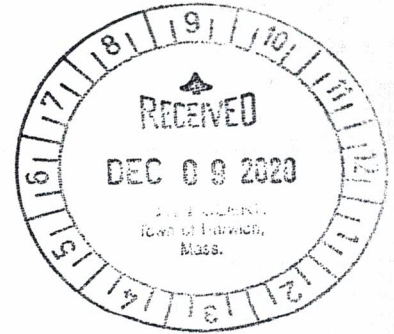


TOWN OF HARWICH



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, DECEMBER 15, 2020, 2020-6:30 P.M.
HARWICH TOWN HALL – REMOTE MEETING

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

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

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I **CALL TO ORDER**

II **MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes)** – September 14, 2020 & October 20, 2020
Minutes shall be reviewed; proposed changes shall be possible; and a vote to approve with any noted changes shall be taken.

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

- A. **Review of Draft 2021 Board of Health Meeting Schedule-** *Vote to accept/deny/take this under consideration*
- B. **Continued review of draft Town of Harwich Draft Fertilizer Regulation (continued from September 14, 2020 meeting)-** *Vote to accept/deny/take this under consideration*
- C. **COVID-19 Update-** *Vote to accept/deny/take this under consideration*

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

Vote to accept/deny/take this under consideration

V **NEW BUSINESS**

A. **14 Harden Lane-Phase 2 Sewer Waiver**, to consider granting a request to utilize an existing cesspool until the municipal sewer is available for connection, projected 7/2021.
Vote to accept/deny/take this under consideration

B. **Hearing- Plotner, 11 Hiawatha Road**, to consider a variance request to upgrade a Title 5 septic system prepared by Moran Engineering Associates, LLC
Variances from 310 CMR 15.211- Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 7.5' from south the property line where 10' is required. Variance request of 2.5'.
2. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 6' from the crawl space where 10' is required. Variance request of 4'.
3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 12' from the garage cellar wall where 20' is required. Variance request of 8'.

Vote to accept/deny/take this under consideration

D. Hearing-Burke, 16 Ginger Plum Lane, to consider a variance request to upgrade a Title 5 septic system prepared by Bass River Engineering

Variations from 310 CMR 15.211- Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 11' from a cellar wall where 20' is required. Variance request of 9'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 8' from a crawl space where 10' is required. Variance request of 2'.
3. 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'.
4. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 3' from the property line where 10' is required. Variance request of 7'.
5. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 8' from a crawl space where 10' is required. Variance request of 2'.
6. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 5' from the property line where 10' is required. Variance request of 5'.
7. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 3' from the property line where 10' is required. Variance request of 7'.

Vote to accept/deny/take this under consideration

VI REPORT OF THE HEALTH DIRECTOR- OCTOBER 2020 & NOVEMBER 2020

Vote to accept/deny/take this under consideration

VII CORRESPONDENCE

A. Notice from Edge Environmental-Immediate Response Action Status Report-Truck Accident-Sisson Road

Vote to accept/deny/take this under consideration

B. Notice from Tighe & Bond-Historic Release of Mineral Oil Dielectric Fluid-Station 973/Island Pond Road

Vote to accept/deny/take this under consideration

VIII PERMITS

ESTABLISHMENT	ADDRESS	TYPE	TYPE	TYPE	TYPE
SEPTIC INSTALLER					
A & S Construction *					
AMA Excavating *					
Ambrose Homes *					
B & B Excavation *					
Better Cape Plumbing *					
Borthwick & Summers, Inc. *					
Bortolotti Construction *					
C.C.Construction *					
Cape Cod Septic Services *					
Chase & Merchant *					
D.G. Digging *					
Dig It Construction *					
Ellis Brothers Construction *					
EZ Doze It *					

F.L. Quinn construction *				
F.S. Rich Excavating *				
GFM Enterprises *				
Harry Ellis Builders *				
J. Iadonisi Construction *				
J.W. Dubis & Sons, Inc. *				
John Martin Inc. *				
Ken Rose Septic *				
M.C.E. Dirtworks *				
Macura Excavation **				
Minot Reynolds *				
Pastore Excavation Inc. *				
PKM Contractors **				
R.J. Bevilacqua *				
Ready Rooter Excavating *				
Speakman Excavating *				
Terry Walker Excavation *				
Turner Brothers, LLC *				
SEPTIC HAULER				
B & B Excavation *				
Bortolotti Construction *				
Cape Cod Septic Services *				
Ellis Brothers Construction *				
J.W. Dubis & Sons, Inc. *				
M.A. Frazier Enterprises, Inc. *				
Scott Frank Septic *				
Speakman Excavating *				
Waste Water Services Inc. *				
FOOD SERVICE				
400 East, Inc. *	1421 Orleans Road	>150 seats		
Alecsie's House of Pizza *	181 Route 137	1-30 seats		
Allen Harbor Yacht Club *	371 Lower County Road	>150 seats		
Barnaby Inn *	36 Route 28	Limited Food Service		
Cape Cup *	4 Sou'West Drive	Limited Food Service		
Cape Sea Grille *	31 Sea Street	61-150 seats	Catering	
Cove Clubhouse *	383 Route 28	Institution		
CVS Pharmacy # 860	10 Post Office Square	Retail: 5000-25000 sf	Milk & Cream	
CVS Pharmacy # 1859	148 Route 137	Retail: 5000-25000 sf	Milk & Cream	
Dairy Queen *	443 Route 28	1-30 seats	frozen dessert	
East Harwich Market *	1421 Orleans Road	Retail: Less than 5000 sf	Milk & Cream	
Ember *	600 Route 28	61-150 seats		
George's Pizza House *	546 Route 28	31-60 seats		
Hands of Hope Food Pantry *	49 Route 29	Institution		
Harwich Community Center *	100 Oak Street	Institution		

Harwich Inn & Tavern *	77 Route 28	61-150 seats			
Lighthouse Café*	216 Route 28	Retail: Less than 5000 sf	1-30 seats		
Platinum Pebble *	186 Belmont Road	Limited Food Service			
Ruggies, Inc. *	707 Main Street	31-60 seats			
Scribanos Italian Market & Deli *	302 Route 28	Retail: Less than 5000 sf	31-60 seats	Milk & Cream	
Seal Pub & Café *	703 Main Street	retail <50 sf	1-30 seats	Caterer	Frozen Desser
Subway *	1 Auston Road	1-30 seats			
The Family Pantry of Cape Cod *	133 Queen Anne Road	Institution	Mobile Food		
The Port *	541 Route 28	61-150 seats			
Upper Crust Pizza *	1421 Orleans Road	1-30 seats			
REFUSE HAULER					
Benjamin T. Nickerson, Inc. *					
Cavossa Disposal *					
Del Mar Vacations, Inc. *					
M.A. Frazier Enterprises, Inc. *					
Milley Trucking *					
Nauset Disposal *					
Seaside Disposal *					
William R. Coffin & Sons Inc *					
TITLE 5 INSPECTOR					
Dan A. Speakman *					
James D. Sears *					
John M. O'Reilly *					
Robert F. Reedy *					
Troy Williams *					
STABLE					
Betsy & David Coleman *	26 North Westgate Road	Residential Stable			
Christine Menard *	39 Lexington Drive	Residential Stable			
Christopher & Angela McNamara	196 Bank Street	Residential Stable			
Deacons Folly Farm *	41 Deacons Folly Farm	Commercial Stable			
Donald Dvorovy *	1639 Orleans Road	Residential Stable			
Duane Reynolds *	1392 Halls Path	Residential Stable			
Jennifer Cahoon *	1356 Halls Path One	Residential Stable			
Jody Ellis *	307 Queen Anne Road	Residential Stable			
Judith Davis *	6 Lynch Lane	Residential Stable			
Karin Bearse *	100 Main Street Ext.	Residential Stable			
Katie McIntosh Rhodes & Jason Rhodes *	72 Hawksnest Road	Residential Stable			
Kathy Gould *	98 Old Chatham Road	Residential Stable			
MaKenna & Christopher Arrigo (2021 NEW)	28 Deacons Folly Road	Residential Stable			
Mary & Brian Hastings *	4 Hildas Cartway	Residential Stable			
Matthew & Jaclyn Brooks *	50 Aladoe Farm Lane	Residential Stable			
Memory Lane Farm *	331 Main Street	Commercial Stable			
Stephanie J. Winslow *	94 Main Street Ext.	Residential Stable			
True North Farm *	339 Queen Anne Road	Commercial Stable			

UTILITY INSTALLER					
John Martin Inc. *					
TOBACCO					
Cranberry Liquors *	555 Route 28				
East Harwich Market *	1421 Orleans Road				

Harwich Gas & Propane * 729 Main Street

*2021 Renewal

** 2020 Renewal

Vote to accept/deny/take this under consideration

IX OTHER

Vote to accept/deny/take this under consideration

X ADJOURN

Vote to accept/deny/take under consideration

Authorized posting officer:

Jennifer Clarke
Signature

12/9/2020
Date

Posted by:
Paula West
Asst. - Town Clerk

Date

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

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
MONDAY, SEPTEMBER 14, 2020-6:30 P.M.
HARWICH TOWN HALL – REMOTE MEETING**

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

BOARD OF HEALTH MEMBERS ABSENT: Vice Chairwoman Sharon Pflieger

STAFF MEMBERS PRESENT: Health Director Meggan Eldredge, Senior Health Agent Kathleen Tenaglia & 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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Ms. Howell introduced and welcomed Kevin DuPont as the newest member of the Board of Health.

I CALL TO ORDER

Chairwoman Howell called the meeting to order at 6:33 p.m.

II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) – August 18, 2020

II.

Mr. Dowgiallo moved to approve the minutes of the August 18, 2020 Board of Health meeting, 2nd by Mr. Antoine. The vote was 3-0-0 with Ms. Howell, Mr. Dowgiallo and Mr. Antoine all voting aye by roll call.

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

A. **Continued review of draft Town of Harwich Nutrient and Pesticide Control Bylaw/Education (continued from May 19, 2020 Board of Health meeting).**

At their May 19, 2020 meeting, the Board of Health had discussions regarding the creation of a nutrient and pesticide control bylaw or education. At this point, the Board needs to have open discussions on how they would like to move forward. Health Director Eldredge suggested that the Board could consider creating a sub-committee to work on this.

Mr. Dowgiallo stated that what has been provided in the packet looks good to him.

Ms. Howell wondered if there is more that the Board could do.

Mr. DuPont asked what the Board's limitations and expectations are. Health Director Eldredge responded that the regulation on pesticide would be for town-owned property. With respect to pesticides, there is a law that prohibits states and towns to further impose laws on private property. Fertilizer regulations and discussion would be relating to both town-owned and private property. Mr. DuPont asked if there would be a way to find out what kinds of fertilizers private homeowners are using. He would like to see education and feels that it is safe to say that a large part of the population is not aware of what goes into their fertilizers.

Ms. Howell stated that the Town of Chatham request anyone who distributes/uses fertilizer be certified. She asked if the Town of Harwich has any literature. Health Agent Tenaglia responded that that educational material could be created but added that she is not sure how possible enforcement of the education would be. Health Agent Tenaglia added that the Board could develop a sub-committee to help develop literature.

Mr. DuPont agreed with all information presented and said that he would like to see the education aspect expanded.

Ms. Howell stated that she would like to have the input of Ms. Pflieger before making any decisions. She suggested continuing discussions until the October 20, 2020 Board of Health meeting.

B. **Sewer Connection Discussion-Finalize Application & discuss extension requirements**

Health Director Eldredge reviewed the sewer connection application.

Mr. Dowgiallo moved to approve the use of the sewer connection application as presented, 2nd by Mr. Antoine. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

Health Director Eldredge stated that the current regulations allow for 1-year from the order letter issued that will require property owners to connect into the municipal sewer. If the Board is willing to consider extension requests, they should consider how old the existing septic system is, financial hardships and/or any special circumstances. Health Director Eldredge recommended that the Board approve extensions for any septic system less than 10 years old. It would then be a discussion of the Board as to

how long of an extension would be granted. If the Board is going to consider financial hardships as an extension, they should know that there are very low interest loans available through Barnstable County.

Ms. Howell stated that she would like to have Ms. Pflieger involved in this discussion as well and suggested continuing discussions until the October 20, 2020 Board of Health meeting.

Mr. Dowgiallo asked what the cost would be to connect to the sewer system. The last numbers that Ms. Eldredge was aware of are between \$7,000-\$12,000.

Once a property is connected to the sewer system, the owners will receive a sewer bill, similar to a water bill, based on flow.

Health Director Eldredge informed the Board that she would find out how many in Chatham have been connected into the system and any updated cost information.

C. Review Board of Health definition of a bedroom with possible amendments

Health Director Eldredge read the current definition and suggested definition of a bedroom. The existing definition is unclear to builders and homeowners when they are creating their floor plans. The definition needs to be clearer and more concise so floor plans can be created without issue. Staff has researched bedrooms definitions from surrounding towns and information has been provided to the Board.

Mr. Antoine moved to adopt the suggested Harwich Board of Health bedroom definition as presented, 2nd by Mr. DuPont. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

V NEW BUSINESS

A. 11 Kent Road- owner requests Board of Health review of an application to the State Plumbing Board for a variance from the State Plumbing Code; use an existing 1 1/2" drain where a 2" drain is required

Health Director Eldredge read the request that was submitted. She informed the Board that the owner bypassed the Board of Health and went straight to the State Plumbing Board and had their application approved.

The Board of Health did not take any action.

VII REPORT OF THE HEALTH DIRECTOR (August 2020)

Health Director Eldredge read her monthly report for August 2020. As of today, there is one active case in Harwich.

Barnstable County is holding a drive-thru seasonal flu shot clinic on September 26, 2020 from 8:00 a.m.-noon. The clinic is open to all residents across the Cape and pre-registration is required.

VIII CORRESPONDENCE

No correspondence was discussed.

IX PERMITS

Board of Health-September 14, 2020

ESTABLISHMENT	ADDRESS
TITLE 5 INSPECTOR	
Thomas Roux *	Wareham, MA
* 2020 Renewal	

Mr. Antoine moved to approve the permit list as presented, 2nd by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Mr. Dowgiallo, Mr. Antoine & Mr. DuPont all voting aye by roll call.

X OTHER

Mr. Dowgiallo asked how the town follows people who have recovered from COVID-19. Health Director Eldredge responded that they are not followed at the Health Department level. The patients information is in the state database should future issues arise.

XI ADJOURN

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

Respectfully Submitted,

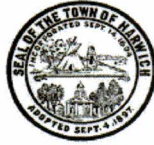
Jennifer Clarke

Next meeting is Tuesday, October 20, 2020 at 6:30 p.m.

Documents included in September 14, 2020 Board of Health Meeting Packet:

- Board of Health Agenda dated September 14, 2020
- Draft Board of Health Minutes dated August 18, 2020
- Draft Town of Harwich Nutrient and Pesticide Control By-Law dated November 4, 2009
- Draft Application and Checklist for Sewer Connection Permit
- Bedroom Definition Information dated September 14, 2020
- Site Summary for 11 Kent Road dated September 14, 2020
- Request from Owner for Plumbing Code Variance dated August 24, 2020
- Health Director Monthly Report dated September 8, 2020
- Weekly COVID-19 update dated August 27, 2020
- Weekly COVID-10 update dated August 20, 2020
- Any other documents submitted for/at the September 14, 2020 Board of Health Meeting

TOWN OF HARWICH



BOARD OF HEALTH

732 Main Street Harwich, MA 02645

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**TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, OCTOBER 20, 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 Kevin DuPont R.N.

BOARD OF HEALTH MEMBERS ABSENT: Member Matthew Antoine

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 6:40 p.m.

II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) – September 14, 2020

No action was taken on the minutes.

III 6:30 PM - BOARD OF HEALTH WORK SESSION

- A. Continued review of draft Town of Harwich Nutrient and Pesticide Control Bylaw/Education & discussion on the creation of a sub-committee (continued from September 14, 2020 meeting)**

Ms. Pflieger stated that she has a problem with pesticide control being included in the bylaw and added that pesticides should be dealt with as a separate issue.

Board of Selectman Chair Larry Ballantine was present and asked if it would be possible to have 2 identical documents, one for fertilizer and one for glyphosates.

Health Director Eldredge stated that she can revise the draft bylaw and remove all aspects regarding pesticides and bring a revised draft back to the Board for their November meeting. She suggested that the Board discuss any revisions to the fertilizer topics, so it can keep moving forward.

Ms. Pflieger asked who the enforcement agency for this bylaw would be. Health Director Eldredge responded that originally, it was the Board of Health. She added that it might be a good idea to pass it along to the Conservation Commission or even the Sewer Commission. Enforcement would be complaint based with the option to fine any violators by way of a non-criminal disposition ticket.

If a regulation is created, it would require a public hearing and then a vote of the Board of Health. If a bylaw is created, it would require a vote of Town Meeting.

Ms. Pflieger asked if this would eliminate the use of fertilizer, or just limit the amount used. Health Director Eldredge reviewed the performance standards for fertilizer application.

The Board had a brief discussion on how educational information should be passed out to the public.

Health Director Eldredge will revise the draft bylaw removing pesticides and put this back on for the November Board of Health meeting.

B. Continued discussion on sewer extension requirements (continued from September 14, 2020 meeting)

Mr. Ballantine asked the Board to consider delaying this discussion at this time. He noted that it would be good to review the financial aspects of this with the Sewer Commissioner and Finance Director, adding that this may be more involved than just the sewer extension. Mr. Ballantine also suggested the possibility of joint meetings to discuss.

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

No old/unfinished business was discussed.

V NEW BUSINESS

A. Hearing-Bascom Hollow, Lots 1, 2, 4 & 8/Eastward Companies- Request to Amend Certificate of Conformance that was issued at the March 17, 2020 Board of Health meeting

Chairwoman Howell opened the hearing. Susan Ladue from Eastward Companies was present and reviewed the memo that was provided to the Board of Health. They are submitting a request to amend the Certificate of Conformance that was issued at the March 17, 2020 Board of Health meeting. They are ready to install the septic system for the new custom home being constructed on Lot 2. There was not an article on the Annual Town Meeting Warrant, which was held on September 26, 2020, to fund the additional areas of Phase 2 of the municipal sewer system.

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

Health Director Eldredge stated that her concern is that funding may not be approved or that the CWMP phases may be revised, pushing this development out further along. This scenario would result in not only the existing 4 lots to not have alternative technology, but the new lots to not be connected to a shared system.

Health Director Eldredge recommended that the Board allow the newly released properties to have conventional systems on their own lots and that if the funding to complete this section of municipal sewer is not approved at a

2021 Annual Town Meeting, the entire subdivision will have Innovative/Alternative technology incorporated into the existing systems.

Ms. Pflieger moved to approve the recommendation of the Health Director, 2nd by Mr. Dowgiallo. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. DuPont all voting aye by roll call.

B. Hearing-McCabe, 25 Grey Neck Lane, to reconsider Order of Conditions granted August 13, 2019-There shall be no increase in square footage or number of bedrooms in the dwelling. Project consists of demolishing the existing dwelling and rebuilding. The proposed home has moved two bedrooms upstairs to allow for an open floor plan with one bedroom on the first floor.

Chairwoman Howell opened the hearing. Steve Haas, P.E., was present and reviewed the request for reconsideration. The existing 3 bedroom dwelling is proposed to be demolished and re-built. The proposed home is going from a single story to a two story dwelling, increasing habitable space. No new variances from Title 5 or the Harwich Septic Regulations are required. The proposal includes incorporation of innovative/alternative technology to remove nitrogen.

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

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

1. The alternative septic system must be under an operation and maintenance contract for the life of the system.
2. The alternative septic system must be tested and maintained in accordance with the Department of Environmental Protection's approval letter as well as the Harwich Health Department's requirements for testing.
3. No further increase in habitable space or square footage to the dwelling without approval by the Board of Health.
4. The property is restricted to a maximum of three (3) bedrooms.

Mr. Dowgiallo moved to accept the recommendation of the Health Director, 2nd by Ms. Pflieger. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. DuPont all voting aye by roll call.

C. Hearing- Couch, 9 Hiawatha Road, to consider a variance request to upgrade a Title 5 septic system prepared by Dan A. Speakman Construction

Variances from 310 CMR 15.211- Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 1' from the property line where 10' is required. Variance request of 9'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 1' from the street property line where 10' is required. Variance request of 9'.
3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 15' from the foundation where 20' is required. Variance request of 5'.

Chairwoman Howell opened the hearing. Dan Speakman was present and reviewed the request for variances. The request is for the purpose of upgrading the Title 5 septic system that has failed due to the lack of separation to groundwater. The applicant is proposing to utilize the existing 1500 gallon septic tank and pump chamber and replace the soil absorption system. There are no alterations to the building proposed at this time.

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

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

1. Property to be restricted to a maximum of three (3) bedrooms.
2. No increase in habitable space, square footage or number of bedrooms without further review by the Board of Health.

3. Variances and conditions to 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 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. DuPont all voting aye by roll call.

D. Hearing-Allison, 71 Depot Road West, to consider a variance request to upgrade a Title 5 septic system prepared by JC Engineering, Inc.

Variances from 310 CMR 15.211- Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 15.1' from the crawl space where 20' is required. Variance request of 4.9'.

Chairwoman Howell opened the hearing. Bradley Bertolo was present and reviewed the variance request. The request is for the purpose of upgrading the existing cesspool system to a Title 5 septic system. The proposed septic system will consist of a 2,000 gallon 2-compartment septic tank (H2O), 1,000 gallon pump chamber (H2O), distribution box and five bedroom soil absorption system. There are no alterations proposed to the dwelling at this time.

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

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

1. Property to be restricted to a maximum of five (5) bedrooms.
2. No increase in habitable space, square footage or number of bedrooms without further review by the Board of Health.
3. Variances and conditions to 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 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo and Mr. DuPont all voting aye by roll call.

VI REPORT OF THE HEALTH DIRECTOR (September 2020)

Health Director Eldredge provided the Board with her weekly updates for COVID-19. We are currently following 1 active case in Harwich. The total number of positive cases that have been reported in Harwich to date is 165.

The Health Department held a public flu clinic today. There is another drive-thru flu clinic being held on October 29, 2020 from 2:00-4:00 p.m. at the Harwich Community Center.

VII CORRESPONDENCE

No correspondence was discussed.

VIII PERMITS

ESTABLISHMENT	ADDRESS	TYPE
SEPTIC INSTALLER		
Cape Excavating Service *		
Sun Wind, LLC (2020 New)		
TITLE 5 INSPECTOR		
Carmen Shay *		
Joe Smith *		
STABLE		
Sabra Reynolds McKean *	64 Smith Street	Residential Stable
* 2020 Renewal		

Mr. Dowgiallo moved to approve the permits as per list dated October 20, 2020, 2nd by Ms. Pflieger. The vote was 4-0-0 with Ms. Howell, Ms. Pflieger, Mr. Dowgiallo & Mr. DuPont all voting aye by roll call.

IX OTHER

No other items were discussed.

X ADJOURN

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

Respectfully Submitted,

Jennifer Clarke

Next meeting is Tuesday, November 17, 2020 at 6:30 p.m.

Documents included in October 20, 2020 Board of Health Meeting Packet:

- Board of Health Agenda dated October 20, 2020
- Draft Board of Health minutes dated September 14, 2020
- Town of Harwich Draft Nutrient and Pesticide Control Bylaw dated November 4, 2009
- Site Summary for Lots 1, 2, 4 & 8 Bascom Hollow Dated October 20, 2020
- Request to Amend Certificate of Conformance for Lots 1,2, 4 & 8 Bascom Hollow dated September 3, 2020
- Certificate of Conformance for 3, 7, 5 & 16 Bascom Hollow dated March 26, 2020
- Site Summary for 25 Grey Neck Lane dated October 20, 2020
- Application for Board of Health variances and associated documents for 25 Grey Neck Lane dated October 7, 2020
- Site Summary for 9 Hiawatha Road dated October 20, 2020
- Application for Board of Health variances and associated documents for 9 Hiawatha Road dated October 6, 2020
- Site Summary for 71 Depot Road West dated October 20, 2020
- Application for Board of Health variances and associated documents for 71 Depot Road West dated October 7, 2020
- Weekly COVID-19 update dated September 28, 2020
- Weekly COVID-19 update dated October 1, 2020
- Weekly COVID-19 update dated October 8, 2020
- Halloween Safety Tips during COVID-19 from DPH (not dated)
- Flu Clinic for Harwich Residents flier
- Any other documents submitted for/at the October 20, 2020 Board of Health meeting

2021 HARWICH BOARD OF HEALTH MEETING DATES AND FILING DEADLINES

III-A

APPOINTMENTS W/ HEALTH DIRECTOR	FILING DEADLINE	MEETING DATE	ROOM (Town Hall)
Monday, January 4, 2021	Wednesday, January 6, 2021	Tuesday, January 19, 2021	Small Hearing Room
Monday, February 1, 2021	Wednesday, February 3, 2021	Tuesday, February 16, 2021	Small Hearing Room
Monday, March 1, 2021	Wednesday, March 3, 2021	Tuesday, March 16, 2021	Donn B. Griffin Room
Monday, April 5, 2021	Wednesday, April 7, 2021	Tuesday, April 20, 2021	Small Hearing Room
Monday, May 3, 2021	Wednesday, May 5, 2021	Tuesday, May 18, 2021	Donn B. Griffin Room
Thursday, May 27, 2021	Wednesday, June 2, 2021	Tuesday, June 15, 2021	Donn B. Griffin Room
Thursday, July 1, 2021	Wednesday, July 7, 2021	Tuesday, July 20, 2021	Donn B. Griffin Room
Monday, August 2, 2021	Wednesday, August 4, 2021	Tuesday, August 17, 2021	Donn B. Griffin Room
Friday, September 3, 2021	Wednesday, September 8, 2021	Tuesday, September 21, 2021	Donn B. Griffin Room
Monday, October 4, 2021	Wednesday, October 6, 2021	Tuesday, October 19, 2021	Donn B. Griffin Room
Monday, November 1, 2021	Wednesday, November 3, 2021	Tuesday, November 16, 2021	Donn B. Griffin Room
Monday, December 6, 2021	Wednesday, December 8, 2021	Tuesday, December 21, 2021	Donn B. Griffin Room

Please be advised that the Harwich Board of Health has directed staff to not place any hearings and/or variance requests on an agenda until the engineer or representative has had a preliminary project review with the Health Director. It is hoped that this process will eliminate the need for continuances at meetings due to design omission or incomplete submittals, and to help streamline a complicated process. Please call 508-430-7509 to schedule an appointment.

Applications must be filed by 4 pm on the filing deadline date.

Meetings begin at 6:30 pm, however the Board schedules a work session for the first 30 minutes of each meeting and all hearings begin at 7:00 pm.

Please Note: For abutter notification purposes - Notices should be posted for 7:00 pm - Be sure that abutter notices reflect the correct hearing room

Verification of abutters' notices should be brought to the hearing

DRAFT

Jennifer Clarke

From: Meggan Eldredge
Sent: Friday, December 4, 2020 3:52 PM
To: Jennifer Clarke
Subject: FW: Fertilizer By-Law
Attachments: Pleasant-Bay-Watershed-Permit-copy.pdf

The board should get both the email and the pdf.

Thanks!

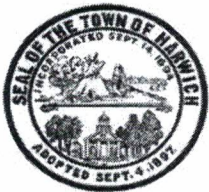
From: Dan Pelletier [mailto:dpelletier@harwichwater.com]
Sent: Monday, November 30, 2020 8:38 AM
To: Meggan Eldredge <meldredge@town.harwich.ma.us>
Subject: Fertilizer By-Law

Hi Meggan,

We met a while back to discuss wastewater and briefly touched the BOH adopting a fertilizer by-law. If I remember correctly I owe you the backup to support the by-law, I have attached the Targeted Watershed Management Permit for Pleasant Bay Alliance. The table in the permit identifies a 200kg credit for enacting a fertilizer bylaw, the physical sewerage of parcels only removes roughly 2.75-6.50kg per year/parcel with an average per-parcel cost to install sewers for phase 2 of \$35,000-\$45,000. Let me know what you think.

Thank you,

Dan Pelletier | Superintendent of Water & Wastewater
o. (508) 432-0304 x.110 | c. (774) 722-7963 | e. dpelletier@harwichwater.com
[196 Chatham Road Harwich, MA 02645](http://196ChathamRoadHarwich,MA02645) | <http://harwichwater.com>



* The Commonwealth of Massachusetts Secretary of State has determined that e-mail is a public record



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

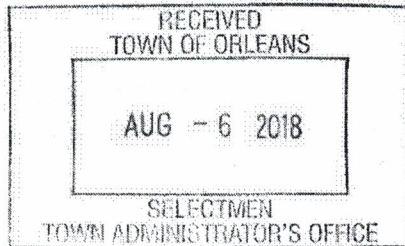
Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner



August 3, 2018

Select Board
2198 Main Street
Brewster, Massachusetts 02631

Board of Selectmen
732 Main Street
Harwich, Massachusetts 02645

RE: PLEASANT BAY –
Watershed Permit 001-0

Board of Selectmen
549 Main Street
Chatham, Massachusetts 02633

Board of Selectmen
19 School Road
Orleans, Massachusetts 02653

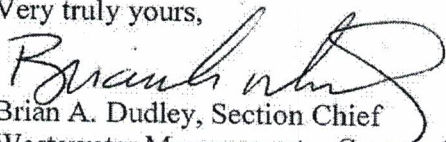
Dear Board Members:

In response to your application for a Watershed Permit for the Pleasant Bay Watershed, I hereby attach the final permit, including the Targeted Watershed Management Plan (TWMP) and Inter-Municipal Agreement (IMA) referenced therein.

Please note that this is the first permit of its kind issued in the Commonwealth, and MassDEP appreciates the effort the Towns contributed in bringing it to fruition.

If you have any questions or require further information, please do not hesitate to contact me at (508)946-2814 or brian.dudley@mass.gov.

Very truly yours,


Brian A. Dudley, Section Chief
Wastewater Management – Cape and Islands

BAD/

Enclosures (Permit, TWMP, IMA)

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-438-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

cc: Ms. Carole Ridley
Pleasant Bay Alliance
PO Box 1584
Harwich, MA 02645
Enclosure (Permit)

Mr. Michael Giggey
Wright-Pierce
11 Bowdoin Mill Island
Suite 140
Topsham, ME 04086
Enclosure (Permit)

ecc: Town Administrator, Town of Brewster
Mr. Chris Miller, Town of Brewster
Ms. Jill Goldsmith, Town of Chatham
Mr. Robert Duncanson, Town of Chatham
Mr. Christopher Clark, Town of Harwich
Mr. Heinz Proft, Town of Harwich
Mr. John Kelly, Town of Orleans
Mr. George Meservey, Town of Orleans

DEP/Boston

Attn: Mr. Gary Moran
Mr. Douglas Fine
Mr. Robert Brown
Mr. Lealdon Langley
Ms. Marybeth Chubb

DEP/SERO

Attn: Ms. Millie Garcia-Serrano
Mr. David Johnston



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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

PLEASANT BAY WATERSHED PERMIT

Name and Address of Permittees:

- (1) Town of Brewster, 2198 Main Street, Brewster, Massachusetts 02631
- (2) Town of Chatham, 549 Main Street, Chatham, Massachusetts 02633
- (3) Town of Harwich, 732 Main Street, Harwich Center, Massachusetts 02645
- (4) Town of Orleans, 19 School Road, Orleans, Massachusetts 02653

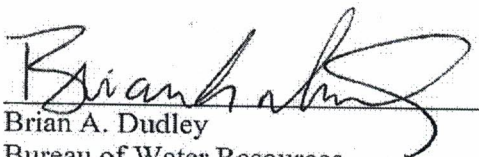
Permit No.: 001-0

Date of Issuance: August 3, 2018

Date of Expiration: August 31, 2038

I. AUTHORITY FOR ISSUANCE

Pursuant to authority granted by M.G.L. c. 21, § 27(6) and Section 2A of Chapter 259 of the Acts of 2014, the Massachusetts Department of Environmental Protection ("the Department" or "MassDEP") hereby issues the following Permit to the Towns of Brewster, Chatham, Harwich and Orleans (collectively, "the Permittees"), subject to the terms and conditions set forth below.


Brian A. Dudley
Bureau of Water Resources

August 3, 2018
Date

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

II. PURPOSE

The waters of Pleasant Bay are impaired by excessive input of Nitrogen from the Pleasant Bay watershed, as demonstrated in the Massachusetts Estuaries Project report titled, *Linked Watershed-Embayment Model to Determine Critical Nitrogen Loading Thresholds for the Pleasant Bay System, Orleans, Chatham, Brewster and Harwich, Massachusetts*, dated May 2006 ("MEP Report"), and the associated total maximum daily load (TMDL) report titled, *Final Pleasant Bay System Total Maximum Loads For Total Nitrogen (Report # 96-TMDL-12, Control #244.0)*, dated May 2007 ("TMDL Report"). The purpose of this Permit is to authorize work needed to implement the Permittees' mitigation strategy for Pleasant Bay, as set forth in the Permittees' plan titled, *Pleasant Bay Targeted Watershed Management Plan*, dated May 2018 ("the TWMP"), as such plan may be amended from time-to-time as provided for herein. This Permit establishes performance standards, authorizes certain activities, and establishes timeframes under an adaptive management framework for achieving the water quality and habitat quality restoration goals required to achieve the designated uses established by the Department for Pleasant Bay under the Massachusetts Water Quality Standards, 314 CMR 4.00.

III. REGULATED AREA

The Permittees have voluntarily agreed to work together collaboratively in accordance with the terms of an Inter Municipal Agreement, effective May 21, 2018 ("the IMA"), and this Permit, to implement the TWMP to achieve the water quality and habitat quality restoration goals established by the TMDL Report for Pleasant Bay. The area regulated under this Permit is the Pleasant Bay watershed, as shown in Figure 1, which is attached hereto ("the Regulated Area"). The MEP Report and its accompanying data disk lists all parcels of land included in the Pleasant Bay watershed.

Figure 1: Pleasant Bay Watershed Regulated Area



Figure credits: USGS, SMAST, and Cape Cod Commission

IV. SPECIAL CONDITIONS

A. TWMP Implementation Schedule

1. The Permittees shall take the following actions in accordance with the following schedule:

Phase	Years	Brewster		Chatham		Harwich		Orleans		Total
		Activity	kgN/yr	Activity	kgN/yr	Activity	kgN/yr	Activity	kgN/yr	
1	Up to 2018	Capt. Golf Course fertigation	230	Muddy Creek inlet restoration		Muddy Creek inlet restoration				1,769
		Capt. Golf Course fertilizer reduction	930							
		Enact fertilizer reduction by-law	121	Enact fertilizer reduction by-law	247			Enact fertilizer reduction by-law	241	
2	1 to 5	Develop onsite denitrification plan		All towns: develop TWMP, execute IMA, obtain watershed Permit		Amend CWMP				3,145
	6 to 10	Finalize contingency plan		Complete Harwich sewer connection		Lonnie's Pond aquaculture				
3	2019 to 2023	Install onsite denitrification	118	All towns: update monitoring data; remodel Pleasant Bay; evaluate nitrogen trading; prepare plan for next 5 years		Install Phase 2 sewers	2,672	Install Phase 3 sewers	2,014	5,887
		Install onsite denitrification	118			Enact fertilizer reduction by-law	200	Meetinghouse Pond sewers	1,516	
4	11 to 15	Install onsite denitrification	118	Install Frost Fish Creek Sewers	803			Other aquaculture	674	5,107
	16 to 20	Install onsite denitrification	118	Install Ryders Cove sewers	2,605			Install onsite denitrification	906	
Subject to adaptive management	2024 to 2028	Install onsite denitrification	118	Install Muddy Creek sewers	1,597			Install onsite denitrification	675	2,390
		Install onsite denitrification	118							

2. The activities set forth in Section IV.A.1. above are considered enforceable requirements under the Permit, unless and until action is taken to modify the TWMP or the approved Implementation Schedule, revoke the Permit or withdraw from the Permit in accordance with the terms and conditions of the Permit. Any prospective changes to the TWMP or the approved implementation schedule shall be identified in the Annual Reports required by Section VI.J. of this Permit. Any such proposed changes are subject to the Department's review and approval.

3. Section IV. A. 1., above, summarizes the Phase 1 (Years 1 to 5) activities the Permittees are required to perform in order to secure enforcement forbearance as provided under Section V of this Permit. Section IV.A.1. also summarizes the Phases 2 through 4 (Years 6 to 20) enforceable activities until such time as they are revised and MassDEP approved through adaptive management and submittal on an Annual Report in conformance with Section VI.J., a TWMP update or Watershed Permit modification.

B. Monitoring and Reporting

1. Sentinel Sampling Stations

The Permittees shall monitor water quality at the sentinel sampling stations shown on the plan titled, *Water Quality Sample Stations Chatham, MA*, prepared by the Chatham Community Development Department, dated December 15, 2009, and as shown and referenced in the MEP Report, and record the results, in accordance with the following:

Frequency	Watershed/Stations	Parameters	Sample Type
Twice during July, twice during August, and once during September	Little Pleasant Bay (PBA-12), Bassing Harbor (PBA-3 and CM-13), Muddy Creek (PBA-05), Meetinghouse Pond - Outer (WMO-10), Lonnies Pond (PBA-15), Namequoit Rive - Upper (WMO-6), Pochet- Upper (WMO-05), Pah Wah Pond (PBA-11), Little Quanset Pond (WMO-12), and Round Cove (PBA-09)	Particulate Organic Nitrogen (PON), Dissolved Organic Nitrogen (DON), Dissolved Inorganic Nitrogen (DIN), Dissolved Oxygen (DO), Chlorophyll a, Secchi Depth, salinity, Total Suspended Solids (TSS)	Grab/Observation

2. Aquaculture

The applicable Permittee(s) shall monitor the aquaculture project in Lonnies (Kescayo Ganset) Pond according to the following schedule as referenced in “ Technical Report DRAFT FINAL Lonnies Pond Shellfish Demonstration Project Year 1 Monitoring Summer/Fall 2016 Oyster Deployment” dated January 2017

Frequency	Stations	Parameters	Sample Type
Bi-weekly from late June to mid-October on the mid-ebb tide	LP-1, LP-2, LP-3, LP-4 (PBA-15), LP-5 (M5), LP-6 (M6), LP-7 (M7), LP-8 (M8)	Temperature, salinity, total nitrogen (nitrate + nitrite, ammonia, dissolved organic nitrogen (DON), particulate organic nitrogen (PON)), chlorophyll-a (Chl-a), pheophytin-a, orthophosphate, dissolved oxygen (DO), transparency (secchi depth), and alkalinity	Grab/Observation

3. Fertigation

The applicable Permittee(s) shall sample and monitor the fertigation well IW-6D in accordance with the following schedule.

Parameter	Minimum Sampling Frequency
Flow	Daily, when operational
pH	Monthly (during April through November) ¹
Total Nitrogen (Total Kjeldahl Nitrogen + Nitrate Nitrogen + Nitrite Nitrogen)	Monthly (during April through November)
Ammonia Nitrogen	Monthly (during April through November) ¹
Nitrate Nitrogen	Monthly (during April through November) ¹
Total Mass Load of Total Nitrogen Pumped	Annually

¹ After one full year of monitoring the Total Nitrogen, Ammonia Nitrogen and Nitrate Nitrogen, the Department may determine, upon the request of the applicable Permittee(s), that the frequency of monitoring may be reduced.

4. Fertilizer Reduction

The applicable Permittee(s) shall report annually the amount of fertilizer applied to the Captains Golf Course, 1000 Freemans Way, Brewster, Massachusetts and any other facilities for which a fertilizer reduction credit may be applied.

C. **Adaptive Management Framework**

1. This Permit establishes an adaptive management framework in which future decisions will be made as part of an ongoing science-based process and the needs of the Permittees. The Permittees shall implement this framework, as set forth in the TWMP, to evaluate the

results of their water quality management program and adjust and modify their strategies and practices, as needed, and in accordance with this Permit, to address conditions that are causing water quality impairments due to excessive Nitrogen in Pleasant Bay.

2. Subject to MassDEP approval, the Permittees may assume Nitrogen reduction credit for non-traditional approaches and/or non-traditional technologies only if the Permittees implement and maintain such approaches and/or technologies in accordance with the terms and conditions of this Permit. If this Permit is revoked or terminated, MassDEP reserves the right, to the extent of its statutory and regulatory authority, to require the Permittees, individually or collectively, to implement proven technologies to achieve the water quality and habitat quality restoration goals established by the TMDL Report for Pleasant Bay.
3. Nitrogen reduction credits for non-traditional approaches shall be approved by the Department if the data generated from the monitoring of such approaches, as reported in the Annual Reports required under Section VI.J. of this Permit, demonstrates their effectiveness to the Department's satisfaction. Validated data from demonstration projects other than those covered under this permit may, at the discretion of the Department, also be considered in determining nitrogen reduction credits.
4. The Permittees shall continuously provide a contingency plan in the TWMP that relies on proven technologies to achieve the target Nitrogen threshold concentrations at the sentinel sampling stations identified in the MEP Report and the TMDL Report for the Pleasant Bay watershed.

D. Groundwater Discharge Permits

The Department has issued Groundwater Discharge Permit #44-1 to the Town of Chatham, which is incorporated herein by reference, and which is one component of the implementation activities described in the TWMP. Any groundwater discharge permits issued by the Department in the future to the Permittees, either collectively or individually, pursuant to 314 CMR 5.00, applicable to the Regulated Area, and consistent with the TWMP, shall also be deemed incorporated by reference herein.

V. COMPLIANCE AND ENFORCEMENT

A. **Establishment of Conditions and Limitations.** This Permit requires the Permittees to implement cost-effective controls and reasonable best management practices for nonpoint sources, and to provide the level of treatment established by other discharge permits issued by the Department to the Permittees, individually or collectively, and it specifies an implementation schedule for achieving the water quality and habitat quality restoration goals established by the TMDL Report for Pleasant Bay. The implementation schedule established by this Permit affords the Permittee(s) adequate time to meet the minimum water quality criteria for Nitrogen by utilizing an adaptive management framework to control such sources, as provided by the TWMP.

B. **Enforcement.** While this Permit is in effect, the Department agrees to exercise enforcement discretion by forbearing from initiating unilateral enforcement action against the Permittees related to water quality impairment in Pleasant Bay from excess Nitrogen. This enforcement forbearance applies solely to the Nitrogen contribution from all nonpoint sources and any otherwise unregulated sources that are subject to the TWMP, as the TWMP may be amended from time-to-time in accordance with this Permit. This paragraph does not relieve the Permittees, individually or collectively, from any obligation to comply with the terms and conditions of any other permit, approval or order issued by the Department, including, without limitation, any other permit, approval or order referenced in or incorporated in this Permit, any failure to obtain any other permit or approval otherwise required by the Department, or any failure to comply with the terms and conditions established by this Permit. For purposes of this paragraph, unilateral enforcement action includes not only the issuance of any unilateral administrative order and notice of intent to assess a civil administrative penalty, but also any other action taken by the Department unilaterally to mandate an alternative Nitrogen mitigation strategy, such as establishing a local water pollution abatement district pursuant to M.G.L. c. 21, § 28, and designating one or more locations within the Pleasant Bay watershed as Nitrogen Sensitive Areas under 310 CMR 15.215.

C. **Treatment of co-permittees.** Each co-permittee is severally liable for those activities they agree to carry out under the IMA. Each co-permittee is not liable for violations related to those activities for which their co-permittees are solely responsible under the IMA, provided they do not own or operate the treatment system or control technique or are otherwise contractually responsible for the activity that resulted in the violation. Furthermore, each co-permittee who has coverage under another permit or approval issued by the Department which is incorporated herein by reference shall not be deemed in violation of that other permit or approval for the sole reason that one or more of the other co-permittees is in violation of this Permit.

VI. GENERAL CONDITIONS

- A. Incorporation of TWMP and IMA by reference.** The TWMP and IMA, and any subsequent amendments thereto, are incorporated into this Permit by reference.
- B. General Duty.** The Permittees shall comply with all terms and conditions of this Permit. Noncompliance with this Permit is grounds for enforcement action, permit termination, permit revocation, permit modification, or denial of a permit renewal application.
- C. Notification of Delays.** The Permittees shall promptly notify the Department, in writing, upon learning of any delay in compliance with the implementation schedule established by this Permit. Such notice shall state the anticipated length and cause of the delay, the measure or measures to be taken to minimize the delay, and a timetable for implementing those measures. The Permittees shall take appropriate measures to avoid or minimize any such delay.
- D. Proper Operation and Maintenance.** The Permittees, at all times, shall properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the Permittees to achieve compliance with the terms and conditions of this Permit.
- E. Duty to Mitigate.** The Permittees shall take all reasonable steps to minimize or prevent any significant adverse impact on human health or the environment that may result from carrying out activities authorized by this Permit.
- F. Relationship to Other Permits.** This Permit shall not be construed to relieve the Permittees, individually or collectively, of the obligation to comply with the terms and conditions of any other permit order or approval, including any § 401 water quality certificate, issued by the Department.
- G. Duty to Monitor.** The Permittees shall carry out the approved monitoring activities established by this Permit in Section IV. B. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Monitoring information required by this Permit shall be retained for the life of the permit, or as otherwise approved by the Department. Records of monitoring information include: (1) the date, exact place, and time of sampling or measurements; (2) the individual(s) who performed the sampling or measurements; (3) the date(s) analyses were performed; (4) the individual(s) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of such analyses. Monitoring results must be conducted according to test procedures approved by the Department or the United States Environmental Protection Agency for such purposes, unless other test procedures are specified in this Permit.
- H. Duty to Report Monitoring Results.** The Permittees shall report to the Department the results of monitoring performed for purposes of this Permit in the Annual Reports pursuant to Section VI. J.

I. Toxics Control. In conducting activities under this Permit, the Permittees shall not discharge any pollutant or combination of pollutants in toxic amounts. Any toxic components of such activities shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard.

J. Annual Reporting. The Permittees shall submit Annual Reports to the Department for review and approval, at which time the Department will determine if modifications to the TWMP or Permit are necessary. The initial report is due one (1) year from the effective date of this Permit and annually thereafter. The reports should contain information regarding activities of the previous calendar year. The following information shall be contained in each annual report:

- (a) a description, including dates, of the installation of any treatment and control systems and facilities, or approaches taken, during the reporting period;
- (b) a summary of results of any monitoring information that has been collected and analyzed during the reporting period;
- (c) a performance evaluation of the treatment and control systems and facilities, and approaches taken, during the reporting period, including identification of any performance shortcomings or challenges along with recommended corrective actions and optimization activities, as necessary;
- (d) a discussion of the activities planned, and the associated critical path, for the next annual reporting cycle, consistent with the implementation schedule;
- (e) a self-assessment review of compliance with the terms and conditions of this Permit during the reporting period, and
- (f) every fifth annual report shall include a progress report which describes the progress made in achieving the water quality and habitat quality restoration goals required to achieve the designated uses for Pleasant Bay, including an evaluation of the results of the Permittees' water quality management program to date, any proposed adjustments and modifications to the strategies and practices under the TWMP, pertinent sampling and monitoring results, as well as other data pertinent to the technologies installed and approaches taken under the TWMP as of the date of the report, any proposed nitrogen reduction credits for non-traditional approaches requested in accordance with Section IV.C.3. of this Permit, any changes requested to the approved Implementation Schedule, and any other information requested by the Department.

K. Modification of the TWMP or Implementation Schedule. The Permittees shall request, in writing, prior Department approval for modifications to the TWMP and/or the Implementation Schedule established by this Permit in Section IV. A. Such modifications shall become effective and enforceable requirements under this Permit upon approval.

L. Notification of Changes under the IMA. In the event the Permittees agree to amend the IMA, or one or more of the Permittees unilaterally rescinds, terminates or otherwise withdraws from the IMA, then the Permittees shall promptly notify the Department in writing of such action.

M. Duty to Provide Information. The Permittees shall furnish to any authorized representative of the Department any information which is requested to determine compliance with this Permit.

The Permittees shall also furnish any authorized representative of the Department, upon request, copies of records required to be kept by this Permit.

N. Termination of Permit Coverage. Any one or more of the Permittees may terminate coverage under this Permit by providing written notice to the Department at least thirty (30) days in advance of the date such termination is to take effect. Such notice will not be construed to relieve any of the Permittees, individually or collectively, of their obligations to comply with the terms and conditions of this Permit while such coverage was in effect.

O. Facility Closure Requirements. The Permittees shall notify the Department in writing at least thirty (30) days prior to the closure of any treatment or control system or facility covered by this Permit. The Department may require specific measures during deactivation of such systems to prevent any significant adverse environmental impacts.

P. Planned Changes. The Permittees shall notify the Department in writing as soon as possible of any planned alterations or additions to any treatment or control system covered by this Permit, provided that such alterations or conditions are not subject to any other permit, or any § 401 water quality certificate, issued by the Department under the Surface Water Discharge Permitting Program or Groundwater Discharge Permitting Program. The Department may require specific measures to prevent any significant adverse environmental impacts that may result from such changes.

Q. Submittals. All reports and notices required by this Permit shall be submitted either electronically to brian.dudley@mass.gov or by hand-delivery or mailed to the following address:

Brian A. Dudley
Massachusetts Department of Environmental Protection
20 Riverside Drive
Lakeville, Massachusetts 02347

R. Permit Actions. This Permit may be modified, revoked and reissued, or terminated by the Department for cause, including any noncompliance with the terms and conditions of this Permit, or if necessary to effectuate compliance with any law or regulation enacted or promulgated after the effective date of this Permit, or to otherwise effectuate the purposes of the Massachusetts Clean Waters Act.

S. Inspection and Entry. The Permittees shall allow the Department and its authorized representatives to enter upon the Permittees' premises where a regulated facility or activity is located or conducted, or where records required by this Permit are kept, access and copy, at reasonable times, any records that must be kept under the conditions of the permit, inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under this Permit, and sample or monitor at reasonable times for the purpose of determining compliance with the terms and conditions of this Permit. In addition, the Permittees shall take reasonable efforts upon request of the Department to secure from the owners and operators of premises owned or operated by third parties access at all reasonable times to conduct such activities.

T. Property Rights. The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, or authorize any injury to private property, or any invasion of personal rights.

U. Compliance with Laws. The issuance of this Permit does not relieve the Permittees, individually or collectively, of their obligations to comply with applicable federal, state, and local laws, regulations, ordinances and bylaws.

V. Severability. The provisions of this Permit are severable, and if any provision of this permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to the circumstances, and the remainder of this Permit shall not be affected thereby.

FERTILIZER AND NUTRIENT CONTROL

I. Findings.

The Town of Harwich herein makes the following findings:

- A. The Massachusetts Estuaries Project (MEP) has found that fertilizers account for an important portion of controllable nitrogen load in Cape Cod watersheds. Excessive nitrogen from fertilizers and other watershed sources leads to eutrophication of marine embayments. Other studies have demonstrated that phosphorus from fertilizers can lead to eutrophication in freshwater ponds.
- B. Public health risks from excessive loading of nutrients to water resources may include direct detrimental effects on drinking water sources by increased concentrations of nitrates that can violate safe drinking water standards.
- C. The Town has significant amounts of glacially deposited coarse, sandy soils that are subject to rapid water infiltration, percolation, and leaching of nutrients.
- D. Scientific literature demonstrates that a significant potential source of nutrient loading to water resources is from inappropriate and/or improper use of turf fertilizer.

II. Purposes.

It is the overarching goal of the Town of Harwich to provide a regulatory framework that results in reducing the nutrient loading from the application of fertilizers. Consistent with this goal, and based on the findings provided in I., the Board of Health provides this regulation to achieve the following purposes.

- A. To ensure application of fertilizer shall be performed in a manner consistent with best management practices (BMPs), which from time to time may undergo changes in response to scientific research.
- B. To provide a legal mechanism for enforcement against the inappropriate and/or improper use of fertilizer.
- C. To incorporate, by reference, the University of Massachusetts Extension's Turf Management BMPs as the primary standard for the content and application practices related to turf fertilizer.
- D. To provide a regulatory tool that will help Harwich to achieve compliance with the total daily maximum loads (TMDL) for the Town's water resources prescribed by the Commonwealth of Massachusetts.
- E. To provide standards that will allow reasonable use of fertilizers for the enhancement and maintenance of turf quality.

- F. To help achieve the goals of the Harwich Wastewater Management Plan, the Cape-Wide Fertilizer Management DCPC, and the Local Comprehensive Plan.

III. Authority.

This regulation is adopted by the Town of Harwich Board of Health as implementing regulations pursuant to and as authorized by the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07, and by Section 9 of Chapter 262 of the Acts of 2012.

IV. Applicability.

- A. This Regulation allows for a reduction of nitrogen and phosphorus going into the Town's waters and wetlands by means of an organized system of education, standardization and regulation of practice. This Regulation is not intended to eliminate the use of fertilizer but only to eliminate excess amounts of phosphorus and nitrogen from reaching our surface water and groundwater. This Regulation adopts the Best Management Practices (BMP) as the normal operating procedures for turf management throughout the Town.
- B. This bylaw shall apply to and regulate any and all applications of nitrogen and phosphorus through fertilizer within the Town of Harwich.
- C. Applications of fertilizer for agriculture and horticulture uses are exempt from the provision of this bylaw as they are regulated by the MDAR Fertilizer Regulations.

V. Definitions.

For the purposes of this bylaw, the following terms are defined as provided below:

AGRICULTURE/AGRICULTURAL USE — Includes farming in all its branches, generally as the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, floricultural, viticultural or horticultural commodities, and shellfishing, including preparations and delivery to storage or to market or to carriers for transportation to market.

BEST MANAGEMENT PRACTICES (BMP) — A sequence of activities designed to limit a nonpoint pollution source. For the purposes of this bylaw, BMP means the "Best Management Practices for Soil and Nutrient Management in Turf Systems," prepared by University of Massachusetts Extension, Center for Agriculture, Turf Program. The version of this document that applies to this bylaw shall be that which was most recent at the time of the adoption of this bylaw or any subsequent versions that are adopted as an amendment to this bylaw through a majority vote at Town Meeting.

ENFORCEMENT AUTHORITY — The party designated by the Board of Health to oversee and enforce the provisions of this bylaw, including but not limited to designated agents of the Board of Health and Conservation Commission, Natural Resource Officer, Harbormaster, Police Officer.

FERTILIZER — A substance that enriches the soil with elements essential for plant growth, such as nitrogen, phosphorus, potassium or other substances; fertilizer does not include those nutrients that are normally excluded from fertilizer such as chemicals that are part of horticultural gypsum, dolomite, limestone, lime, Jersey greensand, grass clippings, or compost topdressing.

HEAVY RAIN — A rainfall greater than 0.25 inch per hour during a given twenty-four-hour period or a rainfall of greater than one inch total in the next twenty-four-hour period.

IMPERVIOUS SURFACE — Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes concrete, asphalt, paver blocks, gravel, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

MDAR FERTILIZER REGULATIONS — The most recent regulations of the "Plant Nutrient Application Requirements for Agricultural Land and Land Not Used for Agricultural Purposes," developed by the Massachusetts Department of Agricultural Resources (MDAR) pursuant to its authority under MGL c. 128, §§ 2(k) and 65(A), as amended by Chapter 262 of the Acts of 2012, 330 CMR 31.00.

NITROGEN — An element essential to plant growth. For the purposes of the bylaw, nitrogen may be available as slow-release, controlled-release, timed-release, slowly available, or water-insoluble nitrogen, which means nitrogen in a form that delays its availability for plant uptake and use after application and is not rapidly available to turf and other plants; and/or quick-release, water-soluble nitrogen which means nitrogen in a form that does not delay its availability for turf and other plant uptake and is rapidly available for turf and other plant uptake and use after application.

PHOSPHORUS – Mineral and organic substances that contain phosphorous and that are used for improving the nutrition of plants.

TURF — Any non-crop land area that is covered by any grass species, excluding meadows, grasslands, flower or vegetable gardens, pasture, hay land, trees, shrubs, turf grown on turf farms or any form of agricultural production or use.

VI. Performance standards for fertilizer application.

All application of fertilizer to turf shall comply with the following standards:

- A. The application of fertilizer containing nitrogen is prohibited between November 15 and April 15 unless specifically permitted by the enforcement authority as set out below. Based on early spring or fall weather conditions, soil temperature and degree of turf emergence from dormancy, or other relevant condition, and using the guidelines of the BMP, the enforcement authority may permit earlier or later application of fertilizer containing nitrogen, in which case such extended period shall be announced by notice or publication.

- B. Nitrogen and phosphorus from any fertilizer application shall not be applied to, or otherwise be deposited on, any impervious surface, including parking lot, driveway, roadway, sidewalk, frozen soil or ice. Any fertilizer applied, spilled, and/or deposited on any impervious surface, either intentionally or accidentally, must be immediately and completely removed and contained and either legally applied to turf or any other legal site or returned to an appropriate container.
- C. Fertilizer shall not be applied within 24 hours before or during a heavy rain event nor shall fertilizer be applied onto saturated ground.
- D. An application of fertilizer should be watered in with no more than 0.25 inch of irrigation or natural rain within the twenty-four-hour period following application. Where irrigation systems are used, the volume and rate of irrigation water applied shall be performed in a manner that reduces runoff to the greatest extent practicable. Where an irrigation system uses sprinkler heads or other similar spray devices, these devices shall direct irrigation water in a manner that reduces runoff to the greatest extent practicable.
- E. Unless the Town's existing laws and regulations, including its Wetland Bylaw or Regulations, contain a stricter standard or other enforcement or approval mechanism such as through the Town's Conservation Commission, which shall control, fertilizer shall not be applied closer than 100 feet to any water body, or within the Zone I of a public drinking water well (as defined in 310 CMR 22.02), unless permission is obtained through the enforcement authority set out in VI herein allowing such activity.
- F. Fertilizer that contains phosphorus shall not be used unless a soil test taken not more than three years before the proposed fertilizer application indicates that additional phosphorus is needed for growth of that turf, or unless establishing new turf or re-establishing or repairing turf after substantial damage or land disturbance, in which case the application shall be in compliance with the BMP.
- G. A single application of fertilizer that contains nitrogen shall not exceed 1.0 pound of actual nitrogen per 1,000 square feet, shall consist of at least 20% slow-release nitrogen fertilizer and the annual rate shall not exceed 3.0 pounds of actual nitrogen per 1,000 square feet. Single applications shall be done at intervals of no less than four weeks until the annual maximum is reached.

VII. Education.

The Town may rely on the Cape Cod cooperative Extension to assist in maintaining a program of fertilizer and turf management education that is based on BMPs.

Fertilizer education may consist of, but is not limited to, collaboration with retailers to post in-store information on town fertilizer regulations, the BMP requirements; mailings and flyers for the general public concerning town fertilizer regulations; and outreach to Landscape

professionals fertilizer-related laws and the BMP requirements.

VIII. Noncriminal disposition; violations and penalties.

Whoever violates any provision of this regulation may be penalized by a noncriminal disposition process as provided in MGL c. 40, § 21D, and the Town's noncriminal disposition bylaw. If noncriminal disposition is elected, then any person who violates any provision of this regulation shall be subject to a penalty in the amount of \$300 per day for each day of violation, commencing 10 days following day of receipt of written notice from the enforcement authority. A warning in lieu of a fine or other enforcement action for the first offense can be issued at the discretion of the enforcement authority. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

IX. Severability.

Should any section, part or provision of this bylaw be deemed invalid or unconstitutional, such decision shall not affect the validity of the remaining terms of this bylaw as a whole or any part thereof, other than the section, part of provision held invalid or unconstitutional.

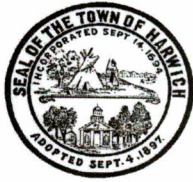
X. Amendments.

Amendments to this Regulation may be adopted by Board of Health after a public hearing thereon, notice of the time, place and subject matter of which, sufficient for identification, shall be given by publishing in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days prior to the date set for such hearing Amendments shall also be subject to the procedures set out in Sections 10 and 11 of the Cape Cod Commission Act, Chapter 716 of the Acts of 1989, as amended. Specifically, amendments must also be consistent with the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07 and the Guidelines for Implementing Regulations set out therein, including the requirement for consistency with the BMP.

XI. Effective Date.

The effective date of this Regulation shall be the publication date pursuant to G.L. c. 111, §31, provided further that the Regulation has been certified by the Cape Cod Commission as consistent with the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07, and has been approved by the Attorney General pursuant to MGL Ch. 40, Sec. 32, if and as required.

III-C.



**Town of Harwich
Board of Health**

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December 4, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 219. We are currently following 15 active cases. A total of 7835 tests have been performed for Harwich residents, 889 within the last 14 days providing us with a positivity percentage of 3.82%. This is an increase over the last week and the Town is in the “yellow”. Our average daily incidence rate has increased dramatically to 17.0, with 30 new cases over the last 14 days.

MA DPH Data Dashboard, WEEKLY REPORT of 12/3/20 (for the Period 11/15/20 to 11/28/20)									
City/Town	(March 2020 to Present) Total Case Count	Case Count Last 14 Days	Average Daily Incidence Rate per 100K	Relative Change in Case Count	Total Tests	Total Tests Last 14 Days	Positive Tests Last 14 Days	Percent Positivity Last 14 Days	Change in Percent Positivity
Barnstable	1,092	359	57.3	Higher	28,946	4,387	385	8.78%	Higher
Bourne	332	49	16.6	Higher	16,279	1,986	56	2.82%	Higher
Brewster	143	10	7.2	Higher	6,545	932	11	1.18%	Lower
Chatham	55	3	4.9	Lower	3,673	379	5	1.32%	Lower
Dennis	166	27	14.7	Higher	7,464	873	28	3.21%	Higher
Eastham	31	6	9.3	Lower	2,288	245	6	2.45%	Lower
Falmouth	421	78	17.9	Higher	27,166	3,738	86	2.30%	Higher
Harwich	219	30	17.0	Higher	7,835	889	34	3.82%	Higher
Mashpee	156	37	17.0	Higher	10,531	1,402	39	2.78%	Higher
Orleans	32	9	11.4	Higher	2,877	341	10	2.93%	Higher
Provincetown	32	0	0	No Change	2,512	218	0	0%	No Change
Sandwich	183	15	5.1	Lower	12,488	1,732	18	1.04%	Lower
Truro	15	1	3.6	No Change	1,106	79	1	1.27%	No Change
Wellfleet	18	3	10.4	Higher	1,589	169	6	3.55%	Higher
Yarmouth	310	102	30.3	Higher	14,849	2,455	106	4.32%	Higher
Barnstable County	3,205	729	24.1	Higher	146,148	19,825	791	3.99%	Higher

As you can see from the chart above, the cape is experiencing its own type of surge, with percent positivity rates above the statewide average. Household contact is still the most common cause of spread of the infection. Harwich is seeing positive cases within schools, businesses, and within town owned buildings. It is important to limit social contacts at this time in order to stop the spread.

Testing centers will be more widely available on Cape Cod starting in the next week or so, with one opening at the Falmouth Fair grounds, one in Hyannis and a third on the outer cape. These sites will be free, more information to come.

Thank you,
Meggan Eldredge
Health Director



Town of Harwich Board of Health

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November 20, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 188. This is an increase of 6 cases over the last 7 days. We are currently following 7 active cases. A total of 6961 tests have been performed for Harwich residents, 737 within the last 14 days. Our percent positivity rate has slightly decreased to 1.49 % and our average daily incidence rate is higher than last week at 5.7.

Active COVID Clusters by Exposure Setting Type

Exposure Setting	New Clusters (Identified 10/18 – 11/14)			Ongoing Clusters (Cluster Identified Prior to 10/18 But Not Meeting Criteria for Closing)			Total		
	Clusters	Confirmed Cases	Contacts	Clusters	Confirmed Cases	Contacts	Clusters	Confirmed Cases	Contacts
24/7 Congregate Settings	35	136	66	18	54	18	53	190	84
Child Care	66	159	315	49	23	156	115	182	471
Colleges & Universities	24	116	45	13	15	78	37	131	123
Corrections	6	379	7	6	22	3	12	401	10
Hospitals	9	81	77	16	29	131	25	110	208
Household	6,334	15,980		1,993	1,050		8,327	17,030	
Industrial Settings	28	129	71	35	66	40	63	195	111
K-12 Schools	30	99	192	26	17	66	56	116	258
Long Term Care Facilities	96	639		110	836		206	1,475	
Offices	8	32	9	6	2	0	14	34	9
Organized Athletics/Camps	12	33	158	30	7	75	42	40	233
Other	5	15	11	5	3	16	10	18	27
Other Food Establishments	4	14	3	5	11	16	9	25	19
Other Healthcare	15	76	12	8	4	0	23	80	12
Other Workplaces	8	30	0	8	40	6	16	70	6
Places of Worship	7	104	30	8	0	29	15	104	59
Recreation/Cultural	3	19	32	6	1	4	9	20	36
Restaurants & Food Courts	27	116	64	25	35	21	52	151	85
Retail & Services	10	33	9	13	11	2	23	44	11
Senior Living	16	128	28	23	16	6	39	144	34
Shelters	2	13	25	1	0	0	3	13	25
Social Gatherings	26	134	65	35	28	40	61	162	105
Travel & Lodging	3	15	4	1	0	0	4	15	4
Total	6,774	18,480	1,223	2,440	2,270	707	9,214	20,750	1,930

Household transmission remains the highest source of illness. People most likely pick up the virus at gathering or at a healthcare facility and bring it home where it spreads to other members of the household. Over the last weeks 2 food establishments, 1 dental office and 1 Physical Therapist office have reported positive cases, as well as two schools with positive students.

The guidelines for quarantine have been amended for those who are close contacts of a known positive case and have been asymptomatic themselves. Instead of 14 days of quarantine, these individuals have the option to be tested at day 8 and if negative, can be released from quarantine at day 10. This change is based on scientific evidence that the infectious and incubation periods for COVID-19 are in a narrower window than previously thought.

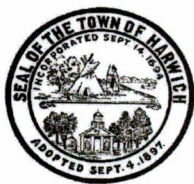
New Hampshire and Maine have been added to the high risk states and travel to or from these areas are subject to the Travel Order: PCR test within 72 hours of return or quarantine for 14 days.

New testing initiatives have been announced by the Governor's office for colleges and universities. The initiative urges institutions to provide PCR testing before returning home and upon arrival back at school.

Barnstable County Health has announced that they have received funding to support community testing sites. They anticipate once site to be on the Fairgrounds property in Falmouth to be ready in early December. Two other sites are planned in other locations to be determined. These testing sites will be free and no doctor referral will be needed.

We have posted Thanksgiving tips for a COVID-Safe Holiday on our website and social media. Health officials are urging everyone to abide by the travel order and the gatherings order for this coming holiday. We have seen evidence of community spread here in Harwich and across the nation, please keep each other safe by wearing a mask and limiting your festivities to those in your "bubble".

Have a safe Thanksgiving,
Meggan Eldredge
Health Director



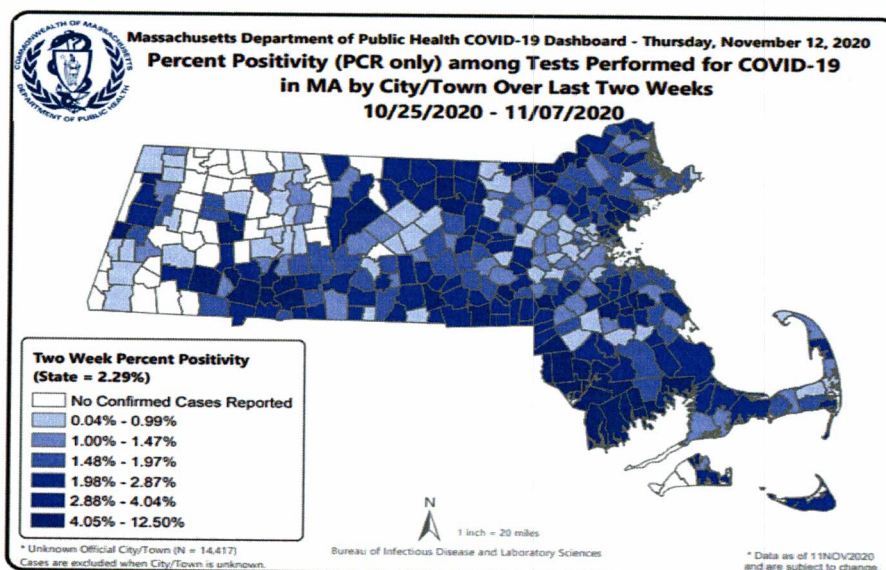
Town of Harwich Board of Health

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November 13, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 181. This is an increase of 2 cases over the last 7 days. We are currently following 2 active cases. A total of 6451 tests have been performed for Harwich residents, 587 within the last 14 days. Our percent positivity rate has slightly decreased to 1.7 % and our average daily incidence rate is the same at 4.5.



The County has seen a steady increase in positive cases over the last three weeks, and announced Friday that the daily incidence has increased to 8 cases per 100,000 people. This is an indicator for surrounding States when considering their own travel orders. Travel to other states from Barnstable County may be restricted-make sure to check with the state you are going to before making plans. The State Travel Order has been updated to include more higher-risk states. New York, Connecticut, Washington State and Washington DC are now considered higher-risk and travel from them is subject to the Travel Order.

As families start to welcome home their college students or family that lives out of State, remember the importance of testing within 72 hours of arrival. Make plans ahead of time to set up an appointment in the area they live-possibly through the University or College- to get the test done before they leave. This way, if they are negative, they will not need to quarantine for 14 days and if they are positive, you will know to protect each other from infection.

Thank you,
Meggan Eldredge
Health Director



Town of Harwich
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November 6, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 175. This is an increase of 2 cases over the last 7 days. We are currently following 2 active cases.

The DPH incidence map is now coming out on Friday afternoons, available at the mass.gov website. I anticipate staying in the yellow. In lieu of that map, below is a breakdown of exposure locations found for active COVID cases:



Massachusetts Department of Public Health COVID-19 Dashboard - Thursday, November 05, 2020

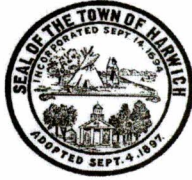
Active COVID Clusters by Exposure Setting Type

Exposure Setting	New Clusters (Identified 10/4 – 10/31)			Ongoing Clusters (Cluster Identified Prior to 10/4 But Not Meeting Criteria for Closing)			Total		
	Clusters	Confirmed Cases	Contacts	Clusters	Confirmed Cases	Contacts	Clusters	Confirmed Cases	Contacts
24/7 Congregate Settings	21	75	43	9	32	13	30	107	56
Child Care	37	97	247	29	5	55	66	102	302
Colleges & Universities	10	55	13	10	4	0	20	59	13
Corrections	4	78	10	7	40	3	11	118	13
Hospitals	5	58	20	14	26	127	19	84	147
Household	3,326	8,329		1,405	643		4,731	8,972	
Industrial Settings	13	53	18	28	18	31	41	71	49
K-12 Schools	19	65	102	11	10	44	30	75	146
Long Term Care Facilities	65	876		85	264		150	1,140	
Offices	4	10	0	3	0	11	7	10	11
Organized Athletics/Camps	20	76	157	14	21	60	34	97	217
Other	5	18	30	5	7	10	10	25	40
Other Food Establishments	1	5	0	6	0	0	7	5	0
Other Healthcare	9	38	32	10	1	15	19	39	47
Other Workplaces	4	20	0	11	13	2	15	33	2
Places of Worship	6	115	27	11	14	44	17	129	71
Recreation/Cultural	3	11	35	7	0	0	10	11	35
Restaurants & Food Courts	20	67	60	12	9	19	32	76	79
Retail & Services	12	50	6	8	11	3	20	61	9
Senior Living	13	48	30	11	57	3	24	105	33
Shelters	1	10	0	1	2	0	2	12	0
Social Gatherings	13	80	32	19	4	24	32	84	56
Travel & Lodging	1	5	0	4	4	34	5	9	34
Total	3,612	10,239	862	1,720	1,185	498	5,332	11,424	1,360

In response to the increase in hospitalizations and new cases as well as an increase in the need for critical care units for COVID patients, Governor Baker announced several updates to attempt to “bend the trend” and reduce our burden of COVID patients among healthcare facilities. These updates include a stay at home advisory, updated facial coverings and gatherings orders and an order requiring certain businesses to close at 9:30 pm. Full details of these updates are available at the Harwich-ma.gov website.

The Health Department staff has been meeting with individual department heads to inquire about concerns or questions regarding the epidemic, the new orders and how they are coping with the changes. We are assessing remote working capabilities in an effort to prepare for the possibility of working remotely in the future. Efficiency and productivity are paramount to the organization.

Thank you,
 Meggan Eldredge
 Health Director



Town of Harwich Board of Health

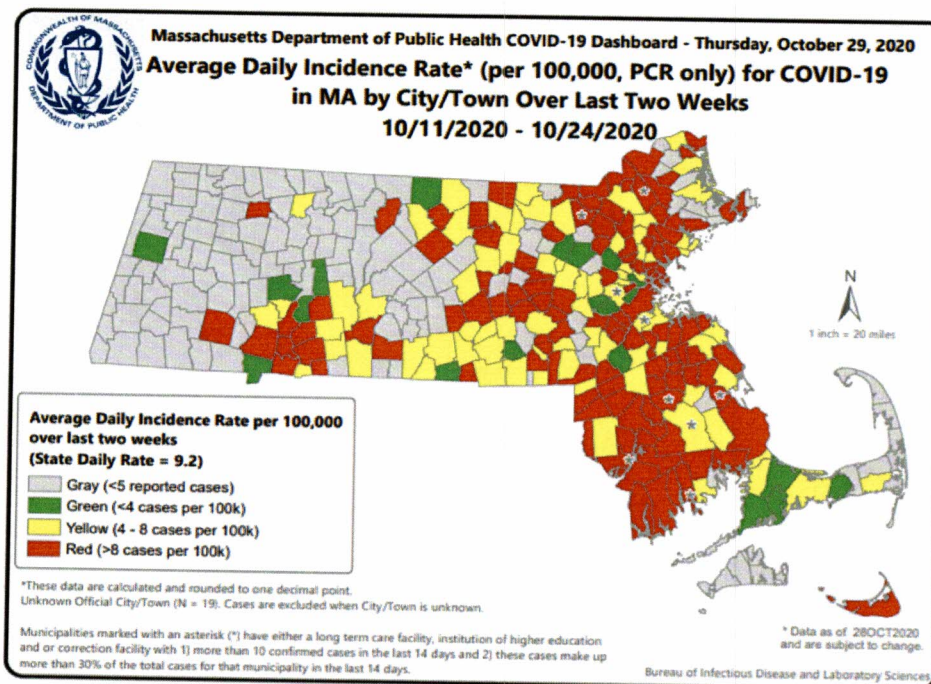
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
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October 30, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 173. This is an increase of 5 cases over the last 7 days. We are currently following 5 active cases.

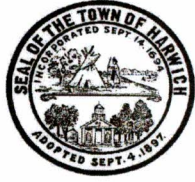
To date 5860 tests of residents in Harwich have been conducted and our positivity rate has increases this week to 1.51%. As expected, we are now a yellow color on the Department of Public Health's COVID-19 incidence map, showing a higher incidence than last week. Harwich has an incidence rate of 4.5, compared to last week at 2.3.



As we all make plans for holiday breaks, keep in mind the Travel Order that requires residents to test or quarantine if coming back from a higher risk State. Please get familiar with the Travel Order: <https://www.mass.gov/info-details/covid-19-travel-order>

Thank you,

Meggan Eldredge
Health Director



Town of Harwich Board of Health

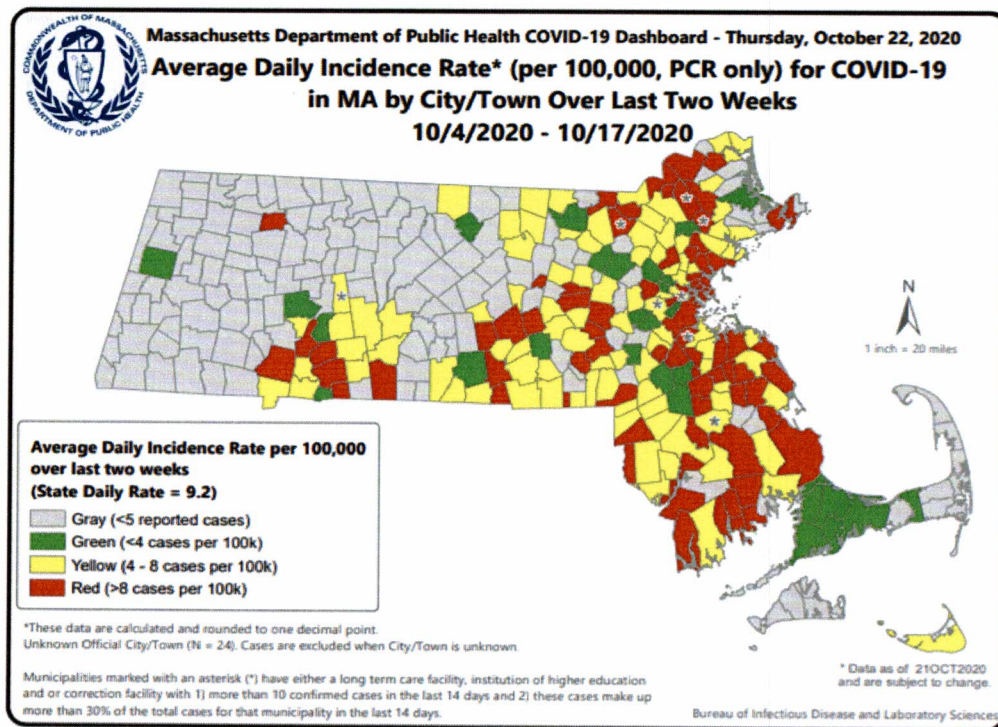
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
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October 23, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 168. This is an increase of 4 cases over the last 7 days. We are currently following 3 active cases.

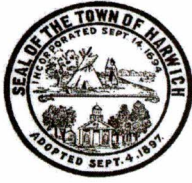
To date 5541 tests of residents in Harwich have been conducted and our positivity rate has decreased again this week to 0.82%. We have moved back to a gray color on the Department of Public Health's COVID-19 incidence map, showing a lower incidence than last week. Harwich has an incidence rate of 2.3, compared to last week at 4.5.



The Health Department is holding a second public clinic on October 29th at the Community Center. It is a drive through clinic from 2-4 pm and participants must pre-register to get a shot. Call or email for an appointment and a registration form.

Thank you,

Meggan Eldredge
Health Director



Town of Harwich Board of Health

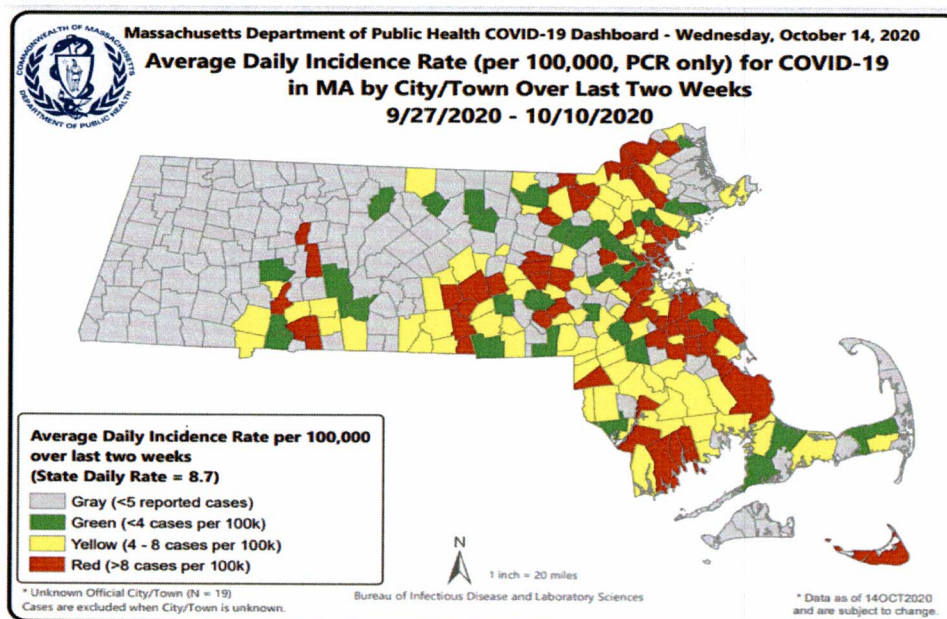
732 Main Street Harwich, MA 02645
508-430-7509 – Fax 508-430-7531
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October 16, 2020

Weekly COVID-19 Update

The current total cases of COVID-19 for the Town of Harwich is 164. This is an increase of 2 cases over the last 7 days. We do not have any active cases at this time.

To date 5198 people in Harwich have been tested for COVID-19 and our positivity rate has decreased this week to 1.46%. We continue to be in the yellow on the Department of Public Health's COVID-19 incidence map. Harwich has an incidence rate of 4.5, compared to the State incidence rate of 8.7.



Because of a high demand, the Health Department is holding a second public clinic on October 29th at the Community Center. It is a drive through clinic from 2-4 pm and participants must pre-register to get a shot. Call or email for an appointment and a registration form.

Thank you,

Meggan Eldredge
Health Director

COVID-19 Travel Questions & Answers

Question: *I am a MA resident returning home after traveling to a state that is not considered lower risk (such as Rhode Island). I have proof of a negative test result on a sample taken before my out-of-state travel, and because I was out of state only for 48 hours, I am returning within 72 hours of the time the sample was taken. Can I use my negative test results taken before I left to satisfy the 72-hour testing rule and avoid quarantine?*

Answer: No, you must quarantine or obtain a new test upon return, unless you meet another exemption.

Question: *I am a MA resident and I provide Critical or Emergency Services. I plan to go on vacation to Florida with my family. Do I need to quarantine when I return home from Florida?*

Answer: Yes! Workers who travel from Massachusetts for personal or leisure reasons cannot rely on the Critical Infrastructure Worker exemption upon return. You must either quarantine or satisfy the testing rule. Your status as a Critical Infrastructure or Emergency Worker does not allow you to break quarantine—even to do that specialized work—following travel for personal or leisure reasons. Likewise, a Critical Infrastructure Worker who comes to Massachusetts for personal or leisure reasons cannot rely on the Critical Infrastructure Worker exemption upon arrival and must either quarantine or satisfy the testing rule.

Question: *Where can I find the list of lower risk states?*

Answer: <https://www.mass.gov/info-details/covid-19-travel-order>

Question: *I plan on visiting a non-lower risk state with my family for Thanksgiving. Do my children also need to have a negative PCR test to be exempt from quarantine if I tested negative?*

Answer: It depends on each child's age. If your child is 10 or younger, then the child does not need a test if you as the parents have been tested. If the child is 11 or older, then the child needs to be tested, or will need to quarantine for 14 days, unless an exemption criteria applies.

Question: *Other states' travel restrictions include exemptions for trips that last less than 24 hours. Does Massachusetts have a similar exemption?*

Answer: No, there is no specific exemption for trips that last less than 24 hours. Such short trips may be covered by exemptions like the ones for transitory travel or commuting for work or school. Travelers arriving from places other than lower-risk States must fill out the Travel Form and self-quarantine or obtain a negative test result if they do not meet one of these exemptions.

Question: *I received a call that I should go into quarantine because I was exposed to someone who tested positive for COVID-19. My test came back negative 3 days ago. Do I still need to quarantine?*

Answer: Yes. If you were exposed to someone known to be COVID-19 positive, then you are at increased risk of becoming positive and will need to quarantine for 14 days in your home state.

Question: *I had an antigen test which was negative, do I need to be tested again?*

Answer: Yes, a negative antigen test must be confirmed by a negative result from an FDA EUA-approved molecular (PCR) SARS-CoV2 test on a sample obtained 72 hours or less prior to arrival in Massachusetts.

Question: *I am looking to be exempt from the requirement to self-quarantine by obtaining a negative COVID-19 test, but I am unable to get tested in the state that I am traveling from. What can I do?*

Answer: A traveler who is required to quarantine may be released from the obligation to continue quarantining upon obtaining proof of a COVID-19 negative test, which was administered after the person's arrival in Massachusetts. Travelers are required to quarantine immediately upon arrival in Massachusetts but may temporarily break quarantine to receive testing. Travelers must arrange for the test at their own expense and then are required to immediately continue quarantining until receiving a negative test result or the 14 days is complete.

Question: *After completing the Travel Form, do I need to keep a copy of my submission on-hand?*

Answer: You should keep the documentation with you. If you obtained a negative COVID-19 test result to be exempt from the self-quarantine requirement you should be prepared to produce those results upon request.

Question: *What are some lower risk activities I can do for Thanksgiving?*

Answer: Having a small dinner with only people who live in your household. Preparing traditional family recipes for family and neighbors, especially those at higher risk of severe illness from COVID-19, and delivering them in a way that doesn't involve contact with others. Having a virtual dinner and sharing recipes with friends and family. Shopping online rather than in person on the day after Thanksgiving or the next Monday. Watching sports events, parades, and movies from home.

Question: *Can family members come and visit from out of state? What if they only stay for a few hours?*

Answer: Unless they are coming from a low risk state, then all visitors entering Massachusetts, including returning residents, must complete the Massachusetts Travel Form prior to arrival, quarantine for 14 days, or produce a negative COVID-19 PCR test result that has been administered up to 72-hours prior to your arrival in Massachusetts. If COVID-19 test result has not been received prior to arrival, visitors, and residents must quarantine until they receive a negative test result. Failure to comply may result in a **\$500 fine per day**. With proper planning ahead of time it is possible to do, but we strongly encourage doing a remote dinner online with anyone who does not live in the same house as you.

Question: *What if my college student is coming home for break?*

Answer: If they are coming from a non-lower risk state, then they must either quarantine for 14 days in a separate room, or produce a negative PCR test that has been administered within 72 hours of arrival.

Resources:


<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/holidays.html>

<https://www.mass.gov/info-details/covid-19-travel-order>

V-A.

SITE SUMMARY
December 15, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director
Owner: Dailinger
Address: 14 Harden Lane, East Harwich



The current owner of 14 Harden Lane is requesting a waiver from upgrading a failed component of sewage disposal system due to the upcoming sewer installation.

This property is located in the Phase 2 sewer service area of the Comprehensive Wastewater Management Plan. A sewer main has been installed in the road in this area, completion of this Phase is scheduled for the end of July of 2021. It is anticipated that the availability to connect to the municipal sewer system will be within the next 6-9 months.

The existing system consists of two cesspools in series. A title 5 inspection was done, showing the system is in poor working condition. The inspector found that the system consists of a collapsed main cesspool, distribution box and an overflow cesspool. The bottom of the overflow cesspool is 1.7' below the adjusted high groundwater level and also within 100' of a wetland.

The owner has submitted an email stating that the house is to remain unoccupied until renovations are completed, slated for late spring. Due to the extreme poor condition of the existing system, I do not recommend use of it during the period before sewer connection is made. Instead, I offer these suggestions:

- Abandon the cesspool system and install a tight tank for temporary use; tight tank to be abandoned or removed when sewer is available.
- Do not occupy the dwelling until the house is connected to the municipal sewer, internal water shut off will be required to ensure no flow goes to the cesspools.

Should the Board of Health grant the waiver request, I recommend the following conditions:

1. Sewer Connection design plans and permit to connect be submitted within 6 months of waiver approval.
2. Connection to the municipal sewer is required within 45 days of the order to connect.
3. Should the existing system become a public or environmental hazard, it must be remedied immediately.
4. Property is restricted to a maximum of 2 bedrooms.
5. Waiver approval and conditions to be recorded at the Barnstable County Registry of Deeds.



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



**WAIVER FORM
PHASE 2 SEWER AREA**

Waiver – The parties involved acknowledge that the sewage disposal system at the property being transferred is not in compliance with current Title 5 and or Harwich Board of Health regulations, i.e. a cesspool system or failed system. In lieu of expenditure to upgrade the disposal system the parties desire to seek a waiver from the Board of Health and agree to connect to the municipal sewer system once available.

LOCATION 14 Harden Ln. Harwich, MA 02645

DATE OF TRANSFER 11/13/2020

SELLER Name John E. Dailinger

Mailing Address 29 Cedar Lake Rd. North Brandford, CT 06471

Attorney Howard Cahoon

BUYER Name Kerry & Michael Villandry with Nicole and John Hanbury

Mailing Address 14 Harden Ln. Harwich, MA 02645

Attorney William D. Crowell

In no case shall the completion date be greater than 45 days beyond the date of sewer system connection availability. The Board of Health will notify the owner of the property when connection is available.

Should the existing sewage disposal system begin to create a nuisance or health hazard, immediate remediation is required at the owner's expense.

A notarized statement signed by all the parties indicating financial responsibility shall accompany this request as well as a Title 5 Inspection Report indicating the existing condition of the system.

OFFICE USE ONLY

Date Received: 11/19/2020

BOH hearing date: 12/15/2020


Decision: _____

Date Connection notice sent: _____

FINANCIAL RESPONSIBILITY AGREEMENT

John E. Dailinger, Personal Representative of the Estate of Susan E. Dailinger (See Barnstable Probate Court Docket No. BA10P0236EA) (“SELLER”) and **John E. Hanbury, III and Nicole M. Hanbury, husband and wife as tenants by the entirety as to an undivided one half interest, and Michael R. Villandry and Kerry A. Villandry, husband and wife as tenants by the entirety as to an undivided one half interest, said one half undivided interests to be held as tenants in common, (“BUYER”)** concerning the property at **14 Harden Lane, Harwich, MA 02645**, hereby acknowledge that the sewage disposal system for said property is not in compliance with current Title 5 and or Harwich Board of Health Regulations, i.e. the system is a cesspool system, and that subsequent to the purchase of said property by the BUYER from the SELLER that the BUYER will be financially responsible for connecting to the Municipal Sewer within forty five (45) days of the Order to Connect to the same by the Town of Harwich.

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY this 16 day of NOVEMBER, A.D. 2020


John E. Dailinger, Personal Representative
SELLER

John E. Hanbury, III Date
BUYER

Nicole M. Hanbury Date
BUYER

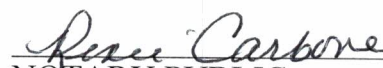
Michael R. Villandry Date
BUYER

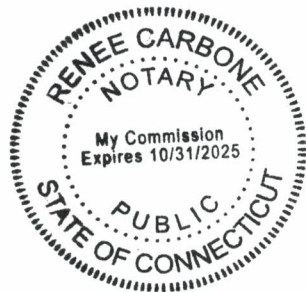
Kerry A. Villandry Date
BUYER

STATE OF CONNECTICUT

On this 16th day of November 2020, before me, the undersigned Notary Public, personally appeared **John E. Dailinger, Personal Representative**, proved to me through satisfactory evidence of identification, which was CT Drivers license to be the person whose name is signed above and, acknowledged to me that he signed it voluntarily for its stated purpose.

NOTARY SEAL:


NOTARY PUBLIC
My Commission expires: 10-31-2025




EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY this 11th day of November A.D. 2020

John E. Dailinger, Personal Representative
SELLER

John E. Hanbury, III Date
BUYER

Nicole M. Hanbury Date
BUYER

 11/11/2020 Date
Michael R. Villandry
BUYER

 11/11/2020 Date
Kerry A. Villandry
BUYER

STATE OF _____

Barnstable, ss.

On this _____ day of _____, 20__, before me, the undersigned Notary Public, personally appeared **John E. Dailinger, Personal Representative**, proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed above and, acknowledged to me that he signed it voluntarily for its stated purpose.

NOTARY SEAL:

NOTARY PUBLIC
My Commission expires: _____

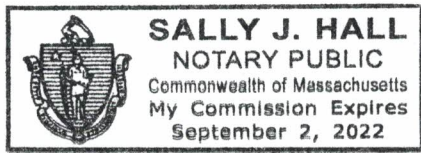
COMMONWEALTH OF MASSACHUSETTS

Barnstable County:

On this 11th day of November, 2020, before me, the undersigned Notary Public, personally appeared **Michael R. Villandry and Kerry A. Villandry**, proved to me through satisfactory evidence of identification, which were CT Lic. DVS to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of this document are truthful and accurate to the best of their knowledge and belief.

NOTARY SEAL:

Sally J Hall
NOTARY PUBLIC
My Commission expires: 9/2/2022



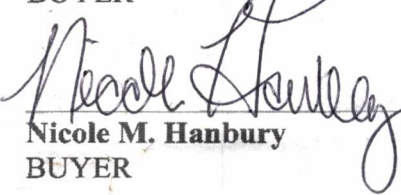
FINANCIAL RESPONSIBILITY AGREEMENT

John E. Dailinger, Personal Representative of the Estate of Susan E. Dailinger (See Barnstable Probate Court Docket No. BA10P0236EA) ("SELLER") and John E. Hanbury, III and Nicole M. Hanbury, husband and wife as tenants by the entirety as to an undivided one half interest, and Michael R. Villandry and Kerry A. Villandry, husband and wife as tenants by the entirety as to an undivided one half interest, said one half undivided interests to be held as tenants in common, ("BUYER") concerning the property at 14 Harden Lane, Harwich, MA 02645, hereby acknowledge that the sewage disposal system for said property is not in compliance with current Title 5 and or Harwich Board of Health Regulations, i.e. the system is a cesspool system, and that subsequent to the purchase of said property by the BUYER from the SELLER that the BUYER will be financially responsible for connecting to the Municipal Sewer within forty five (45) days of the Order to Connect to the same by the Town of Harwich.

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY this 10 day of November, A.D. 2020

John E. Dailinger, Personal Representative
SELLER


John E. Hanbury, III Date 11/10/20
BUYER


Nicole M. Hanbury Date 11/10/20
BUYER

Michael R. Villandry Date
BUYER

Kerry A. Villandry Date
BUYER

STATE OF Maine

On this 10th day of November, 2020 before me, the undersigned Notary Public, personally appeared **John E. Hanbury, III and Nicole M. Hanbury**, proved to me through satisfactory evidence of identification, which were Drivers Licenses to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of this document are truthful and accurate to the best of their knowledge and belief.

NOTARY SEAL:

Tanya Marie Abbott
NOTARY PUBLIC
My Commission expires: 09/21/2022



TANYA MARIE ABBOTT
Notary Public, Maine
My Commission Expires September 21, 2022

V-B.

DECEMBER 15, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director
Applicant: Cape Coastal Builders/Peter Hopple
Engineer: Moran Engineering Associates/Dan Croteau
Owner: Andrew & Karrin Plotner
Address: 11 Hiawatha Road



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

Variances from 310 CMR 15.211 (1)

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 7.5' from south the property line where 10' is required. Variance request of 2.5'.
2. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 6' from the crawl space where 10' is required. Variance request of 4'.
3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 12' from the garage cellar wall where 20' is required. Variance request of 8'.

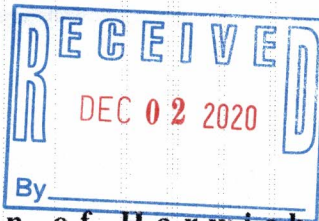
The property owners are proposing to remove the existing 1950 single family home and construct a new single family home and install a new Title 5 septic system. The existing single story floor plan contains a single story, three (3) bedrooms, kitchen, living/dining room, breezeway and bathroom and sits on a crawl space foundation. The proposed floor plan shows a living room, kitchen/dining area, master bedroom and master bathroom. The proposed second floor shows two (2) bedrooms, office with a 6' wide cased opening, kids playroom with a 6.1' opening and bathroom.

The proposed septic system will contain a 1500 gallon septic tank, distribution box and soil absorption system and has been designed for three (3) bedrooms.

The existing septic system required four variances that were granted in 1988. The reconstruction of the dwelling requires the septic system to be moved to a different location. The new septic system will also require setback variances, however they are equal to or less than the variances required for the current system. This design provides better separation between leaching field and property lines and the foundation.

I recommend approval with the following conditions:

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



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

Office Use Only	
Filing Fee Paid/Amount:	\$125
Check #/Cash:	3607
Date App Received:	12/2/2020
Meeting Date:	12/15/2020
Date Approved:	
Date Denied:	
Reason for Denial:	

Application for Board of Health Variances

Date: 12/2/20
Property Address: 11 Hiawatha Rd.
Map: 6 Parcel: 65-2
Book: 21513 Page: 20 Land Court No: _____
Name of Applicant: Peter Hoppie / Cape Coastal Builders Co.
Applicant Mailing Address: PO Box 827
Harwich Port MA 02646
City State Zip Code
Applicant Telephone Number: 508-432-2299
Applicant E-Mail Address: peter.hoppie@yahoo.com
Owner(s) of Record: Andrew & Karrin Plathner
Owner(s) Mailing Address: 12 May Street
Needham MA 02492
City State Zip Code
Design Engineer/Sanitarian: Daniel Croteau, PE
Firm/Company Name: Moran Engineering Assoc., LLC
Mailing Address: PO Box 183
So. Harwich MA 02661
City State Zip Code
Telephone Number: 508-432-2878
Design Engineer/Sanitarian E-Mail Address: moraneng@gmail.com

Please Choose Application Type:

Voluntary Upgrade: _____ Addition/Alteration: Failed System: _____ EIR: _____
 Other: House Raze / Rebuild

Conservation Commission Approval Required: No: _____ Yes: Date of CC Hearing: 12/2/20

List All Variances from State & Local Codes

Title 5, Section #	Description of Variance(s):
310 CMA#	
1. 15.405(1)(a)	Distance Between Lot Line & S.A.S. : 10' Required, 7.5' Proposed; Variance of 2.5' Proposed
2. 15.405(1)(b)	Distance Between Celler Wall & Septic Tank: 10' Required, 6' Proposed; Variance of 4' Proposed
3. 15.405(1)(b)	Distance Between ^{Garage} Celler Wall & S.A.S. : 20' Required, 12' Proposed; Variance of 8' Proposed
Harwich Reg. #	Description of Variance(s):

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

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

MORAN ENGINEERING ASSOCIATES, LLC

941 ROUTE 28, HARWICH

P.O. BOX 183
South Harwich, MA 02661

moraneng@gmail.com

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

Re : 11 Hiawatha Road, Harwich Port, MA
Assess. Map 6, Parcel G5-2
Owners: Andrew and Karrin Plotner

November 30, 2020

Dear Abutter of 11 Hiawatha Road, Harwich Port

This letter serves to notify you, as an abutter, that there will be a hearing before the Harwich Board of Health for **#11 Hiawatha Road, Harwich Port**. The owner is proposing to remove the existing 1950 single family house and construct a new single family house and install a new Title-5 septic system. For this project the owner is requesting local upgrade approvals as stated below.

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

1. Per 310 CMR: 14.405 (1) (a): S.A.S. to south property line: 10' required; 7.5' proposed.
(Variance request of 2.5')
2. Per 310 CMR: 14.405 (1) (b): Septic Tank to Crawl Space Wall: 10' required; 6' proposed.
(Variance request of 4')
3. Per 310 CMR: 14.405 (1) (b): SAS to Garage Cellar Wall: 20' required; 12' proposed.
(Variance request of 8')

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for Tuesday, December 15th, 2020 at 7:00 pm.

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

Sincerely,



Daniel Croteau, PE



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

Abutters List Within 100 feet of Parcel 6/G5-2/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
847	6-F3-4-0-R	COHEN SCOTT J & COHEN ANDRIA	18 HIAWATHA RD	69 PRINCETON RD	ARLINGTON	MA	02474
848	6-F3-5-0-R	FOGAREN DAVID C TRS ET AL FOGAREN LISA M TRS	12 HIAWATHA RD	75 BIRCHWOOD RD	TEWKSBURY	MA	01876
849	6-F3-6-0-R	DEL TATTO CHARLES D & DEL TATTO MARY	14 HIAWATHA RD	14 HIAWATHA RD	HARWICH PORT	MA	02646
850	6-F3-7-0-R	HENRY MARY S TRS ET AL HENRY TIDAL B JR TRS	16 HIAWATHA RD	16 HIAWATHA RD	HARWICH PORT	MA	02646
851	6-F3-8-0-R	CROOKER WILLIAM R & CROOKER TIFFANY A	18 HIAWATHA RD	5 CUTLER RD	LEXINGTON	MA	02421
852	6-F3-9-0-R	SCHERCK JOAN K C/O SCHERCK CARE COD LLC	20 HIAWATHA RD	3480 MAIN ST	BARNSTABLE	MA	02630
858	6-G1-2-0-R	BRASSARD ELLEN M TR ELLEN M BRASSARD 2007 TRUST	5 HIAWATHA RD	5 HIAWATHA RD	HARWICH PORT	MA	02646
859	6-G1-4-0-R	BURKE THOMAS J & BURKE REGINA A	12 COTTAGE AV	270 MURRAY AVE	DELMAR	NY	12054
862	6-G1-7-0-R	MARTIN ROGER L & MARTIN ESTHER S	16 COTTAGE AV	96 HERRICK ROAD	BOXFORD	MA	01921
860	6-G1-5-1-0-R	PAOLELLA LORRAINE A	8 COTTAGE AV	66 HIGH ST UNIT 24	GUILFORD	CT	06437
889	6-G5-1-0-R	COUCH THOMAS B & C/O WILLY CLIFFORD N &	9 HIAWATHA RD	961 SWEETRUM VALLEY PLACE	LAKE MARY	FL	32745
890	6-G5-2-0-R	PLOTNER ANDREW G & PLOTNER KARRIN W	11 HIAWATHA RD	12 MAY ST	NEEDHAM	MA	02492
8180	6-G5-3-0-R	CROKE JAMES P TRS ET AL CROKE BRENDA M TRS	13 HIAWATHA RD	13 HIAWATHA RD	HARWICH PORT	MA	02646
891	6-G5-4-0-R	YAVEL DAVID M TR 15 HIAWATHA ROAD REALTY TRUST	15 HIAWATHA RD	321 MILL SPRING RD	MANHASSET	NY	11030
893	6-G5-6-0-R	WOLF MARTHA J ET ALS WALTHALL NANCY, SHIFRIN EMILY	7 NORTHERN AV	550 MISSOURI AVE	GINGINNATI	OH	45226

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 City, State, ZIP+4

**HENRY MARY S TRS ET AL
 HENRY TIDAL B JR TRS
 16 HIAWATHA RD
 HARWICH PORT, MA 02646**

PS Form 3800, August 2006 See Reverse for Instructions

6-F3-7-0-R

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 City, State, ZIP+4

**HYNES MICHAEL J JR &
 HYNES MARY L
 905 HAMMOND ST
 CHESTNUT HILL, MA 02467**

PS Form 3800, August 2006 See Reverse for Instructions

6-G5-7-0-R

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 City, State, ZIP+4

**CROOKER WILLIAM R &
 CROOKER TIFFANY A
 5 CUTLER RD
 LEXINGTON, MA 02421**

PS Form 3800, August 2006 See Reverse for Instructions

6-F3-8-0-R

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 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

**DEL TATTO CHARLES D &
 DEL TATTO MARY
 14 HIAWATHA RD
 HARWICH PORT, MA 02646**

PS Form 3800, August 2006 See Reverse for Instructions

6-F3-6-0-R

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Total Postage	

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 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

**CROKE JAMES P TRS ET AL
 CROKE BRENDA M TRS
 13 HIAWATHA RD
 HARWICH PORT, MA 02646**

PS Form 3800, August 2006 See Reverse for Instructions

6-G5-3-

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Restricted Delivery Fee (Endorsement Required)	
Total Postage	

Postmark Here
 SOUTH HARWICH, MA 02646
 DEC - 1 2020
 USPS

Sent To
 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

**FOGAREN DAVID C TRS ET AL
 FOGAREN LISA M TRS
 75 BIRCHWOOD RD
 TEWKSBURY, MA 01876**

PS Form 3800, August 2006 See Reverse for Instructions

6-F3-5-0-R

20-206

BBA



Office of
BOARD OF HEALTH
(617) 432-0145

TOWN OF HARWICH

732 MAIN STREET
P.O. BOX 993
HARWICH, MA 02645

June 8, 1988

Gilbert Joly
Regional Environmental Engineer
D.E.Q.E.
Lakeville Hospital
Lakeville, Ma. 02346

Re: Variance Request, Ms Mary Golden, 11 Hiawatha Road, Harwich Port,
Ma. 02646, Map 6 Lot G5:

Dear Mr. Joly:

At a meeting of the Board of Health on June 1, 1988 a hearing was held in accordance with 310CMR 15.20 on the above subject. The Board took the following action:

Title V variance request granted:

- distance of 4 feet instead of 10 feet-septic tank to garage slab:
- distance of 5 feet instead of 10 feet leach system to garage slab:
- distance of 5 feet instead of 10 feet leach system to side lot line,
distance of 7 feet instead of 10 feet leach system to back lot line:

pending DEQE approval.

Kindly contact this office if I may be of further assistance.

Sincerely,

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

Enclosure - Plan

Certified # P 328-354-526

MORAN ENGINEERING ASSOCIATES, LLC

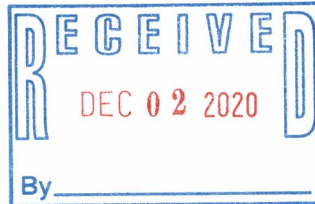
941 ROUTE 28, HARWICH

P.O. BOX 183
South Harwich, MA 02661

moraneng@gmail.com

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

Re : 11 Hiawatha Road, Harwich Port, MA
Assess. Map 6, Parcel G5-2
Owners: Andrew and Karrin Plotner



November 30, 2020

✓ 3607
\$125-
MORAN

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

Re: **Septic System Upgrade Variance Request and House Floor Plan Review for 11 Hiawatha Road, Harwich Port, MA.**

Dear Members of the Harwich Board of Health,

On behalf of property owners Andrew and Karrin Plotner, I respectfully request review of the following project. The owners are proposing to remove the existing 1950 single family house and construct a new single family house and install a new Title-5 septic system.

For this proposed project the owners are requesting local upgrade approvals as stated below.

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

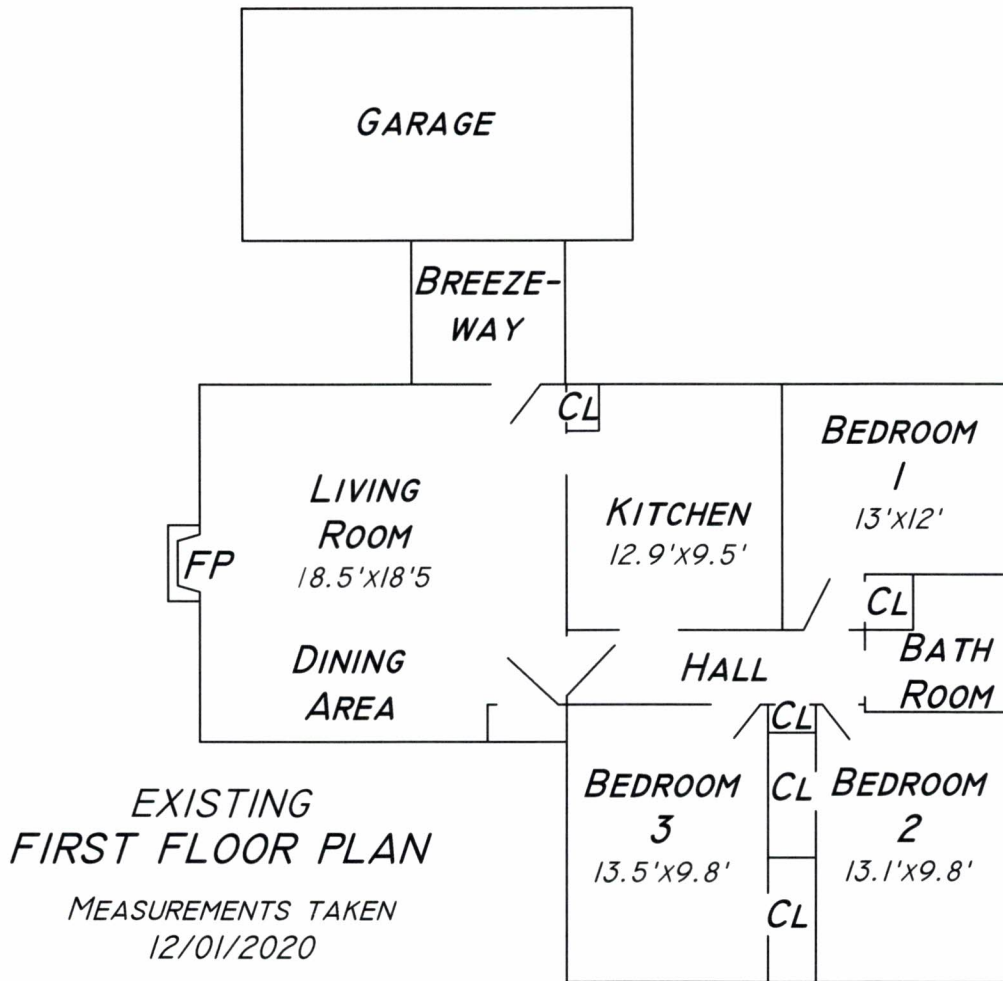
1. Per 310 CMR: 14.405 (1) (a): S.A.S. to south property line: 10' required; 7.5' proposed.
(Variance request of 2.5')
2. Per 310 CMR: 14.405 (1) (b): Septic Tank to Crawl Space Wall: 10' required; 6' proposed.
(Variance request of 4')
3. Per 310 CMR: 14.405 (1) (b): SAS to Garage Cellar Wall: 20' required; 12' proposed.
(Variance request of 8')

(Note: The existing septic system has four approved variances. A copy of the existing variances approval letter is included in this request packet.)

The project review is requested for the Tuesday, December 15th, 2020 Board of Health hearing.

Sincerely,

Daniel Croteau, PE



**HOUSE IS ON CRAWL SPACE FOUNDATION*

HIAWATHA ROAD

EXISTING FLOOR PLAN		Moran Engineering Associates LLC P.O. Box 183 South Harwich, MA 02661 508-432-2878	
LOCUS: 11 HIAWATHA ROAD Harwich, MA PREPARED FOR: Andrew G and Karrin W Plotner 12 May Street Needham, MA 02492	ASSESSORS' ID:	6-G5-2	
	JOB NUMBER:	20-206	SCALE: 1" = 10'
	DATE:	12/01/2020	SHEET: 1 of 1

PLOTNER HOUSE

11 Hiawatha Road, Harwich, MA 02646

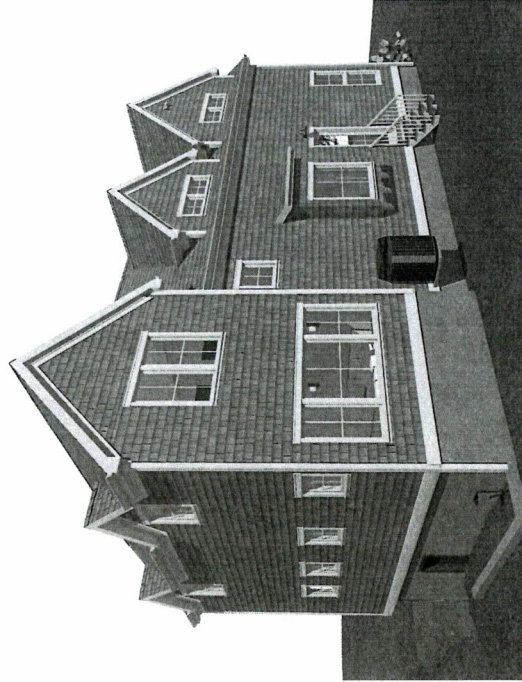
508-669-0802
P.O. Box 621
Chatham, MA 02633



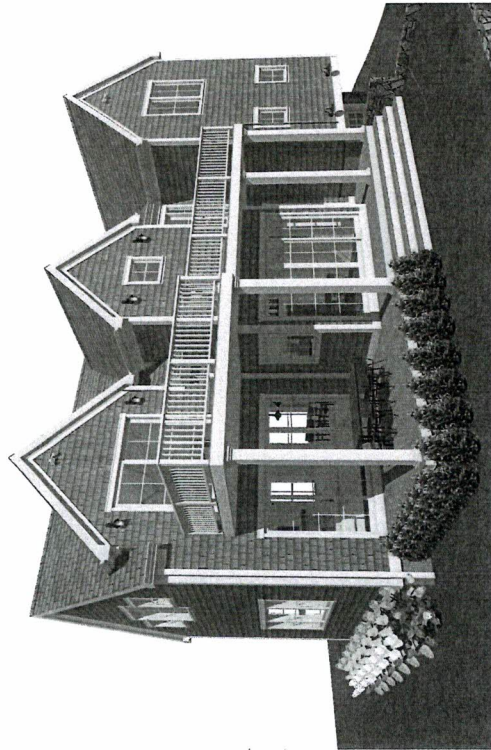
DRAWINGS PROVIDED BY:
PLOTNER HOUSE
11 Hiawatha Road,
Harwich Port, MA 02646

DRAWING SET FOR ZONING APPLICATION
NOT FOR CONSTRUCTION

DATE:	11/30/2020
SCALE:	NOT TO SCALE
SHEET:	A0



2
EXTERIOR HOUSE RENDERING



1
EXTERIOR HOUSE RENDERING

DRAWING SHEET INDEX
A0 - Cover Page
A1 - Building Elevations
A2 - Foundation and Roof Plans

PROJECT DATA
Description: New Construction of single family home in R-1H-1 Zoning District

Owner: Andy and Merrin Plotner
Occupancy Group: Single Family Home R-3
Occupancy Category: One layer of 5/8" Type 'X' gypsum board between garage and dwelling unit.

Square Footages:
First Floor Finished: 1,344 sq. ft.
Second Floor Conditioned: 1,378 sq. ft.
Garage - Unfinished: 370 sq. ft.
Storage - Unfinished: 628 sq. ft.

COMPONENT	REQUIRED	PROPOSED
Exterior Walls	20	20
Roof	15	15
Windows	0.32	0.32
Ceilings	1.67	1.67

CONSTRUCTION NOTES

All work shall be done in accordance with the requirements of the Massachusetts building code as amended, the 2018 IECC and all other applicable laws. The contractor is to provide for all required permits and inspections associated with obtaining approvals to proceed with and complete the work shall be paid to the contractor.

General Contractor is responsible for reading and complying with all general notes on this page and sheet notes on drawing sheets that follow. Notify designer with any questions or discrepancies prior to installation and work.

Verify field conditions prior to commencement of each portion of the work.

All products and materials shall be installed in accordance with manufacturer's instructions/ specifications unless specified otherwise.

Materials, equipment and craftsmanship of all trades shall conform to recognized ASTM of quality appropriate to grade or task materials, equipment and craftsmanship. Materials and equipment shall be stored and handled in a manner that will not damage them. All materials shall be positioned in an orderly manner and shall be aligned with the building structure. Vertical members/ surfaces shall be plumb, horizontal and true to line and dimension. Finish materials shall be free of tool marks, flaws and blemishes. Joinery and connections shall be accurate, close/ tight fitting and shall conform to applicable industry/ national trade associations will be the minimum acceptable standard for respective trade work.

Materials, equipment, and/or constructive services not indicated in drawings or specified herein, but necessary for the proper construction of the project shall be provided by the contractor in accordance with the documents. Content and said materials, equipment and/or constructive services shall be furnished and installed at no additional cost to the owner.

The contractor shall be responsible for maintaining the construction site and resulting construction. All shall be maintained neat, clean, orderly and free of debris.

GENERAL NOTES

Dimensions are to face of frame unless otherwise noted.

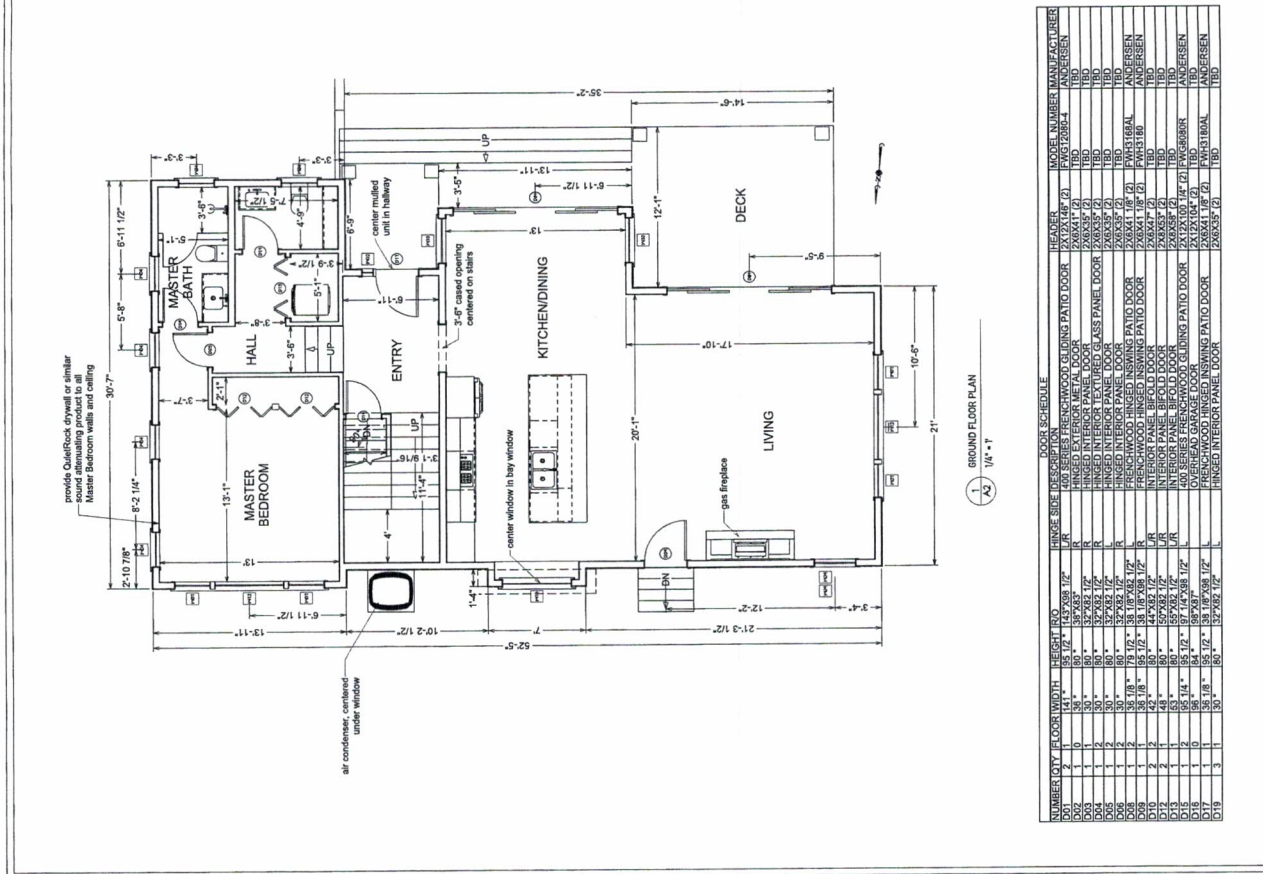
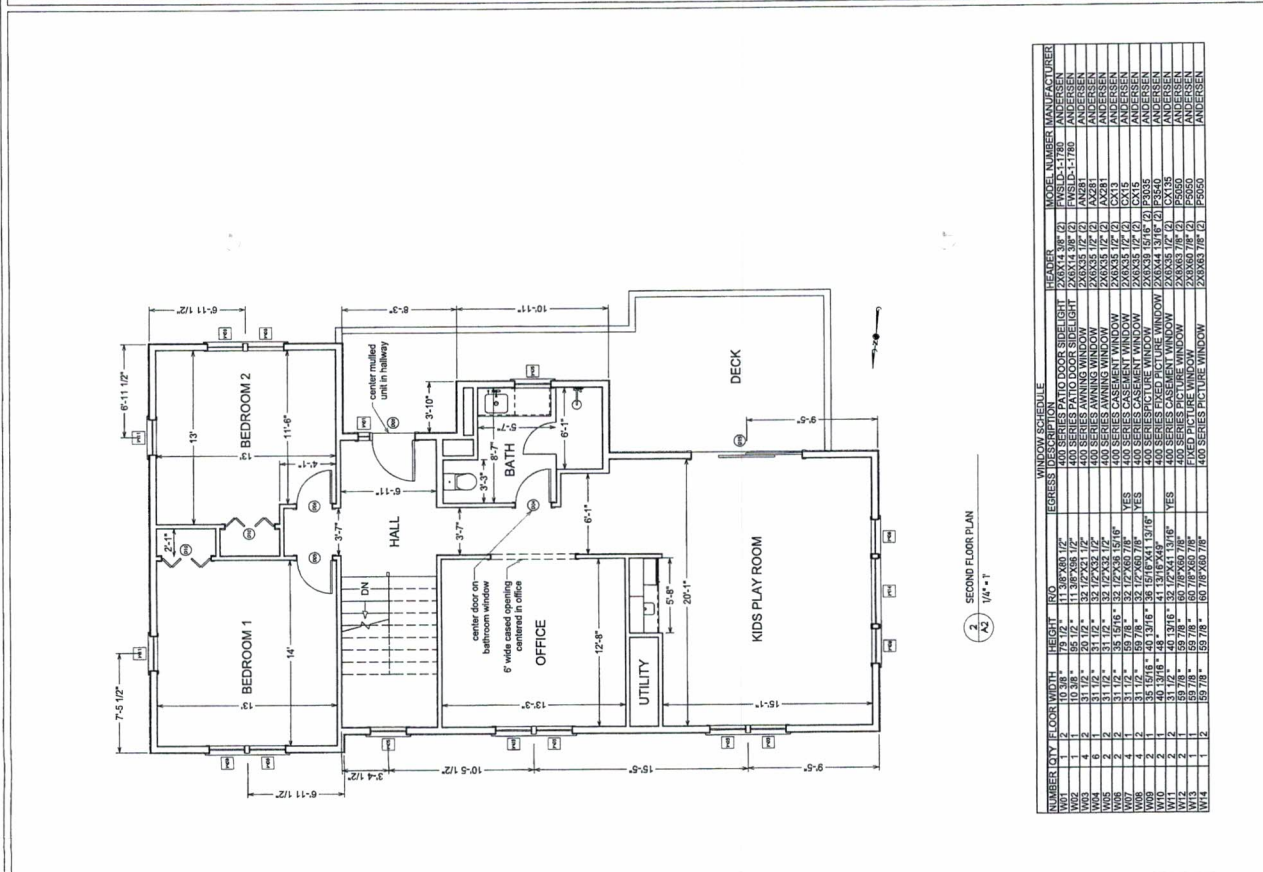
All ceilings are 1/2" gypsum board unless otherwise specified. Provide 5/8" gypsum board on all walls and ceiling separating garage from dwelling unit.

Doors and casings indicated on this wall intersections shall be located so that the edge of the finish opening is four inches from the face of the nearby wall unless otherwise indicated. All other doors and casings opening shall be centered between adjacent wall intersections.

Contractor shall provide blocking for all bathroom accessories as needed.

Contractor shall provide clothing rod at 9'-3" A.F. and painted birch plywood shelf for all closets unless otherwise specified.

All grille, register, thermostat, light, switch and outlet locations are to be approved by homeowner in the field before installation.



NUMBER	QTY	FLOOR	WIDTH	HEIGHT	REGRESS	DESCRIPTION	HEADER	MODEL NUMBER	MANUFACTURER
W01	2	10	3.8"	7.9	1/2"	400 SERIES PATIO DOOR	2X12X18"	26X35	ANDERSEN
W02	2	10	3.8"	7.9	1/2"	400 SERIES PATIO DOOR	2X12X18"	26X35	ANDERSEN
W03	4	31	1.2"	31.12"	1/2"	400 SERIES AWNING WINDOW	26X35	1/2"	ANDERSEN
W04	6	31	1.2"	31.12"	1/2"	400 SERIES AWNING WINDOW	26X35	1/2"	ANDERSEN
W05	2	31	1.2"	31.12"	1/2"	400 SERIES CASEMENT WINDOW	26X35	1/2"	ANDERSEN
W06	2	31	1.2"	31.12"	1/2"	400 SERIES CASEMENT WINDOW	26X35	1/2"	ANDERSEN
W07	4	31	1.2"	31.12"	1/2"	400 SERIES CASEMENT WINDOW	26X35	1/2"	ANDERSEN
W08	2	31	1.2"	31.12"	1/2"	400 SERIES CASEMENT WINDOW	26X35	1/2"	ANDERSEN
W09	2	48	1.8"	48.18"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN
W10	2	48	1.8"	48.18"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN
W11	2	59	7.8"	59.78"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN
W12	2	59	7.8"	59.78"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN
W13	2	59	7.8"	59.78"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN
W14	2	59	7.8"	59.78"	1/2"	400 SERIES PICTURE WINDOW	26X35	1/2"	ANDERSEN

NUMBER	QTY	FLOOR	WIDTH	HEIGHT	REGRESS	DESCRIPTION	HEADER	MODEL NUMBER	MANUFACTURER
D01	2	1	14.1"	55.17"	14.5698	1/2"	400 SERIES FRENCHWOOD GLASSING PATIO DOOR	2X12X18"	ANDERSEN
D02	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D03	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D04	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D05	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D06	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D07	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D08	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D09	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D10	1	2	30"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D11	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D12	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D13	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D14	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D15	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D16	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D17	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D18	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN
D19	1	0	36"	80"	32.653	1/2"	HINGED INTERIOR PANEL DOOR	26X35	ANDERSEN

508-669-0802
P.O. Box 621
Chatham, MA 02633



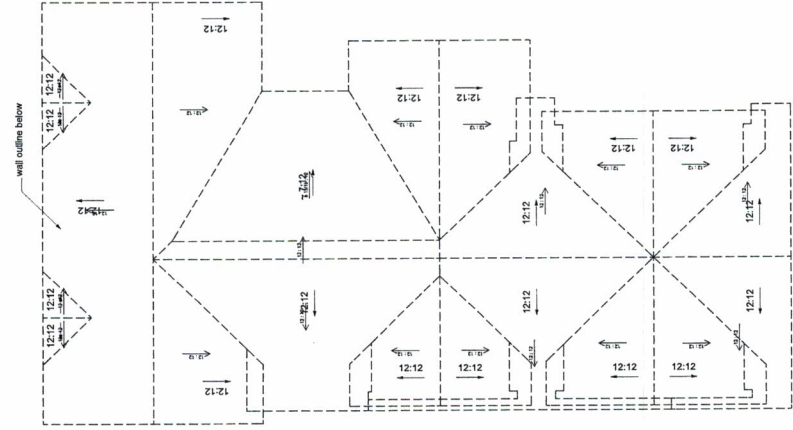
PLOTNER HOUSE
11 Hawatha Road
Harwich Port, MA 02646

FOUNDATION AND ROOF PLANS

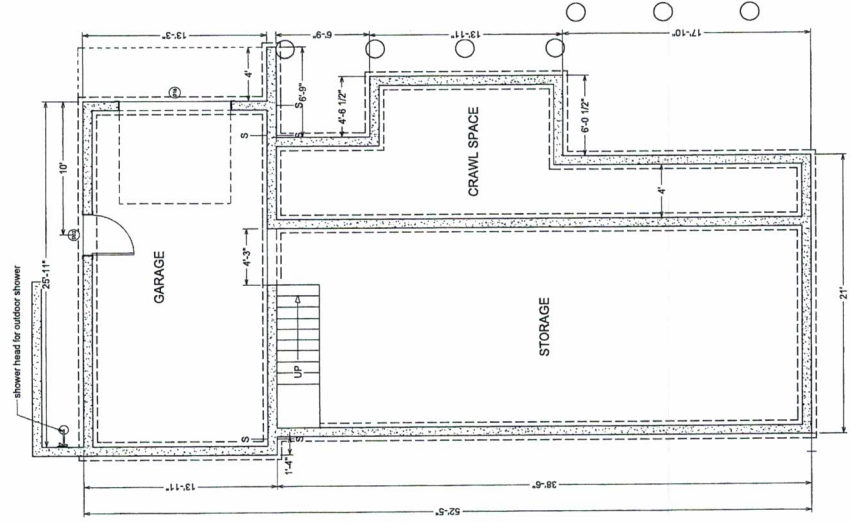
DATE:
11/30/2020

SCALE:
1/4" = 1'

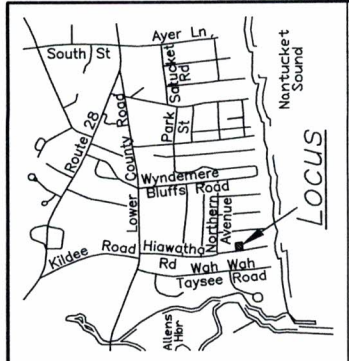
SHEET:
A3



2. ROOF PLAN
A3 1/4" = 1'



1. FOUNDATION PLAN
A3 1/4" = 1'



LOCATION MAP
 Assessors' ID: 6-G5-2
 Deed: Book 21,513, Page 20
 Plan: Book 173, Page 7, Lot 2

BOH VARIANCES REQUIRED

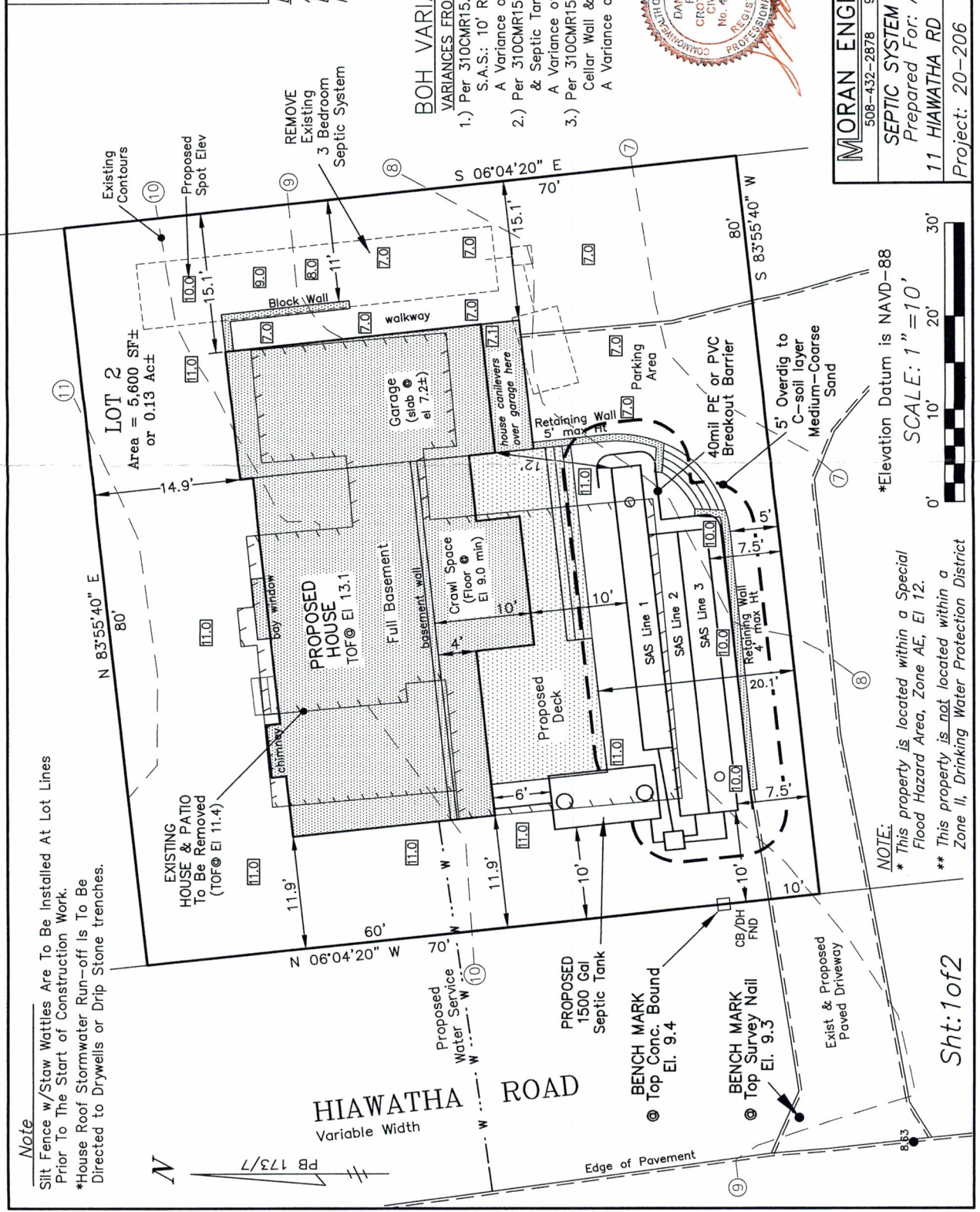
- VARIANCES FROM 310CMR:15.211:(1)**
- 1.) Per 310CMR15.405(1)(a): Dist. Between Lot Line & S.A.S.: 10' Required; 7.5' Proposed.
 A Variance of 2.5' proposed.
 - 2.) Per 310CMR15.405(1)(b): Dist. Between Cellar Wall & Septic Tank: 10' Required; 6' Proposed.
 A Variance of 4' proposed.
 - 3.) Per 310CMR15.405(1)(b): Dist. Between Garage Cellar Wall & S.A.S.: 20' Required; 12' Proposed.
 A Variance of 8' proposed.



MORAN ENGINEERING ASSOC., LLC
 506-432-2878 941 MAIN STREET (RTE 28), HARWICH, MA

SEPTIC SYSTEM DESIGN PLAN IN HARWICH
 Prepared For: Andrew and Karrin Plotner
 11 HIAWATHA RD HARWICH PORT, MA

Project: 20-206 DATE: 11/16/20



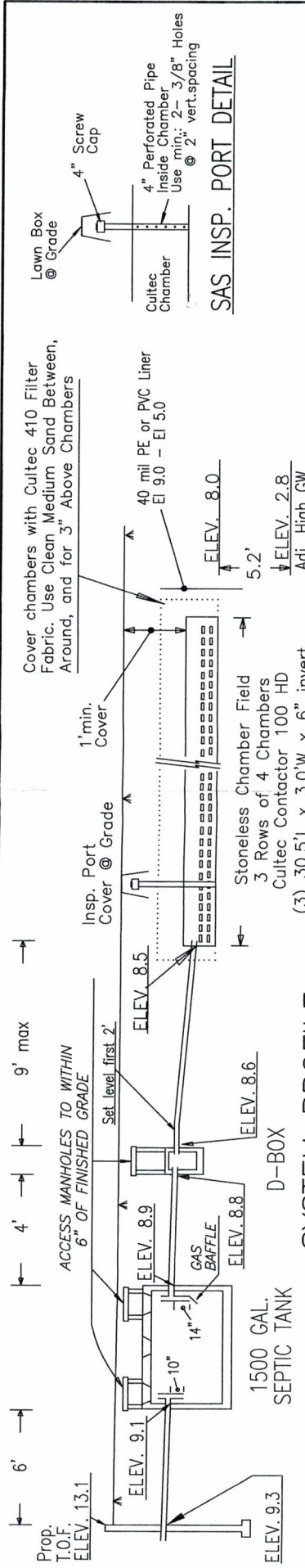
Note
 Silt Fence w/Staw Wattles Are To Be Installed At Lot Lines Prior To The Start of Construction Work.
 *House Roof Stormwater Run-off Is To Be Directed to Drywells or Drip Stone trenches.

*Elevation Datum is NAVD-88
 SCALE: 1" = 10'



NOTE:
 * This property is located within a Special Flood Hazard Area, Zone AE, El 12.
 ** This property is not located within a Zone II, Drinking Water Protection District

Sht:1of2



SYSTEM PROFILE
Not to Scale

TEST HOLE 1 El. 7.0

Depth	Horizon	Texture	Color	Other
0-20"	HTM	Fill		
20-36"	B	Loamy Medium Sand	10YR4/6	Very Friable
36-96"	C	Medium to Coarse Sand	2.5Y6/4	Loose

Btm El. -1.0 GWE @ 72" (El. 1.0)
Date: 11/3/20, Performed By: Dan Croteau, SE, Witness: J. Chatham, HA

GROUNDWATER ADJ.

Groundwater Found: E.L. 1.0
Index Well: ISW-89
Zone A (11/3/20, 11.92') => +1.8'
Adj. High GW Depth = E.L. 2.8

TEST HOLE 2 El. 7.4

Depth	Horizon	Texture	Color	Other
0-16"	HTM	Fill		
16-32"	B	Loamy Medium Sand	10YR4/6	Very Friable
32-100"	C	Medium to Coarse Sand	2.5Y6/4	Loose

Btm El. -0.9 GWE @ 79" (El. 0.8)

PERCOLATION TEST @ TH 2

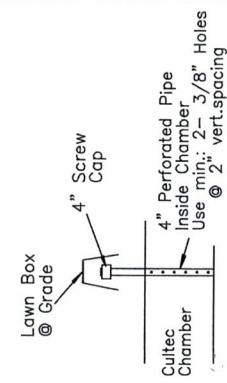
24 GALLONS OF WATER IN 6 MIN. 42 SEC.
@ A DEPTH OF 50 INCHES IN C LAYER
DESIGN RATE: ≤ 2 min./in.

SEPTIC SYSTEM NOTES

- 1) SILT FENCE WITH STRAW WATTLES IS TO BE INSTALLED PRIOR TO THE START OF EXCAVATION.
 - 2) ALL COMPONENTS ARE TO MEET TITLE 5 MATERIAL & CONSTRUCTION REQUIREMENTS.
 - 3) SYSTEM COMPONENTS ARE TO BE SET ON A STABLE, COMPACTED BASE.
 - 4) EXISTING SEPTIC COMPONENTS ARE TO BE PUMPED & REMOVED.
 - 5) DISTRIBUTION BOX EXIT LINES ARE TO BE SET LEVEL FOR THE FIRST 2'.
 - 6) A 5' UNSUITABLE SOIL OVER-DIG IS REQUIRED TO NATIVE C SOIL LAYER (MEDIUM-COARSE SAND).
 - 7) DESIGN ENGINEER IS TO BE CONTACTED TO MARK THE SAS CORNERS PRIOR TO COMPONENT INSTALLATION.
 - 8) 40 MIL. PE OR PVC LINER IS TO BE INSTALLED AROUND SAS AS SHOWN AT EL. 9.0 TO 5.0
 - 9) DESIGN ENGINEER IS TO CERTIFY SOILS OF ALL SAS EXCAVATIONS PRIOR TO BACKFILLING.
 - 10) DESIGN ENGINEER IS TO CERTIFY SYSTEM INSTALLATION (LOCATIONS & ELEVATIONS) PRIOR TO BACKFILLING.
 - 11) COMPONENTS ARE TO BE WITHIN 3" OF FINISH GRADE & ARE TO HAVE A MINIMUM OF 1' OF SOIL COVER.
- ACCESS COVERS ARE TO BE BROUGHT TO WITHIN 6" OF FINISHED GRADE WITH CONCRETE OR ADS RISERS.



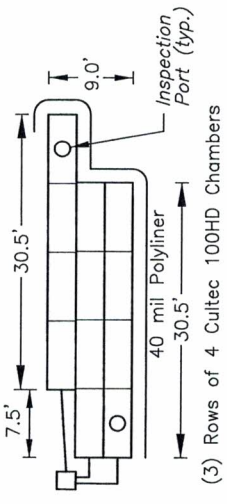
Cover chambers with Cultec 410 Filter Fabric. Use Clean Medium Sand Between, Around, and for 3" Above Chambers



SAS INSP. PORT DETAIL

SAS CONSTRUCTION DETAILS

Cover entire field with Cultec 410 filter fabric. Backfill around & 3" above chambers with clean Title-5 compliant fill. Provide 2 inspection ports, per inspection port detail



SYSTEM DESIGN

Design Flow: 3 bedrooms @ 110 gal/day = 330 gal/day
Septic Tank: 330 gal. x 200% = 660 gal.
Use: 1500 Gal. Septic Tank
Leaching Facility: 3 Rows of 4 Cultec Contactor 100 HD Chambers (30.5' Long Rows)
Proposed Area: 91.5 LF of Chamber x 5.0 sf/lf = 457.5 sf
Capacity: 457.5 sf x 0.74 gal/1sf = 338 gal/day
*Per Mass.DEF Certification For General Use

NOTE: Garbage disposal is not permitted with this design.

MORAN ENGINEERING ASSOC., LLC
508-432-2878 941 MAIN STREET (RTE 28), HARWICH, MA
SEPTIC SYSTEM DESIGN PLAN IN HARWICH
Prepared For: Andrew and Karrin Platner
11 HIAWATHA RD HARWICH PORT, MA
Project: 20-206 DATE: 11/16/20

V-D.

DECEMBER 15, 2020
BOARD OF HEALTH MEETING

To: Board of Health
From: Meggan Eldredge, Health Director
Engineer: Bass River Engineering/Thomas McLellan, P.E.
Owner: Bernice Burke c/o Sea Burke
Address: 16 Ginger Plum Lane

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

Variances from 310 CMR 15.211 (1)

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 11' from a cellar wall where 20' is required. Variance request of 9'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 8' from a crawl space where 10' is required. Variance request of 2'.
3. 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'.
4. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 3' from the property line where 10' is required. Variance request of 7'.
5. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 8' from a crawl space where 10' is required. Variance request of 2'.
6. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 5' from the property line where 10' is required. Variance request of 5'.
7. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 3' from the property line where 10' is required. Variance request of 7'.

This application proposes to replace a cesspool with a Title 5 septic system. The proposed septic system will contain a 1500 gallon septic tank, distribution box and soil absorption system and will be an improvement to the existing cesspool system. The septic system is designed for four (4) existing bedrooms. There are no alterations or additions proposed to the dwelling at this time. The variances are necessary due to the small lot size of 4,996 sf.

I recommend approval with the following conditions:

1. Property to be deed restricted to four bedrooms, recorded at the Barnstable County Registry of Deeds to run with the property.
2. No increase in habitable space or square footage without further review by the Board of Health.
3. Dwelling shall be served by Town Water.



**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:	3208
Date App Received:	12/3/2020
Meeting Date:	12/15/2020
Date Approved:	
Date Denied:	
Reason for Denial:	

Application for Board of Health Variances



Date: 11-23-20

Property Address: 16 Ginger Plum Lane

Map: 5 Parcel: G1-30

Book: 1275 Page: 489 Land Court No: _____

Name of Applicant: Sean Burke

Applicant Mailing Address: 16 Ginger Plum Lane, Harwichport, MA 02646

City State Zip Code

Applicant Telephone Number: 617-312-6030

Applicant E-Mail Address: _____

Owner(s) of Record: Bernice Burke, c/o Sean Burke

Owner(s) Mailing Address: Same

City State Zip Code

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

Firm/Company Name: Bass River Engineering

Mailing Address: P.O. Box 1163

E. Dennis MA 02641

City State Zip Code

Telephone Number: 508-364-9048

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

Please Choose Application Type:

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

Conservation Commission Approval Required: No: **X** Yes: ____ Date of CC Hearing: _____

List All Variances from State & Local Codes

Title 5, Section #	Description of Variance(s):
15.211 (1)	Leach area to be less than 20' from cellar wall, (variance of 9').
15.211 (1)	Leach area to be less than 10' from crawl space, (variance of 2').
15.211 (1)	Leach area to be less than 10' from lot line, (variance of 5' & 7').
15.211 (1)	Septic tank to be less than 10' from crawl space, (variance of 2').
15.211 (1)	Septic tank to be less than 10' from lot line, (variance of 5' & 7').
Harwich Reg. #	Description of Variance(s):

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

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

BASS RIVER ENGINEERING

Site Plans - Septic system design

Thomas McLellan, P.E.

Civil Engineer

November 23, 2020

Meggan Eldredge, R.S.
Harwich Health Director
732 Main Street
Harwich, MA 02645

RE: Variance requests for septic system upgrade.
Sean Burke, 16 Ginger Plum Lane, Harwichport, MA

Dear Meggan:

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

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 9').
2. Section 15.211 (1): Leach area to be less than 10' from crawl space, (variance of 2').
3. Section 15.211 (1): Leach area to be less than 10' from lot line, (var. of 5' & 7').
4. Section 15.211 (1): Septic tank to be less than 10' from crawl space, (variance of 2').
5. Section 15.211 (1): Septic tank to be less than 10' from lot line, (var. of 5' & 7').

These variances become necessary due to the small lot size, (4,996 sf).

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

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

Sincerely,



Thomas McLellan, P.E.

BASS RIVER ENGINEERING

Site Plans - Septic system design

Thomas McLellan, P.E.

Civil Engineer

November 23, 2020

Property abutter of:

Sean Burke

16 Ginger Plum Lane, Harwichport, MA

RE: Notification of property abutters, as required by State regulations.

Variations are required for a septic system upgrade.

Location of work: 16 Ginger Plum Lane., Harwichport, MA

Dear Abutter:

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

Title 5:

1. Section 15.211 (1): Leach area to be less than 20' from cellar wall, (variance of 9').
2. Section 15.211 (1): Leach area to be less than 10' from crawl space, (variance of 2').
3. Section 15.211 (1): Leach area to be less than 10' from lot line, (var. of 5' & 7').
4. Section 15.211 (1): Septic tank to be less than 10' from crawl space, (variance of 2').
5. Section 15.211 (1): Septic tank to be less than 10' from lot line, (var. of 5' & 7').

You are being notified, per Harwich Board of Health Regulations, as an abutter of the property. The hearing is scheduled for 12-15-20 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 5/G1-30/0



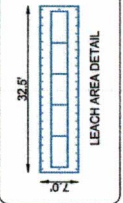
Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
8045	5-D2-24-0-R	MAGUIRE PATRICIA ANN	24 PATRICIA LN	26 WILTSHIRE RD	NEWTON	MA	02458
607	5-D2-25-0-R	MANGAN JED ET ALS CRISAFULLI JILL & MANGAN JANA	25 PATRICIA LN	20 ROBIN RD	WESTWOOD	MA	02090
610	5-D2-26-0-R	DEAN WILLIAM J TR & ET AL DEAN KATHLEEN L TR	26 PATRICIA LN	1 METACOMET LA	FRANKLIN	MA	02038
666	5-G1-29-0-R	DIMUZIO DAVID ET AL DIMUZIO MICHELLE	20 GINGER PLUM LN	79 HAWKTREE DR	WESTWOOD	MA	02090
668	5-G1-30-0-R	BURKE BERNICE M	16 GINGER PLUM LN	C/O SEAN D BURKE 16 GINGER PLUM LN	HARWICH PORT	MA	02646
670	5-G1-32-0-R	MCQUADE JOHN B & MCQUADE DEBORAH K	8 GINGER PLUM LN	8 GINGER PLUM LN	HARWICH PORT	MA	02645
693	5-G4-43-0-R	MORGAN DENNIS T JR & MORGAN ELIZABETH J	19 GINGER PLUM LN	319 HOLDEN WOOD RD	CONCORD	MA	01742
695	5-G4-44-0-R	LAING ROBERT H & LAING GAYLE	15 GINGER PLUM LN	17 ELLSWORTH ST	BRAINTREE	MA	02184
702	5-G4-52-0-R	F D G CORPORATION FRANCIS D GIBBONS	11 GINGER PLUM LN	C/O DONNA GIBBONS 6732 135TH ST CT	APPLE VALLEY	MN	55124

SEPTIC SYSTEM DESIGN

FLOW ESTIMATE:
 4 - BEDROOMS AT 110 GAL/DAY = 440 GAL/DAY
 1 - BATH AT 40 GAL/DAY = 40 GAL/DAY
 1 - KITCHEN AT 100 GAL/DAY = 100 GAL/DAY
 1 - LIVING ROOM AT 100 GAL/DAY = 100 GAL/DAY
 1 - DINING ROOM AT 100 GAL/DAY = 100 GAL/DAY
 1 - SUN ROOM AT 100 GAL/DAY = 100 GAL/DAY
 1 - PORCH AT 100 GAL/DAY = 100 GAL/DAY
 1 - DECK AT 100 GAL/DAY = 100 GAL/DAY
TOTAL = 1,180 GAL/DAY

SEPTIC TANK:
 USE 1800 GAL 2 ROWS OF 5 - 125 GALLON CHAMBERS (6" x 3' x 12' EFF. DEPTH)
 WITH 2" OF STONE AROUND SIDES AND 1" AT ENDS

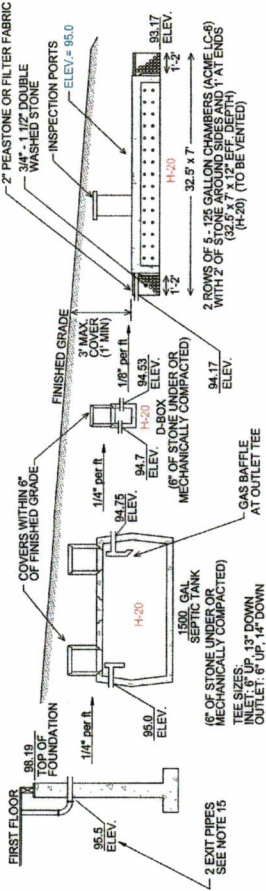
LEACHING AREA: 2 ROWS OF (32.5' x 7' x 12' EFF. DEPTH)
 WITH 2" OF STONE AROUND SIDES AND 1" AT ENDS
 SIDE AREA: (32.5' x 7') x 2 = 455 SF (0.74) = 158 GAL/DAY
 BOTTOM AREA: 32.5' x 7' = 227 SF (0.74) = 158 GAL/DAY
 CAPACITY = 226 GAL/DAY
 x 2 ROWS = 452 GAL/DAY



REQUIRED VARIANCES FROM TITLE FIVE:

- SECTION 15.211 (1); LEACH AREA TO BE LESS THAN 20' FROM CELLAR WALL (VARIANCE OF 9')
- SECTION 15.211 (1); LEACH AREA TO BE LESS THAN 10' FROM CRAWL SPACE (VARIANCE OF 7')
- SECTION 15.211 (1); LEACH AREA TO BE LESS THAN 10' FROM LOT LINE (VARIANCE OF 8' & 7')
- SECTION 15.211 (1); SEPTIC TANK TO BE LESS THAN 10' FROM CRAWL SPACE (VARIANCE OF 7')
- SECTION 15.211 (1); SEPTIC TANK TO BE LESS THAN 10' FROM LOT LINE (VARIANCE OF 5' & 7').

SEPTIC SYSTEM SECTION



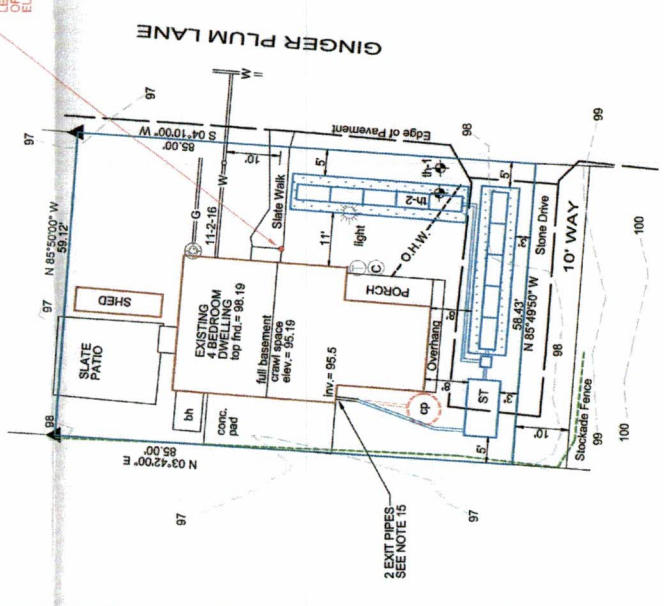
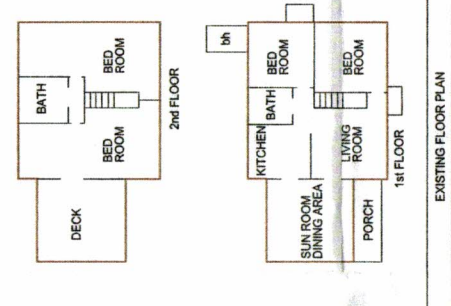
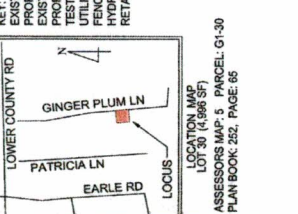
TEST HOLE LOGS

ENGINEER: THOMAS MALELLAN, P.E.
 WITNESS: JOHN CHATHAM, R.S.
 DATE: 11-3-20
 PERCOLATION RATE: < 2 MININ

TH-1	TH-2
0' - 8'	0' - 8'
8' - 30'	8' - 25'
30' - 132'	25' - 126'
	126' - 132'
	132' - 137'

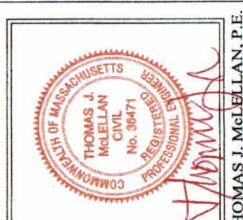
NOTES:

- VERTICAL DATUM: ASSUMED
- MUNICIPAL WATER IS AVAILABLE.
- SCHEDULE 40 - 4" PVC PIPE TO BE USED THROUGHOUT SEPTIC SYSTEM.
- ALL PRECAST UNITS SUBJECT TO TRAFFIC LOADS TO CONFORM WITH AASHTO H-20 SPECIFICATIONS.
- PIPE PITCH = 1/4" PER FOOT (UNLESS NOTED OTHERWISE).
- FIRST 2" OF PIPE OUT OF D-BOX TO BE SET LEVEL.
- THE SEPTIC SYSTEM HAS NOT BEEN DESIGNED TO ACCOMMODATE THE USE OF A GARBAGE DISPOSAL.
- ALL CONSTRUCTION DETAILS ARE TO BE IN CONFORMANCE WITH THE STATE OF MASS. ENVIRONMENTAL CODE (TITLE FIVE) AND LOCAL HEALTH REGULATIONS.
- CONTRACTOR TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
- GROUND COVER OVER ALL SEPTIC SYSTEM COMPONENTS NOT TO EXCEED 3" WITHOUT VARIANCE.
- FIELD SURVEY PROVIDED BY TERRY A. WARNER, P.L.S., HARWICH, MA.
- 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.
- EXISTING CESS POOL IS TO BE PUMPED AND FILLED WITH SAND OR REMOVED.
- D-BOX TO BE WATER TESTED TO ENSURE LEVELNESS AND EQUAL FLOW.
- THERE ARE 2 EXIT PIPES LEAVING DWELLING. A 4" PVC PIPE ON TOP OF A 4" ORANGEBERG PIPE. ORANGEBERG PIPE (INV. = 95.5) TO BE REPLACED WITH 4" PVC. TOP PIPE TO BE CONNECTED TO NEW PVC LINE.



SITE PLAN

LOCATION:
16 GINGER PLUM LN., HARWICHPORT, MA
 PREPARED FOR:
SEAN BURKE
 DATE: 11-5-20
 SCALE: 1" = 20'



THOMAS J. McLELLAN, P.E.

BASS RIVER ENGINEERING
 P.O. BOX 1163, EAST DENNIS, MA 02641
 508-364-9048

Health Director Monthly Report October 2020

COVID 19

Twice weekly calls with the Department of Public Health and Division of Labor Standards occur on Tuesdays and Fridays each week. These calls have been vital for learning about the updates and changes to Orders and safety standards.

Please see weekly COVID-19 updates for more information on this topic.

Flu Clinics

Two public flu clinics and one employee flu clinic were held in October. The employee clinic was assisted by our Town Nurse Sue Jusell and her volunteer nurses as well as the Barnstable County Public Health Nurse. These clinics were held outside in a drive-through manner in order to maintain social distancing and provide a safe environment for staff and participants. The community center parking lot provided an ideal traffic flow for these events however the last clinic was moved due to inclement weather. The last clinic was done at the Public Safety Building utilizing the drive through garage bays on the Police Department side of the facility. This change was due to strong winds and rain and worked out perfectly. Thank you to the Police and Fire Departments for allowing the use of their site for the afternoon, our nurses and staff were able to stay warm and dry!

The combined total of immunizations provided in October was approximately 450, including many children. The Health Department has not offered a public clinic in many years due to the vaccine being widely available at pharmacies for free. This year however, the demand was greater than in years past. The Visiting Nurses Association was able to accommodate us with two public clinics. Funding was provided by the Department of Public Health as an incentive to provide public clinics this year. The Town of Harwich received \$1800.00 that went toward supplies and staffing.

Other information

The Massachusetts Health Officers Association held its first ever virtual annual conference this year. The seminars were split up into three morning sessions and provided much needed continuing education credits towards our required licenses.

The Health Agent's Coalition continues to meet weekly to discuss COVID related topics as well as other regional concerns. Even though we have been "living" an emergency, the CDC is insisting that the region hold a tabletop exercise to practice for an emergency. The HAC has been planning a tabletop drill that is scheduled for late winter 2021.

Discussions with the Sewer Commissioner have been revitalized as we get closer to completing the first section of Phase 2. Decisions on next steps and what the BOH involvement might look like are being considered.

Respectfully submitted,
Meggan Eldredge 11.12.2020



**Town of Harwich
Board of Health**

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

COPY

November 12, 2020

Maulik Corp
DBA Value Mart
435 Route 28
Harwichport, MA 02646

Re: Rules and Regulations Pertaining to Regulations of the Harwich Board of Health Restricting the Sale of Tobacco Products, illegal tobacco product violation

Dear Tobacco Permit Holder,

This letter is to inform you that on **November 6, 2020**, a routine tobacco compliance check was conducted on behalf of the Harwich Health Department at your place of business.

Unfortunately, at the time of the inspection, it was confirmed that flavored tobacco products and blunt wraps were being offered for sale. Please see the attached compliance check form.

Therefore, pursuant to the Regulations of the Harwich Board of Health Restricting the Sale of Tobacco Products, Section G, and 105 CMR 665.010: MINIMUM STANDARDS FOR RETAIL SALE OF TOBACCO AND ELECTRONIC NICOTINE DELIVERY SYSTEMS and the 2019 Act Modernizing Tobacco Control, the penalty for a FIRST for violating the regulations for the Tobacco Permit Holder is a fine in the amount of \$1,000.00.

You are hereby ordered to submit the fine payment made out to the TOWN OF HARWICH and returned to the Health Department within twenty (21) days receipt of this order. Failure to do shall result in further action taken by the Board of Health.

Should you be aggrieved, you may request a hearing in front of the Harwich Board of Health. Such request shall be in writing and submitted within seven (7) days receipt of this order.

If you or your representative has any questions, please do not hesitate to contact this office.

Respectfully,

Meggan Eldredge, R.S., CHO
Health Director

Cc: Board of Health
Detective Marc Harris, Harwich PD
File
Town Clerk

**CERTIFIED MAIL
RETURN RECEIPT
7019-1640-0002-2558-3513**

VII-A.

October 2, 2020

Town Manager Christopher Clark
Harwich Town Hall
732 Main Street
Harwich Center, MA 02645



RE: Immediate Response Action Status Report, IRA Plan Modification & Remedial Monitoring Report
Truck Accident, MassDEP RTN 4-27877
Sisson Road
Harwich, Massachusetts 02645

Dear Town Manager Clark:

Edge Environmental LLC (EDGE) has prepared this letter on behalf of Delaney Fuel Transport LLC. This letter meets the requirements of the Massachusetts Contingency Plan 310 CMR 40.0000, Section 40.1403(3) Minimum Public Involvement Activities in Response Actions.

On July 18, 2019, a Delaney Fuel Transport LLC representative hit a traffic island on Sisson Road and the truck overturned. The trailer was carrying gasoline. The volume of gasoline spilled triggered a regulatory notification requirement and completion of Immediate Response Actions. The MassDEP was notified of the release on July 18, 2019 and assigned Release Tracking Number (RTN) 2-27877 to the release. Completed Immediate Response Actions included pumping out manholes, catch basins and a swale, and deploying sorbent pads and boom to the spilled gasoline. Other response actions completed to date include removing impacted soil, gasoline and groundwater. Soil borings and monitoring wells have been completed and samples analyzed. Gasoline and impacted groundwater have been extracted from the subsurface. Additional response actions, including extraction, soil borings and remediation are planned. A copy of the Immediate Response Action Status Report, IRA Plan Modification and Remedial Monitoring Report is available for review at the Southeast Regional Office of the MassDEP located at: 20 Riverside Drive, Lakeville, MA 02347 or at <http://public.dep.state.ma.us/SearchableSites2/Search.aspx>.

If you have any questions, or require additional information, please contact Mr. Eric Johnson at (603) 717-8808.

Sincerely,
Edge Environmental LLC

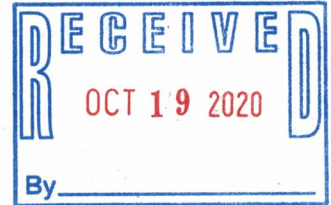
A handwritten signature in cursive script that reads "Eric M. Johnson".

Eric M. Johnson, L.S.P.
Principal

cc: Health Director Meggan Eldredge, RS, CHO, Harwich Town Hall, 732 Main Street, Harwich, MA 02645
Inspector Thomas Burnett, MassDOT, 1000 County Road, Taunton, MA 02780
333 Rt. 28 Realty Trust, 20 North Main Street, So Yarmouth, MA 02664
Station Avenue LLC, 1533 Falmouth Rd., Centerville, MA 02632
Arthur Wright, 337 MA-28, Harwich Port, MA 02646
Sandra Baylis Hall, PR, Estate of Emulous Hall, 346 Mass Route 28, Harwich Port, MA 02646
MS Harwich LLC, 8 Maple St., Westbury, NY 11590
Kevin L. Dieterick, 15 Glendoon Road Harwich Port, MA 02646
Kenneth W. Colburn III and Arlene Colburn, PO Box 770 Harwich Port, MA 02646
MassDEP Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347 (via IRA Plan and eDEP)
Benjamin Delaney III, Delaney Fuel Transport LLC (via IRA Plan and eDEP)

PO Box 5262 | Manchester, NH 03108 | Phone: 603-717-8808 | Fax 603-463-9970

Edge Environmental LLC
Consulting & Engineering
www.EdgeEnviroLLC.com



E-5042-040
October 12, 2020

VIA US MAIL

Mr. Joseph F. Powers, Interim Town Manager
732 Main Street
Harwich, MA 02645

**Re: Public Notification of Release Notification Form Submittal
Eversource Energy
Historic Release of Mineral Oil Dielectric Fluid
Station 973
Harwich, Massachusetts
MassDEP RTN 4-28485**

Dear Mr. Powers:

In accordance with the Public Notification procedures of the Massachusetts Contingency Plan 310 CMR 40.1403, we are hereby notifying you of the submittal of a Release Notification Form (RNF) for the above referenced site to the Massachusetts Department of Environmental Protection (MassDEP).

This Release Notification pertains to a historic release of approximately 72 gallons of non-TSCA regulated polychlorinated biphenyl (PCB) mineral oil dielectric fluid (MODF) from a pad-mounted transformer located within Eversource Substation 973 on Island Pond Road in Harwich, Massachusetts. MODF was released to the concrete pad and soil adjacent to the transformer pad.

Please note that this letter and the MassDEP form are being provided to you for notification purposes only, and no action is being asked of you in response to this notice. A copy of the RNF submittal is available for review online the MassDEP website. The file can be accessed at the following web address <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite> under files listed for DEP RTN 4-28485. Additional public involvement opportunities are available under 310 CMR 40.1403(9).

Should you have any questions, comments, or concerns relative to this correspondence, please do not hesitate to contact Emma Larkin at (508) 304-6361 or Gary Hedman at (508) 304-6357.

Sincerely,

TIGHE & BOND, INC.

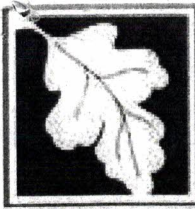

Emma Larkin
Project Environmental Scientist


Gary W.T. Hedman, LSP
Project Manager

Enclosures:
BWSC-103 Form

Cc:
Ms. Pamela Howell, R.N., Chairman, Harwich Board of Health





Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

RELEASE NOTIFICATION FORM

Pursuant to 310 CMR 40.0371 (Subpart C)

BWSC103-120 DAY

Release Tracking Number
assigned upon receipt and
review by the Department

A. RELEASE OR THREAT OF RELEASE LOCATION:

1. Release Name/Location Aid: SUBSTATION 973

2. Street Address: ISLAND POND ROAD

3. City/Town: HARWICH 4. ZIP Code: 026450000

5. Coordinates: a. Latitude: N 41.68739 b. Longitude: W 70.07860

B. THIS FORM IS BEING USED TO:

1. Submit a Release Notification for a 120 day reporting requirement

(All sections of this transmittal form must be filled out)

C. INFORMATION DESCRIBING THE RELEASE:

1. Date and time you obtained knowledge of the Release: 5/20/2020 Time: 03:44 AM PM
mm/dd/yyyy hh:mm

2. Date and time release occurred, if known: Time: AM PM
mm/dd/yyyy hh:mm

3. 120 DAY REPORTING CONDITIONS

Check all Notification Thresholds that apply to the Release:
(for more information see 310 CMR 40.0315)

- a. Release of Hazardous Material(s) to Soil or Groundwater Exceeding Reportable Concentration(s)
- b. Release of Oil to Soil Exceeding Reportable Concentration(s) and Affecting More than 2 Cubic Yards
- c. Release of Oil to Groundwater Exceeding Reportable Concentration(s)
- d. Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/8 Inch (.01 feet) and Less than 1/2 Inch (.04 feet)



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

RELEASE NOTIFICATION FORM

Pursuant to 310 CMR 40.0371 (Subpart C)

BWSC103-120 DAY

Release Tracking Number
 assigned upon receipt and
 review by the Department

C. INFORMATION DESCRIBING THE RELEASE (cont.)

4. List below the Oils (O) or Hazardous Materials (HM) that exceed their Reportable Concentration (RC) or Reportable Quantity (RQ) by the greatest amount.

Check here if an amount or concentration is unknown or less than detectable.

O or HM Released	CAS Number, if known	O or HM	Amount or Concentration	Units	RCs Exceeded, if Applicable (RCS-1, RCS-2, RCGW-1, RCGW-2)
C19-C36 ALIPHATICS		O	3900	MG/KG	RCS-1
C19-C36 ALIPHATICS		O	3230	MG/KG	RCS-1

Check here if a list of additional Oil and Hazardous Materials subject to reporting, or any other documentation relating to this notification is attached.

D. PERSON REQUIRED TO NOTIFY:

1. Name of Organization: EVERSOURCE ENERGY

2. Contact First Name: ROBERT 3. Last Name: SZLACHCIUK

4. Street: 247 STATION DRIVE 5. Title: ENVIRONMENTAL COORDINATOR

6. City/Town: WESTWOOD 7. State: MA 8. ZIP Code: 020900000

9. Telephone: 508-982-2325 10. Ext.: _____ 11. Email: robert.szlachciuk@eversource.com

12. Check here if attaching names and addresses of owners of properties affected by the Release, other than an owner who is submitting this Release Notification (required).

E. RELATIONSHIP OF PERSON TO RELEASE:

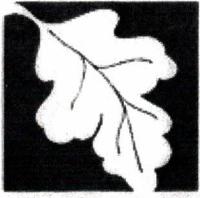
1. RP or PRP a. Owner b. Operator c. Generator d. Transporter

e. Other RP or PRP Specify: UTILITY PROVIDER

2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

4. Any Other Person Otherwise Required to Notify Specify Relationship: _____



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

RELEASE NOTIFICATION FORM

Pursuant to 310 CMR 40.0371 (Subpart C)

BWSC103-120 DAY

Release Tracking Number
assigned upon receipt and
review by the Department

F. CERTIFICATION OF PERSON REQUIRED TO NOTIFY:

1. I, ROBERT J. SZLACHCIUK, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. By : ROBERT J. SZLACHCIUK 3. Title: ENVIRONMENTAL COORDINATOR
Signature
4. For: EVERSOURCE ENERGY 5. Date : 9/18/2020
(Name of person or entity recorded in Section D) mm/dd/yyyy

6. Check here if the address of the person providing certification is different from address recorded in Section D.

7. Street: _____

8. City/Town: _____ 9. State: _____ 10. ZIP Code: _____

11. Telephone: _____ 12. Ext.: _____ 13. Email: _____

YOU ARE SUBJECT TO ANNUAL COMPLIANCE ASSURANCE FEES FOR EACH BILLABLE YEAR FOR TIER CLASSIFIED DISPOSAL SITES. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY:)

Received by DEP on 9/18/2020 11:09:30 AM