

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, AUGUST 18, 2020-6:30 P.M.
HARWICH TOWN HALL – REMOTE MEETING
ORIGINAL POSTING: AUGUST 12, 2020
REVISED POSTING: AUGUST 14, 2020
REVISED TO INCLUDE AGENDA ITEM VI-E

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)** – July 15, 2020 & July 21, 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 from Health Director**
Vote to accept/deny/take this under consideration
 - B. **Discussion- Health Department staffing levels and duties, budget request for additional staff and change to job descriptions.**
Vote to accept/deny/take this under consideration
- V **NO EARLIER THAN 7:00 PM -OLD/UNFINISHED BUSINESS**
 - A. **Continued discussion on developing a mission statement for Board of Health (continued from July 15, 2020 Board of Health Work Session)**
Vote to accept/deny/take this under consideration

VI NEW BUSINESS

A. Hearing-Amended Board of Health Emergency Order, to consider amending the emergency face covering Order to include the parking lot and grounds of the Annual Town Meeting.

Vote to accept/deny/take this under consideration

B. Amended Environmental Impact Review-Eastward Companies- 0 Crocker Rise/Hidden Cove Subdivision, Amended Environmental Impact Report to demonstrate compliance with Harwich Board of Health Regulation 1.211, plans prepared by Clark Engineering, LLC

Vote to accept/deny/take this under consideration

C. Hearing-Lucey, 32 Dunes Road, to reconsider Order of Conditions granted February 18, 2020-No increase in square footage or habitable space without further review by the Board of Health. Project consists of expanding the existing building footprint to accommodate a small master bedroom addition (approximately 107 sq. ft.)

Vote to accept/deny/take this under consideration

D. Hearing-Tansey, 34 Ridgevale Road, to consider a variance request to upgrade a Title 5 septic system prepared by Bass River Engineering

Variances from 310 CMR 15.211: Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 18' from the cellar wall where 20' is required. Variance request of 2'.

2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 5' from the property line where 10' is required. Variance request of 5'.

Vote to accept/deny/take this under consideration

E. Consideration of West Harwich Special District Implementing Regulations. Presented by the Town Planner.

Vote to accept/deny/take this under consideration

VII REPORT OF THE HEALTH DIRECTOR (July 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
FOOD SERVICE				
Cape Roots Market and Café * (2020 New)	557 Route 28	retail: less than 5,000 sf	1-30 seats	milk & cream
Irish Pub *				
POOL				
Coachman Motor Lodge *	774 Route 28			
MOTEL				
Coachman Motor Lodge *	774 Route 28			
* 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:

Paula West
Town Clerk

Date

8/14/2020

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

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**TOWN OF HARWICH BOARD OF HEALTH
WEDNESDAY, JULY 15, 2020-1:00 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.

BOARD OF HEALTH MEMBERS ABSENT: Member Matthew Antoine

OTHERS PRESENT: Selectman Larry Ballantine

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

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I CALL TO ORDER

Chairwoman Howell called the meeting to order at 1:05 p.m.

II BOARD OF HEALTH WORK SESSION

A. COVID-19 UPDATE

As of July 8, 2020, there have been a total of 129 cases of COVID-19 in the Town of Harwich and 24 related deaths. There are currently 4 active cases of COVID-19 and 101 people have recovered from the virus.

The Health Department was notified by the owner of The Port restaurant that one of their employees had tested positive for COVID-19. In an abundance of caution, the owners proceeded to follow the Mandatory Safety Standards for restaurants and close for 24 hours in order to deep clean and disinfect their facility. In addition to this safety step, the restaurant owners contacted fellow employees who worked with the person who was tested and encouraged them to be tested for COVID-19 as well.

Ms. Pflieger asked if the co-workers that were tested now will be tested again in 2 weeks. Health Director Eldredge responded that they can be re-tested only if they show signs or symptoms of the virus.

Selectman Larry Ballantine stated that he received a phone call about the electronic sign at exit 10 that has been removed. Health Director Eldredge responded that prior to the pop-up clinic at Outer Cape Health Services, there was an electronic sign at the highway off ramps stating that all travelers coming into Massachusetts must self-quarantine for 14-days. The electronic signs have been moved onto Route 28 and have messages about wearing masks.

Ms. Pflieger asked if Harwich could use the same wording that is used in Chatham that masks are required and that there is a \$300.00 fine for non-compliance. In Chatham, masks are required to be worn in a certain area of downtown. Health Director Eldredge responded that masks are required when social distancing cannot be maintained. Chatham enacted a mandatory mask zone on their commercial Main Street, regardless of social distancing. It would be up to the Harwich Board of Health if they would like to adopt a mandatory mask policy.

Ms. Howell agreed with Ms. Pflieger however Mr. Dowgiallo disagreed stating that he does not feel there is a problem with masks in Harwich right now.

The Board discussed what areas of town the mandatory mask zone would apply to. Ms. Pflieger would like to see the mandate in place for the entire town, when you cannot social distance.

The Board directed staff to schedule a discussion of implementing a mandatory mask zone in Harwich, for an upcoming meeting.

B. DISCUSS ROLES AND RESPONSIBILITIES OF THE BOARD OF HEALTH, HEALTH DIRECTOR AND HEALTH DEPARTMENT

Health Director Eldredge briefly reviewed the information that was provided to the Board.

Ms. Howell asked when the last time the Manual of Laws and Regulations Relating to Boards of Health was updated. Health Director Eldredge responded that the copy provided is from 2010, however there was a 2016 version found after the packets were posted. All of the code references are the same however some links and regulations have been updated. The background information as far as what the Board follows is the same in both manuals.

Ms. Pflieger stated that what she is trying to determine is the difference between the authorities and responsibilities of the Board of Health and the Health Director. Health Director Eldredge responded that the Board of Health has the power to enact any reasonable health regulation. The Harwich Board of Selectmen have always looked to the Board of Health before they enact any type of health regulation. Regulations and policies that go through the Board of Health do not require a vote of the town's people at town meeting. As far as policies and updates for COVID-19, Health Director Eldredge has been acting on the Board of Health's behalf.

With respect to COVID-19, Ms. Pflieger asked what the proper channels would be if a member of the Board of Health were to have concerns or questions. Health Director Eldredge responded that the member could go thru the Board of Health Chair to request that a meeting be scheduled, as they are responsible for what is on the agenda. In Harwich, Health Department staff drafts an agenda which includes continued items from the last meeting and any new applications. Any information outside of variances or applications can be placed on the agenda at the request of the Health Director and/or Chair of the Board of Health. Another option would be to bring items up at a meeting for discussion on at future agenda.

Ms. Howell asked if policies are ever changed without the Board of Health making a vote. Health Director Eldredge responded that internal policies relating to paperwork have been changed, however anything further than that would go before the Board for review and vote.

Ms. Pflieger asked what the signs that have been put up regarding masks would be called. Health Director responded that the signs are considered advisories and work as a way of educating the public. The Board does have existing policies that are part of the Board of Health Regulations. If any of the policies in the regulation book were to be updated, they would need to come to the Board for review and vote. Ms. Pflieger asked if new Board of Health members can be given a hard copy of the regulations. Health Director Eldredge responded that the regulations are quite a large document and are available on the Town of Harwich website. One of the Board's long term goals could be to update the regulation book.

Ms. Howell asked if fee schedule changes would be found on the website as well. Health Director Eldredge confirmed that they would be and that any new and/or updated regulations are posted on the website as well.

Ms. Pflieger suggested updating the regulations on a section by section basis. Ms. Howell and Mr. Dowgiallo agreed. Health Director Eldredge agreed as well and stated that the regulations could be reviewed one section at a time and create an updated set of regulations.

Health Director Eldredge asked if there is anything COVID-19 related that the Board would like to be involved in or would like more information.

Ms. Howell feels that everything seems to be quiet as far as cases are concerned.

Health Director Eldredge reported that Barnstable County did hire 2 fulltime and 1 part time COVID inspectors. Harwich has been given approximately 5-10 hours per week of the inspector's time. The inspector has already started following up on complaints that are received.

Ms. Pflieger asked if Harwich has a Town Nurse. Health Director Eldredge responded that we do and reviewed her duties. Harwich utilizes the Visiting Nurse Association to conduct our public health nursing such as well child visits and communicable disease follow ups. There is also a public health nurse available through Barnstable County.

C. DEVELOP MISSION STATEMENT FOR BOARD OF HEALTH

Ms. Pflieger had drafted a mission statement for the Harwich Board of Health to review. The Board and Health Director Eldredge reviewed the draft and made suggestions for possible edits. The Board will have further discussion and a possible vote at their August 18, 2020 meeting. Once approved, the mission statement will be posted publically.

III OTHER

No other items were discussed.

IV ADJOURN

Ms. Pflieger moved to adjourn the meeting at 2:03 p.m., 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger, and Mr. Dowgiallo 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 July 15, 2020 Board of Health Meeting Packet:

- July 15, 2020 Board of Health Agenda
- Weekly COVID-19 Update dated July 8, 2020
- Manual of Laws and Regulations Relating to Boards of Health dated January 2010

- MAHB Duties of Local Boards of Health in Massachusetts
- The 10 Essential Public Health Services: An Overview dated March 2014
- Chapter 1: Public Health System-Goals, Essential Functions, Duties and Powers
- Chapter 2: Legal Authority and Procedures
- Chapter 3: Organizational Options
- Town of Chatham Health Division and Board of Health Mission Statement
- Town of Natick Health Department Mission Statement
- Any other documents submitted for/at the July 15, 2020 Board of Health Work Session

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**TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, JULY 21, 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 REORGANIZATION OF THE BOARD OF HEALTH

Chairwoman Howell stated that the Board of Selectmen have not officially reappointed Matthew Antoine to the Board of Health. Due to this oversight, Mr. Antoine will not be a voting member of tonight's meeting and Ms. Howell recommended continuing the reorganization of the Board of Health until the August 18, 2020 meeting.

Ms. Pflieger moved to continue the reorganization of the Board of Health until the August 18, 2020 Board of Health meeting, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

II CALL TO ORDER

Board of Health-July 21, 2020



Chairwoman Howell called the meeting to order at 6:32 p.m.

III MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) – June 16, 2020

Mr. Dowgiallo moved to approve the minutes of the June 16, 2020 Board of Health meeting as printed, 2nd by Ms. Pflieger. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

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

Health Director Eldredge read her weekly COVID-19 update dated July 16, 2020. Over the last 4 days, there have been 5 new cases of COVID-19 reported. Cases in Harwich are up to 136, with 7 of them being active. Quite a few of the active cases are related to younger hospitality workers. The Visiting Nurse Association is involved in contract tracing of those individuals. The Health Department has made hospitality employers aware that their employees may have been exposed at a large private gathering. We have asked them to keep a closer eye on their employees to make sure that they are not sick and to find out if they have attended any large gatherings, and to encourage them to seek testing if they have. Harwich has had great success with the COVID-19 enforcement agent that was hired through Barnstable County. He is very reactive and visits establishments as requested.

Mr. Dowgiallo asked how The Port Restaurant handled the positive case of one of their employees. Health Director Eldredge responded that they followed all state guidelines. There have been other restaurants and establishments in Harwich that are in the same situation. The Health Department is notified when an establishment in town has a positive case, however will not be making a public announcement about every establishment that has a positive case. With restaurants, as long as employees are wearing masks and frequently their hands, close contact with patrons is minimal.

B. Review of Town of Harwich Public & Semi-Public Bathing Beaches- testing frequency, results and regulation review

Health Department staff compiled information regarding public and semi-public bathing beaches at the request of the Board. Health Director Eldredge reviewed the information provided to the Board. Each beach needs to be tested prior to the bathing beach season and then they are tested weekly. There are 7 beach locations in Harwich that have a variance to allow for monthly testing. In granting a variance, the Board of Health and the Commonwealth shall review epidemiological data and a written sanitary survey of the bathing beach, as provided by the operator. If the Commonwealth does not see a reason that a beach would be impacted by any of the factors of the survey, they then look at the last 4 years of testing data. If a beach has not failed testing in the last 4 years, then they allow to modify the weekly testing to monthly. Barnstable County takes the samples for Harwich on Thursdays. The water is sampled in the morning and then the samples are brought to the lab. The results are received 24-hours later. If the results exceed the 104 colony forming unit per 100 ml of marine water or 235 colony forming units per 100 ml of fresh water, the town will receive a notification and the sample will need to be retaken. If the 2nd sample fails, the beach will be closed to swimming. One single exceedance does not mean that the beach will be closed for swimming. If a beach with a variance fails one time, then the variance becomes null and void.

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)

Variations 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'.

Dan Croteau from Moran Engineering Associates, LLC and property owner Joseph Delory were present remotely. Mr. Croteau stated that they have made the decision to change the location of the leaching area, which will now be further away from the wetland. Mr. Croteau asked to withdraw this set of variances without prejudice.

Ms. Pflieger moved to withdraw the variance request for 113 Brooks Road without prejudice, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

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

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'.

Chairwoman Howell opened the hearing. Dan Croteau from Moran Engineering Associates, LLC and property owner Joseph Delory were present remotely. Mr. Croteau reviewed the variances that are being requested. 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 public comment was heard. Chairwoman Howell closed the hearing.

Health Director Eldredge recommended approval of the variance request for 113 Brooks Road 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 is restricted to a maximum of 4 bedrooms.
3. Record variances and conditions at the Barnstable County Registry of Deeds

Ms. Pflieger moved to accept the recommendation of the Health Director, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

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

Chairwoman Howell opened the hearing. Thadd Eldredge from East South-East, LLC was present remotely and reviewed the request. This property has previously approved variances that included lot line and property line variances as well as a 23% reduction in the soil absorption system size. The current 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 approximately 1,120 square feet of living space and the proposed alterations will increase the living space to 1,420 square feet of living space. No change in bedrooms is proposed.

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

Ms. Pflieger asked for clarification on the process when someone asked for a reconsideration of the order of conditions for previously granted variances.

Health Director Eldredge recommended approval of the reconsideration for 24 Central Avenue with the following conditions:

1. No further expansion of square footage, habitable space or number of bedrooms is allowed without further review by 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.

Ms. Pflieger moved to accept the recommendation of the Health Director, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger and Mr. Dowgiallo voting aye by roll call.

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.

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'.

Chairwoman Howell opened the hearing. Peter McEntee from Engineering Works, Inc. was present remotely and reviewed the request. The variances are being requested to upgrade a failed septic system and are being made to achieve maximum feasible compliance. The proposed soil absorption 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 the existing septic tank and replace the failed leaching system.

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

Health Director Eldredge recommended approval of the variance request for 42 Marlin Road 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 Land Court

Mr. Dowgiallo moved to accept the recommendation of the Health Director, 2nd by Ms. Pflieger. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

D. Show Cause Hearing-Borthwick, 7 Philip Court, failure to comply with Health Department order to upgrade failed septic system

Pam Ross, daughter of the owner of 7 Philip Court was present remotely. Health Director Eldredge provided the complaint history for this property. The original complaint was filed with the Health Department on May 28, 2020 and was verified by staff. The owner 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 and ordered them up 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. On June 15, 2020, the Health Department received a complaint that there was a trailer on the property that was being occupied. Upon inspection, staff found that the septic system was still overflowing. As of this date, there had been no communication from the property owner that they were moving forward with the upgrade. On June 26, 2020, Bass River Engineering scheduled soil tests for the property, to be conducted and witnessed by the town on July 7, 2020. As of tonight's meeting, 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.

Ms. Ross informed the Board that the septic system was pumped 4 weeks ago and it not overflowing at this time. She also stated that she would contact their septic installer, Robert B. Our Company, in the morning, to be sure that the paperwork process has started.

Health Director Eldredge recommended ordering the upgrade of the septic system to be completed by August 1, 2020 and the failing cesspool 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. Health Director Eldredge reviewed the fine structure and process.

Ms. Pflieger moved to accept the recommendation of the Health Director and order that the septic system at 7 Philip Court be upgraded by August 1, 2020 and that the cesspool be pumped as needed to prevent overflow, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

Health Director Eldredge noted that staff would visit the property tomorrow to make sure that the system is not overflowing.

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.

Health Director Eldredge read the draft mask zone order. She asked the Board to discuss the proposed area for the order. In her opinion, the focus should be where there is the most walking traffic, in Harwich Port.

Mr. Dowgiallo asked if the order would be in place from Memorial Day to Labor Day. Health Director Eldredge responded that the decision would be up to the Board, but they could say that it would be in place until further notice.

The Board agreed to accept the order as drafted. Health Director Eldredge informed the Board that staff has ordered and received large sandwich board signs that will contain mask messaging. The Chamber of Commerce has offered to help by announcing the order on the radio as well as a Facebook live broadcast.

Ms. Pflieger moved to accept the Declaration of Public Health Emergency Order as printed, 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

VII REPORT OF THE HEALTH DIRECTOR (June 2020)

Health Director Eldredge read her monthly report for June 2020. As of last week, 2,107 people in Harwich have been tested for COVID-19.

VIII CORRESPONDENCE

No correspondence was discussed.

IX PERMITS

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 Out
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					

Mr. Dowgiallo moved to approve the permit list dated July 21, 2020, 2nd by Ms. Pflieger. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

X OTHER

Health Director Eldredge announced that her plan is to request that the vacant part time Health Inspector position be converted into a full time Health Inspector position, which will require town meeting approval. She feels that the Health Department needs it, even without the extra added duties relating to COVID-19.

The Board agreed that they support this request and that a formal vote to support would be put on the August 18, 2020 Board of Health agenda.

XI ADJOURN

Ms. Pflieger moved to adjourn the meeting at 7:42 p.m., 2nd by Mr. Dowgiallo. The vote was 3-0-0 with Ms. Howell, Ms. Pflieger & Mr. Dowgiallo all voting aye by roll call.

Respectfully Submitted,

Jennifer Clarke

Next meeting is Tuesday, August 18, 2020 at 6:30 p.m.

Documents included in July 21, 2020 Board of Health Meeting Packet:

- July 21, 2020 Board of Health Agenda
- Draft Minutes of the June 16, 2020 Board of Health Meeting
- Weekly COVID-19 Case Update dated July 16, 2020
- Bathing Beach Report & Supplemental Information
- Site Summary for 113 Brooks Road dated July 21, 2020
- Board of Health Variance Application and Associated Documents for 113 Brooks Road dated July 7, 2020
- Site Summary for 24 Central Avenue dated July 21, 2020
- Board of Health Variance Application and Associated Documents for 24 Central Avenue dated July 7, 2020

- Site Summary for 42 Marlin Road dated July 21, 2020
- Board of Health Variance Application and Associated Documents for 42 Marlin Avenue dated July 8, 2020
- Site Summary for 7 Philip Court dated July 21, 2020
- Order to Abate Nuisance and Notice to Appear Before the Board of Health for 7 Philip Court dated June 22, 2020
- Complaint & photos regarding 7 Philip Court dated June 15, 2020
- Notice to Property Owner of 7 Philip Court dated May 28, 2020
- Complaint & photos regarding 7 Philip Court dated May 28, 2020
- Draft Declaration of Public Health Emergency Order
- Health Director June Monthly Report dated July 16, 2020
- Health Inspector Vacancy Memo dated July 1, 2020
- Any other documents submitted for/at the July 21, 2020 Board of Health Meeting

IV-A.



**Town of Harwich
Board of Health**

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

August 13, 2020

Weekly COVID-19 Update

As of today, the total number of *confirmed* cases of COVID-19 that have occurred in Harwich is 141. Included in this number are the 71 individuals that were associated with Wingate. Our fatalities remain at 24 total. We currently are following 4 active cases.

Harwich has seen a slight increase in the rate of positive tests over the last week, up to 0.81% from 0.66% one week ago. To date 3085 people in Harwich have been tested for COVID-19.

The clinic at the Community Center held on August 4th resulted in one positive out of 155 people tested. The positive case resides in the town of Wellfleet. These results are wonderful to see.

On Tuesday, August 18th the Board of Health will meet and discuss amending the Emergency Order requiring face coverings in specific areas of Town. This discussion will include the decision to require face coverings for people attending the Annual Town Meeting.

Governor Baker has amended the gatherings order to reduce the number of people allowed to gather outside from 100 to 50. This amended order specifically includes private and public property and gives the local police department authority to enforce the order. Other sector specific standards were amended to reflect the gathering reduction, such as events and performances. Also, the restaurant standards were updated to require food to be ordered at the time of an order for alcoholic beverages. Food was defined to exclude “bar snacks” and to require the food to be prepared on-site. Food service establishments have been notified of the changes.

Thank you.

Meggan Eldredge
Health Director



Town of Harwich
Board of Health

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

August 6, 2020

Weekly COVID-19 Update

As of today, the total number of *confirmed* cases of COVID-19 that have occurred in Harwich is 139. Included in this number are the 71 individuals that were associated with Wingate. Our fatalities remain at 24 total. We currently are following 7 active cases.

Harwich has seen a decrease in the rate of positive tests over the last week, down significantly to 0.66% from 2.12% one week ago. To date 2881 people from Harwich have been tested for COVID-19.

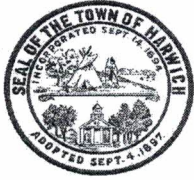
In cooperation with the Barnstable County Rapid Response Team, Barnstable County Department of Health and Environment and many surrounding towns, we hosted a COVID test clinic for restaurant workers who may have been exposed to COVID-19 on Tuesday, August 4th at the Community Center. Approximately 155 people were tested during this clinic and the results should be available Friday or Saturday.

If you are looking to be tested, please contact your primary care doctor or use the testing center locator tool on the [mass.gov](https://www.mass.gov) website. The locator tool can be found here:
<https://www.mass.gov/info-details/about-covid-19-testing>

The Travel Order that went into effect on August 1, 2020 now includes the State of Rhode Island. Details about this Travel Order, including frequently asked questions can be found at: <https://www.mass.gov/info-details/covid-19-travel-order>

Thank you.

Meggan Eldredge
Health Director



Town of Harwich
Board of Health

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

July 30, 2020

Weekly COVID-19 Update

As of today, the total number of *confirmed* cases of COVID-19 that have occurred in Harwich is 137. Included in this number are the 71 individuals that were associated with Wingate. Our fatalities remain at 24 total. We currently are following 6 active cases.

Overall in Barnstable County we are seeing an increase in daily cases. This is not the time to become careless, should our numbers progress in an upward direction I fear that we will need to go backwards in the re-opening process.

Our COVID compliance inspector continues to follow up on all complaints received regarding mandatory workplace standards. The Health Department put together information packages containing a mask and the Emergency Order issued by the Board of Health that are being handed out by our compliance inspector in the Harwichport area during high density times. He is finding good compliance with the new Order. No fines have been issued to date.

In cooperation with the Barnstable County Rapid Response Team, Barnstable County Department of Health and Environment and many surrounding towns, we are hosting a COVID test clinic for restaurant workers who may have been exposed to COVID-19. This clinic will be held on Tuesday, August 4th at the Community Center. *This clinic is not open to the public* and offered only to those working in a local restaurant. Pre-registration is required. All local establishments have been notified of this opportunity. All safety precautions will be in place before, during and after this clinic to ensure that the health and safety of the volunteers, staff and clinic participants is upheld.

If you are looking to be tested, please contact your primary care doctor or use the testing center locator tool on the [mass.gov](https://www.mass.gov) website. The locator tool can be found here:
<https://www.mass.gov/info-details/about-covid-19-testing>

The Travel Order goes into effect on August 1, 2020. This Order requires travelers coming into Massachusetts from higher risk states to register and self-quarantine for 14 days upon arrival or return to the Commonwealth. An exception to the quarantine is to provide a negative PCR test result that was done within the last 72 hours prior to arrival. Details about this Travel Order, including frequently asked questions can be found at:
<https://www.mass.gov/info-details/covid-19-travel-order>

Thank you and take care of each other.

Meggan Eldredge
Health Director



**Town of Harwich
Board of Health**

732 Main Street Harwich, MA 02645

508-430-7509 – Fax 508-430-7531

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

July 24, 2020

Weekly COVID-19 Case Update

As of today, the total number of *confirmed* cases of COVID-19 that have occurred in Harwich is 135. Included in this number are the 71 individuals that were associated with Wingate. Our fatalities remain at 24 total. We currently are following 8 active cases.

In reference to the recently publicized gathering in Chatham, we have been notified of three cases from that cluster that live in Harwich. A testing clinic for those who attended this gathering or the close contacts of those individual is in the planning process and will be available next week. Details to follow.

Harwich has seen an increase in the number of positive and probable cases over the last two weeks and several businesses have been impacted by positive workers. Please be assured that the Health Department has been involved with each business that has had an exposure, and that we ensure the safe re-opening of all businesses if and when this occurs.

Recently, the Department of Public Health has been including “*probable*” cases in addition to “confirmed” cases. Since the beginning of this pandemic, we have had a total of 11 probable cases of COVID-19.

The probable cases are those individuals who have been tested using an antibody or antigen test, instead of the PCR nasal swab test, the FDA approved method to detect active COVID infections. The antigen test is also a nasal swab and results are typically offered within an hour, however, it is associated with a high false-negative result. For this reason, I urge people to get the PCR test instead of the rapid antigen test. Asymptomatic people may test negative using the rapid test but actually be positive and contagious to others.

If you are looking to be tested, please contact your primary care doctor or use the testing center locator tool on the [mass.gov](https://www.mass.gov) website. When searching, make sure the site offers the PCR test. The locator tool can be found here:

<https://www.mass.gov/info-details/about-covid-19-testing>

This is a difficult time and businesses are doing their best to keep staff and patrons safe. Remember to take personal responsibility for your own health and continue to practice social distancing, frequent handwashing and use your face covering.

Thank you and stay safe!

Meggan Eldredge
Health Director

IV-B.



**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

TO: Carol Coppola, Finance Director
Joseph Powers, Interim Town Administrator

FROM: Meggan Eldredge, Health Director

DATE: August 13, 2020

RE: FY21 Budget Request for Health 015101

Attached is my budget request for the Health Department for FY 21. This request includes the proposal to increase the part-time Health Inspector to a full time position. Additionally, the request proposes to reduce the advertising budget by \$1000.00, other purchased services by \$4,400.00 and dues, subs/travel by \$2,040.00. The net increase in budget is approximately \$13,023.77, excluding any benefits that will be required.

I am available to answer any questions you may have.

Thank you!

FY 21 Budget Request-Health- 015101

OBJ	ACCOUNT DESCRIPTION	FY20 APPROVED	FY21 REQUESTED	\$ CHANGE
511800	Part-time year round Health Inspector	\$ 40,617.05	\$ -	\$ (40,617.05)
	19 hours per week			
	BOH members	\$ 2,500.00	\$ 2,500.00	\$ -
511900	Salaries and Wages			
	Health Director			
	SEIU M4/7- M4/8	\$ 86,299.15	\$ 90,115.59	\$ 3,816.44
	Sr. Health Agent	\$ 64,786.40	\$ 67,433.66	\$ 2,647.26
	HEA B11/5-B11/6			
	Health Inspector	\$ -	\$ 53,968.12	\$ 53,968.12
	HEA B10/1 (new position 35 hrs per week)			
513000	Overtime	\$ 1,087.00	\$ 1,136.70	\$ 49.70
515007	Sick Leave Bonus	\$ 700.00	\$ 1,050.00	\$ 350.00
5117900	Other Fringe benefits	\$ 950.00	\$ 1,200.00	\$ 250.00
530600	Medical or Related Services (VNA)	\$ 4,000.00	\$ 4,000.00	\$ -
534100	advertising	\$ 1,000.00	\$ -	\$ (1,000.00)
53800	Other Purchased Services	\$ 6,900.00	\$ 2,500.00	\$ (4,400.00)
573000	Dues, Subscr & In state Travel	\$ 4,080.00	\$ 2,040.00	\$ (2,040.00)
		\$ 212,919.60	\$ 225,943.37	\$ 13,023.77
	3 FTE			

Part time to full time Health Inspector



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

TO: Board of Health

FROM: Meggan Eldredge, Health Director

DATE: August 11, 2020

RE: Enhancement of Public Health and Occupational Safety Staffing

As directed by the Interim Town Administrator, I have researched and outlined a proposal to enhance the Health Department staffing levels to better suit the current and future needs of the Town of Harwich. This is in response to the Health and Safety Task Force formed by Joe Powers in June of 2020 as well as looking forward to the needs of the Town post-pandemic.

When the pandemic first impacted the daily functions within our organization, it became clear that the Health Department would be severely hindered in the areas of staff time and resources. Responding to the changing directives given by the Commonwealth, containing the disease through epidemiological tracing within our ranks as well as the Town at Large, and providing education on safety protocols is much more than a full time job.

During the beginning of the pandemic, I was informed of the need for someone to oversee the Occupational Health and Safety requirements of the Town. This is currently in the hands of our DPW Director, however his plate is already full, and the OSHA requirements were left in his realm when there was no one else to pick them up. The OSHA standards and the custodial staffing are areas where the Town of Harwich is lacking in management and direction. Both of these areas are critical to the health and safety for our employees. Lincoln Hooper has confirmed that OSHA standards are not being met and that he would welcome any changes needed to enhance these standards.

The Health Department is staffed by a Health Director, Sr. Health Agent and a part-time Health Inspector. We are supported by an Executive Assistant, which is budgeted through Community Development. Our current duties include overseeing regulatory compliance of community sanitation, the State Sanitary Code, the State Environmental Code, communicable disease surveillance, health and wellness promotion as well as being a part of community development.

What is being proposed is to expand our scope of work to include Occupational Health:

- Develop, strategize, and implement a long-term plan for the Occupational Health & Safety function in the Town of Harwich.
- Develop and provide safety training and awareness programs to employees on an ongoing basis.
- Identify and address potential hazards within the Town.
- Assist with regulatory compliance and OSHA requirements.
- Manage, train and monitor custodial staff.

- Develop environmental cleaning and disinfection protocols and ensure implementation on an ongoing basis.
- Cultivate infection prevention and disease control program and ensure implementation on an ongoing basis.

By taking on these responsibilities, changes are needed to the staffing levels and job descriptions. The Health Department would be led by a Health and Safety Director, replacing the current title of Health Director. This position should be reclassified into the Personnel Bylaw and compensated accordingly. The Director will take on the responsibility of managing the custodial staff.

The addition of an Occupational Health and Safety Specialist is a new position for the Town, and will required the vote of the residents at an Annual Town Meeting. The Agent will oversee the OSHA program as required by the Commonwealth. Training, certifications and education and compliance will be the primary function of this position. This position will require a background in OSHA standards as well as environmental and public health.

This addition to the Town is vital in moving forward through this pandemic and into the future. Life after the pandemic is going to look much different than it did a year ago, and we need to prepare for it. Cleaning and disinfection standards change over time, safety standards require oversight and the Health Department is the right place for that position to be.

This proposal requires the creation of a new position and the reclassification of an existing one. My initial calculations show that the budget for the health Department would increase by approximately \$75,000 (excluding the cost of benefits). The proposed budget is attached.

The Board of Health will remain a primary governing board for all regulatory function and the Health Department staff will continue to carry out the mission and vision of the Board of Health. The 2.5 FTE staffing would increase to 3.5 FTE.

I believe the restructuring of the Health Department into the Health and Safety Division is the best way to ensure we are prepared for the present and future.

FY21 Budget Request Health-015101-change to department staffing

OBJ	ACCOUNT DESCRIPTION	FY20 APPROVED	FY21 REQUESTED	\$ CHANGE
511800	Part-time year round Health Inspector	\$ 40,617.05	\$ 34,785.38	\$ (5,831.67)
existing	19 hours per week			
	BOH members	\$ 2,500.00	\$ 2,500.00	\$ -
511900	Salaries and Wages			
existing	Health Director	\$ 86299.15	\$ 0.00	\$ (86,299.15)
new	Health and Occupational Safety Director			
	to be negotiated-suggested: reclassify to PBL M7/1	\$	\$ 96,412.00	\$ 96,412.00
existing	Sr. Health Agent	\$ 64,786.40	\$ 67,433.66	\$ 2,647.26
	HEA B11/5-B11/6			
new	Occupational Health and Safety Agent	\$ -	\$ 76,125.00	\$ 76,125.00
	needs to be negotiated-suggest SEIU M4/1			
513000	Overtime	\$ 1,087.00	\$ 1,136.70	\$ 49.70
515007	Sick Leave Bonus	\$ 700.00	\$ 1,050.00	\$ 350.00
5117900	Other Fringe benefits	\$ 950.00	\$ 1200.00	\$ 250.00
530600	Medical or Related Services (VNA)	\$ 4,000.00	\$ 4,000.00	\$ -
534100	advertising	\$ 1,000.00	\$ -	\$ (1,000.00)
53800	Other Purchased Services	\$ 6,900.00	\$ 2,500.00	\$ (4,400.00)
573000	Dues, Subscr & In state Travel	\$ 4,080.00	\$ 3,040.00	\$ (1,040.00)
	Totals	\$ 212,919.60	\$ 287,682.74	\$ 74,763.14
	3.5 FTE			

V-A.



Town of Harwich Board of Health

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

Mission Statement

The Harwich Department of Health and the Harwich Board of Health take their authority from the Massachusetts General Laws (M.G.L.), the Code of Massachusetts Regulations (C.M.R.), and the Town of Harwich By-laws, and Regulations. Our primary goal is the protection and improvement of the public health for the people of Harwich.

Responsibilities

The Health Department and the Board of Health are two distinct but inter-connected entities. The Health Department is a professionally staffed department with a Director, Administrative Assistant, and health inspectors. The Board of Health is a statutory board comprised of five members appointed by the Board of Selectmen for a three-year term. One member of the Board of Health should be a physician or a person with a background in healthcare, and one person is elected annually to serve as the chairperson. The Board sets the town-wide policies, and the Health Department handles the day-to-day operations and executes the various health laws and regulations.

The Board of Health meets monthly, and more frequently as needed.

Key Activities

- Policies and Procedures-research, planning, evaluation and developing programs, policies, and procedures
- Permitting and inspection of septic systems for compliance with Title 5
- Licensing and inspection of restaurants, inns, motels, pools, beaches, recreational camps, tanning and body art facilities
- Environmental compliance investigation and enforcement
- Food safety investigation and enforcement
- Housing code inspection and enforcement
- Building, zoning and Planning Board application review and comment
- Public Health emergency planning
- Communicable disease reporting and follow-up
- Sponsoring Public Health Clinics
- Tobacco Control
- Horse stable licensing and barn inspections
- Education and consultation
- Nuisance investigation and enforcement



**Town of Harwich
Board of Health**

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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 *amends* the following Emergency Order issued July 21, 2020:

In accordance with Governor Bakers Order, dated May 1, 2020, effective May 6th, Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible,

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, and

any person attending the Annual Town Meeting must wear a face covering while on the grounds of the meeting location. Face coverings may be removed only when seated at least 6 feet away from anyone who is not a member of their immediate household, or when recognized by the Town Moderator.

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 as amended shall be effective beginning Wednesday, August 19, 2020 at 12:01AM and remain in effect until notice is given, pursuant to the Board of Health's judgment that the Order is no longer necessary.

ORDERED on this Day August 19, 2020

HARWICH BOARD OF HEALTH:

Pamela Howell, Chairman
Sharon Pflieger, Vice Chairman
Ronald Dowgiallo, Member
Matthew Antoine, Member

**AUGUST 18, 2020
BOARD OF HEALTH MEETING**

To: Board of Health
 From: Meggan Eldredge, Health Director
 Applicant: Clark Engineering
 Owner: Eastward Home Business Trust
 Address: 0 Crocker Rise/Hidden Cove Subdivision

On behalf of Eastward Companies, David Clark, P.E., of Clark Engineering, LLC is submitted an amended Environmental Impact Review (originally approved on November 5, 2012) in accordance with Harwich Board of Health Regulation 1.211 for 0 Crocker Rise/Hidden Cove Subdivision.

Since the 16-lot subdivision plan was approved in 2012, 14 lots have been sold. 12 houses have been built and 43 bedrooms of the 52 maximum bedrooms allowed with the community system have been used. A 13th house, on Lot 13, will be started in 2020 and will use 4 bedrooms. Lot 4, the 14th lot sold, has been allotted 3 bedrooms. So, the total bedrooms used with the sale/development of 14 lots is 50. This will leave 2 remaining lots to be sold and only 2 bedrooms left for 2 new houses.

The applicant is looking at how they could expand/enlarge the community system to allow for the additional bedrooms needed on the remaining lots while meeting the required standards for nitrogen loading. The proposed components can be adequately accommodated in the existing open space lot with the existing components with as little disturbance to the existing system as possible. Mr. Clark has also revised the nitrogen loading calculations which include the total number of proposed bedrooms, lot size, roof area, pavement area, natural area, lawn area, Title 5 flow and nitrogen concentration of leachate. Mr. Clark's calculation shows that the system can be expanded for a maximum of 70 bedrooms while meeting the standards for nitrogen loading.

Title 5 Sum of Nitrogen Loads:	5.9 mg/L
Actual Sum of Nitrogen Loads:	3.6 mg/L
Average of both:	4.8 mg/L

A portion of this development is within the Water Recharge Area, and it is entirely within the Pleasant Bay watershed. It is not on the schedule for sewerage according to the CWMP. The proposal to expand the nitrogen reducing septic system to include an increase in bedrooms complies with the Cape Cod Commission recommendation of less than 5 ppm and complies with the Harwich Septic Regulation 1.211

I recommend the Board of Health consider the Environmental Impact to be in compliance with Regulation 1.211 and allow the expansion of the shared septic system with the following conditions:

1. The lots shall be served by Town water.
2. The nitrogen reducing system be under and Operation and Maintenance Agreement with testing as required by the Harwich Board of Health.
3. The deed restrictions be updated to reflect the new design.



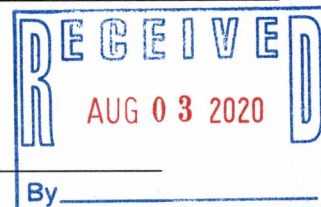
**Town of Harwich
Board of Health**

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: \$ 300⁻
Check #/Cash: 19284 \$175 / 19223 \$125⁻
Date App Received: 8/3/2020
Meeting Date: 8/18/2020
Date Approved: _____
Date Denied: _____
Reason for Denial: _____

Application for Board of Health Variances



Date: 7-30-20

Property Address: 0 Crocker Rise/Hidden Cove Subdivision

Map: 117 Parcel: P3-17

Book: 26103 Page: 330 Land Court No: N/A

Name of Applicant: Eastward Companies - Susan Ladue, Regulatory Specialist

Applicant Mailing Address: 155 Crowell Road

Chatham, MA 02633

City State Zip Code

Applicant Telephone Number: 508-945-2300

Applicant E-Mail Address: sladue@eastwardco.com

Owner(s) of Record: Eastward Homes Business Trust

Owner(s) Mailing Address: 155 Crowell Road

Chatham, MA 02633

City State Zip Code

Design Engineer/Sanitarian: David Clark, P.E.

Firm/Company Name: Clark Engineering LLC

Mailing Address: 156 Crowell Road, Suite B

Chatham, MA 02633

City State Zip Code

Telephone Number: 508-945-5454

Design Engineer/Sanitarian E-Mail Address: david@clarkeng.net

EASTWARD COMPANIES

July 30, 2020

Harwich Board of Health
732 Main Street
Harwich, MA 02645

RE: Hidden Cove – Amendment to Environmental Impact Review

Dear Members of the Board:

Eastward Companies is submitting eight (8) copies of the following items for your review on Tuesday, August 18, 2020, to approve the proposed expansion of the community septic system at Hidden Cove:

1. Board of Health Application
2. Hidden Cove – Approved/Developed 16-lot Modified Definitive Subdivision Plan
3. 2012 Board of Health Approval Letter
4. Recorded Grant of Title 5 Nitrogen Loading Restriction and Easement on Facility Land and Credit Land
5. MA DEP Approval of Existing System dated 3/19/2013
6. Hidden Cove Revised Shared System Plans – 4 Sheets
7. Revised Nitrogen Loading Calculation
8. Draft Revised Grant of Title 5 Nitrogen Loading Restriction and Easement on Facility Land and Credit Land
9. Check for filing fee - \$125.00

The Board of Health reviewed and approved the 16-lot Modified Definitive Subdivision Plan on November 5, 2012. The attached Board of Health approval letter includes the following conditions of approval:

1. Subject to approval of DEP.
2. Subject to execution, approval, and recording of all revised association by-laws, articles of organization, restrictions of covenant, as required by Title 5.

July 30, 2020

Page 2

3. Overall subdivision approval is for maximum of 52 (fifty-two) total number of bedrooms.
4. Each floor plan will be subject to approval to meet necessary deed restrictions of 3 & 4 bedrooms as defined by Harwich Board of Health policies and practices.
5. Continued compliance with BOH regulation 1.211 (advanced treatment) as identified and approved with conditions October 4, 2011 – Inclusion of a FAST wastewater treatment system and Enviro-Septic Wastewater treatment system.

Since the 16-lot subdivision plan was approved in 2012, 14 lots have been sold. 12 houses have been built and 43 bedrooms of the 52 maximum bedrooms allowed with the community system have been used. A 13th house, on Lot 13, will be started in 2020 and will use 4 bedrooms. Lot 4, the 14th lot sold, has been allotted 3 bedrooms. So, the total bedrooms used with the sale/development of 14 lots is 50. This will leave 2 remaining lots to be sold and only 2 bedrooms left for 2 new houses.

With this in mind, we engaged David Clark, P.E. of Clark Engineering to take a look at how we could expand/enlarge the Community System to allow for the additional bedrooms needed on the remaining lots while meeting the required standards for nitrogen loading.

The attached revised shared system plans propose the following to enlarge the overall system and leaching area to achieve a maximum of 70 bedrooms:

1. Removal of the existing 6,000 gallon septic tank.
2. Relocation of the existing 12,000 gallon septic tank.
3. Installation of a new 15,400 gallon septic tank.
4. Installation of an additional 9,000 gallon FAST tank with 12" HDPE nitrafast vent and 3" galvanized steel air supply.
5. Expansion of the existing 8,682 s.f. geoflow leach field to 10,432 s.f. by adding 1,750 s.f. of geoflow components.

The proposed components can be adequately accommodated in the existing open space lot with the existing components with as little disturbance to the existing system as

July 30, 2020

Page 3

possible. Any disturbed spots will be loamed and seeded, as necessary, to restore the green area.

David Clark also revised the nitrogen loading calculation (attached). The calculation includes the total number of proposed bedrooms, lot size, roof area, pavement area, natural area, lawn area, Title 5 Flow, and Nitrogen Concentration of Leachate. David's calculation shows that the system can be expanded for a maximum of 70 bedrooms while meeting the standards for nitrogen loading:

Title 5 Sum of Nitrogen Loads –	5.9 mg/L
Actual Sum of Nitrogen Loads –	3.6 mg/L
Average of both –	4.8 mg/L

Although we've attached the 2013 DEP approval letter for reference to show that we complied with the 2012 Board of Health conditions, it is our understanding that DEP is no longer involved with such approvals and leaves it to the local Boards of Health to make these determinations/decisions.

We've also attached a Draft Revised Grant of Title 5 Nitrogen Loading Restriction and Easement on Facility Land and Credit Land for approval. If any changes are required, we will be glad to make revisions as a condition of the Board's approval.

Please let me know if you need any additional information. We appreciate your consideration of our request to expand the system and number of maximum bedrooms allowed to 70 and look forward to meeting with you on August 18th.

Sincerely,

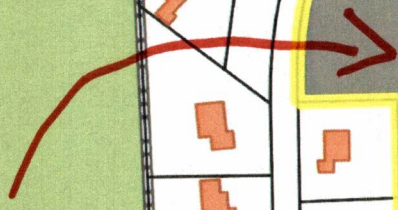


Susan B. Ladue
Regulatory Specialist

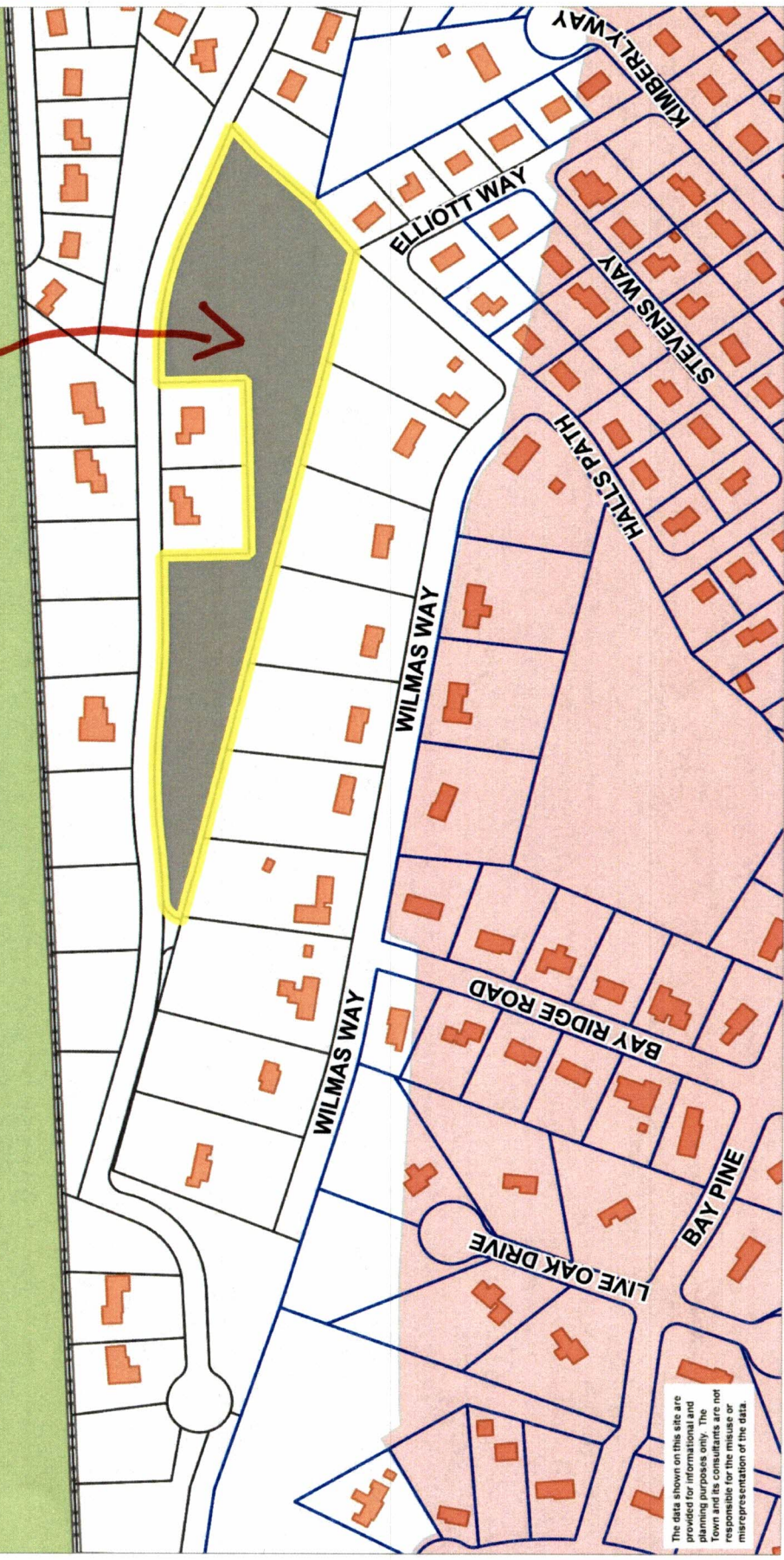
cc: David Clark, P.E.



O CROCKER RISE
 SUBJECT PROPERTY
 MAP 117, LOT P3-17



- Pibey-parshed
- PBWS- Parcels
- Parcels for Identify - Public
- Buildings
- Parcels
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Town Boundary
- Streets
- Abutting Towns
- Bathymetry
- 0-5 ft
- 5-15 ft
- 15-20 ft
- 20-30 ft
- 30-40 ft
- 40-50 ft
- 50-60 ft
- 60-70 ft
- 70+ ft



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Key: 26550

Town of HARWICH - Fiscal Year 2019

12/3/2018 10:34 pm SEQ # 12,902

CURRENT OWNER		PARCEL ID		LOCATION		CLASS		CLASS%		DESCRIPTION		BN ID	BN	CARD
EASTWARD HOMES BUSINESS TRUST		117-P3-17-0		0 CROCKER RISE		1320		100		UNDEV LAND				1 of 1
155 CROWELL RD		TRANSFER HISTORY		DOS T SALE PRICE BK-PG (Cert)		PMT NO		PMT DT		DESC		INSP	BY	%
CHATHAM, MA 02633		EASTWARD HOMES BUSINESS T		02/24/2012 V 800,000 26103-330		57		07/22/2013		51 NEW CONST-NO		07/15/2014	DS	100
		JUDE JAMES R		11/27/1981 V 45,000 3400-346		648/50		02/27/2013		55 SPLIT/SUB-NO		02/27/2013	DM	100
						643/62		02/24/2012		5 SPLIT/SUB/LA		03/14/2012	DM	100

CD	T	AC/SF/UN	Ngh	Intf1	Intf2	ADJ BASE	SAF	Topo	Lpi	VC	CREDIT AMT	ADJ VALUE
350	A	4.754	5	1.00	CL	0.00	100	1.00	9	1.55		
TOTAL		4.754 Acres		ZONING		FRNT		0				
Ngh		NGH 5		ASSESSED		CURRENT		PREVIOUS				
Intf1		COMM LAND		LAND		0		0				
Intf2		FACTOR 100		BUILDING		0		0				
				DETACHED		0		0				
				OTHER		0		0				
				TOTAL		0		0				

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO
SHF	SV	1.00	SV 1.00 10*12 SEWER	2014		0.00		

BUILDING MODEL	CD	ADJ	DESC	MEASURE LIST	REVIEW	BLDG COMMENTS

YEAR BLT	NET AREA	SNLA(RCN)	SIZE ADJ	DETAIL ADJ	OVERALL	CAPACITY	UNITS	ADJ	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	CONDITION	ELEM	CD	

EFF. YR/AGE	COND	FUNC	ECON	DEPR	RCNLD	% GD



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

December 4, 2012

William Marsh, President
Eastward Companies
155 Crowell Rd
Chatham, MA 02633

RE: Cove Road Subdivision- 16 Lot Modification Plan

Dear Mr. Marsh,

At a meeting of the Board of Health on November 5, 2012 a hearing was conducted to consider a modification to the Cove Road subdivision previously approved by this Board on October 4, 2011.

The applicant has acquired additional acreage to the parcel, reorganized lot lines and increased the number of buildable lots by 3. This constitutes 16 buildable lots and open space lots A,B,C & D outlined on the plan dated Oct. 15, 2012, "Eastward Homes Business Trust". The proposal outlined in a letter to this Board 10/24/2012, deems to retain the overall number of bedrooms (fifty-two) of the 2011 BOH approval by apportioning a variety of 3 and 4 bedrooms homes across the subdivision. The overall nitrogen loading and sewage flow design will remain the same.

After considerable review and discussion, it was a decision of the Board to approve the modification to Cove Road Subdivision from 13 to 16 buildable lots as it is in keeping with the approval granted October 4, 2011.

In granting approval the following order of conditions were imposed:

1. Subject to approval by DEP
2. Subject to execution, approval and recording of all revised association by-laws, articles of organization, restrictions of covenant, as required by Title 5
3. Overall subdivision approval is for a maximum of 52 (fifty-two) total number of bedrooms.
4. each floor plan will be subject to approval to meet necessary deed restrictions of 3 & 4 bedrooms as defined by Harwich Board of Health policies and practices

5. continued compliance with BOH regulation 1.211 (advanced treatment) as identified and approved with conditions October 4, 2011- Inclusion of a FAST wastewater treatment system and Enviro-Septic Wastewater treatment system

Kindly contact this office if we may provide any further information on this matter.

Sincerely,

A handwritten signature in black ink that reads "Paula Champagne". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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

Cc
Planning Dept

Locus: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 and open space lots
Crocker Rise, Harwich, MA

**GRANT OF TITLE 5
NITROGEN LOADING RESTRICTION AND EASEMENT
ON FACILITY LAND AND CREDIT LAND
310 CMR 15.216**

This GRANT OF TITLE 5 Nitrogen Loading Restriction AND EASEMENT made as of this 300 day of April 2013 by Eastward MBT, LLC, Trustee of the Eastward Homes Business Trust under Declaration of Trust dated December 26, 2000 and amended by First Amendment dated March 14, 2001 and amended by Restatement and Second Amendment dated December 17, 2003 and recorded with Barnstable County Registry of Deeds in Book 19475, Page 184, with a mailing address of 155 Crowell Road, Chatham, MA 02633 ("Grantor").

WITNESSETH

WHEREAS, Grantor, being the owner in fee simple of those certain parcels of vacant land located in Harwich, Barnstable County, Massachusetts, pursuant to a deed from James R. Jude and Sallye Jude to Eastward Homes Business Trust (or Grantor), dated 2-24-12, and recorded with Barnstable County Registry of Deeds in Book 26103, Page 330, a deed from the Town of Brewster to Eastward MBT, LLC, Trustee of Eastward Homes Business Trust (or Grantor), dated 8-22-12, and recorded with Barnstable County Registry of Deeds on Certificate 197957, and a deed from William Marsh, Trustee of Standish Woods Trust, to Eastward MBT, LLC, Trustee of Eastward Homes Business Trust (or Grantor), dated 9-10-12, and recorded with Barnstable County Registry of Deeds in Book 26658, Page 132, said parcel of land being more particularly bounded and described in Exhibit A attached hereto and made a part hereof and being shown on a plan entitled, "Modification of Definitive Open Space Residential Development Plan (Recorded in Plan book 643, Page 62) in Harwich, MA as prepared for Eastward Homes Business Trust, Scale: 1 in. = 100 ft., October 15, 2012, Rev. 1/16/2012, Soule Land Surveying", and recorded with Barnstable County Registry of Deeds in Book 648, Page 50, said parcels of land shown as 3 open space lots, A, B, and C, on Assessor's Map 116, Parcels A1, A2, & A4, and Map 117, Parcels P2, P3, & P4-1 (portion), 6.187 acres (269,501 square feet), being more particularly bounded and described in Exhibit A attached hereto, (hereinafter, the "Credit Land"); and

WHEREAS, Grantor, being the owner in fee simple of those certain parcels of land located in Harwich, Barnstable County, Massachusetts, pursuant to a deed from James R. Jude and Sallye Jude to Eastward Homes Business Trust (or Grantor), dated 2-24-12, and recorded with Barnstable County Registry of Deeds in Book 26103, Page 330, a deed from the Town of Brewster to Eastward MBT, LLC, Trustee of Eastward Homes Business Trust (or Grantor), dated 8-22-12, and recorded with Barnstable County Registry of Deeds on

Certificate 197957, and a deed from William Marsh, Trustee of Standish Woods Trust, to Eastward MBT, LLC, Trustee of Eastward Homes Business Trust (or Grantor), dated 9-10-12, and recorded with Barnstable County Registry of Deeds in Book 26658, Page 132, said parcels of land shown as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, and consisting of 9.353 acres (407,403 square feet) being more particularly bounded and described in Exhibit A attached hereto and made a part hereof and being shown on a plan entitled, "Modification of Definitive Open Space Residential Development Plan (Recorded in Plan book 643, Page 62) in Harwich, MA as prepared for Eastward Homes Business Trust, Scale: 1 in. = 100 ft., October 15, 2012, Rev. 1/16/2012, Soule Land Surveying", and recorded with Barnstable County Registry of Deeds in Book 648, Page 50, (hereinafter, the "Facility Land"); and

WHEREAS, Grantor desires to restrict the number of bedrooms as defined pursuant to 310 CMR 15.002 and/or the wastewater discharge design flow in any improvements located on the Facility Land through the use of this Nitrogen Loading Restriction and Easement; and

WHEREAS, Grantor further desires to restrict the nitrogen producing uses of the Credit Land; and

WHEREAS, the Facility Land has the benefit, granted hereby, of the Restriction and Easement on the Credit Land consisting of approximately 6.187 acres as herein provided; and

WHEREAS, the Nitrogen Loading Facility Aggregation Plan has been approved by the Harwich Board of Health [and, if required, the Department of Environmental Protection ("DEP" or "Department")] in accordance with the Department's "Guidelines for Title 5 Aggregation of Plans and Nitrogen Loading", said approval being based upon the agreement by Grantor to incur certain obligations regarding the number of bedrooms, as defined in 310 CMR 15.002, and/or the wastewater discharge design flow in any improvements located on the Facility Land and maintenance of the Restriction and Easement to ensure protection of the nitrogen loading limitation of 440 gpd/acre discharge standard pursuant to 310 CMR 15.214 in nitrogen-sensitive areas or in areas serving new construction where the residential use of both on-site systems and drinking water supply wells are proposed; and to grant to the Local Approving Authority a perpetual easement to ensure maintenance of the Facility Land and the Credit Land including, but not limited to, removal of any prohibited uses and in connection herewith a perpetual easement to pass and repass over the Facility Land and the Credit Land for purposes of inspection of the Facility Land and Credit Land to ensure compliance with and fulfillment of the terms of this Restriction/Easement as hereafter set forth;

NOW, THEREFORE, pursuant to the provisions of 310 CMR 15.216, Grantor does hereby GRANT to the Town of Harwich, a Massachusetts municipal corporation situated in Barnstable County, having an address at 732 Main Street, Harwich, Massachusetts 02645, acting by and through its Board of Health ("Local Approving Authority") for nominal, non-monetary consideration, with QUITCLAIM COVENANTS, a TITLE 5 NITROGEN LOADING RESTRICTION AND EASEMENT ("Restriction/Easement") in, on, upon,

through, over and under the Facility Land and the Credit Land, the terms and conditions of which are as follows:

PURPOSE:

The purpose of this restriction is to protect and preserve the quality of ground water resources in the area of the public and private wells in the Town of Harwich, Massachusetts in order to ensure a safe and healthy public and private water supply for the present and future inhabitants of the area. It shall also be for the specific purpose of limiting the introduction of nitrogen and other pollutants into, and maintaining the natural uptake of pollutants and the recharge of the ground water which takes place on the Facility Land and the Credit Land for the said water supply.

OBLIGATIONS AND EASEMENT:

1. Prohibitions – Facility Land. Grantor agrees to restrict the total number of bedrooms on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, as defined pursuant to 310 CMR 15.002, in any improvements on the Facility Land to fifty-two (52): twelve (12) lots with three (3) bedrooms each and four (4) lots with four (4) bedrooms each.
2. Prohibitions – Credit Land. Grantor further agrees to maintain the Credit Land as nitrogen credit land by prohibiting activities which have a detrimental effect on nitrogen loading on the Credit Land, including but not limited to wastewater discharges, the use of nitrogen fertilizer, the introduction of artificial impervious surfaces, the raising, breeding or keeping of animals, livestock or poultry for commercial purposes, and the creation or introduction of land under water. A change in the condition of the Credit Land which results in the Credit Land or a portion thereof being within a Velocity Zone or Regulatory Floodway will render the Credit Land or said portion thereof ineligible for nitrogen credit pursuant to 310 CMR 15.216.
3. Easements. In creating this Restriction and Easement, Grantor hereby grants to the Local Approving Authority, its agents, contractors, subcontractors, and employees a perpetual EASEMENT to enter upon and the right to bring equipment onto the Facility Land and Credit Land to do any and all acts deemed necessary to maintain the Facility Land and Credit Land in a manner which ensure protection of the nitrogen loading limitation of 440 gpd/acre discharge standard pursuant to 310 CMR 15.214 together with a right to pass and repass by foot and by vehicle over the Facility Land and Credit Land for said purposes, and for purposes of inspecting the Facility Land and Credit Land to ensure compliance with and fulfillment of the terms of this Restriction/Easement.
4. Severability. If any court or other tribunal determines that any provision of this instrument is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and

enforceability as determined by such court or tribunal. In the event the provision invalidated is of such a nature that it cannot be so modified, the provision shall be deemed deleted from this instrument as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect.

5. Enforcement. Grantor expressly acknowledges that a violation of the terms of this instrument could result in the following:
 - (i) upon determination by a court of competent jurisdiction, in the issuance of criminal and civil penalties, and/or equitable remedies, including, but not limited to, injunctive relief, such injunctive relief could include the issuance of an order to modify or remove any improvements constructed upon the Facility Land or Credit Land in violation of the terms of this Restriction/Easement; and
 - (ii) in the assessment of penalties and enforcement action by the Harwich Board of Health and DEP to enforce the terms of this Restriction/Easement, pursuant to Title 5; M.G.L. c.111, sections 17, 31, 122, 124, 125, 127A through 127O, and 129; and M.G.L. c.83, section 11.
6. Provisions to Run with the Land. This Restriction/Easement sets forth the rights, liabilities, agreements, and obligations upon and subject to which the Facility Land and Credit Land or any portion thereof, shall be left unimproved or according to which said Facility Land and Credit Land may be improved, held, used, occupied, leased, sold, hypothecated, encumbered, or conveyed. The rights, liabilities, agreements and obligations herein set forth shall run with the Facility Land and Credit Land, as applicable thereto, and any portion thereof and shall inure to the benefit of and be binding upon Grantor and all parties claiming by, through or under the Town of Harwich or Grantor. The rights hereby granted to the Local Approval Authority to enforce this Restriction/Easement and Grantor hereby covenants for himself and his executors, administrators, heirs, successors and assigns, to stand seized and hold title to the Facility Land and Credit Land, as applicable thereto, and any portion thereof, subject to this Restriction/Easement, provided, however, that a violation of this Restriction/Easement shall not result in a forfeiture or reversion of Grantor's title to the Facility Land or Credit Land, as applicable thereto.
7. Concurrence Presumed. It being agreed that Grantor and all parties claiming by, through or under grantor shall be deemed to be in accord with the provisions herein set forth and to agree for and among themselves and any party claiming by, through or under them, and their respective agents, contractors, sub-contractors, and employees, that the Restriction/Easement herein established shall be adhered to and not violated and that their respective interests in the Facility Land and the Credit Land and the Restriction/ Easement, as applicable thereto, shall be subject to the provisions herein set forth.

8. Incorporation into Deeds, Mortgages, Leases, and Instruments of Transfer. Grantor hereby agrees to incorporate this Restriction/Easement, in full or by reference, into all deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer by which an interest in and/or a right to use the Facility Land or Credit Land, or any portion thereof, is conveyed.
9. Recordation. Grantor shall record and/or register this Restriction/Easement with the appropriate Registry of Deeds and/or Land Registration Office within 30 days of the latter of: receipt of the approved Restriction/ Easement or the expiration of the 60-day DEP constructive approval period pursuant to 310 CMR 15.216. Grantor shall file with the Local Approving Authority and the DEP a certified Registry copy of this Restriction/Easement as recorded and/or registered within 30 days of its date of recordation and/or registration.
10. Amendment and Release. This Restriction/Easement may be amended or released only upon approval by the Local Approving Authority. Release of this Restriction/Easement shall be granted by the Local Approving Authority in the event the Facility Land is connected to a municipal sewer system and the septic system serving the Facility Land is abandoned in accordance with 310 CMR 15.354 or the Facility Land is no longer located within a nitrogen sensitive area pursuant to 310 CMR 15.215. Any such amendment or release shall be recorded and/or registered with the appropriate Registry of Deeds and/or Land Registration Office and a certified Registry copy of said amendment or release shall be filed with the Local Approving Authority and the DEP within 30 days of its date of recordation and/or registration.
11. Term. This Restriction/Easement shall run in perpetuity and is intended to conform to M.G.L c.184, section 26, as amended.
12. Rights Reserved. This Restriction/Easement is granted to the Local Approving Authority in connection with the approval of a Nitrogen Loading Facility Aggregation plan pursuant to 310 CMR 15.216 and the Department's "Guidelines for Title 5 Aggregation of Flows and Nitrogen Loading." It is expressly agreed that acceptance of the Restriction/Easement by the Local Approving Authority or constructive approval of the Nitrogen Loading Facility Aggregation Plan by DEP shall not operate to bar, diminish, or in any way affect any legal or equitable right of the Local Approving Authority or DEP to issue any future order with respect to the Facility Land or Credit Land or in any way affect any other claim, action, suit, cause of action, or demand which the Local Approving Authority of DEP may have with respect thereto. Nor shall acceptance of the Restriction/Easement serve to impose any obligations, liabilities, or any other duties upon the Local Approving Authority.

13. Effective Date. This Restriction/Easement shall become effective upon its recordation and/or registration with the appropriate Registry of Deeds and/or Land Registration Office.

WITNESS the execution hereof under seal this 3rd day of APRIL, 2013.

Donald L. Poyant
Donald L. Poyant, Manager
Eastward MBT, LLC, Trustee of
Eastward Homes Business Trust

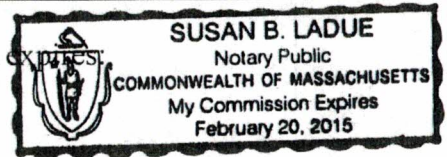
COMMONWEALTH OF MASSACHUSETTS

Barnstable, MA

APRIL 3, 2013

On this 3rd day of APRIL, 2013, before me, the undersigned notary public, personally appeared Donald L. Poyant, Manager, as aforesaid, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Susan B. Ladue
Notary Public
My commission expires



The Harwich Board of Health hereby approves and accepts this Grant of Title 5 Nitrogen Loading Restriction and Easement.

Paula J. Champagne
HARWICH BOARD OF HEALTH
by HEALTH DIRECTOR
PAULA J. CHAMPAGNE

Date: 4/3/2013



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

March 19, 2013

Susan Ladue
Eastward MBT, LLC
155 Crowell Road
Chatham, Massachusetts 02633

RE: HARWICH—BRPWP58B - Subsurface
Sewage Disposal- 310 CMR 15.000 of Title
5 of The State Environmental Code – Cove
Road Community Septic System
Transmittal No. X250842

Dear Ms. Ladue:

The Southeast Regional Office of the Department of Environmental Protection has completed a technical and legal review of the application for approval of a shared system for the above-referenced facility submitted in accordance with 310 CMR 15.290. The application included unexecuted copies of the “Grand of Title 5 Covenant and Easement”, “Homeowners Association Article of Organization”, “Homeowners Association By-Laws”, “Easements, Restrictions & Covenants” and “Declaration of Protective Covenants” documents. In addition, the application included supporting documents and engineering plans consisting of six (6) sheets titled:

“HIDDEN COVE SUBDIVISION
SHARED TITLE 5 SUBSURFACE
SEWAGE DISPOSAL SYSTEM
PREPARED FOR: EASTWARD HOMES BUSINESS TRUST
DATE: FEBRUARY 28, 2013“

LIST OF DRAWINGS

Sheet	Description
C100	Cover Sheet, Construction Details
C101	Sanitary Sewage Collection System
C102	Sanitary Sewage Collection System
C103	Title 5 Treatment System Site Plan
C104	Treatment System Details
C0000	Individual Site, Lot Development Plan

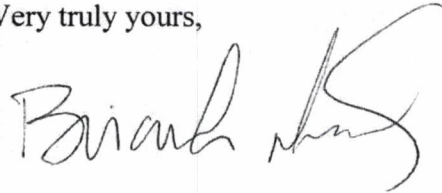
The submitted plan shows sixteen (16) proposed residential lots that will be tied into a shared septic system with a design flow of 5,720 gallons per day. The properties will connect via a gravity sewer to a shared system that consists of a 12,000-gallon septic tank, a 6,000-gallon septic tank, a 7,000 gallon MICRO FAST 9.0 Unit, a 7,500-gallon pump chamber and a Geoflow drip irrigation soil absorption system. After a review of the submitted information, the Department hereby **approves** the proposal in accordance with 310 CMR 15.293 of Title 5 subject to the following provisions:

1. Construction shall be in strict accordance with the approved plans and Title 5 of The State Environmental Code. No further changes shall be made without the prior written approval of the Department.
2. A Disposal System Construction Permit must be obtained from the Harwich Board of Health prior to the start of any construction.
3. Written certification that the shared system was constructed in accordance with the approved plans shall be submitted to this office with a copy to the Board of Health. Said certification shall be submitted by a Professional Engineer who is registered in the Commonwealth of Massachusetts. Nothing in this provision is intended to interfere with the right of the Board of Health to inspect the system at any time during construction in order to assess compliance with the final plans approved by the Department.
4. The system shall not be used until the Harwich Board of Health has issued a Certificate of Compliance.
5. This approval pertains to the discharge of sanitary waste only. Non-sanitary waste shall not be discharged into the proposed shared system.
6. Failure of the owners, persons or entity owning or controlling the system to properly operate and maintain the system shall constitute grounds for the revocation of approval for the use of the shared system.
7. An appropriate financial assurance mechanism, to ensure effective long-term operation & maintenance of the system, must be submitted to this office with a copy to the Board of Health prior to the start of construction of the shared system (i.e., letter of credit from a bank or sufficient funds in an escrow account).
8. The shared system shall be inspected annually in accordance with 310 CMR 301(7) and shall follow 15.302, "Criteria for Inspection". All inspection reports shall be submitted to the local Board of Health and the Department within thirty days from the date of the inspection.
9. All inspection reports shall be submitted to the local Board of Health and the Department within thirty days from the date of the inspection.
10. All liens, easements, homeowners association incorporation and association bylaws which you have provided the Department, shall be recorded in the chain of title of the properties within thirty days from the date of this approval letter and evidence thereof submitted to the Department and the Board of Health.
11. Please provide this office with a copy of the Certificate of Compliance for the System within 14 days of the Board of Health's issuance of the Certificate of Compliance.

12. The issuance of this approval does not relieve the involved parties from complying with any applicable Massachusetts and local laws and regulations.

If you have any questions, please contact Christos Dimisoris at (508) 946-2736.

Very truly yours,



Brian A. Dudley
Bureau of Resource Protection

D/CD/

cc: Paula Champagne
Harwich Board of Health
732 Main Street
Harwich, Massachusetts 02645

DEP Watershed Permitting Program, Title 5 Section, Boston

P:\58B\X250842 Approval.docx

NITROGEN LOADING CALCULATION

Proposed Development

Hidden Cove

0 Square Feet of Commercial Area
 70 Number of Bedrooms
 0 Number of Restaurant Seats
 676,904 Lot Size (SF)
 48,000 Roof Area (SF)
 32,000 Pavement Area (SF)
 516,904 Natural Area (SF)
80,000 Lawn Area (SF)
 7,700 Title 5 Flow (GPD)
 19 Nitrogen Concentration of Leachate (ppm)

WASTEWATER

Title 5			
7,700 gpd Title 5 flow x 3.785 L/gal=		29144.5	L/d
x nitrogen concentration =		553745.5	mg/d
 Actual			
7,700 gpd Title 5 flow x 3.785 L/gal x 2.86/8 =		10419.2	L/d
x nitrogen concentration =		197964.0	mg/d

IMPERVIOUS SURFACES

Roof Area			
48,000 (SF) x (40 in/yr) x (1ft/12 in) x (28.32 L/cu ft) x 1 yr/365 d)=		12414.2	L/d
x nitrogen concentration (.75 mg/L) =		9310.7	mg/d
 Pavement Area			
32,000 (SF) x (40 in/yr) x (1ft/12 in) x (28.32 L/cu ft) x 1 yr/365 d)=		8276.2	L/d
x nitrogen concentration (.75 mg/L) =		12414.2	mg/d

LAWN

80,000 (SF) x (3LBS/1000sf/Yr)x (1 yr/365 d) x (454000 mg/lb) x 25%=		74630.1	mg/d
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NATURAL

516,904 (SF) x (1.5 FT/Yr)x (28.32 L/cu ft) x (1 Yr/365 d)=		60159.1	L/d
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SUMMARY

Title 5			
Sum of Nitrogen Loads	650,101 (mg/d) / Total Flow	109,994 (gpd)	5.9 mg/L
 Actual			
Sum of Nitrogen Loads	294,319 (mg/d) / Total Flow	80,850 (gpd)	3.6 mg/L
		Average	4.8 mg/L

**Locus: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 and open space lots
Crocker Rise, Harwich, MA**

**HIDDEN COVE
HARWICH, MASSACHUSETTS
AMENDMENT TO
GRANT OF TITLE 5
NITROGEN LOADING RESTRICTION AND EASEMENT
ON FACILITY LAND AND CREDIT LAND
310 CMR 15.216**

This AMENDED GRANT OF TITLE 5 Nitrogen Loading Restriction AND EASEMENT made as of this ____ day of _____ 2020 by Eastward MBT, LLC, Trustee of the Eastward Homes Business Trust under Declaration of Trust dated December 26, 2000 and amended by First Amendment dated March 14, 2001 and amended by Restatement and Second Amendment dated December 17, 2003 and recorded with Barnstable County Registry of Deeds in Book 19475, Page 184, with a mailing address of 155 Crowell Road, Chatham, MA 02633 (“Grantor”), hereby amend the said Grant of Title 5 Nitrogen Loading Restriction and Easement on Facility Land and Credit Land 310 CMR 15.216 by *amending* the following paragraph:

OBLIGATIONS AND EASEMENT:

1. Prohibitions – Facility Land. Grantor agrees to restrict the total number of bedrooms on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, as defined pursuant to 310 CMR 15.002, in any improvements on the Facility Land to seventy (70) bedrooms total.

In all other respects, the said Grant of Title 5 Nitrogen Loading Restriction and Easement on Facility Land and Credit Land 310 CMR 15.216 is ratified and confirmed and remain in full force and effect.

Witness whereof, I, Donald L. Poyant, Manager of Eastward MBT LLC, Trustee of Eastward Homes Business Trust, hereunto set my hand and seal this ____ day of _____, 2020.

Donald L. Poyant, Manager
Eastward MBT, LLC, Trustee of
Eastward Homes Business Trust

COMMONWEALTH OF MASSACHUSETTS

Barnstable, MA _____, 2020

On this ___ day of _____, 2020, before me, the undersigned notary public, personally appeared Donald L. Poyant, Manager, as aforesaid, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

The Harwich Board of Health hereby approves and accepts this Grant of Title 5 Nitrogen Loading Restriction and Easement.

Date: _____

SANITARY SEWAGE COLLECTION SYSTEM

GENERAL REQUIREMENTS

A. **Site Requirements**
 1. The site shall be developed in accordance with the zoning ordinance and all other applicable laws and regulations.
 2. The site shall be developed in accordance with the subdivision map and all other applicable laws and regulations.
 3. The site shall be developed in accordance with the sanitary sewer collection system design and all other applicable laws and regulations.

PIPE CONSTRUCTION

A. **PIPE MATERIALS**
 1. All pipe shall be made of vitrified clay pipe (VCP) or equivalent material.
 2. All pipe shall be installed in accordance with the manufacturer's instructions.
 3. All pipe shall be installed in accordance with the sanitary sewer collection system design.

MANHOLES

A. **MANHOLE SIZES**
 1. All manholes shall be 48 inches in diameter.
 2. All manholes shall be installed in accordance with the manufacturer's instructions.
 3. All manholes shall be installed in accordance with the sanitary sewer collection system design.

SEWERAGE DISPOSAL SYSTEM

A. **SEWERAGE DISPOSAL SYSTEM**
 1. The sewerage disposal system shall be installed in accordance with the sanitary sewer collection system design.
 2. The sewerage disposal system shall be installed in accordance with all applicable laws and regulations.

CONSTRUCTION NOTES

1. All construction shall be in accordance with the sanitary sewer collection system design.
 2. All construction shall be in accordance with all applicable laws and regulations.

LEGEND

Existing Contour
 Proposed Contour
 Proposed Sewer
 Proposed Solid Contour
 Water Service
 Overhead Utility Line(s)
 Gas Line
 Concrete Round (CR)
 Utility Pole
 Fire Hydrant
 Tree or Hedge Line

COVER SHEET

CONSTRUCTION DETAILS

1. All construction shall be in accordance with the sanitary sewer collection system design.
 2. All construction shall be in accordance with all applicable laws and regulations.

PROJECT NAME
HIDDEN COVE

CLIENT
EASTWARD HOMES BUSINESS TRUST

PROJECT TEAM
CIVIL ENGINEER
 Clark Engineering LLC
 156 Crown Road, Suite B
 Chatham, MA 02633
 508 845 2300 Tel
 508 845 2480 Fax

GENERAL REQUIREMENTS

A. **Site Requirements**
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 2. The site shall be developed in accordance with the subdivision map and all other applicable laws and regulations.
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 Proposed Contour
 Proposed Sewer
 Proposed Solid Contour
 Water Service
 Overhead Utility Line(s)
 Gas Line
 Concrete Round (CR)
 Utility Pole
 Fire Hydrant
 Tree or Hedge Line

COVER SHEET

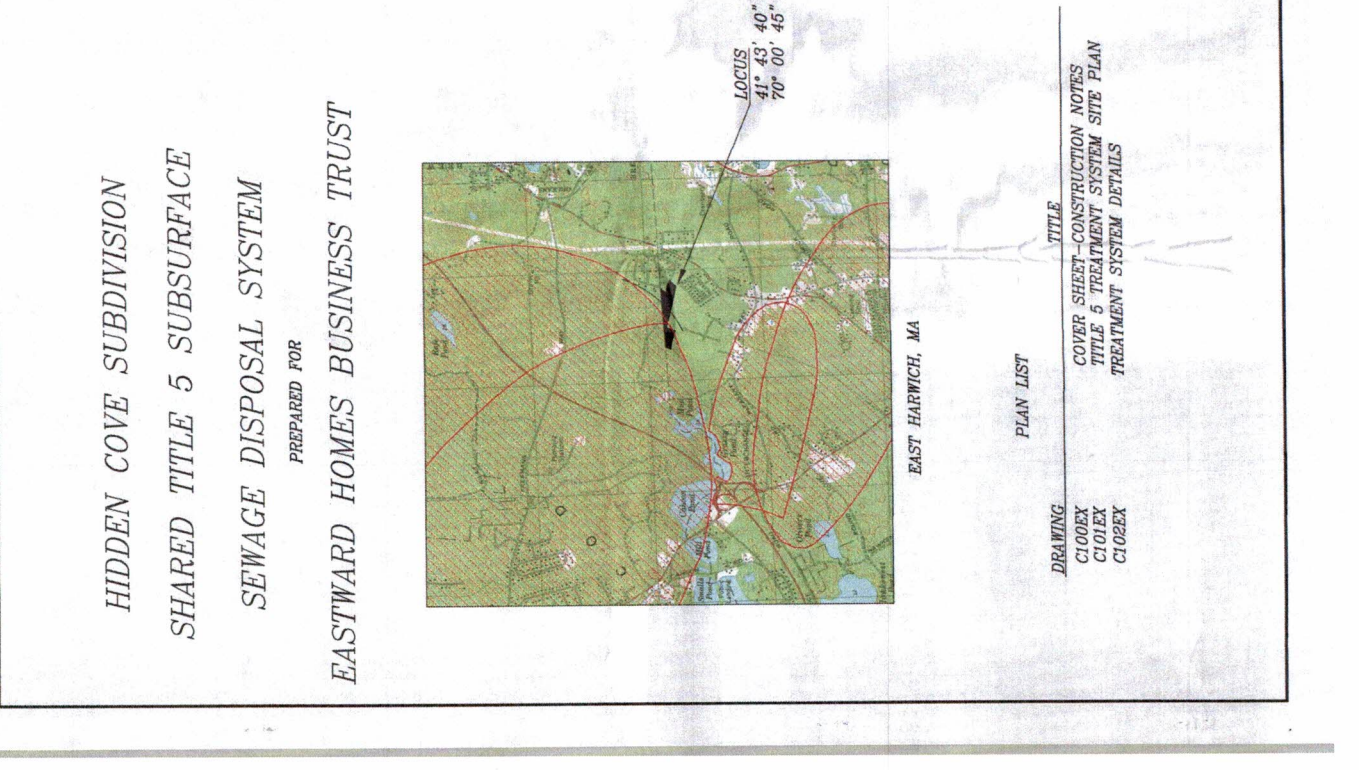
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 2. All construction shall be in accordance with all applicable laws and regulations.

PROJECT NAME
HIDDEN COVE

CLIENT
EASTWARD HOMES BUSINESS TRUST

PROJECT TEAM
CIVIL ENGINEER
 Clark Engineering LLC
 156 Crown Road, Suite B
 Chatham, MA 02633
 508 845 2300 Tel
 508 845 2480 Fax



LOCUS
 41° 43' 40" N
 70° 00' 45" W

PLAN LIST

DRAWING
 C100EX
 C101EX
 C102EX

TITLE
 COVER SHEET—CONSTRUCTION NOTES
 TITLE 5 TREATMENT SYSTEM SITE PLAN
 TREATMENT SYSTEM DETAILS

PROJECT NAME
HIDDEN COVE
 CROOKER RISE
 East Haverhill, MA 02645

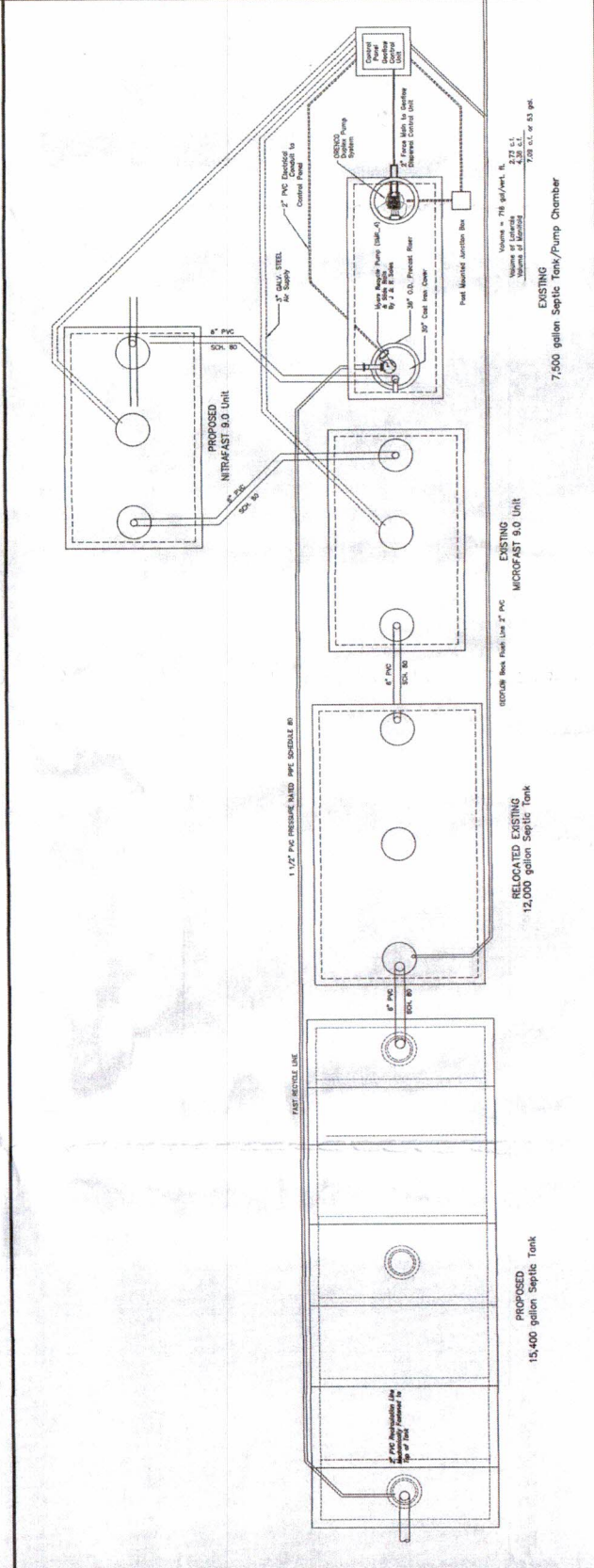
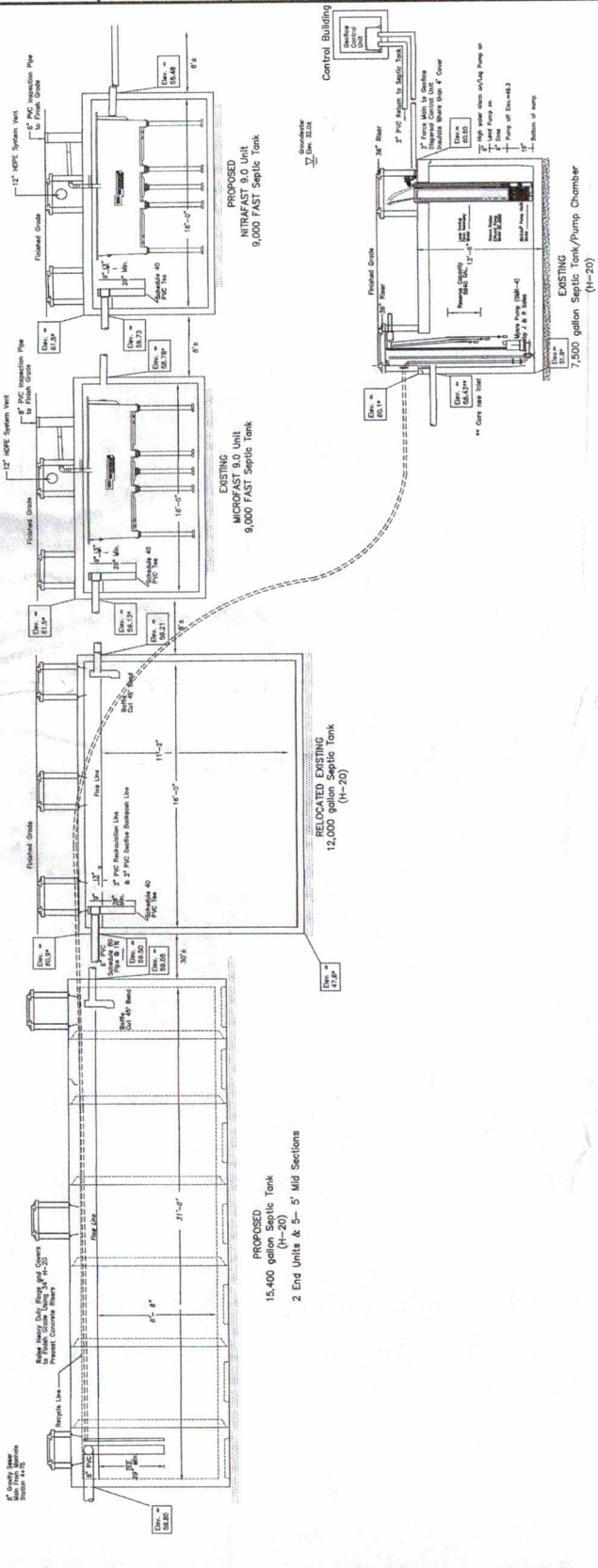
CLIENT
**EASTWARD HOMES
 BUSINESS TRUST**
 155 Cornwall Road
 Chatham, MA 02633
 508 845 2274 Fax

PROJECT TEAM
CIVIL ENGINEER
 Clark Engineering LLC
 156 Lowell Road, Suite B
 Haverhill, MA 02443
 508 842 5454 Fax
 508 945 5458 Fax

**TREATMENT
 MODIFICATION
 SYSTEM DETAILS**

Rev. #	Description of Revision	Date

Date: 07-24-2009
 Scale: 1" = 4'
 Drawing No.: 010186810
C102EX



PROJECT NAME
HIDDEN COVE
 CROCKER RISE
 East Norwich, MA, 02845

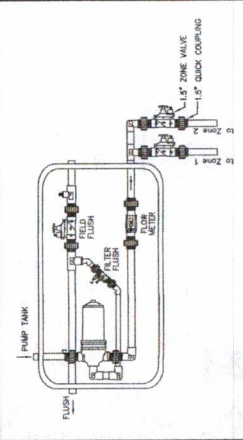
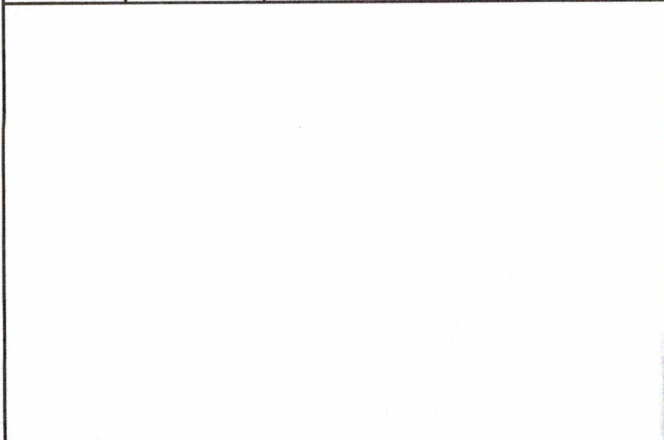
CLIENT
**EASTWARD HOMES
 BUSINESS TRUST**
 1000 Main Street
 Chelsea, MA 02583
 508 845 2200 Tel
 508 845 2274 Fax

PROJECT TEAM
CIVIL ENGINEER
 Clark Engineering LLC
 198 Crowell Road, Suite B
 Southham, MA 02583
 508 845 5458 Fax

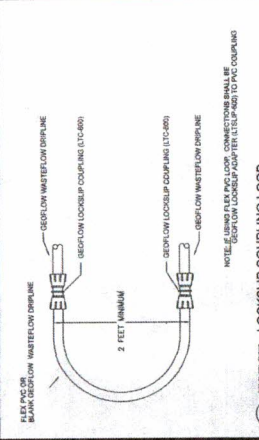
**GEOFLOW
 MODIFICATION
 SYSTEM DETAILS**

Date	Description of Revisions

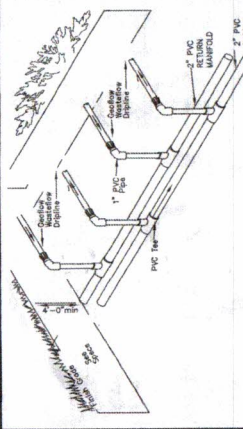
Date: 07-24-2010
 Scale: 1" = 4'
 Drawing No.: 00103601D
C103EX



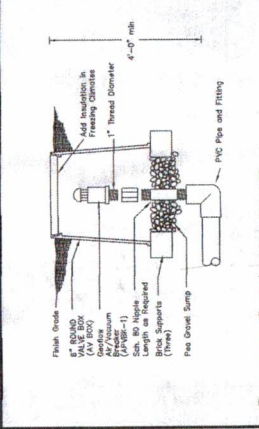
SECTION 2" BIODISC FILTER HEADWORKS SEMI-AUTOMATIC WITH TWO ZONE VALVES
 SEE 00103601D



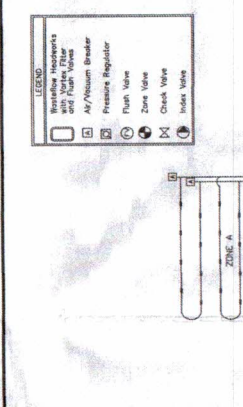
SECTION LOCKSLIP COUPLING LOOP
 NOTE: GEOWORKS PIPES, FITTINGS, CONNECTIONS SHALL BE INSTALLED TO MEET ALL APPLICABLE CODES AND REGULATIONS.
 SEE 00103601D



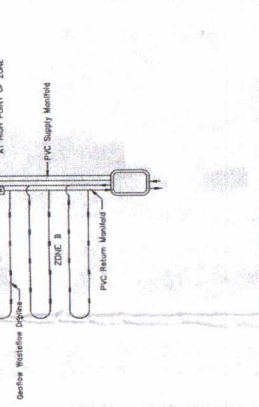
SECTION END SUB-MANIFOLD
 SEE 00103601D



SECTION 1" AIR/VACUUM BREAKER (PLUMBED TO PVC)
 SEE 00103601D



SECTION SLOPE LAYOUT FOR ZONE A
 WASTEFLOW PRESSURE COMPENSATING DIAPHRAGM
 SEE 00103601D



SECTION Septic Tank Footing Detail (Optional)
 Minimum Footing Thickness to 25% Compaction

VI-C.

**AUGUST 18, 2020
BOARD OF HEALTH MEETING**

To: Board of Health
From: Meggan Eldredge, Health Director
Applicant: Lucey
Engineer: Coastal Engineering Co., Inc.
Address: 32 Dunes Road

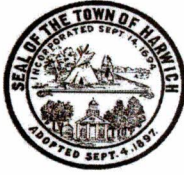
ME

On behalf of the owner, Stacy R. Kanaga of Coastal Engineering Co., Inc., is applying for a reconsideration of a previous condition placed on February 18, 2020, "no increase in square footage or habitable space without further review by the Board of Health". The condition was a result of granting variances to Harwich Board of Health Regulations setback from a pump chamber to the edge of a coastal dune.

The proposal includes a small addition to the master bedroom proposed for renovation. The addition includes an increase in habitable space of approximately 107 square feet to accommodate the amenities of the renovation. The overall project proposes to increase the building footprint by 145 square feet. This total square footage includes both the requested bedroom addition (approximately 107 square feet of habitable space) and the previously approved small expansion of the main dwelling entrance facing Nons Road (approximately 38 square feet of non-habitable space). There is no change proposed for design flows of the property.

I recommend approval of the reconsideration with the following conditions:

1. All previous conditions shall remain in full force and effect.



**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:	_____
Check #/Cash:	_____
Date App Received:	_____
Meeting Date:	_____
Date Approved:	_____
Date Denied:	_____
Reason for Denial:	_____

Application for Board of Health Variances

Date: 8/5/2020

Property Address: 32 Dunes Road

Map: 5-W1 Parcel: 52-0

Book: _____ Page: _____ Land Court No: 167941

Name of Applicant: Thomas J. & Caroline M. Lucey

Applicant Mailing Address: PO Box 290756

<u>Charlestown</u>	<u>MA</u>	<u>02129</u>
City	State	Zip Code

Applicant Telephone Number: _____

Applicant E-Mail Address: tomlucey1991@gmail.com & clucey7@gmail.com

Owner(s) of Record: Thomas J. & Caroline M. Lucey

Owner(s) Mailing Address: PO Box 290756

<u>Charlestown</u>	<u>MA</u>	<u>02129</u>
City	State	Zip Code

Design Engineer/Sanitarian: Stacy R. Kanaga

Firm/Company Name: Coastal Engineering Co., Inc.

Mailing Address: 260 Cranberry Highway

<u>Orleans</u>	<u>MA</u>	<u>02653</u>
City	State	Zip Code

Telephone Number: 508-255-6511

Design Engineer/Sanitarian E-Mail Address: skanaga@coastalengineeringcompany.com

Please Choose Application Type:

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

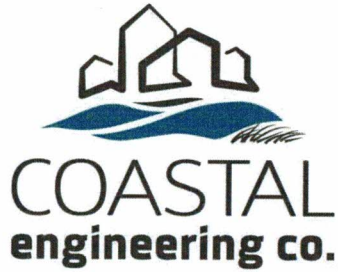
Conservation Commission Approval Required: No: ____ Yes: Date of CC Hearing: 7/1/2020

List All Variances from State & Local Codes

Title 5, Section #	Description of Variance(s):
Harwich Reg. #	Description of Variance(s):
	See attached Variance Request Letter

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)



August 5, 2020

Project #C16111.02

Harwich Board of Health
Attn: Meggan Eldredge, Director
732 Main Street
Harwich, MA 02645

Re: Board of Health Amendment to Variance Request
Proposed Expansion of Building Footprint
Thomas & Caroline Lucey
32 Dunes Road
Harwich Port, MA
Map 5-W1 Parcel 52-0

Dear Board Members:

On behalf of our clients, Thomas & Caroline Lucey, we are requesting an amendment to the variances granted by the Harwich Board of Health, to expand the existing building footprint to accommodate a small master bedroom addition at the above referenced property. The findings of the variances approved by the Harwich Board of Health on February 18, 2020 include the following:

Harwich Board of Health Findings for Variances Granted:

1. Distance between the pump chamber and the top of the coastal back – 50-feet required, 35-feet proposed; Variance of 15-feet granted.
2. Variance granted to allow a tank within 100-feet of a water resource that is not plastic or monopour.

Following the approval of the requested variances, the proposed building plans were modified to include a small addition to the master bedroom proposed for renovation. The addition includes an increase in habitable space of approximately 107 sq. ft. to accommodate the amenities of the renovation. The overall project proposes to increase the building footprint by 145 sq. ft. This total square footage includes both the requested bedroom addition (approximately 107 sq. ft. of habitable space) and the previously approved small expansion of the main dwelling entrance facing Nons Road (approximately 38 sq. ft. of non-habitable space). There is no change proposed for design flows of the property.

Coastal Engineering Co. respectfully requests that the Board of Health approve the requested amendment to the variances previously granted. A representative will be at the public hearing to present the plan and address any questions you may have.

Please schedule this request for the **August 18, 2020** public meeting. If you have any questions, or require additional information, please contact our office. Thank you for your assistance.

Very truly yours,

COASTAL ENGINEERING CO., INC.

A handwritten signature in blue ink that reads "Stacy Kanaga". The signature is written in a cursive, flowing style.

Stacy R. Kanaga

SRK/sgc

cc: Thomas & Caroline Lucey



August 5, 2020

Project # C16111.02

ABUTTER NOTIFICATION

Re: Board of Health Amendment to Variance Request

Proposed Expansion of Building Footprint
Thomas & Caroline Lucey
32 Dunes Road
Harwich Port, MA
Map 5-W1 Parcel 52-0

Dear Abutter:

On behalf of our clients, Thomas & Caroline Lucey, we are requesting an amendment to the variances granted by the Harwich Board of Health, to expand the existing building footprint to accommodate a small master bedroom addition (approximately 107 sq. ft.) at the above referenced property. There is no change proposed for design flows of the property. The findings of the variances approved by the Harwich Board of Health on February 18, 2020 include the following:

Harwich Board of Health Findings for Variances Granted:

- Distance between the pump chamber and the top of the coastal back – 50-feet required, 35-feet proposed; Variance of 15-feet granted.
- Variance granted to allow a tank within 100-feet of a water resource that is not plastic or monopour.

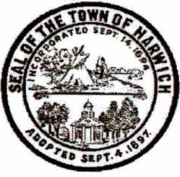
You are being notified per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for August 18, 2020 at 7:00 p.m. Pursuant to Governor Baker's March 12 order suspending certain provisions of the open meeting law, G.L. c. 30A, section 20 and the Governors Order dated March 15, 2020 order imposing strict limitations of the number of people that may gather in one place, this meeting of the Harwich Board of Health is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the order. The agenda, including dial-in instructions will be posted on the Town of Harwich website www.town.harwich.ma.us"

Very truly yours,

COASTAL ENGINEERING CO., INC.

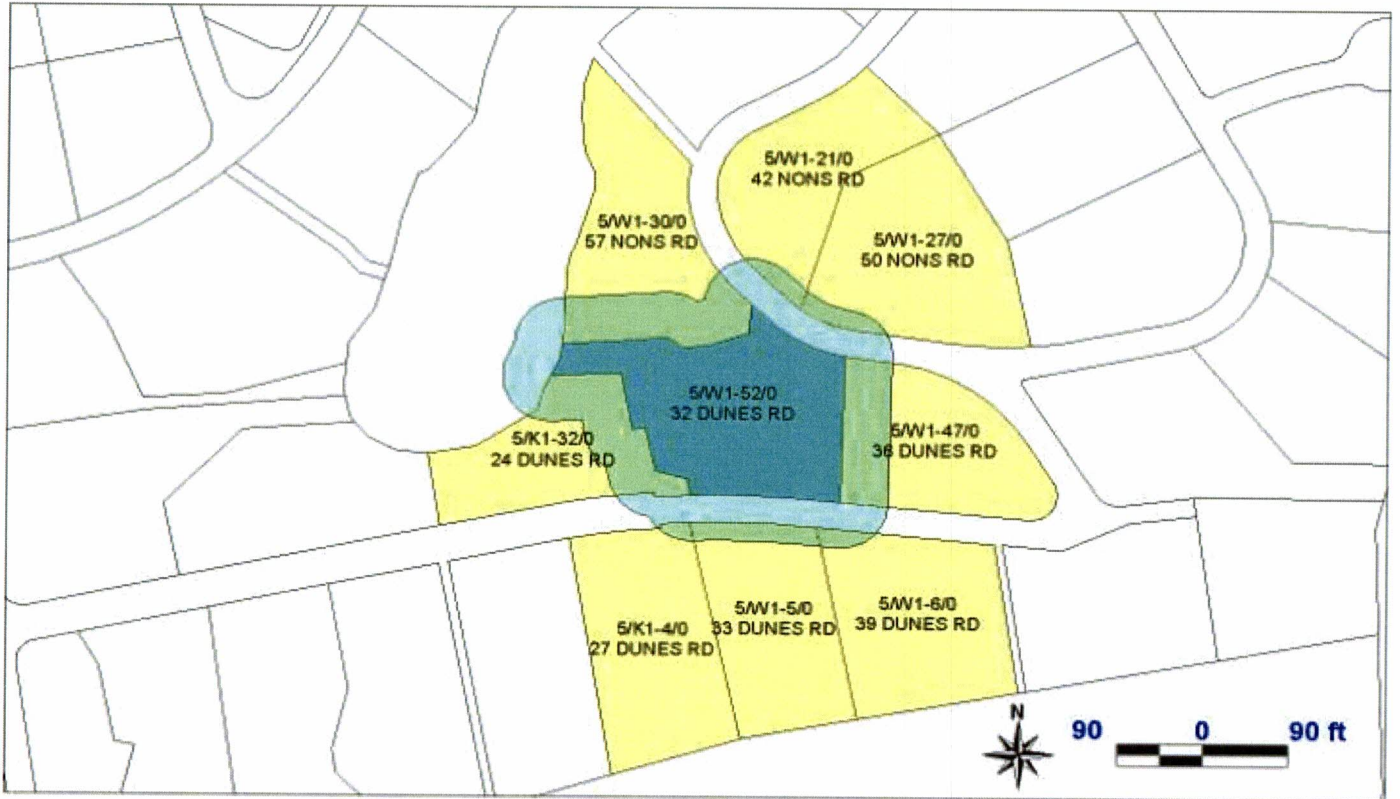
Sarah Cole

cc: **Harwich** Board of Health
Mass. DEP/SERO - WPC
Thomas & Caroline Lucey
Stacy R. Kanaga, Project Manager



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

Abutters List Within 50 feet of Parcel 5/W1-52/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
747	5-K1-4-0-R	FEUER CURT R TR AL NOMINEE TRUST	27 DUNES RD	7 AYER LN	HARWICH PORT	MA	02646
755	5-K1-32-0-R	WALLACE EDWIN L & WALLACE LISA A	24 DUNES RD	11 HERRICK ST	WINCHESTER	MA	01890
8119	5-W1-5-0-R	MANNING PETER J TRS ET AL MANNING LINDA M TRS	33 DUNES RD	84 PARTRIDGE LN	CONCORD	MA	01742
7792	5-W1-6-0-R	ROGERS JAMES W TRS ET AL ROGERS CAROLYN M TRS	39 DUNES RD	2589 ESCADA DR	NAPLES	FL	34109
1148	5-W1-21-0-R	MILLER DEBORA A	42 NONS RD	42 NONS RD	HARWICH PORT	MA	02646
1160	5-W1-27-0-R	WERNER PAUL J	50 NONS RD	50 NONS RD	HARWICH PORT	MA	02646
1163	5-W1-30-0-R	HARRIS ELLEN M ET AL TRS ET AL HARRIS RICHARD J TRS	57 NONS RD	57 NONS RD	HARWICH PORT	MA	02646
19145	5-W1-47-0-R	SATURLEY ELLEN E TR DUNES TRUST	36 DUNES RD	70 MOUNTAIN RD	CONCORD	NH	03301
17446	5-W1-52-0-R	LUCEY THOMAS J & LUCEY CAROLINE M	32 DUNES RD	PO BOX 290756	CHARLESTOWN	MA	02129



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

TITLE 5 STATE ENVIRONMENTAL CODE 310 CMR 15.000

NOTICE OF GRANTING OF VARIANCES

CERTIFICATE OF TITLE: 167941

PLAN REFERENCE:

PROPERTY ADDRESS: 32 DUNES ROAD

HARWICH ASSESSORS: MAP 5 PARCEL W1-52

OWNER OF RECORD: THOMAS J. & CAROLINE M. LUCEY

On February 18, 2020, the Harwich Board of Health approved a plan to replace an existing pump chamber & request for relief from providing a monopour or plastic construction pump chamber for an existing developed property at 32 Dunes Road, plan prepared by Coastal Engineering Company, plan dated February 5, 2020.

The homeowners would like to install a new hardscape including stairs and stone walls that will be located over the existing pump chamber. To best access the pumps, the chamber is being moved and will be located farther away from the resource than it is now. Industry does not make a 2000 gallon tank that is H2O. This tank is going under a driveway and H2O is needed. The engineer has proposed to wrap the tank and make it watertight in lieu of a monopour tank.

FINDINGS

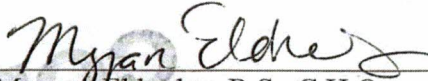
It was a decision of the Board to grant the following:

1. Distance between the pump chamber and the top of the coastal bank-50' required, 35' proposed; Variance of 15' granted.
2. Variance granted to allow a tank within 100' of a water resource that is not plastic or monopour.

CONDITIONS

1. The property shall be restricted to a maximum of 7 bedrooms.
2. No increase in square footage or habitable space without further review by the Board of Health.
3. The 2000 gallon pump chamber shall be water tested prior to use.
4. Variances and conditions to be recorded at the Barnstable County Land Court.

For the Harwich Board of Health,


Megan Eldredge, R.S., C.H.O.
Health Director

2-24-2020
Date

Signature(s) of Owner and Legal Address

Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Date

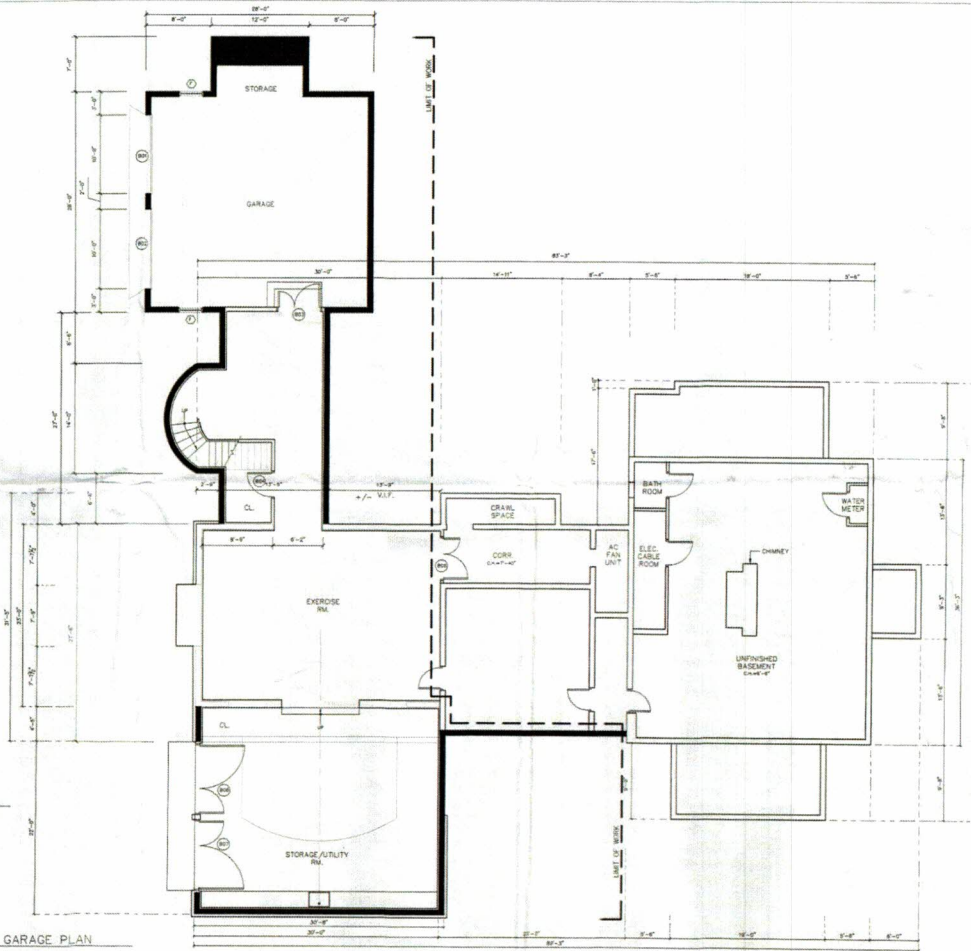
On this _____ day of _____, 2020, the above named
appeared before me, the undersigned notary public, and acknowledged the foregoing
instrument to be their free act and deed.

Notary Public _____

My commission expires _____

CC: Coastal Engineering Company, Inc., 260 Cranberry Highway, Orleans, MA 02653 ✕
File

This document, the ideas and designs incorporated herein may not be used, in whole or in part, for any other project without the written permission of the Architect.
 Sibel Architecture, AIA
 24 ARCHITECTURE, INC.



PHASE 1:	1,087 SF
RENOVATION:	1,389 SF
ADDITION:	2,114 SF
TOTAL:	4,590 SF

1 PROPOSED BASEMENT / GARAGE PLAN

Issued for Permit Oct. 16 '03
 Design Review 8 Oct. '03
 Revision: _____ Date: _____

LUCEY RESIDENCE
 23 DUNCE ROAD WARREN, PA, 15086

PROPOSED BASEMENT PLAN

S.A. ARCHITECTURE
 Architecture, Planning, Interior Design
 24 Oakway Highway, Suite 202, Warrenton, OR 97146
 Phone: 503.862.2222 Fax: 503.862.2224
 www.saa-arch.com
 Date: 16 October 2003
 Scale: **A 1.3**
 Title:

3014

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 S.A. ARCHITECTURE, AIA
 S.A. ARCHITECTURE, INC.

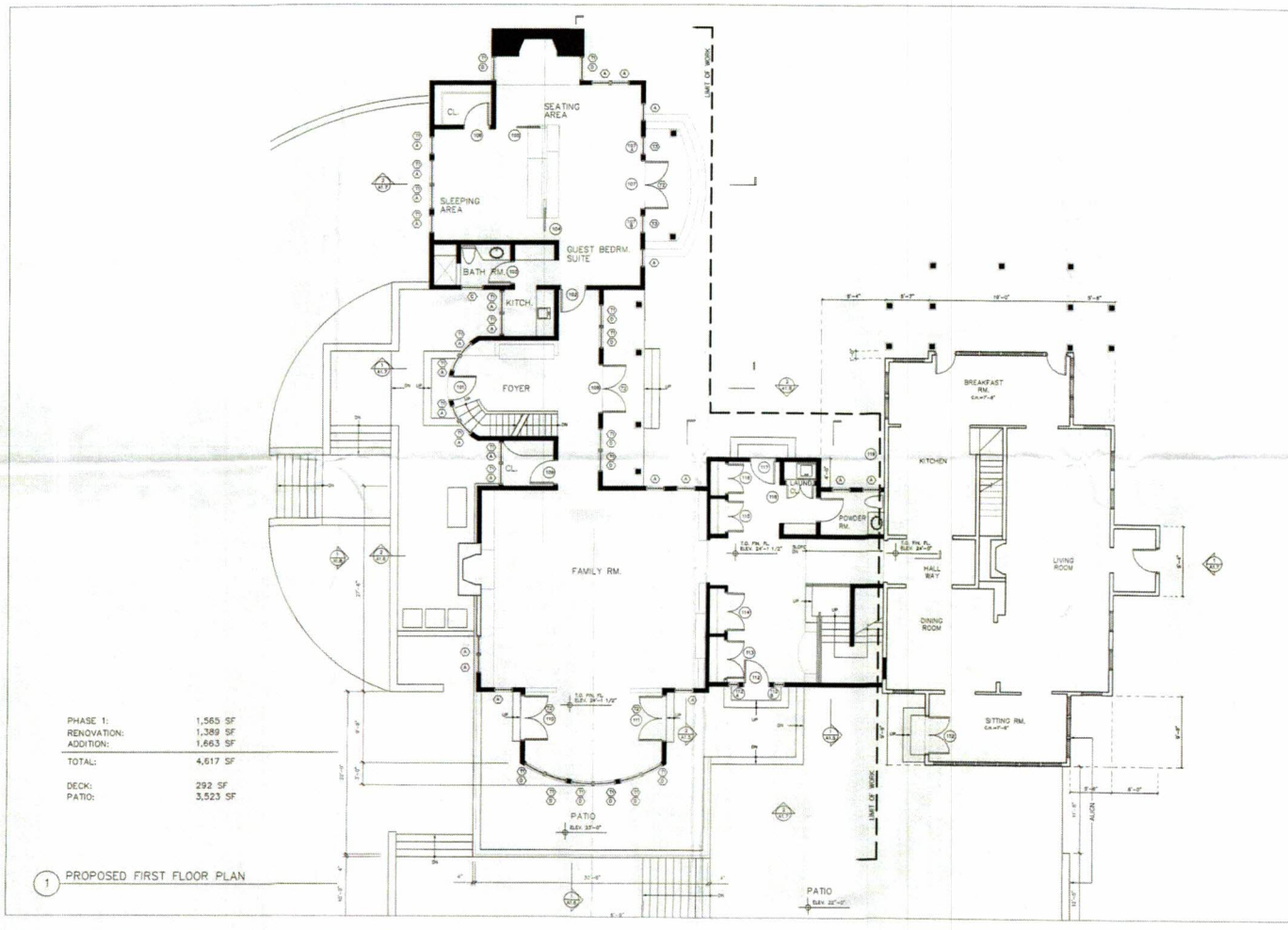
Issued for Permit 18 Oct. 23
 Design Review 8 Oct. 23
 Issued for Code, Permit Review 1 Oct. 23

LUCY RESIDENCE
 32 DUNES ROAD HARMON POINT, MA

PROPOSED FIRST FLOOR PLAN

S.A. ARCHITECTURE
 ARCHITECTS, PLANNERS, INTERIOR DESIGNERS
 254 Greenway Highway, Rt. 6A P.O. Box 1088
 Orleans, MA 02553 10/14/16 (508) 243-0377
 10/14/23
 Scale: 1/8" = 1'-0"
 18 October 2023
 V01

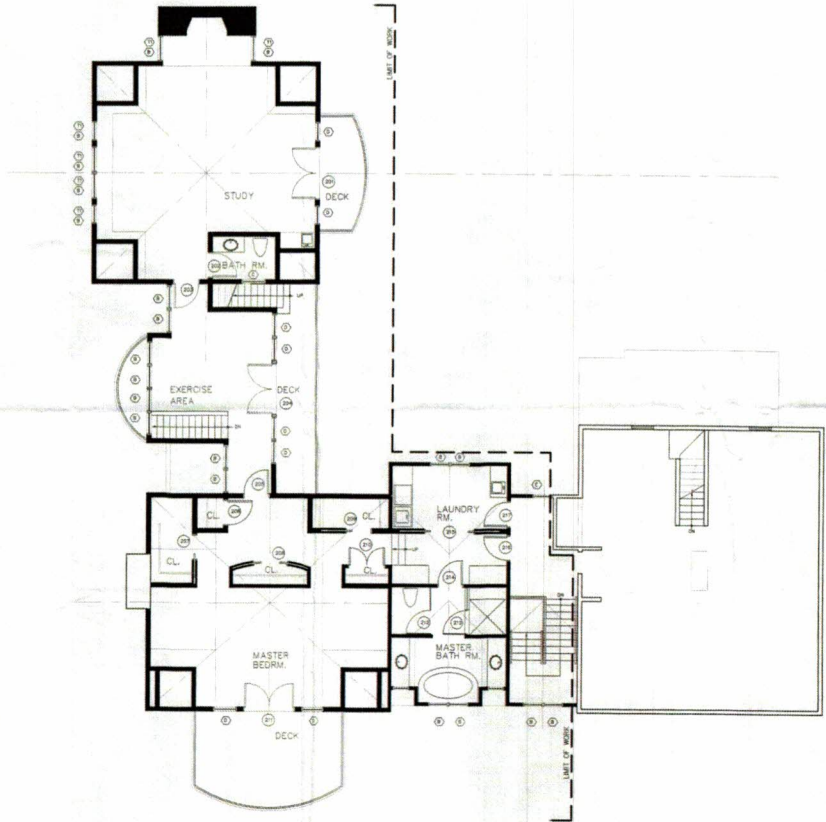
A 1.4



PHASE 1:	1,565 SF
RENOVATION:	1,389 SF
ADDITION:	1,663 SF
TOTAL:	4,617 SF
DECK:	292 SF
PATIO:	3,523 SF

1 PROPOSED FIRST FLOOR PLAN

This document, the ideas and designs incorporated herein, may not be used, in whole or in part, without written consent of the Architect.
 S&A ARCHITECTURE, AIA
 SA ARCHITECTURE, INC.



PHASE 1:	1,114 SF
RENOVATION:	1,370 SF
ADDITION:	1,330 SF
TOTAL:	3,814 SF
DECK:	537 SF

1 PROPOSED SECOND FLOOR PLAN

Issued for Permit: 16 Oct. '23
 Design Review: 8 Oct. '23
 Issued for Cash, Comm. Review: 7 Oct. '23
 Revisions: Date

LUCY RESIDENCE
 32 DUNE ROAD WATSON POINT, VA

PROPOSED SECOND FLOOR PLAN
S.A. ARCHITECTURE
 Architecture, Planning, Interior Design
 334 Gregory Highway #4, SA #2, VA 23061
 Phone: 804-622-2222, Fax: 804-622-2222
 16 October 2023
 Scale: **A 1.5**

RENOVATION FOR:
 32 DUNES ROAD
 HARWICH PORT, MA



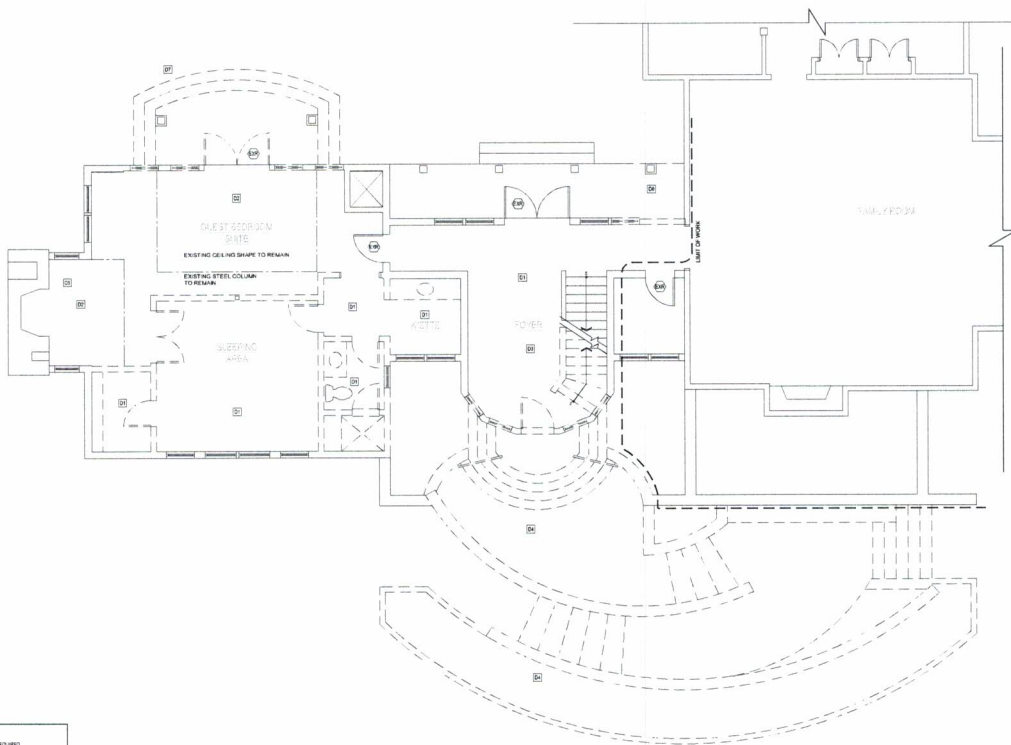
REVISIONS

NO.	DATE	BY	DESCRIPTION
1			ISSUED FOR PERMIT
2			
3			
4			
5			

TITLE
**FIRST FLOOR
 DEMO
 PLAN**

File No: 1072-0690
 Date: 6-02-2020
 Sheet No:

D-1.0

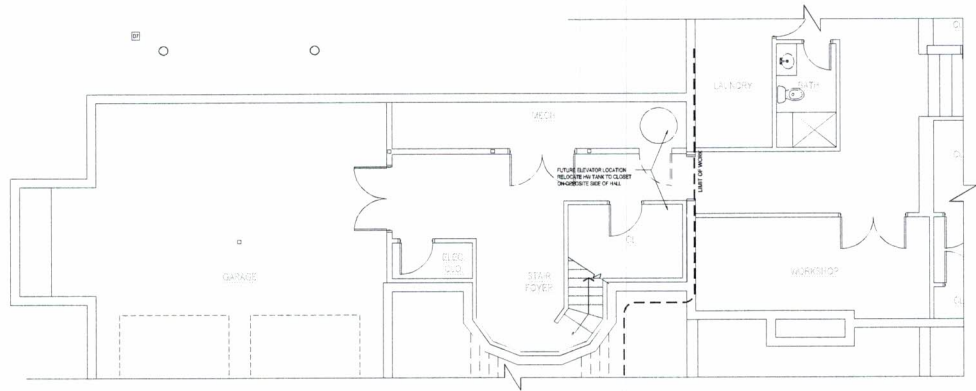


- DEMO PLAN SYMBOL LEGEND:**
- INDICATES EXISTING STUD WALLS TO REMAIN
 - INDICATES WALLS, WINDOWS, DOORS, APPLIANCES ETC. TO BE REMOVED
 - EXISTING DOOR TO BE REMAIN
- DEMO PLAN NOTES:**
1. REMOVE EXISTING FINISHED FLOORING DOWN TO SUBFLOOR THIS SPACE
 2. REMOVE EXISTING WOOD BEARING FROM RAISED CEILING IN THIS SPACE
 3. REMOVE EXISTING WALLS FROM THIS SPACE AND FROM WALLS FROM 2 UNLESS TO REMAIN
 4. REMOVE ALL EXISTING FINISHES, PARTITIONS, WALLS, PLUMBING, ETC. COORDINATE WITH MECHANICAL LAYOUT
 5. REMOVE STONE JENNER AT FIRE PLACE
 6. REMOVE EXISTING WINDOW AND WALL FOR ELEVATOR
 7. REMOVE EXISTING STAIR AND BALCONY, INCLUDING FINE WALL SCOTCHPIES

DEMOLITION NOTES:

1. DEMO & REMOVE ALL WALLS AS INDICATED ON THIS PLAN. SHORE UP EXISTING STRUCTURE AS REQUIRED
2. ALL SHEETS WITH DESIGNATION FOR FINISHES, INCLUDING BUT NOT LIMITED TO WALL, FLOORING, CABINETS, COUNTERTOPS, APPLIANCES, MECHANICAL EQUIPMENT, ETC. SHALL BE DISPOSED OF BY THE CONTRACTOR. REMOVE SHALL BE CLEAN, STORED AND SHIPPED FROM THE PROJECT SITE AS NOTED FOR REUSE, RELOCATION OR PROTECTION DURING DEMOLITION PHASE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TYPING THE FINISHES AND ELECTRICAL WORK. FINISHES SHALL BE REMOVED BY EACH FINISH TRIP AND ALL FINISHES IN SAFE CODE COMPLIANCE AND PERMANENT NUMBER.
4. TEMPORARY PROTECTION DURING ALL REQUIRED DEMOLITION OF DESIGNATED AREA CONTRACTORS SHALL PROVIDE READY TO INSTALL PROTECTION AND SHALL BECOME ACHIEVED AREA ALL FROM MEAT, DEMOS AND MEATERS.

1 FIRST FLOOR DEMO PLAN
 SCALE: 1/4" = 1'-0"



1 LOWER LEVEL DEMO PLAN
SCALE: 1/4" = 1'-0"

DEMO PLAN SYMBOL LEGEND:

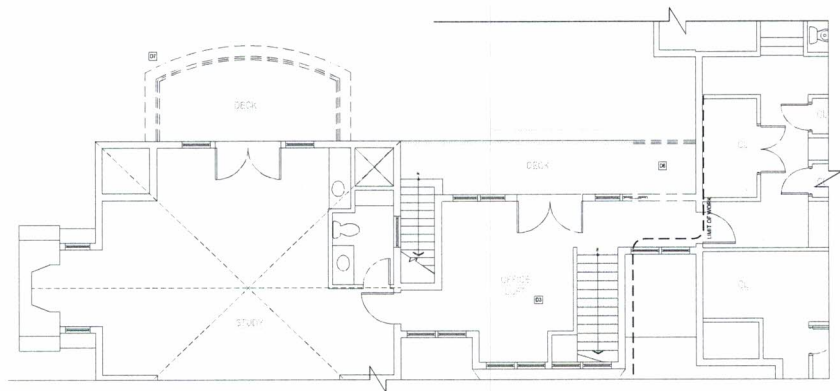
- INDICATES EXISTING STUD WALLS TO REMAIN
- INDICATES WALLS, WINDOWS, DOORS, APPLIANCES ETC. TO BE REMOVED
- EXISTING DOOR TO BE REMAIN

DEMO PLAN NOTES:

- 1 REMOVE EXISTING FINISHED FLOORING DOWN TO SUBFLOOR THIS SPACE
- 2 REMOVE EXISTING WOOD BEAMS AND FLOOR FRAMED CEILING IN THIS SPACE
- 3 REMOVE EXISTING WALL PAPER FROM THIS SPACE AND TRIM WALLS FROM FINISH TO SUBFLOOR
- 4 REMOVE ALL EXISTING FINISH STOPS, RETAINING WALLS, PANELS, ETC. COORDINATE WITH TRADES AND/OR LIFT
- 5 REMOVE STONE VENEER AT FAIRFACE
- 6 REMOVE EXISTING WINDOW AND WALL FOR ELEVATOR
- 7 REMOVE EXISTING STAIR AND BULLET, INCLUDING TRIM WALLS AND FINISHES

DEMOLITION NOTES:

- 1 DEMO KNEEWALL WALLS AS INDICATED ON THE PLANS. SHORE UP EXISTING STRUCTURE AS REQUIRED
- 2 ALL ITEMS WITH DISCONNECTS FOR MECHANICAL, ELECTRICAL, ETC. SHALL BE DEMOLISHED TO WALLS, CEILING, CABINETS, COUNTERTOPS, APPLIANCES, MECHANICAL EQUIPMENT, ETC. SHALL BE DISPOSED OF BY THE CONTRACTOR. REMOVE SHALL BE DEMOLISHED AND REMOVE FROM THE DEMO SITE AS NOTED FOR DISPOSAL. RELOCATION OF PROTECTION DURING DEMOLITION PHASE.
- 3 THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY LIGHTING AND ELECTRICAL WORK. WHEN ITEMS ARE REMOVED BY CLACKING, TRIMMING, AND SALES IN SAFE, GOOD CONDITION AND PERMANENT MARKED.
- 4 TEMPORARY PROTECTION DURING ALL REQUIRED DEMOLITION OF DESIGNATED AREA CONTRACTORS SHALL PROVIDE ADEQUATE TEMPORARY PROTECTION AND SHALL BE RESPONSIBLE FOR ALL PROTECTIVE DEMOS AND USE THEREOF.



2 SECOND FLOOR DEMO PLAN
SCALE: 1/4" = 1'-0"

CONSTRUCTION DOCUMENTS 06/02/2020

RENOVATION FOR:
32 DUNES ROAD
HARWICH PORT, MA

psd
**POLHEMUS
SAVERY
DASILVA**
ARCHITECTS-BUILDERS
137 Brewster-Quabbin Road
(Route 137)
East Harwich, MA 02645 USA
508.945.4500
psd@psd.com
info@psd.com

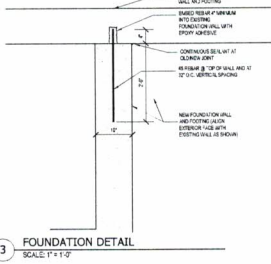
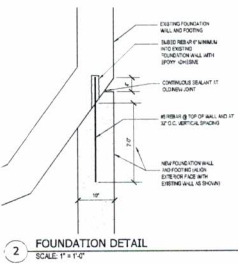
NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMIT
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3		
4		
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TITLE:

LL & 2ND FL
DEMO
PLANS

File No: 1072-DEMO
Date: 6-02-2020
Sheet No:

D-1.1

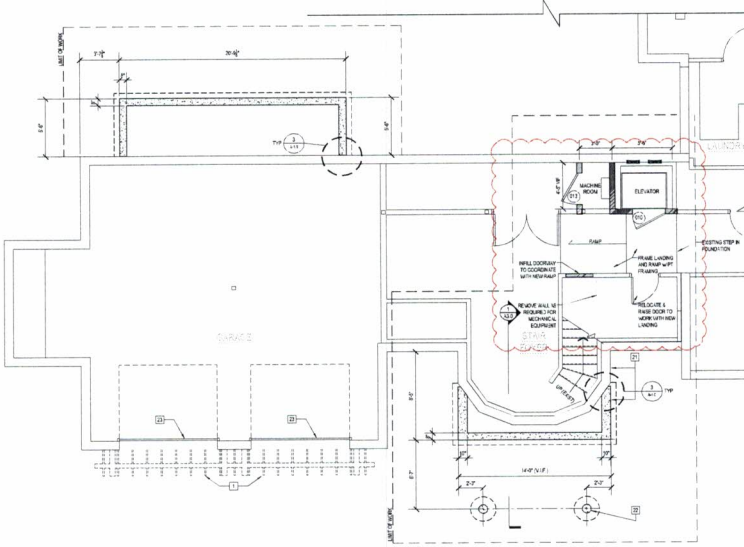


FLOOR PLAN SYMBOL LEGEND:

- NEW EXTERIOR WALL: 4\"/>
- NEW INTERIOR PARTITION: 4\"/>
- NEW CONCRETE FOUNDATION WALL: 4\"/>
- EXISTING PARTITION TO REMAIN: 4\"/>

FLOOR PLAN NOTES:

1. LINE OF NEW PARTITION WALLS ABOVE
2. 1\"/>
3. 1\"/>
4. LINE OF EXISTING ENTRY WALL TO BE RENOVATED
5. NEW WOOD STAIR FROM EXISTING 1\"/>
6. EXISTING FLOOR TO REMAIN UNLESS NOTED OTHERWISE
7. FINISH LINE NEW EXTERIOR WALL FRAMES AS REQUIRED TO ALLOW INTERIOR FINISH WITH EXISTING INTERIOR FINISH
8. ALUMINUM DOOR AT EXISTING NEW WALL
9. CENTER NEW WALL ON EXISTING STEEL COLUMN
10. 4\"/>
11. LINE OF NEW TRILLS BELOW
12. 1\"/>
13. 2\"/>
14. LINE OF EXISTING BERRY ABOVE (TO REMAIN)
15. NEW PAINTED NEUR, POSTS, RAILINGS AND BALUSTERS MATCH PROFILE OF EXISTING
16. ALLOW FLOOR ROOF SURFACES EXISTING & NEW WALL BASE PLUMBING, MECHANICAL & ELECTRICAL PENETRATIONS TO BE WATERPROOFED AS REQUIRED TO THE SYSTEM SUBJO FORMATION
17. LINE OF NEW EXTERIOR WALL BELOW
18. NEW METAL HANDRAIL AND BALUSTERS REFER TO LANDSCAPE DRAWINGS FOR MORE INFORMATION
19. STAIR METAL HANDRAILS REFER TO ARCHITECTURAL DRAWINGS FOR MORE INFORMATION
20. STAIR METAL 1\"/>
21. VERIFY USE OF NEW FOUNDATION WITH ALL OF EXISTING
22. 4\"/>
23. EXISTING GARAGE OVERHANG DOOR TO REMAIN
24. EXISTING ROOFING PATCH IS REQUIRED TO INSTALL NEW ROOF EDGE
25. NEW WALL MOUNTED HANDWOOD HANDRAILS



1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

RENOVATION FOR:
32 DUNES ROAD
HARWICH PORT, MA

OSD
POLHEMUS SAVERY DASILVA
ARCHITECTS-BUILDERS
117 Boulevard-Charlton Road
(Route 137)
Burlington, MA 01843 USA
508.645.4500
psdab.com
info@psdab.com

REVISIONS

NO.	DATE	DESCRIPTION
1	06/02/2020	REVISION 1
2		
3		
4		
5		

TITLE:
FOUNDATION PLAN

File No:
Date: 6-02-2020
Sheet No:

A-1.0

RENOVATION FOR:
 32 DUNES ROAD
 HARWICH PORT, MA



**POLHEMUS
 SAVERY
 DASILVA**
 ARCHITECTS-BUILDERS
 137 Brewster-Quabbin Road
 (Route 137)
 Fall River, MA 02745 USA
 508-545-4500
 psdb@a.com
 info@psdb.com

REVISIONS:

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

NOTICE OF CONSENT
 THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT.
 IT IS TO BE USED ONLY FOR THE PROJECT AND SITE
 IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED,
 COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY
 MEANS, ELECTRONIC OR MECHANICAL, INCLUDING
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 ARCHITECT.

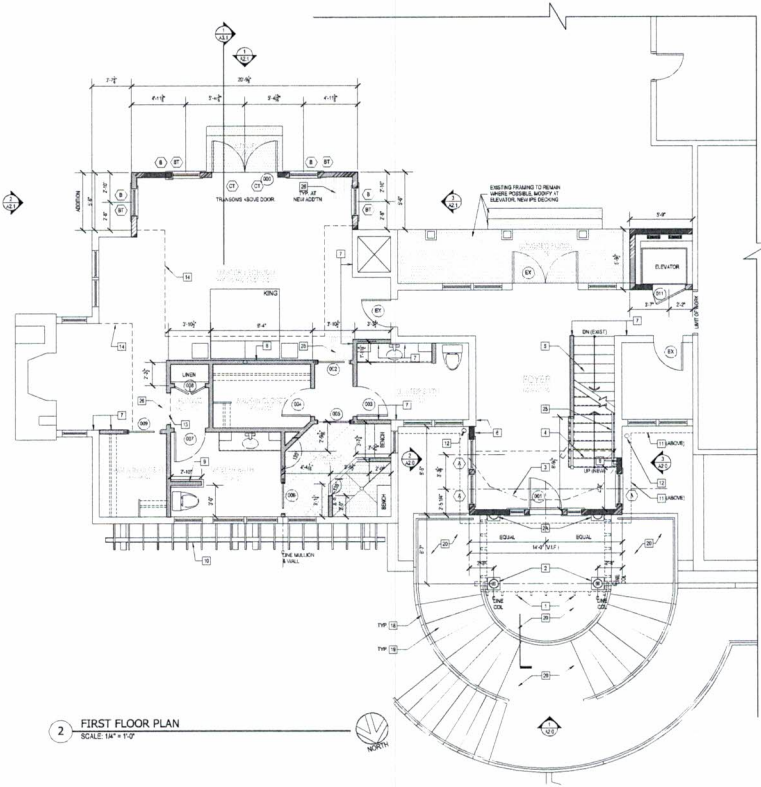
TITLE:
FIRST FLOOR PLAN

File No. 1972-PLANS
 Date 6-02-2020
 Sheet No.

A-1.1

- FLOOR PLAN SYMBOL LEGEND:**
- NEW EXTERIOR WALL (CONCRETE & F.C.C. 1" OR 2" PL. RIGID EXTERIOR 1" OF RIGID INSULATION)
 - NEW INTERIOR PARTITION (CONCRETE & F.C.C. ONE LAYER OF GYPSUM BOARD)
 - NEW CONCRETE FOUNDATION WALL
 - EXISTING PARTITION TO REMAIN

- FLOOR PLAN NOTES:**
1. LAY OF NEW PAINTED TRUSS ABOVE
 2. REPAIR FOUND PLUM COLUMN 12" DIA. AT BASE WITH TUCKER WIRE AND C/P
 3. REPAIR FOUND PLUM COLUMN 12" DIA. AT BASE WITH TUCKER WIRE AND C/P
 4. LAY OF EXISTING ENTRY WALL TO BE REPAIRED
 5. REPAIR EXISTING FLOOR TO EXISTING FLOOR
 6. EXISTING STAIRS TO REMAIN
 7. PLAN OUT NEW EXTERIOR WALL FRAMING AS REQUIRED TO ALLOW INTERIOR FINISH AND EXISTING INTERIOR FINISH
 8. ALUM. TRUSS AT EXISTING & NEW WALL
 9. CENTER NEW WALL ON EXISTING STEEL COLUMN
 10. 4" THICK TILED WALL WITH STONE CAP
 11. LAY OF NEW TRUSS ABOVE
 12. LAY OF NEW WALL IN OUTLET
 13. 2" OF 2x4 CORNER JOIST/POST. FIN INTO EXISTING LEADER ROOF AT BRACE
 14. 2" OF AXES CASED OPENING
 15. LAY OF EXISTING SOFFIT ABOVE (TO NEW)
 16. NEW PAINTED TRUSS, POSTS, RAFTERS AND BRACES MATCH PROFILE OF EXISTING
 17. ALL LOW PITCH ROOF SURFACES EXISTING & NEW WALL, BASE PLUMBING, AND CAPPING AT TRUSS POST CONNECTIONS TO BE RECONSTRUCTED OR REPAIR TO SYSTEM, BLOCK FORMATION
 18. LAY OF NEW EXTERIOR WALL BELOW
 19. REPAIR ALL BRACES AND RAFTERS. REFER TO LANDSCAPE DRAINAGE FOR SOIL REMEDIATION
 20. SEWAGE TRENCH AND RISERS. REFER TO LANDSCAPE DRAINAGE FOR MORE INFORMATION
 21. STORM DRAINAGE AT STAIR LANDING. REFER TO LANDSCAPE DRAINAGE FOR MORE INFORMATION
 22. ALUM. FACE OF NEW FOUNDATION WITH FACE OF EXISTING
 23. 2" DIA. CONCRETE BONDABLE WITH "RECOAT" 3/4" FLOORING FORM
 24. EXISTING GARAGE DOOR TO REMAIN
 25. EXISTING ROOFING PATCH IS REQUIRED TO INSTALL NEW ROOF EDGE
 26. NEW WALL MOUNTED HARDWOOD HANDRAIL
 27. PATCH EXISTING HARDWOOD FLOORING TO NEW FLOOR WITH BONDING WITH EXISTING TO EXISTING BUTT JOINTS MATCHING EXISTING JOINT PATTERNS



2 FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"

RENOVATION FOR:
 32 DUNES ROAD
 HARWICH PORT, MA

OSC
POLHEMUS SAVERY DASILVA
 ARCHITECTS-BUILDERS
 137 Boulevard-Quabbin Road
 (Route 137)
 East Harwich, MA 02645 USA
 508-945-4500
 psd@oscma.com
 osc@oscma.com

REVISIONS

NO.	DATE	BY	DESCRIPTION
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2			
3			
4			
5			

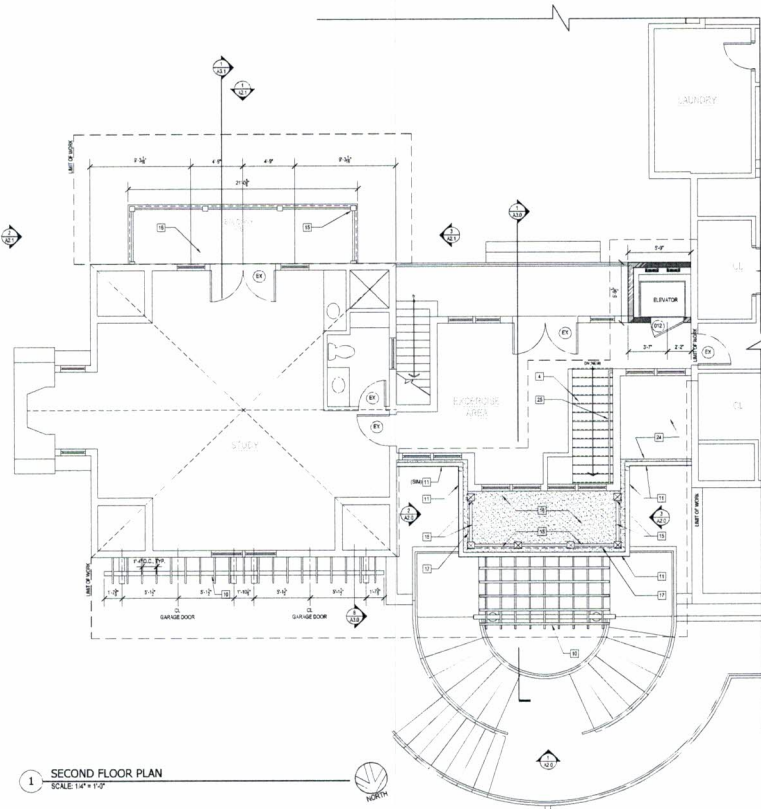
TITLE
SECOND FLOOR PLAN

File No:
 Date: 6-02-2020
 Sheet No:

A-1.2

- FLOOR PLAN SYMBOL LEGEND:**
- NEW EXTERIOR WALL, 1/2" STUD & 1/2" C.C. 1/2" CONCRETE ON EXTERIOR, 12" 2" BRICK ON INTERIOR
 - NEW INTERIOR WALL, 1/2" STUD & 1/2" C.C. 1/2" CONCRETE ON INTERIOR, 12" 2" BRICK ON EXTERIOR
 - NEW CONCRETE FOUNDATION WALL
 - EXISTING PARTITION TO REMAIN

- FLOOR PLAN NOTES:**
1. LINE OF NEW PAINTED TRIMLINE ABOVE
 2. HESSEY PLYWOOD COLUMN, 12" DIA. 17' HIG. WITH 1/2" X 1/2" X 1/2" CAP
 3. HESSEY PLYWOOD COLUMN, 12" DIA. 17' HIG. WITH 1/2" X 1/2" X 1/2" CAP
 4. LINE OF EXISTING ENTRY WALL TO BE REMOVED
 5. NEW WOOD JOIST PROPOSED TO BE FLOOR TO EXISTING 2ND FLOOR
 6. EXISTING STAIR TO REMAIN LEVEL TO REMAIN
 7. FINISH NEW EXTERIOR WALL FRAMING AS REQUIRED TO ALLOW INTERIOR FINISH WITH EXISTING INTERIOR FINISH
 8. ADJUST FINISH AT EXISTING NEW WALLS
 9. CENTER NEW WALL ON EXISTING STEEL COLUMN
 10. 4" HIGH TILE WALL WITH STONE CAP
 11. LINE OF NEW TRIMLINE BELOW
 12. LINE OF NEW TRIMLINE BELOW
 13. LINE OF NEW TRIMLINE BELOW
 14. 1" X 1/2" COPPER DOWNSPOUT, 18" INTO EXISTING LEADER ROOF AT GRADE
 15. 2" FIBER GLASS DRAINING
 16. LINE OF EXISTING SLOTTED ABOVE (TO REMAIN)
 17. NEW PAINTED TRIMLINE, ROSETTE, RAILING AND BALUSTERS MATCH PROFILE OF EXISTING
 18. ALL LOW PITCH ROOF RUMPS EXISTING & NEW WALL, BASE COLUMN, AND CAPPING AT TRUSS FOOT PROVISIONS TO BE IDENTIFIED BY THE SYSTEM SUB CONTRACTOR
 19. LINE OF NEW EXTERIOR WALL BELOW
 20. NEW METAL HANDRAIL AND BALUSTERS REFER TO LANDSCAPE DRAWINGS FOR MORE INFORMATION
 21. STONE TRIMLINE AND FINISH, REFER TO LANDSCAPE OR FINISH FOR MORE INFORMATION
 22. STONE TRIMLINE AT STAIR LANDING, REFER TO LANDSCAPE DRAWINGS FOR MORE INFORMATION
 23. NEW FLOOR OF NEW FOUNDATION WITH 1/2" X 1/2" X 1/2" C.C. & 1/2" CONCRETE ON INTERIOR WITH 1/2" X 1/2" X 1/2" C.C. & 1/2" CONCRETE ON EXTERIOR
 24. EXISTING GARAGE OVERHEAD DOOR TO REMAIN
 25. EXISTING GARAGE OVERHEAD DOOR TO REMAIN
 26. EXISTING GARAGE OVERHEAD DOOR TO REMAIN
 27. NEW WALL MATCHED HARDWOOD HANDRAIL



1 SECOND FLOOR PLAN
 SCALE 1/4" = 1'-0"

32 Dunes Rd
BOHV



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>C19</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to: C16111.02/Lucey/BOH/HAR/SRK/sgc FEUER CURT R TR AL NOMINEE TRUST 7 AYER LN HARWICH PORT, MA 02646</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>2. Article Number (Transfer from service label) 7017 2620 0000 0826 3040</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>C19</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to: C16111.02/Lucey/BOH/HAR/SRK/sgc MILLER DEBORA A 42 NONS RD HARWICH PORT, MA 02646</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>2. Article Number (Transfer from service label) 7017 2620 0000 0826 3075</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>K. G. Harris</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to: C16111.02/Lucey/BOH/HAR/SRK/sgc HARRIS ELLEN M ET AL TRS ET AL HARRIS RICHARD J TRS 57 NONS RD HARWICH PORT, MA 02646</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail</p>	
<p>2. Article Number (Transfer from service label) 7017 2620 0000 0826 3118</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

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Certified Mail Fee: 3.55
Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
MANNING PETER J TRS ET AL MANNING LINC
M TRS
84 PARTRIDGE LN
CONCORD, MA 01742

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions

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Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

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C16111 021 UCWV/BO/HAR/SR/K/S/8C
ROGERS JAMES W TRS ET AL ROGERS
CAROLYN M TRS
2688 ESCADA DR
NAPLES, FL 34109

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

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Postage: 2.85
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Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
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Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
MILLER DEBORAH A
42 EAST RD
HARWICH PORT, MA 02846

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

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Certified Mail Fee: 3.55
Postage: 2.85
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Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
WERNER PAUL J
50 NONS RD
HARWICH PORT, MA 02846

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions

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Certified Mail Fee: 3.55
Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
FEUER CURT R-TRC ROMINEE
TRUST
7 AYER LN
HARWICH PORT, MA 02846

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions

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Certified Mail Fee: 3.55
Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
HARRIS ELLEN M J L TRS ET AL
HARRIS RICHARD J TRS
57 NONS RD
HARWICH PORT, MA 02846

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions

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Certified Mail Fee: .50
Certified Mail Fee: 3.55
Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
WALLACE EDWIN A
WALLACE LISA K
11 HERRICK ST
WINCHESTER, MA 01890

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions

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For delivery information, visit www.usps.com

Certified Mail Fee: .50
Certified Mail Fee: 3.55
Postage: 2.85
Return Receipt (hardcopy): 6.90

Return Receipt (hardcopy)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery
 Restricted Delivery

Postmark Here

C16111 021 UCWV/BO/HAR/SR/K/S/8C
SATURELLE JAMES
DUNES TRUST
70 MOUNTAIN RD
CONCORD, NH 03301

Total Postage: 2.85
Sent To: Street #/Box #/PO Box #
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-0200-9000-9000 See Reverse for Instructions



August 5, 2020

Project #C16111.02

Harwich Board of Health
Attn: Meggan Eldredge, Director
732 Main Street
Harwich, MA 02645

By Hand Delivery

Re: Board of Health Variance Application Filing Package

Proposed Expansion of Building Footprint
Thomas & Caroline Lucey
32 Dunes Road
Harwich Port, MA
Map 5-W1 Parcel 52-0

On behalf of our clients, Thomas & Caroline Lucey, we are submitting an original plus 7 copies of a Board of Health Variance Application Filing Package and 8 copies of the plan for the above referenced project. The following items are enclosed:

- Town of Harwich Application for Board of Health Variances
- Board of Health Variance Request Letter
- Abutter Notification Letter, Abutter List
- Assessor Map 5-W1 identifying locus
- Copy of check for \$125 for Town of Harwich by-law fee
- Floor Plans, Existing & Proposed
- Notice of Granting of Variances Letter Approved on February 18, 2020
- Coastal Engineering Co., Inc., Plan Showing Proposed Pump Chamber Relocation, revised 8/5/20

Please schedule this for the August 18, 2020 public hearing. If you have any questions or require additional information, please give our office a call. Thank you.

Sincerely,
COASTAL ENGINEERING CO., INC.

Sarah Cole

Enclosures: As Stated

cc: Thomas & Caroline Lucey
Stacy R. Kanaga, Project Manager

VI-D.

AUGUST 18, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director *ME*
Applicant: Howard Tansey
Engineer: Bass River Engineering
Address: 34 Ridgevale Road

On behalf of the owner, Tom McLellan of Bass River Engineering is applying for variance from 310 CMR 15:000, the State Environmental Code, Title 5 as follows:

Variations from 310 CMR 15.211(1)

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 18' from the cellar wall where 20' is required. Variance request of 2'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 5' from the property line where 10' is required. Variance request of 5'.

The request is for the purpose of upgrading the Title 5 septic system. The applicant is proposing to utilize the existing 1500 gallon septic tank and replace the leaching pit with a soil absorption system consisting of 2-500 gallon leaching chambers with 4' of stone all around. There are no alterations to the building proposed at this time. This design is an improvement environmentally to what is there now.

I recommend approval of the variances with the following conditions:

1. No increase in habitable space, square footage or bedrooms without further review by the Board of Health.
2. Variance approval and conditions shall be recorded at the Barnstable County Registry of Deeds with a copy returned to the Health Department prior to the issuance of a Disposal System Construction Permit.

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:	3170
Date App Received:	8/5/2020
Meeting Date:	8/18/2020
Date Approved:	
Date Denied:	
Reason for Denial:	

Application for Board of Health Variances

Date: 7-7-20

Property Address: 34 Ridgevale Road

Map: 35 Parcel: C1-11

Book: 17834 Page: 312 Land Court No: _____

Name of Applicant: Howard Tansey

Applicant Mailing Address: 34 Ridgevale Road

<u>Harwich</u>	<u>MA</u>	<u>02645</u>
City	State	Zip Code

Applicant Telephone Number: 508-237-5875

Applicant E-Mail Address: tjmclellan@comcast.net

Owner(s) of Record: Howard L. & Tammy Lynn Tansey

Owner(s) Mailing Address: 34 Ridgevale Road

<u>Harwich</u>	<u>Ma</u>	<u>02645</u>
City	State	Zip Code

Design Engineer/Sanitarian: Thomas McLellan, P.E.

Firm/Company Name: Bass River Engineering

Mailing Address: P.O. Box 1163

<u>East Dennis</u>	<u>MA</u>	<u>02641</u>
City	State	Zip Code

Telephone Number: 508-364-9048

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

BASS RIVER ENGINEERING

Site Plans - Septic system design

Thomas McLellan, P.E.

Civil Engineer

July 29, 2020

Meggan Eldredge, R.S.
Harwich Health Director
732 Main Street
Harwich, MA

RE: Variance requests for septic system upgrade.
Howard & Tammy Tansey
34 Ridgevale Rd., Harwich, MA

Dear Meggan:

The Tansey family is in the process of upgrading the septic system at the above referenced site. The following variances from Title 5 and Harwich Health Regulations are requested:

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 2').
2. Section 15.211 (1): Leach area to be less than 5' from lot lines, (variance of 5').

These variances become necessary due to the small lot size, (10,066 sf) and the location of the existing dwelling.

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

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

Sincerely,


Thomas McLellan, P.E.

BASS RIVER ENGINEERING

Site Plans - Septic system design

Thomas McLellan, P.E.

Civil Engineer

July 29, 2020

Property abutter of:
Howard & Tammy Tansey
34 Ridgevale Road
Harwich, MA

RE: Notification of property abutters, as required, when requesting variances from regulations, for a septic system upgrade project.
Location of proposed septic system: 34 Ridgevale Road, Harwich, MA

Dear Abutter:

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

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 2').
2. Section 15.211 (1): Leach area to be less than 10' from lot line, (variance of 5').

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for 8-18-20 at 7:00 pm. Pursuant to Governor Baker's March 12 order suspending certain provisions of the open meeting law, G.L.c. 30A, section 20, and the Governor's 3-15-20 order imposing strict limitation of the number of people that may gather in one place, this meeting of the Harwich Board of Health is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the order. The agenda, including dial-in instructions, will be posted on the Town of Harwich website, "www.town.harwich.ma.us".

Sincerely,

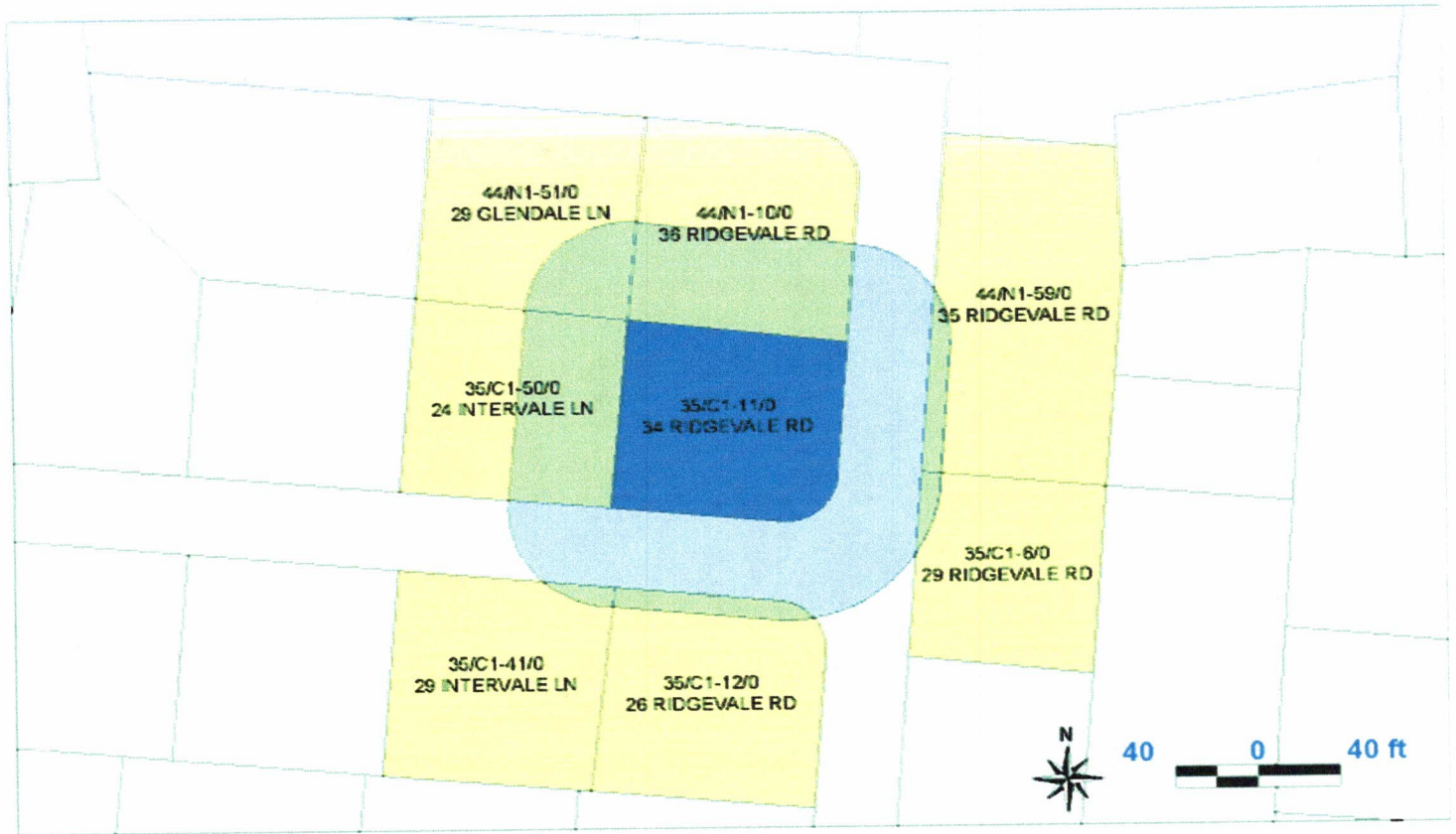


Thomas McLellan, P.E.



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

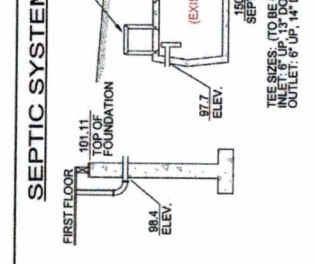
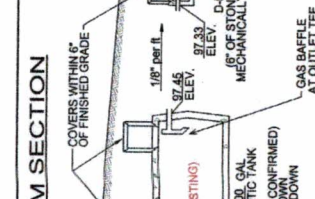
Abutters List Within 50 feet of Parcel 35/C1-11/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3910	35-C1-6-0-R	WATTS MATTHEW & WATTS HEATHER	29 RIDGEVALE RD	PO BOX 175	S HARWICH	MA	02661
7970	35-C1-11-0-R	TANSEY HOWARD L & TANSEY TAMMY LYNN	34 RIDGEVALE RD	34 RIDGEVALE RD	HARWICH	MA	02645
3911	35-C1-12-0-R	SAMMATARO STEPHEN R TRS ET AL SAMMATARO ANN MARIE TRS	26 RIDGEVALE RD	109 NURSERY LN	MADISON	CT	06443
3937	35-C1-41-0-R	ALBRO BENJAMIN A & MCCONNEY KATHERINE M	29 INTERVALE LN	29 INTERVALE LN	HARWICH	MA	02645
3944	35-C1-50-0-R	DANIELS SANDRA B	24 INTERVALE LN	PO BOX 426	S HARWICH	MA	02661
9384	44-N1-10-0-R	PEKENIA HELEN L	36 RIDGEVALE RD	PO BOX 739	S HARWICH	MA	02661
4554	44-N1-51-0-R	NAHASS PAUL W TR PAUL WILLIAM NAHASS FAMILY TR	29 GLENDALE LN	29 GLENDALE LN	HARWICH	MA	02645
4558	44-N1-59-0-R	FEDERAL NATIONAL MORTGAGE ASSO C/O MARCINOWSKI KENNETH M JR &	35 RIDGEVALE RD	33 CRESCENT AVE	LYNNFIELD	MA	01940

SEPTIC SYSTEM DESIGN

FLOW ESTIMATE:
 3 BEDROOMS AT 110 GAL / DAY = 330 GAL / DAY
 SEPTIC TANK:
 330 GAL / DAY x 2 DAYS = 660 GAL
 USE 1500 GALLON SEPTIC TANK (EXISTING)
 LEACHING AREA:
 USE 2-500 GALLON CHAMBERS (8.5 x 4.8 x 2 EFF. DEPTH) WITH
 4" OF STONE ALL AROUND (25' x 12.8' x 2 EFF. DEPTH)
 SIDE AREA: 25' x 12.8' x 2 = 151 SF (0.74) = 112 GAL/DAY
 BOTTOM AREA: 25' x 12.8' = 320 SF (0.74) = 237 GAL/DAY
 CAPACITY = 349 GAL/DAY



TEE SIZES: TO BE CONFIRMED
 INLET: 6" UP, 1.5" DOWN
 OUTLET: 6" UP, 1.4" DOWN
 GAS BAFFLE AT OUTLET TEE

COVERS WITHIN 6" OF FINISHED GRADE
 3" MAX COVER (1 MIN)

FINISHED GRADE
 1.8" PER FT.

2-500 GALLON CHAMBERS WITH 4" OF STONE ALL AROUND (25' x 12.8' x 2 EFF. DEPTH)

2" PEASTONE OR FILTER FABRIC WASHED STONE
 INSPECTION PORT ELEV. = 97.70

100.11 ELEV. TOP OF FOUNDATION
 98.4 ELEV.

97.7 ELEV.

97.45 ELEV.

97.33 ELEV.

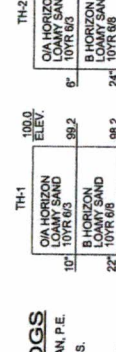
97.15 ELEV.

96.96 ELEV.

94.96 ELEV.

25' x 12.8'

SEPTIC SYSTEM SECTION



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25' x 12.8'

120"

NO GROUND WATER ENCOUNTERED

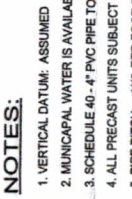
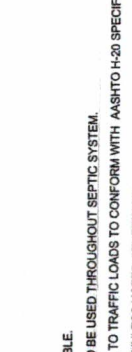
TEST HOLE LOGS

ENGINEER: THOMAS McLELLAN, P.E.
 WITNESS: JOHN CHATHAM, R.S.
 DATE: 6-16-20
 PERCOLATION RATE: < 2 MININ

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10' DIA HORIZON LOAMY SAND 10YR 6.6	6' O/A HORIZON LOAMY SAND 10YR 6.6
22' B HORIZON LOAMY SAND 10YR 6.6	9' B HORIZON LOAMY SAND 10YR 6.6
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120"	120"
99.5	99.5
98.5	98.5
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PERC AT 30"	

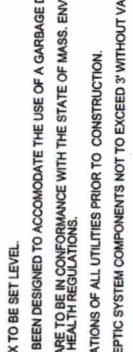
NOTES:
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 2. MUNICIPAL WATER IS AVAILABLE
 3. SCHEDULE 40-4" PVC PIPE TO BE USED THROUGHOUT SEPTIC SYSTEM.
 4. ALL PRECAST UNITS SUBJECT TO TRAFFIC LOADS TO CONFORM WITH AASHTO H-20 SPECIFICATIONS.
 5. PIPE PITCH = 1/4" PER FOOT (UNLESS NOTED OTHERWISE).
 6. FIRST 2' OF PIPE OUT OF D-BOX TO BE SET LEVEL.
 7. THE SEPTIC SYSTEM HAS NOT BEEN DESIGNED TO ACCOMMODATE THE USE OF A GARBAGE DISPOSAL.
 8. ALL CONSTRUCTION DETAILS ARE TO BE IN CONFORMANCE WITH THE STATE OF MASS. ENVIRONMENTAL CODE (TITLE 91E) AND LOCAL HEALTH REGULATIONS.
 9. CONTRACTOR TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 10. GROUND COVER OVER ALL SEPTIC SYSTEM COMPONENTS NOT TO EXCEED 3" WITHOUT VARIANCE.
 11. FIELD SURVEY PROVIDED BY TERRY A. WARNER, P.L.S., HARWICH, MA.
 12. THIS PLAN REQUIRES THE REVIEW AND APPROVAL OF ONE OR MORE TOWN DEPARTMENTS AND IS SUBJECT TO CHANGE UNTIL SUCH TIME. THIS PLAN HAS BEEN PREPARED FOR THE SOLE PURPOSE OF CONSTRUCTION OF A NEW SEPTIC SYSTEM AND DOES NOT NECESSARILY REPRESENT A FULL DETAILED PROPERTY SURVEY.
 13. EXISTING LEACH PIT IS TO BE PUMPED AND REMOVED.
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EXISTING FLOOR PLAN



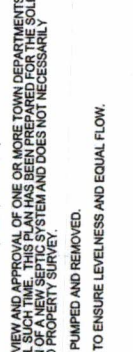
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LOCATION MAP



LOCATION MAP
 LOT 11 (10,068 SF)
 ASSESSORS MAP: 35 PARCEL: C1-11
 PLAN BOOK: 157, PAGE: 49

SEPTIC SYSTEM SECTION



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 INLET: 6" UP, 1.5" DOWN
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 GAS BAFFLE AT OUTLET TEE

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25' x 12.8'

120"

NO GROUND WATER ENCOUNTERED

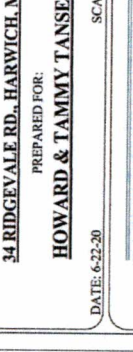
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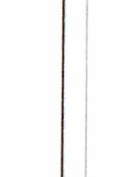
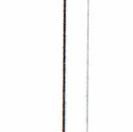
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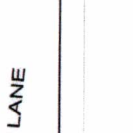
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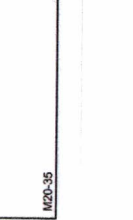
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 6. FIRST 2' OF PIPE OUT OF D-BOX TO BE SET LEVEL.
 7. THE SEPTIC SYSTEM HAS NOT BEEN DESIGNED TO ACCOMMODATE THE USE OF A GARBAGE DISPOSAL.
 8. ALL CONSTRUCTION DETAILS ARE TO BE IN CONFORMANCE WITH THE STATE OF MASS. ENVIRONMENTAL CODE (TITLE 91E) AND LOCAL HEALTH REGULATIONS.
 9. CONTRACTOR TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 10. GROUND COVER OVER ALL SEPTIC SYSTEM COMPONENTS NOT TO EXCEED 3" WITHOUT VARIANCE.
 11. FIELD SURVEY PROVIDED BY TERRY A. WARNER, P.L.S., HARWICH, MA.
 12. THIS PLAN REQUIRES THE REVIEW AND APPROVAL OF ONE OR MORE TOWN DEPARTMENTS AND IS SUBJECT TO CHANGE UNTIL SUCH TIME. THIS PLAN HAS BEEN PREPARED FOR THE SOLE PURPOSE OF CONSTRUCTION OF A NEW SEPTIC SYSTEM AND DOES NOT NECESSARILY REPRESENT A FULL DETAILED PROPERTY SURVEY.
 13. EXISTING LEACH PIT IS TO BE PUMPED AND REMOVED.
 14. D-BOX TO BE WATER TESTED TO ENSURE LEVELNESS AND EQUAL FLOW.

EXISTING FLOOR PLAN



REQUIRED VARIANCES FROM TITLE FIVE:
 1. SECTION 15.211 (1) LEACH AREA TO BE LESS THAN 20' FROM CELLAR WALL (VARIANCE OF 5').
 2. SECTION 15.211 (1) LEACH AREA TO BE LESS THAN 10' FROM LOT LINE (VARIANCE OF 5').

LOCATION MAP



LOCATION MAP
 LOT 11 (10,068 SF)
 ASSESSORS MAP: 35 PARCEL: C1-11
 PLAN BOOK: 157, PAGE: 49

SEPTIC SYSTEM SECTION



TEE SIZES: TO BE CONFIRMED
 INLET: 6" UP, 1.5" DOWN
 OUTLET: 6" UP, 1.4" DOWN
 GAS BAFFLE AT OUTLET TEE

SEPTIC SYSTEM DESIGN

FLOW ESTIMATE:
 3 BEDROOMS AT 110 GAL / DAY = 330 GAL / DAY
 SEPTIC TANK:
 330 GAL / DAY x 2 DAYS = 660 GAL
 USE 1500 GALLON SEPTIC TANK (EXISTING)
 LEACHING AREA:
 USE 2-500 GALLON CHAMBERS (8.5 x 4.8 x 2 EFF. DEPTH) WITH
 4" OF STONE ALL AROUND (25' x 12.8' x 2 EFF. DEPTH)
 SIDE AREA: 25' x 12.8' x 2 = 151 SF (0.74) = 112 GAL/DAY
 BOTTOM AREA: 25' x 12.8' = 320 SF (0.74) = 237 GAL/DAY
 CAPACITY = 349 GAL/DAY



VI-E.

TOWN PLANNER • 732 Main Street, Harwich, MA 02645

508-430-7511 fax: 508-430-4703



August 13, 2020

To: Amy Usowski, Conservation Administrator
Meggan Eldredge, Health Director
Cc: Sarah Korjeff, Cape Cod Commission
From: Charleen Greenhalgh, Town Planner
Re: West Harwich District of Critical Planning Concern Draft Zoning Amendment

As some of you may be aware, the Town, through the Board of Selectmen, nominated the West Harwich corridor of Route 28 from the Dennisport Town Line east to the Herring River as a District of Critical Planning Concern ("DCPC"). The Barnstable County Commissioners approved the nomination and it became a County Ordinance (19-18) on December 4, 2019. The Town has one (1) year from this date to establish implementing regulations, in this case a zoning bylaw.

The Cape Cod Commission staff and I have been working on the implementing regulations for several months. It was recently supported by the Planning Board at their meeting on August 11, 2020 and there has been public input.

As part of the DCPC process, there is a requirement that both the Conservation Commission and the Board of Health need to be informed of the proposed implementing regulations and given the opportunity to comment on them, if the Commission and Board so choose; however neither has to take a vote or any other specific action. If they want to make a statement of support to the Board of Selectmen or the Cape Cod Commission, they are welcome to do that.

This does need to be an agenda item and a recommend topic is "Consideration of West Harwich Special District Implementing Regulations"

A copy of the the most recent, and perhaps final draft, of the proposed zoning amendment for the creation of the West Harwich Special District has already been provided to each of you. I am happy to answer any questions that you may have and I will be available for your meetings, along with a Cape Cod Commission staff member, should there be any questions.

Thank you for your time and consideration.

Article ___: To see if the Town will vote to amend the Code of the Town of Harwich – Zoning, by adding a new Article XXIV – West Harwich Special District as follows:

XXIV - West Harwich Special District

§325-144 Statutory Authority and Purpose

A. Statutory Authority

On December 4, 2019, the Barnstable County Assembly of Delegates adopted Barnstable Ordinance 19-18 and designated the district shown on a map labeled “West Harwich DCPC District Boundaries” prepared by the Cape Cod Commission (“DCPC Map”) as a District of Critical Planning Concern (“DCPC”), pursuant to Cape Cod Commission Act Section 11(d). The Town created the following implementing regulations to regulate the DCPC which shall be known as the West Harwich Special District.

B. Purpose

The purpose of the West Harwich Special District (“WHSD”), as designated in Barnstable Ordinance 19-18, is to preserve the significant historic and architectural resources in the area, to guide development to be consistent with the area’s unique character, to address safety and transportation impacts within the commercial zone on Route 28, and to promote small-scale businesses consistent with the area’s character.

§325-145 Intent

It is the intent of this bylaw to encourage and incentivize the retention, preservation, creative reuse, change of use, or expansion of use of existing historic structures to the extent possible.

§325-146 Applicability

A. District Boundaries

The boundaries of the West Harwich Special District (“WHSD”) are shown on a map entitled “West Harwich Special District” Map dated July 27, 2020, prepared by the Cape Cod Commission which is hereby made a part of this bylaw.

B. Relationship to Other Regulations

The provision in this Section (XXIV - West Harwich Special District) apply to all development within the WHSD. Other sections of the Town of Harwich Zoning Bylaw also apply within this special district, except that where this Section conflicts with or differs from other sections of the Harwich Zoning Bylaw, this Section shall control.

C. Relationship to General Bylaws

All Chapters contained within the General Bylaws of the Town of Harwich, including but not limited to Article II Historically Significant Buildings, shall also apply to all development within the WHSD, as applicable.

§325-147 Definitions

Historic Structures: Those structures located within the boundaries of the WHSD and which are identified in the Town of Harwich Historic Properties Inventory List. Additionally, the following properties, identified by the street address and the Assessors

Map and Parcel, are also determined to be Historic Structures for the purposes of this bylaw:

- 5 Route 28 – Map 10 Parcel N1-A
- 21 Route 28 – Map 10 Parcel N5
- 45 Route 28 – Map 10 Parcel S4
- 55 Route 28 – Map 10 Parcel U1-A
- 126 Route 28 – Map 11 Parcel B5
- 76 Route 28 Map 10 Parcel F7-2
- 66 Route 28 – Map 10 Parcel F5
- 22 Route 28 – Map 10 Parcel C6

Principle Building Façade: The front plane of the building wall closest to the road frontage, not including stoops, porches, or other appurtenances, and measuring at least 25 feet in length.

§325-148 Permitted Uses

The following uses are permitted within the WHSD; however, for some uses either a Staff Plan Review, pursuant to §325-152.A or a Site Plan Review Special Permit may also be required, pursuant to §325-55:

- A. Single-Family Dwelling
- B. Two-Family Dwelling
- C. Uses Accessory to a Single- or Two-Family Dwelling
- D. Bed and Breakfast
- E. Home Occupation
- F. Single family dwelling and accessory apartment
- G. Church or other religious use
- H. Non-profit Library, Museum or Historical Use
- I. Hotel
- J. Motel
- K. Hotel, Motel – Incidental Use
- L. Professional Offices, including Dental Offices and Blue Economy
- M. Municipal Uses

Additionally, the following uses are permitted in historic structures:

- N. Multifamily
- O. Retail sales
- P. Restaurant
- Q. Mixed-Use commercial/residential developments

§325-149 Special Permit Uses

For new construction or reuse or change of use of structure or building not identified as an historic structure, the following uses are conditionally allowed within the WHSD through the Planning Board as the special permit granting authority, provided the use does not conflict with the purpose of the district, and for some uses a Site Plan Approval pursuant to §325-55 and the provisions of §325-153 shall be required:

- A. Multifamily
- B. Retail sales, greater than 1,000 square feet of gross floor area and/or exterior space.
- C. Restaurant
- D. Mixed-Use commercial/residential developments

§325-150 Prohibited Uses

Any use not specifically allowed as of right or by Special Permit within this district are prohibited. Within this district, use variances shall be prohibited.

§325-151 Continuation of Pre-Existing Non-Conforming Uses

Any lawfully existing use of a structure or land that does not conform to the provisions of this bylaw may continue.

§325-152 Change, Alteration, Expansion of Pre-Existing Non-Conforming Uses and/or Structures

Notwithstanding the provisions of M.G.L Chapter 40A, and §325-54 of the Harwich Zoning Bylaw, lawfully established structures and uses in existence as of December 4, 2019 that do not conform to the WHSD District Wide Development Standards may be changed, altered or expanded in conformance with §325-154 Review Standards and Procedures.

- A. A pre-existing, non-conforming structure or use may change or expand up to 250 square feet of gross building footprint or exterior of building or site area through Staff Plan Review in accordance with the provisions of §325-154 provided it does not involve demolition of significant parts of an historic structure. Said application shall be made to the Planning Department and a written decision shall be rendered within 30-days of receipt. Said decision shall be consistent with the provisions of §325-154 and may be appealed to the Planning Board with written notice within 10-days. Said decision shall be lapse two (2) years from the date of issuance unless construction or operation under the approval has commenced.
- B. A pre-existing, non-conforming structure or use may change or expand up to 1000 square feet of building footprint or exterior of building or site area or undergo a change of use in accordance with §325-55.F Waivers, provided the following criteria are determined to be met:
 - 1. There shall be no more than one curb cut on to Route 28 and where practical, a driveway connection (shared driveway) shall be provided to an adjacent property;
 - 2. A landscaped area of at least 10 feet in depth shall be provided and maintained on the subject property along its road frontage. Any property with existing parking in front of the building will reduce the size of said parking area by at least 20% and will provide screening of said parking through landscape plantings and/or a low fence or wall. No expansion of parking in the front yard area is permitted;
 - 3. The specific change or expansion shall comply with all dimensional standards in the WHSD enumerated in Section 325-154.A; and,
 - 4. There shall be no demolition of an historic structure.

Said decision shall lapse two (2) years from the date of issuance unless construction or operation under the approval has commenced.

- C. A pre-existing non-conforming structure or use that proposes to change or expand more than 1,000 square feet of building footprint or exterior of building or site area requires Site Plan Approval pursuant to §325-55. The specific change or expansion shall comply with all dimensional standards in the WHSD pursuant to §325-154.A and B.

§325-153 New Construction

For new construction Site Plan Approval pursuant to §325-55 and all dimensional requirements of §325-154.A and B shall be required.

§325-154 Review Standards

A. Dimensional requirements.

1. Lots shall have frontage along Route 28. Adjacent parcels may be included provided that they are under the same ownership and are also located within the WHSD.
2. Setback requirements.
 - a. Front setback requirements for the principle building façade shall be a minimum of 20 feet and maximum of 40 feet.
 - b. Side lot line setback shall be a minimum of 20 feet.
 - c. Rear lot line setback shall be a minimum of 20 feet.
 - d. Parking shall be permitted at the side, measured a minimum of 10 feet back from the principle building facade on the property, or rear of the property.
 - e. Maximum site coverage shall not exceed 80%.
3. The maximum permitted height for new constructions shall not exceed 30 feet or 2 1/2 stories.
4. Minimum lot size shall be 20,000 square feet.
5. For properties containing and maintaining/reusing historic structures, the Planning Board or its designee may waive or modify these dimensional requirements if it is found that such waiver or modification will not substantially derogate from the purpose and intent of this bylaw and that such waiver or modification may be granted without substantial detriment to the neighborhood or overall public good.
6. The maximum length allowable for the principle building façade is 50 feet and adjacent street-facing building facades shall be stepped back a minimum of 10 feet from the principal building facade.
7. A maximum building footprint of 2,000 square feet for front street-facing buildings is allowable; and a maximum footprint of 3,000 square feet for buildings sited behind a front street-facing building is allowable.

B. Parking, Driveway, Vehicular and Pedestrian Access Standards

1. Parking

- a. Parking areas shall be visually buffered from all streets and adjoining residential uses by placing them behind frontage buildings and/or through the use of berms or natural features and/or plantings, using materials that shall be maintained for visual buffering a minimum of 50% and 75% of their effectiveness year-round, for streets and residential uses respectively. Parking shall also comply with the requirements of Article IX – Off Street Parking and Loading Requirements.

- b. Shared Parking – The number of parking spaces required may be reduced for shared parking at the discretion of the Planning Board through Site Plan Review §325-55, provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity.
 - c. All other parking standards shall comply with Article IX Off-Street Parking and Loading Requirements; however, in no case shall a driveway width be greater than 24 feet.
2. A driveway shall be limited to one per street frontage; however shared driveways are encouraged to limit the number of curb cuts onto Route 28. Driveways must be situated to provide for the optimal sight distance along Route 28. All driveway access shall provide for adequate service and emergency access. All driveway shall comply with §325-154.B.1.b. and c. above.
 3. Commercial and residential pedestrian access shall include a combination of walkways and landscaping. Such pedestrian access shall be provided from the streets providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where they intersect, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark, and in conformance with Article XXI Outdoor Lighting.

and further

Amend §325-2 Word Usage and Definition, “Overlay District”, add a new item G, as follows:
“G - West Harwich Special District, see Article XXIV”

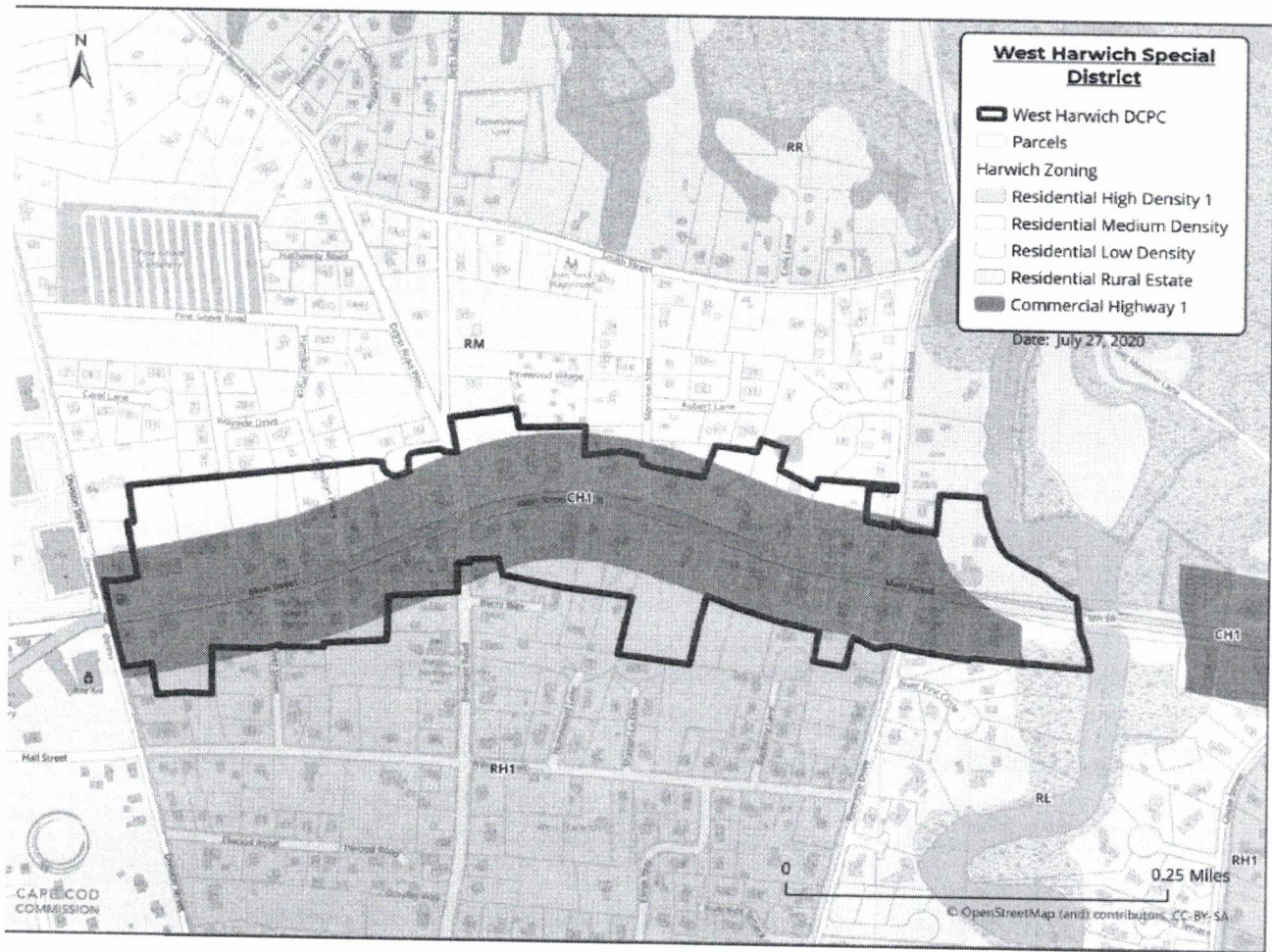
And further,

Amend §325-3 Division of Town into Districts, by adding “West Harwich Special District”

and further,

Amend §325-4 Maps, by adding Subparagraph F as follows:

- F. The West Harwich Special District established hereunder as shown on a map titled, “West Harwich Special District” dated July 27, 2020, prepared by the Cape Cod Commission, a copy of which can be found as an attachment to this chapter in the town’s online Code and a copy of which is on file in the office of the Town Clerk.



Health Director Monthly Report July 2020

COVID 19

July was steady with COVID related activity including cases and new standards issued by the Governor's office. Weekly case reports are provided separately. Phase 3, step 1 began which allowed for expanded activities such as entertainment and organized sports. Our COVID compliance inspector "Spanky" has been working hard to educate and warn businesses both on a complaint basis and a proactive basis. So far voluntary compliance has been achieved.

The Department of Public Health continues to rely heavily on the local boards of health to carry out the orders of the Governor and to be the enforcement agency for compliance of the new standards. This continues to be a stress on our small staff. We have been working to keep up with our "regular" health department responsibilities however things like permit reviews and inspection reports are falling behind. There is a new link on the mass.gov website for consumers to report complaint anonymously. This links back directly to the health department. This has increased our already overwhelming number of complaints. Each complaint is taken seriously and either investigated by staff or by Spanky, or a phone call/letter is sent to the business in question outlining the complaint.

Several meetings with the school nurses have taken place to discuss the Town's role in contact tracing if and when a case occurs in the school setting. Many wrinkles must be ironed out to ensure that the school staff and the students will be protected from COVID-19 in and out of the classroom. The nurses are clear that we are available for assistance and the complications of case management and contact tracing will be a joint effort between all agencies. The schools are working on their individual operations plans, and the Health Department will be available to review them if needed.

Other activities

The Annual Non-resident Tax Payer meeting will be held virtually this year utilizing pre-recorded staff interviews. Department heads have recorded a segment directed toward this group to give an overview of the hot topics and provide general information on what it is that we do.

I have been working on two separate budget proposals for FY '21. The first is the Health Department budget that includes the change from part-time to full time Health Inspector position. Along with this change comes decreases in other areas of the budget to account for the cost. A second proposal is being prepared at the request of the Interim Town Administrator. This request includes the reorganization of the Health Department to include a new full time Occupational Health Specialist. This is in direct response to the pandemic, however it will have long lasting benefits to the Town. Should this position be approved by the Selectmen, it will need to be funded by a vote of town meeting.

Respectfully submitted,
Meggan Eldredge 8.13.2020

 **BSC GROUP**
Transportation • Energy • Land Development
July 21, 2020

Pamela Howell, R.N
Town of Harwich Board of Health
732 Main Street
Harwich, MA 02645



803 Summer Street
Boston, MA 02127

Tel: 617-896-4300

www.bscgroup.com

RETURN RECEIPT REQUESTED

SUBJECT: Notice of Release Abatement Measure (RAM) Plan
Former Handler Auto Salvage 397 Route 28 Harwich, MA
DEP RTN 4-28329

Dear Ms. Howell,

Pursuant to the requirements of 310 CMR 40.1403 (Massachusetts Contingency Plan) the purpose of this letter is to notify your office of a proposed Release Abatement Measure (RAM) plan to be implemented at the Former Handler Auto Salvage property located at 397 Router 28 in Harwich, MA.

The RAM plan includes the collection of contaminated surface soils and sediment and consolidation thereof into one area for capping to a depth of 3 feet rendering the soils as "potentially isolated" and allowing them to remain on-site under and Activity and Use Limitation.

The physical work is expected to occur from August 2020 to late fall 2020 with monitoring thereafter.

The work described in the RAM plan have been conditioned by the Conservation Commission as DEP file SE 032-2424.

The RAM plan can be viewed at <https://eeonline.eea.state.ma.us/portal#!/search/wastesite> and search for RTN 4-28329 or you can email me at dcrispin@bscgroup.com and I will send you a pdf of the plan.

Should you have questions or require additional information regarding this matter, please do not hesitate to call me at (617-896-4451).

Sincerely,
BSC GROUP, INC.



David J. Crispin, LSP
Senior Associate

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Engineers
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