prepared For
CATHERINE L. VINTON
 MARWICHPORT, MA

PROJECT: 10-137 SCALE: 1"=10'
 DATE: 1/18/11
 Revised: 4/26/11, 2/2/11, 3/27/11 (Percolate Sewer)

VI-C.

**JULY 21, 2020
BOARD OF HEALTH MEETING**

To: Board of Health
From: Meggan Eldredge, Health Director
Applicant: Wakeby Development Corp c/o Thomas Belekewicz
Engineer: Peter McEntee, PE/Engineering Works Inc.
Address: 42 Marlin Road

ME

On behalf of the owner, Engineering Works, Inc. is applying for variances from the State Environmental Code, Title 5, as follows:

Variances from 310 CMR 15.405 (a) & (b)

1. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 6' from the property line (side) where 10' is required. Variance request of 4'.
2. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 6' from the property line (front) where 10' is required. Variance request of 4'.
3. Per 310 CMR 15.405(a): To allow a proposed soil absorption system to be 8' from the crawl space where 20' is required. Variance request of 12'.
4. Per 310 CMR 15.405(b): To allow for up to 6' of cover over the soil absorption system where 3' is allowed. Variance request of 3'.

The variances are being requested to upgrade a failed soil absorption system. Variance requests are being made to achieve maximum feasible compliance. The applicant states that locating the soil absorption system in the backyard is difficult due to the retaining wall system, re-plumbing to a septic system in the front is problematic due to cellar configuration and there is no location on the property where LUA would not be required. The proposed soil absorption system location was chosen for ease of upgrade and minimal disturbance to surroundings.

No alterations are proposed for this existing 3 bedroom dwelling. The plan proposes to utilize an existing septic tank and replace the failed leaching system.

I recommend approval with the following conditions:

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



**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:	5376
Date App Received:	7/8/2020
Meeting Date:	7/21/2020
Date Approved:	_____
Date Denied:	_____
Reason for Denial:	_____

Application for Board of Health Variances

Date: 7/8/20

Property Address: 42 MARLIN ROAD

Map: 34 Parcel: S1-54

Book: _____ Page: _____ Land Court No: 222725

Name of Applicant: WAKEBY DEVELOPMENT CORP c/o Thomas Belekewicz

Applicant Mailing Address: 2 JILLSON WAY

EAST SANDWICH, MA 02537

City State Zip Code

Applicant Telephone Number: 774-238-0366

Applicant E-Mail Address: tbelekewicz@gmail.com

Owner(s) of Record: WAKEBY DEVELOPMENT CORP

Owner(s) Mailing Address: 2 JILLSON WAY

EAST SANDWICH, MA 02537

City State Zip Code

Design Engineer/Sanitarian: PETER McENTEE PE

Firm/Company Name: ENGINEERING WORKS, INC.

Mailing Address: 12 WEST CROSSFIELD ROAD

FORESTDALE, MA 02537

City State Zip Code

Telephone Number: 508-477-5313 (OFFICE), 508-737-4760 (CEL)

Design Engineer/Sanitarian E-Mail Address: peter.mcentee@gmail.com

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):
310 CMR 15.405(a)	A 4' variance, S.A.S. to property line (side), for a 6' setback.
310 CMR 15.405(a)	A 4' variance, S.A.S. to property line (front), for a 6' setback.
310 CMR 15.405(b)	A 12' variance, S.A.S. to crawl space wall, for an 8' setback.
310 CMR 15.405(b)	A 3' variance to the 3' cover requirement, for up to 6' of cover over the S.A.S.
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)

Engineering Works, Inc.

12 West Crossfield Road, Forestdale, MA 02644
Tel/Fax (508) 477-5313

Town of Harwich
Board of Health
732 Main Street
Harwich, MA 02632

June 19, 2020

Re: 42 Marlin Road, Harwich, MA (Parcel ID: 34-S1-54)

Dear Board Members,

On behalf of the owner, the following variances are being requested to upgrade a failed soil absorption system. The variances to Title 5 are as follows:

- **310 CMR 15.405(a)&(b) – CONTENTS OF LOCAL UPGRADE APPROVAL**

1. A 4' variance, S.A.S. to property line (side), for a 6' setback.
2. A 4' variance, S.A.S. to property line (front), for a 6' setback.
3. A 12' variance, S.A.S. to crawl space wall, for an 8' setback.
4. A 3' variance to the depth of cover requirement. For 6' of cover over the S.A.S.

Variance requests are being made to achieve maximum feasible compliance. Locating S.A.S. in backyard too difficult due to retaining wall system. Replumbing to a septic system in front problematic due to cellar configuration. Also, there is no location on the property where LUA would not be required. SAS location chosen for ease of upgrade and minimal disturbance to surroundings.

Sincerely,



Peter T. McEntee P.E.

Engineering Works, Inc.

12 West Crossfield Road, Forestdale, MA 02644
Tel/Fax (508) 477-5313

June 19, 2020

Re: 42 Marlin Road, Harwich, MA (Parcel ID: 34-S1-54)
Construction Title 5 Septic System

Dear Sir/Mam:

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for July 21, 2020 at 7:00 p.m. 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

• **310 CMR 15.405(a)&(b) – CONTENTS OF LOCAL UPGRADE APPROVAL**

1. A 4' variance, S.A.S. to property line (side), for a 6' setback.
2. A 4' variance, S.A.S. to property line (front), for a 6' setback.
3. A 12' variance, S.A.S. to crawl space wall, for an 8' setback.
4. A 3' variance to the depth of cover requirement. For 6' of cover over the S.A.S.

The application and plans are available for review by contacting the us or the Harwich Department, 732 Main Street, Harwich, MA, Monday through Friday (excluding holidays) from 8:30 a.m. to 4:30 p.m.

Sincerely,



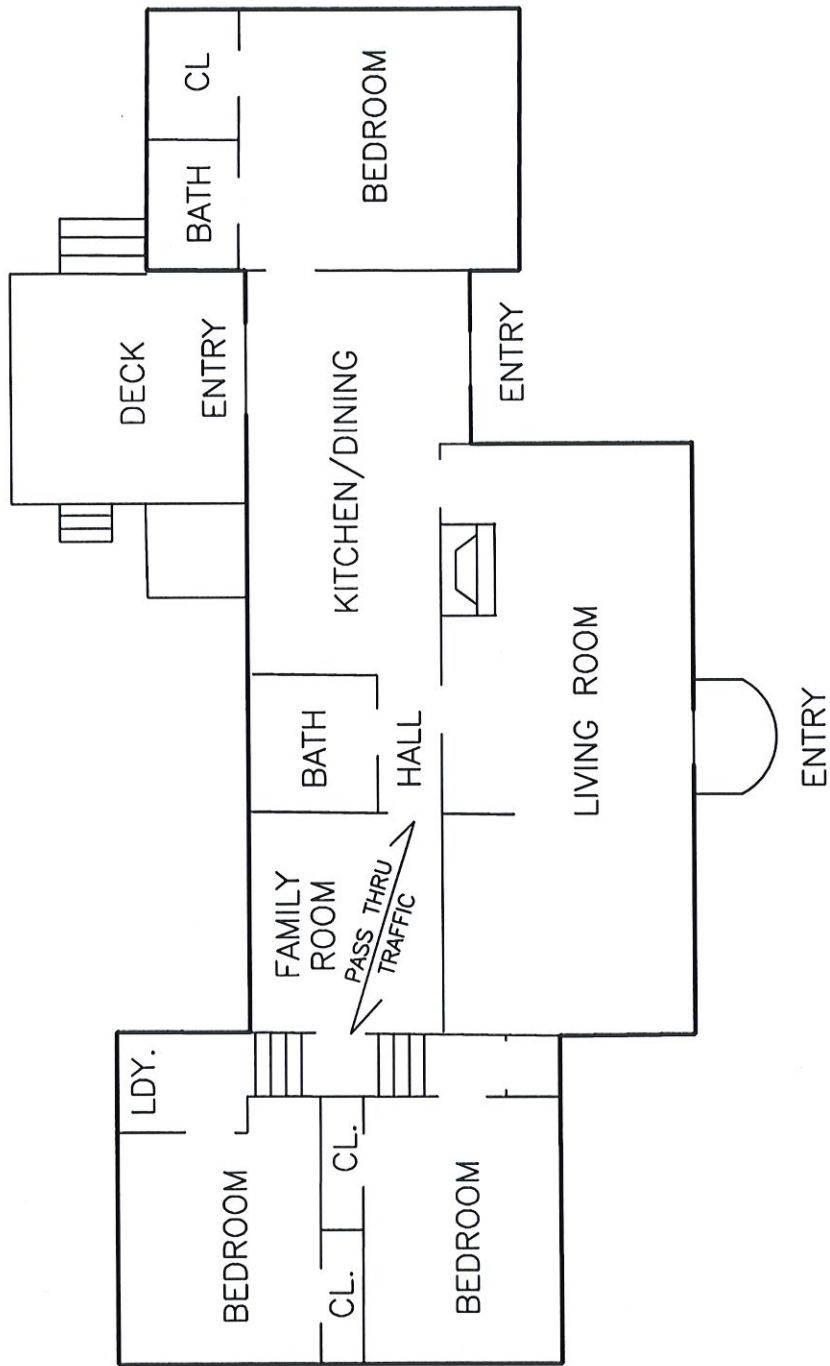
Peter T. McEntee P.E.

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

Abutters List Within 50 feet of Parcel 34/S1-54/0



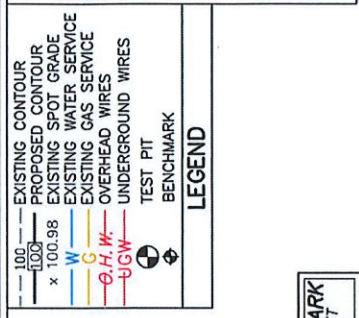
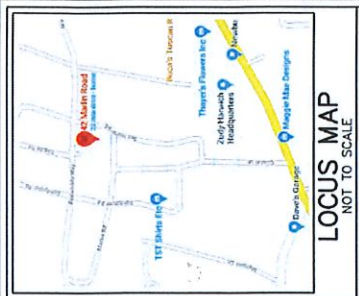
Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
5201	34-S1-10-0-R	PERRY ROBERT E	41 SEAHORSE RD	PO BOX 63	S HARWICH	MA	02661
5205	34-S1-15-0-R	CARTIER ALICE F TRS ET AL CARTIER JEFFREY A TRS	35 MARLIN RD	35 MARLIN RD	HARWICH	MA	02645
5206	34-S1-17-0-R	KELLEHER MARK P ET ALS KEEFER DEBRA J & KELLEHER NEIL	45 SEAHORSE RD	C/O DOROTHY KELLEHER PO BOX 892	S HARWICH	MA	02661
9185	34-S1-53-0-R	PUCCIO CECILY A CLEGG & PUCCIO JOHN A	32 MARLIN RD	7 JAY ST	STONY POINT	NY	10980
5235	34-S1-54-0-R	SMALL GEORGE F TR SMALL FAMILY TRUST	42 MARLIN RD	C/O SMALL PAMELA M 118 LARCH ROW	WENHAM	MA	01984
9187	34-S1-55-0-R	GAROFALO BRIAN R	44 PERIWINKLE WAY	PO BOX 707	S HARWICH	MA	02661
5236	34-S1-56-0-R	LABELLE VALERIE J	35 PERIWINKLE WAY	35 PERIWINKLE WAY	HARWICH	MA	02645



EXISTING FLOOR PLAN

FOR SCHEMATIC PURPOSES ONLY

42 MARLIN ROAD, HARWICH, MA



GENERAL NOTES:

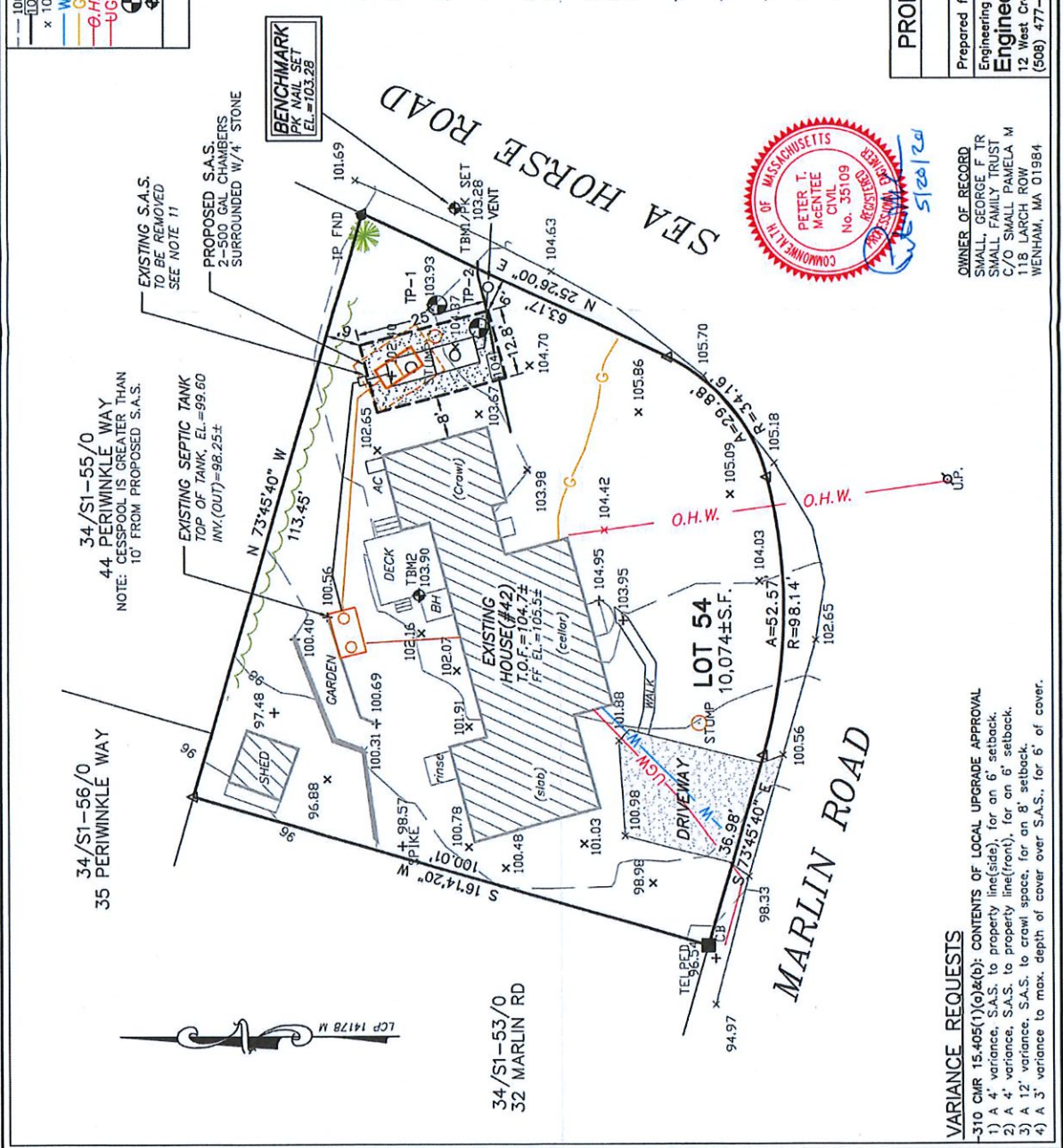
1. ALL CHANGES TO THIS PLAN MUST BE APPROVED BY THE LOCAL BOARD OF HEALTH AND THE DESIGN ENGINEER.
2. ALL WORK AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE STATE ENVIRONMENTAL CODE, TITLE V, AND ANY APPLICABLE LOCAL RULES AND REGULATIONS EXCEPT AS REQUESTED BY VARIANCE.
3. THE SEWAGE DISPOSAL SYSTEM SHALL NOT BE BACKFILLED PRIOR TO INSPECTION AND APPROVAL BY THE BOARD OF HEALTH AND THE DESIGN ENGINEER.
4. ANY CONDITIONS ENCOUNTERED DURING CONSTRUCTION DIFFERING FROM THOSE SHOWN HEREON SHALL BE REPORTED TO THE DESIGN ENGINEER BEFORE CONSTRUCTION CONTINUES.
5. ALL ELEVATIONS BASED ON AN ASSIGNED DATUM.
6. THE DESIGN ENGINEER IS NOT RESPONSIBLE FOR THE FAILURE OF HEALTH FOR PROPER INSPECTIONS DURING CONSTRUCTION.
7. WATER SUPPLY PROVIDED BY TOWN WATER SERVICE.
8. THERE ARE NO WELLS WITHIN 150' OF THE PROPOSED S.A.S.
9. ALL AREAS CLEARED FOR CONSTRUCTION SHALL BE RESTORED AS AGREED UPON BY OWNER AND CONTRACTOR OR AS OTHERWISE DIRECTED BY THE APPROVING AUTHORITIES.
10. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES, PRIOR TO BEGINNING CONSTRUCTION.
11. WHERE REQUIRED, CONTRACTOR SHALL REMOVE ALL UNSUITABLE SOILS IN THE AREA BENEATH AND FOR 5' ON ALL SIDES OF THE S.A.S. AND REPLACE WITH CLEAN SAND AS SPECIFIED IN 310 CMR 255(3).
12. AREAS REQUIRING STRIPOUT OF UNSUITABLE MATERIALS SHALL BE INSPECTED BY DESIGN ENGINEER PRIOR TO BACKFILL.
13. THIS PLAN IS TO BE USED FOR SEPTIC SYSTEM PURPOSES ONLY AND NOT CONSIDERED TO BE A PROPERTY LINE SURVEY.
14. THE ENGINEER IS NOT RESPONSIBLE FOR ANY UNDOCUMENTED SEPTIC SYSTEM COMPONENTS NOT SHOWN ON THE PLAN.

MAP ID: 34-S1-54

PROPOSED SEPTIC SYSTEM UPGRADE PLAN

42 MARLIN ROAD, HARWICH, MA

Prepared for: Wakeby Development Corp., 2 Jillson Way, E. Sandwich, MA 02537	SCALE	DRAWN	JOB. NO.
Engineering by: Engineering Works, Inc.	1"=20'	P.T.M.	166-20
12 West Crossfield Road, Forestdale, MA 02644	DATE	CHECKED	SHEET NO.
(508) 477-5313	5/20/20	P.T.M.	1 of 2

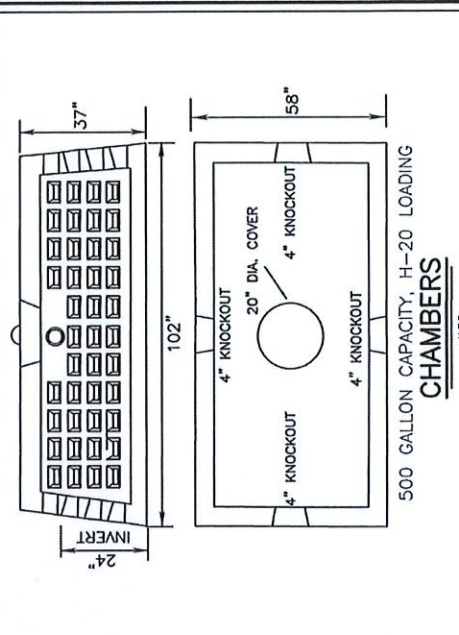
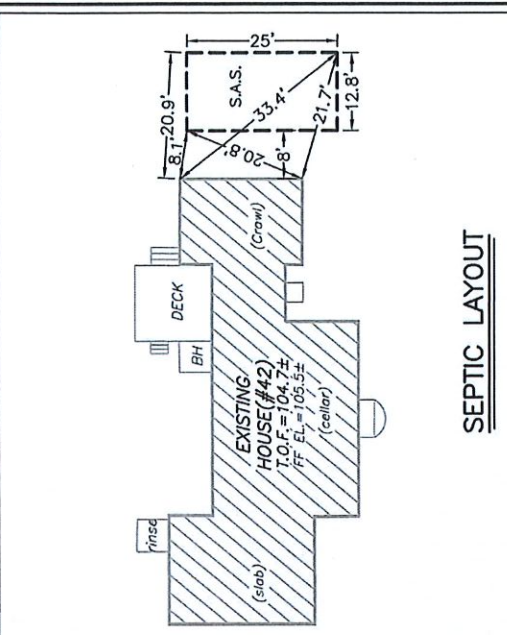


OWNER OF RECORD
SMALL, GEORGE F TR
SMALL FAMILY TRUST
C/O SMALL PAMELA M
118 LARCH ROW
WENHAM, MA 01984

VARIANCE REQUESTS

-310 CMR 15.405(1)(g)&(h): CONTENTS OF LOCAL UPGRADE APPROVAL

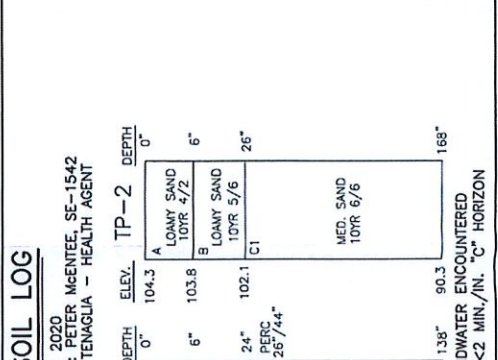
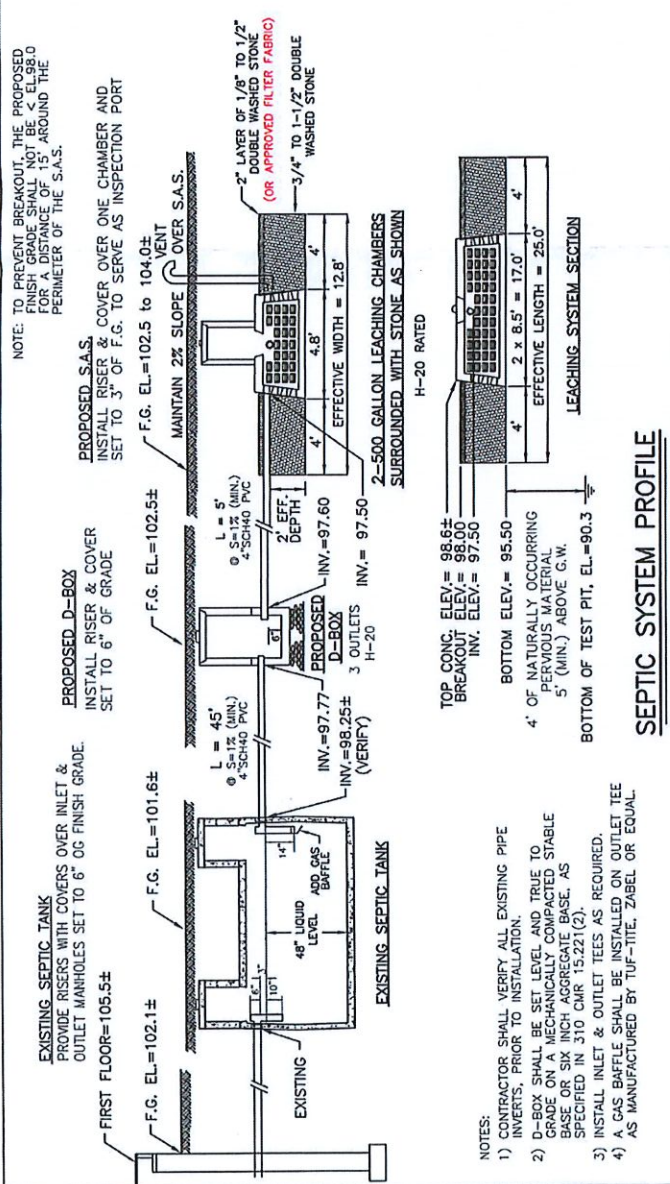
- 1) A 4' variance, S.A.S. to property line(side), for an 6' setback.
- 2) A 4' variance, S.A.S. to property line(front), for an 6' setback.
- 3) A 12' variance, S.A.S. to crawl space, for an 8' setback.
- 4) A 3' variance to max. depth of cover over S.A.S., for 6' of cover.



PROPOSED SEPTIC SYSTEM UPGRADE PLAN
42 MARLIN ROAD, HARTWICH, MA

Prepared for: Wakeby Development Corp., 2 Jillson Way, E. Sandwich, MA 02537
 Engineering by: **Engineering Works, Inc.**
 12 West Crossfield Road, Forestdale, MA 02644
 (508) 477-5313

SCALE: N.T.S.
 DRAWN: P.T.M.
 JOB NO.: 166-20
 CHECKED: P.T.M.
 SHEET NO.: 2 of 2
 DATE: 5/20/20



DESIGN CRITERIA

NUMBER OF BEDROOMS: 3 BEDROOMS
 SOIL TEXTURAL CLASS: CLASS 1 (LOADING RATE=0.74 GPD/SF)
 DESIGN PERCOLATION RATE: <2 MIN/IN
 DAILY FLOW: 330 GPD
 DESIGN FLOW: 330 GPD
 GARBAGE GRINDER: NO-not allowed with design
 LEACHING AREA REQUIRED: (330 GPD) = 445.9 SF
 .74 GPD/SF

EXISTING SEPTIC TANK: 1000 GALLON CAPACITY
 PROPOSED D-BOX: 1 INLET, 1 OUTLET (MINIMUM), H-20 RATED
USE 2-500 GALLON LEACHING CHAMBERS IN SERIES SURROUNDED BY DOUBLE WASHED STONE ON ALL SIDES

SIDEWALL AREA: 2(12.8' + 25.0') X 2 = 151.2 S.F.
 BOTTOM AREA: 12.8' X 25.0' = 320.0 S.F.
 TOTAL AREA: 471.2 S.F.
 DESIGN FLOW PROVIDED: 0.74 GPD/SF(471.2 SF) = 348.7 GPD

NOTE: TO PREVENT BREAKOUT, THE PROPOSED FINISH GRADE SHALL NOT BE LOWER THAN THE PERIMETER OF THE S.A.S.

PROPOSED S.A.S. INSTALL RISER & COVER OVER ONE CHAMBER AND SET TO 3" OF F.G. TO SERVE AS INSPECTION PORT

F.G. EL.=102.5± MAINTAIN 2% SLOPE OVER S.A.S.

PROPOSED D-BOX INSTALL RISER & COVER SET TO 6" OF GRADE

F.G. EL.=102.5±

EXISTING SEPTIC TANK

EXISTING SEPTIC TANK

EXISTING SEPTIC TANK

2-500 GALLON LEACHING CHAMBERS SURROUNDED WITH STONE AS SHOWN H-20 RATED

LEACHING SYSTEM SECTION

EFFECTIVE LENGTH = 25.0'

2 x 6.5' = 17.0'

4'

TOP CONC. ELEV. = 98.6±
 BREAK INV. ELEV. = 97.30

BOTTOM ELEV. = 95.50

4' OF NATURALLY OCCURRING PERVIOUS MATERIAL BASE OR SIX INCH AGGREGATE BASE, AS SPECIFIED IN 310 CHR 15.221(2).

BOTTOM OF TEST PIT, EL.=90.3

EXISTING SEPTIC TANK

PROVIDE RISERS WITH COVERS OVER INLET & OUTLET MANHOLES SET TO 6" OF FINISH GRADE.

FIRST FLOOR=105.5±

F.G. EL.=102.1±

F.G. EL.=101.6±

EXISTING SEPTIC TANK

EXISTING SEPTIC TANK

EXISTING SEPTIC TANK

NOTES:

- CONTRACTOR SHALL VERIFY ALL EXISTING PIPE INVERTS, PRIOR TO INSTALLATION.
- D-BOX SHALL BE SET LEVEL AND TRUE TO GRADE ON A MECHANICALLY COMPACTED STABLE BASE OR SIX INCH AGGREGATE BASE, AS SPECIFIED IN 310 CHR 15.221(2).
- INSTALL INLET & OUTLET TEES AS REQUIRED.
- A GAS BAFFLE SHALL BE INSTALLED ON OUTLET TEE AS MANUFACTURED BY TUF-TITE, ZABEL OR EQUAL.

VI-D.

**JULY 21, 2020
BOARD OF HEALTH MEETING**

To: Board of Health
From: Meggan Eldredge, Health Director
Address: 7 Philip Court



The Health Department received a complaint on May 28, 2020 that the septic system at 7 Philip Court was overflowing onto an abutting property. Health Inspector Mark Polselli visited the site on May 28, 2020 and found verified the complaint. The owner of 7 Philip Court was sent a notice of violation on May 28, 2020 which notified them of the complaint, verified that the septic system serving the dwelling was overflowing sewage onto the ground (photos attached) and ordered them to engage a professional engineer or a registered sanitarian to design a new septic system. Said septic system was to be approved and installed within 45 days of receipt of the notice. According to USPS tracking, the notice was received on May 30, 2020.

On June 15, 2020, the Health Department received a complaint that there was a trailer on the property that was being occupied. Upon inspection, Health Inspector Mark Polselli found that the septic system was still overflowing (photos attached). As of June 15, 2020, our office had received no communication from the property owner that they were moving forward with the upgrade.

On June 22, 2020, the Health Department send the owner an order to abate a nuisance and notice to appear before the Board of Health. According to USPS tracking, the notice was received on June 23, 2020.

On June 26, 2020, Bass River Engineering scheduled soil tests for the property, to be conducted on July 7, 2020. Test holes were conducted by Bass River Engineering and witnessed by the Town of Harwich on July 7, 2020.

As of today, an application to upgrade the septic system has not been received by the Health Department and there has been no communication from the property owner. With the recent test hole activity, I recommend a short compliance schedule for this overflowing septic system.

I recommend ordering the upgrade of this system to be complete by August 1, 2020 and the failing cesspool to be pumped as needed to prevent overflow until the new system is connected to the dwelling. Failure to do either should result in fines according to the Harwich Septic Regulations:

- 1st offense: written warning (already sent)
- 2nd offense: \$50.00 fine
- 3rd offense: \$100.00
- 4th and subsequent offenses: \$300.00 (each day is considered a separate offense)



**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

COPY

**ORDER TO ABATE A NUISANCE
and
Notice to appear before the Board of Health**

June 22, 2020

Robert C. Borthwick
7 Philip Court
East Harwich, MA

RE: 7 Philip Court
Map 107 Parcel X3-8

Mr. Borthwick,

6-26-2020-

Test Holes scheduled
for July 7, 2020 @ 9:30 AM
with Bass River
Engineering *[Signature]*

TH'S conducted on July 7, 2020
[Signature]

On May 28, 2020 an order identifying a failed septic system and the need to maintain it to prevent overflow of sewage to the ground was sent to you regarding the above referenced property.

Our office received and investigated another complaint on June 17, 2020 and found the septic system to be overflowing again. **You are ordered to have the septic system pumped immediately** and no more than 24 hours after receipt of this order. This system requires regular pumping until it is able to be replaced.

Additionally, this office has no indication that you have engaged in engineering services to replace the failed septic system as ordered on May 28, 2020. Therefore, you are ordered to appear before the Board of Health for a show-cause hearing. This hearing is scheduled for Tuesday, July 21, 2020 at 7:00 pm. Due to the coronavirus pandemic, all Board of Health meetings are held virtually. You will be sent an agenda with call-in instructions and the agenda can also be accessed on the Town of Harwich webpage: <https://www.harwich-ma.gov/board-of-health>

You will have the opportunity at this hearing to show cause why this order should be modified or withdrawn. Enclosed are copies of inspection photographs, reports and complaints relevant to this order. You have the right to be represented at the hearing and any affected party has a right to appear at said hearing.

If you have any questions, or would like to discuss this matter before the hearing, please contact me.

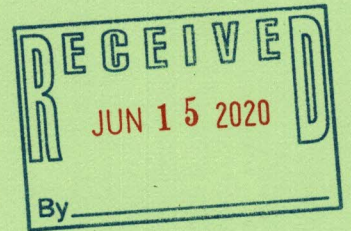
Regards,

Megan Eldredge

Meggan Eldredge, R.S., CHO
Health Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7019-1640-0002-2258-3360

SCANNED



TOWN OF HARWICH

COMPLAINT FORM

Date Received 6.15.2020

Location of Complaint 7 Phillip Court

Responsible Person see attached field card

Owner Address(if different) _____

Nature of Complaint people living in trailer on property.

Reported By Anonymous

Address /

Phone Number _____

Inspector _____

Date of Investigation _____

Condition Found _____

Action Taken _____

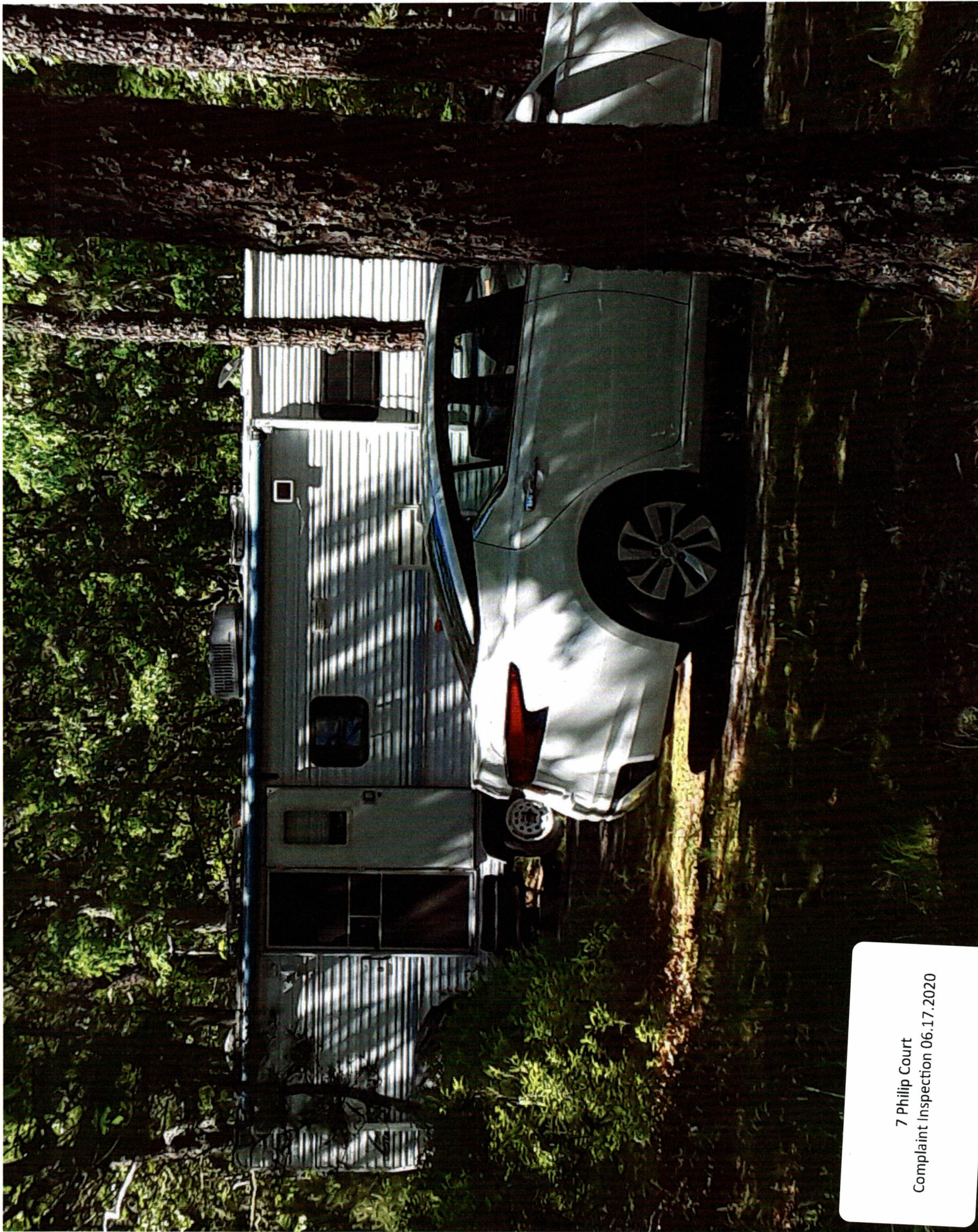
Compliance Date _____

Notice Issued _____

(A)



7 Philip Court
Complaint Inspection 06.17.2020



7 Philip Court
Complaint Inspection 06.17.2020



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

COPY

May 28, 2020

Robert C. Borthwick
7 Philip Court
E. Harwich, MA 02645

RE: 7 Philip Court
Map 107 Parcel X3-8

Dear Mr. Borthwick:

As a result of a complaint, a representative from this office conducted an inspection on May 28, 2020 at the above referenced location, which according to our records is owned or controlled by you.

After a visual investigation, it was verified that the septic system serving this dwelling is overflowing sewage to the ground.

Based upon the above information it is a determination of the Health Department that the septic system at 7 Philip Court is in failure and in need of replacement.

You are hereby ordered to engage a professional engineer or a registered sanitarian to design a new septic system in accordance with Title 5 and Harwich Board of Health regulations. Said system is to be approved and installed within 45 days of receipt of this notice. Please be advised that failure to comply with this notice may result in court action and/or a fine.

You have the right to petition the Board of Health for a hearing to show cause why this order should be modified or withdrawn. Said petition must be in writing must be in writing and be received by this department within seven days of receipt of this notice. You have the right to inspect and obtain copies of all relevant inspection or investigation reports, orders and notices and other documentary information in the possession of the Board of Health; the right to be represented at the hearing and that any affected party has a right to appear at said hearing.

 **SCANNED**

You are hereby further ordered to maintain this septic system by pumping as frequently as necessary in order to prevent overflow onto the ground as this situation imperils environmental and public health.

Enclosed is a list of installers as well as those engineers and sanitarians who do work in Harwich. To inquire about the community septic management loan program, please contact Kendall Ayers at (508) 375-6610.

You have the right to appeal this order to the Board of Health. Your written request must be received within 7 days of receipt of this order.

Should you have any questions, please do not hesitate to contact our office at (508) 430-7509.

Sincerely,



Meggan Eldredge, R.S., CHO
Health Director

Certified Mail #: 7019.6700.0000.6377.3439

CC: Regular Mail
File





TOWN OF HARWICH

COMPLAINT FORM

Date Received 5/28/2020

Location of Complaint [redacted] 7 Philip Ct.

Responsible Person See attached

Owner Address(if different) 7

Nature of Complaint Septic is running from ~~7~~ Philip Ct. onto 44 Christopher Way. - for 3 years

(owner of 44 Christopher gave permission to go onto his property)

Reported By GARY ORMSBY

Address 44 CHRISTOPHER WAY

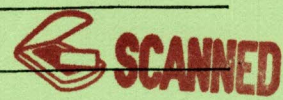
Phone Number 508. 284. 8218

Inspector MARK

Date of Investigation 5.28.2020

Condition Found found overflowing septic. notice of violation sent 5.29.2020

Action Taken notice of violation



Compliance Date _____

Notice Issued _____

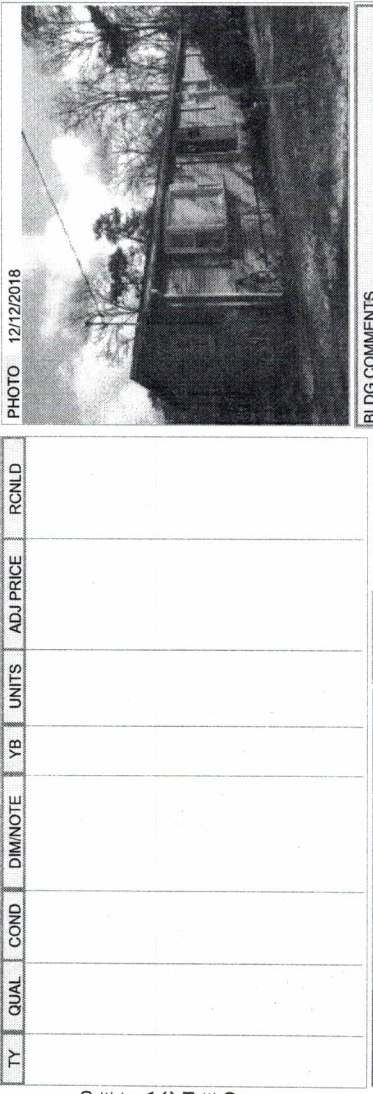
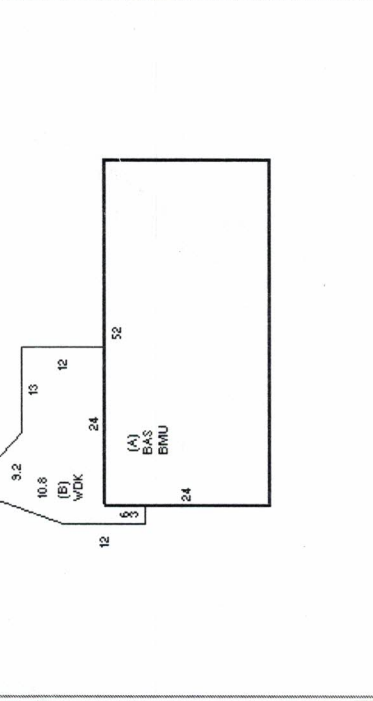
(A)

CLASS	CLASS%	DESCRIPTION	BN ID	BN	CARD
1010	100	SINGLE FAMILY		1	1 of 1
PMT NO	PMT DT	TY	DESC	AMOUNT	
		56	CYCL-NO GR	12/22/2018	NF 100 100
		56	CYCL-NO GR	06/04/2009	MO 100 100
		6	CYCL GROWTH	09/06/2001	MO 100 100

CD	T	AC/SF/UN	Ngh	Infr1	Infr2	Lpl	VC	CREDIT AMT	ADJ VALUE
100	S	15,992	5	1.00	1.00	1.00	4	1.15	143,500

ASSESSED	CURRENT	PREVIOUS
LAND	143,500	137,900
BUILDING	149,500	151,300
DETACHED	0	5,900
OTHER	0	0
TOTAL	293,000	295,100

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD



BUILDING	CD	ADJ	DESC	MEASURE	12/12/2018	NF
MODEL	1		RESIDENTIAL	LIST	12/12/2018	INT
STYLE	1	1.35	RANCH [100%]	REVIEW	3/6/2019	TD
QUALITY	-	0.80	AVE-/LOW+ [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

YEAR BLT	NET AREA	\$NLA/RCN	CAPACITY	STORIES(FAR)	ROOMS	BEDROOMS	BATHROOMS	HALF BATHS	UNITS
1973	1,248	\$154		1	6	3	1	0	1
SIZE ADJ	1,000			1.00	1.00	1.00	1.00	1.00	1.00
DETAIL ADJ	1,000			1.00	1.00	1.00	1.00	1.00	1.00
OVERALL	1,300			1.00	1.00	1.00	1.00	1.00	1.00

S	BAT	T	DESCRIPTION	ADJ	CD	DESCRIPTION	ADJ	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	CONDITION ELEM
A	BMU	N	BSMT UNFINISHED	1.00	4	BSMT WALL	1.00	1,248	1973	26.72	33,351	191,706	CD
A	BAS	L	BAS AREA	1.00	3	ALUMINUM	1.00	1,248		103.57	129,254		EXTERIOR
B	WDK	N	ATT WOOD DECK	1.00	1	GABLE	1.00	374		20.60	7,703		INTERIOR
BMF	N	BSMT FINISH-ADD	1.00	1,248	1	ASPHALT SHINGLE	1.00			15.42	19,245		KITCHEN
					3	WW CARPET	1.00						BATHS
					2	DRYWALL	1.00						HEAT/ELEC
					5	ELECTRIC	0.95						
					3	ELECTRIC	1.00						

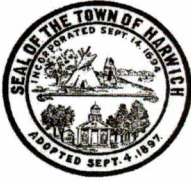
EFF YR/AGE	1980 / 38
COND	22 22 %
FUNC	0
ECON	0
DEPR	22 % GD
RCNLD	\$149,500





7 PHILIP COURT
COMPLAINT INSPECTION
05.28.2020
S05-62

VI-E.



**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

DECLARATION OF PUBLIC HEALTH EMERGENCY ORDER

Whereas, the Board of Health is concerned that as summer approaches and visitors return to Harwich the combination of large crowds and narrow roads and sidewalks will make it difficult to maintain social distancing as required by Governor Baker's Face Covering Order, dated May 1, 2020.

Now, therefore, the Board of Health adopts the following Emergency Order:

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, in accordance with Governor's Order, dated May 1, 2020, effective May 6th, Order Requiring Face Covering in Public Places Where Social Distancing is Not Possible.

Face coverings required by this Order may be removed for the consumption of food and or drink only when the consumer is practicing appropriate social distancing from persons not of their immediate family unit.

Violations of this Order may result in the following enforcement action/fines:

- 1) In the case of a first violation, a written warning shall be issued;
- 2) In the case of a second subsequent violation a fine of one hundred dollars (\$100.00) shall be assessed.
- 3) In the case of a third or subsequent violation a fine of three hundred dollars (\$300.00) shall be assessed.

Each day, or portion thereof, of non-compliance with any provision of this Order shall be deemed a separate violation hereunder.

Non-Criminal Disposition: Violations of any provision of this Order may be enforced by noncriminal disposition, as provided in Massachusetts General Laws, Chapter 40, Section 21D, or by any other lawful means.

Enforcement of this regulation shall be implemented by the Harwich Board of Health or its designated agents, (including Town of Harwich Police Officers).

This Emergency Order shall be effective beginning Thursday, July 23, 2020 at 12:01AM and remain in effect until notice is given, pursuant to the Board of Health's judgement that the Order is no longer necessary.

ORDERED on this Day July 21, 2020

HARWICH BOARD OF HEALTH:

Pamela Howell, Chairman
Sharon Pfleger, Vice Chairman
Ronald Dowgiallo, Member
Matt Antoine, Member

Health Director Monthly Report June 2020

COVID 19

The Department of Public Health continues to hold local board of health information calls twice per week. This is done in order to keep us all up to date on the constant changes and answer any questions we all may have. The Health Agent Coalition, comprised of Cape Cod Health Directors, meets virtually once per week for the same reason. Additionally, I have been attending weekly Board of Selectmen meetings to provide the COVID-19 update.

Phase II of the reopening plan started in June which allowed for restaurants to re-open for outside dining, retail stores to allow for limited inside browsing, non-essential lodging to open, swimming pools to open and child care facilities to resume operations, among other things. These re-opening plans come with extensive guidance and mandatory safety standards. During the month of June the Health Department was quite busy assisting restaurants, lodging owners and pool operators sift through these requirements. Three separate virtual meetings were held with industry stakeholders to go over the necessary requirements and to ensure questions were answered.

Mandatory Safety Standards were met throughout the Town of Harwich municipal buildings and among employees. This was done by recording a training video, developing a training manual and retrofitting buildings with proper hand sanitizer stations and signage indicating social distancing is required. Hand sanitizer stations and Plexiglas barriers have been installed where needed.

On June 17th and 18th, Outer Cape Health Services held a “pop-up” drive through testing clinic for COVID-19. The Town assisted in the planning of this clinic and utilized the Harbor parking lot in order to relieve traffic congestion on Route 28. The clinic successfully tested over 1100 people during these two days. People from all over the Cape were eligible to get tested and did not need to be residents of Harwich or be displaying any symptoms. This clinic was conducted in response to Governor Baker’s initiative to increase testing due to large gatherings occurring surrounding the Black Lives Matter rallies.

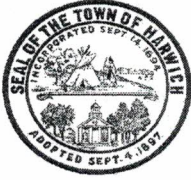
Cases

As of July 16, 2020 Harwich has seen a total of 131 cases. 71 of those cases are related to Wingate. We have 104 recoveries and 24 deaths (21 at Wingate), leaving 3 active cases. Two of the three active cases are travel related.

Other activities

Our part-time Health Inspector resigned effective July 9th. Mark worked for us for the past two years and has moved on for personal reasons. The department will be short-handed until this position can be refilled. Again, my incredible support staff of Katie and Jen are indispensable and deserve to be recognized for their unwavering reliability and professionalism. I can’t thank them enough for all the work they do.

Respectfully submitted,
Meggan Eldredge 7.16.2020



**Town of Harwich
Board of Health**

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508-430-7509 – Fax 508-430-7531
E-mail: health@town.harwich.ma.us

To: Board of Selectmen
CC: Joseph Powers, Interim Town Administrator
Board of Health
From: Meggan Eldredge, Health Director
Date: July 1, 2020
RE: Health Inspector Vacancy

It is with great disappointment that I inform you of the resignation of Mark Polselli, our Health Inspector. He has tendered his resignation, effective July 9th citing both personal and professional reasons for leaving. This permanent year round position is 19 hours per week without benefits. The fact that benefits are not offered influenced Mark's decision to leave and has been a reason for previous inspectors to vacate the position as well. The knowledge and skill required to fill this position does not lend itself to part-time work.

The demands of the department have expanded, not only recently during the pandemic, but overall. The workload on the Sr. Health Agent includes a never ending pile of permit reviews, septic inspections, complaint inspections and correspondence with builders, contractors and engineers. The part-time Health Inspector has been responsible for reviewing Real Estate Transfer Inspection Reports and inspecting food establishments and swimming pools.

It would be extremely beneficial to change this part-time position to a full time Health Inspector. I need a full time position to fully manage the community sanitation programs which currently lack quality and quantity due to the limited amount of time staff has.

In doing so, I propose to eliminate the Other Purchased Services line item in the Health budget. This line item is used to hire contractors to witness test holes and perform inspections on an as-needed basis. Contractors require additional staff time to coordinate tasks and perform follow-up. With a full time Inspector, contractors would not be needed and the community sanitation programs would be able to be overseen properly.

I am requesting, at a minimum, to fill the part-time year round Health Inspector position. Ideally, however, I request to enhance the services of the Health Department by adding 16 hours per week to this position, making it a 35 hour per week job which would include benefits. The breakdown of costs are below.

Part-time inspector	\$39,066.07
Other Purchased Services Contractor	\$6,900.00
Total FY 21 budget for inspectional services	\$45,966.07
Full-time inspector (HEA B10, step 1)	\$53,744.60
Other Purchases Services	\$0.00
Total FY 21 budget for inspectional services	\$53,744.60
Cost difference between full and part time	\$7,778.53 (excluding benefits)

Thank you for your time and consideration, I look forward to discussing this request with you soon.

Town of Harwich, Massachusetts

Position Title: Health Inspector

Department: Health

Statement of Duties

Provides technical assistance to the Health Director in carrying out a variety of environmental and public health programs, inspections and monitoring responsibilities.

Essential Functions

The essential functions or duties listed below are intended only as illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if work is similar" related, or a logical assignment to the position.

1. Inspects food service establishments to ascertain compliance with state and local laws, codes and regulations; makes investigations and proposes proper compliance measures and procedures; prepares necessary reports; prepares advisory letters and letter orders for Board Agent signature.
2. Witnesses and oversees soil tests, including deep hole and percolation tests, to determine adequacy of sites for the installation of private sewage disposal systems, including new, repaired and replacement systems; may approve or disapprove or approve with conditions; reviews and comments on proposed sub-surface sewage system design plans and specifications.
3. Perform inspections of inns, motels, lodging houses, swimming pools, whirlpools, saunas, public schools, landfills, nursing homes, bathing beaches and other facilities to ensure compliance with laws and codes; Investigates complaint relating to health-related issues.
4. In all investigations and inspections, prepares required reports in detail in order that board of health has sufficient documentation in instances where potential court action may be necessary; appears in court as witness where required.
5. May investigate reports of communicable diseases.
6. Keeps abreast of new developments in the fields of environmental and public health.

Supervision

Incumbent works under the general direction of Health Director, conferring with director on work assignments and policy interpretations. A great deal of the daily work is carried out with independence, but incumbent must keep superior informed of unusual situations and conditions. Generally, work products are receive and approved readily. Incumbent is expected to be conversant on laws and regulations, including all revisions t same. Work is reviewed through face-to-face meetings with health director, and through periodic and special reports.

Recommended Minimum Qualifications

Education and Experience

Bachelor's Degree in environmental science or related field from an accredited college or university, or the ability to obtain degree within an aggregable timeframe, and two years directly related work

Town of Harwich, Massachusetts

experience in public or environmental health, or the equivalent of education and experience. Candidate must be in good physical health and possess a valid driver's license. Candidate must be able to demonstrate possession of the required knowledge, skills and abilities.

Licensing and Certification

Valid Massachusetts vehicle operator's license.

Knowledge, Skills and Abilities

A candidate for this position should have:

- Working knowledge of federal, state and local laws, codes and regulations relating to environmental and public health;
- Working knowledge of environmental and public health principles, practices, procedures and techniques;
- Ability to make investigations and inspections and prepare necessary reports; Ability to understand and explain laws, codes and regulations relating to environmental and public health programs;
- Ability to apply physical effort in field work associated with inspections and investigations;
- Ability to receive, understand and carry out instructions and directions of superior(s), and the
- Ability to communicate with others effectively both orally and in writing.

Tools and Equipment Used

Equipment operated includes: soil testing equipment, ladders, computers, software, fax machine and other general office equipment.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk ; sit; use hands to finger, handle or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch or crawl; talk, see or hear. The employee must occasionally lift and/or move up to 75 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed in an office setting and in the field. In the field, frequently, incumbent must tread on rough terrain and unstable soil conditions. Incumbent is expected to exert physical effort in lifting heavy

Town of Harwich, Massachusetts

septic tank covers (circa 50 lbs.) as the inspector of sub-surface sewage disposal system. A great deal of in town travel is required.

While performing the duties of this job, the employee is frequently exposed to extreme heights, underground and confined spaces and deep holes up to ten feet; dilapidated and/or filthy structures and buildings; outside weather conditions, extremes in temperature, humid condition; fumes, gases or airborne particles; raw sewage, insects, poison ivy and other weed and plant life; blood borne pathogens or other diseases.

The employee is exposed to mental stress due to the need for attention to details and accuracy; deadlines; and the constant exposure to upset people while enforcing regulations and the like.

External and Internal applicants, as well as position incumbents who become disabled as defined under the American With Disabilities Act, must be able to perform the essential job functions (as listed) either unaided or with the assistance of a reasonable accommodation to be determined by management on a case by case basis.