

TOWN OF HARWICH



BOARD OF HEALTH  
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TOWN OF HARWICH BOARD OF HEALTH  
TUESDAY, FEBRUARY 12, 2019-6:30 P.M.  
HARWICH TOWN HALL – DONN B. GRIFFIN ROOM  
MEETING AGENDA

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

**I** CALL TO ORDER

**II** MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) –January 15, 2019

*Minutes shall be reviewed; proposed changes shall be possible; and a vote to approve with any noted changes shall be taken.*

**III** **6:30-7:00 PM - BOARD OF HEALTH WORK SESSION**

**A. Discussion with Recreation Director Eric Beebe regarding development of a regulation or bylaw banning smoking on public beaches**

*Vote to accept/deny/take this under consideration*

**B. Discussion/Presentation-Laura Kelley/POCCA (Protect Our Cape Cod Aquifer)**

*Vote to accept/deny/take this under consideration*

**IV** **7:00 PM -OLD/UNFINISHED BUSINESS**

**A. Continued Hearing-Perks/Taylor & Sarah Powell, 545 Route 28-** request to amend the restrictions on the current food service permit and allow an expansion of space into the existing retail area of the building. Proposal includes a request for indoor service space, and patron use of a restroom (to be installed) (Continued from January 15, 2019)

*Vote to accept/deny/take this under consideration*

**V** NEW BUSINESS

**A. Hearing-Collins, 3 Kelley Road-** appeal of the order to submit a Title 5 Inspection report for property transfer in accordance with Harwich Board of Health Regulations should be modified or withdrawn

*Vote to accept/deny/take this under consideration*

**B. Hearing/Preliminary Subdivision Plan-Mark & Andrea Toomey, Quinapoxet Way**

*Vote to accept/deny/take this under consideration*

**C. Hearing-Moleski/Maynard, 119 Julien Road,** to reconsider Order of Conditions granted February 23, 2000-There is to be no increase in square footage, habitable space or number of bedrooms to the dwelling. Proposal to demolish the existing dwelling and construct a new dwelling.

*Vote to accept/deny/take this under consideration*

**D. Hearing-Rizzo, 22 Eastern Avenue,** to consider a variance request to install a new Title 5 septic system prepared by GFM Enterprises, Inc.

Variance from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 14' from the foundation wall where 20' is required. Variance request of 6'.

*Vote to accept/deny/take this under consideration*

**E. Hearing-Kirrane, 17 Kildee Road,** to consider a variance request to install a new Title 5 septic system prepared by Moran Engineering Associates, LLC

Variance from 310 CMR 15.211-Minimum Setbacks

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

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

3. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 8' from a cellar wall where 10' is required. Variance request of 2'.

4. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 12' from a cellar wall where 20' is required. Variance request of 8'.

Variance from Harwich Board of Health Regulation 1.210-Minimum Setbacks

1. Per Harwich Board of Health Regulation 1.210: To allow a proposed soil absorption system to be 56' from the edge of wetland where 100' is required. Variance request of 44'.

2. Per Harwich Board of Health Regulation 1.210: To allow a proposed soil absorption system to be 71' from the edge of river where 100' is required. Variance request of 29'.

*Vote to accept/deny/take this under consideration*

**F. Hearing-Moheban, 11 Atlantic Avenue,** to consider a variance request to install a new Title 5 septic system prepared by Engineering Works, Inc.

Variance from 310 CMR 15.211-Minimum Setbacks

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

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

3. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 5' from the crawl space where 20' is required. Variance request of 15'.

4. Per 310 CMR 15.211(1): To allow 4' of cover of the soil absorption system where 3' is allowed. Variance request of 1'.

5. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 36' from the coastal bank where 50' is required. Variance request of 14'.

*Vote to accept/deny/take this under consideration*

**G. Hearing-Blackmore, 78 Bells Neck Road,** to consider a variance request to install a new Title 5 tight tank system prepared by Moran Engineering Associates, LLC.

Variance from Harwich Board of Health Regulation 1.210-Minimum Setbacks

1. Per Harwich Board of Health Regulation 1.210: To allow a proposed tight tank to be 41' from the bordering vegetated wetland where 100'; is required. Variance request of 59'.

*Vote to accept/deny/take this under consideration*

**H. Hearing-Murphy, 15 Ocean Avenue,** to consider a variance request to install a new Title 5 septic system prepared by Ronald J. Cadillac, PLS, RS.

Variance from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 8'.25" from the crawl space where 10' is required. Variance request of 1'.75"

2. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 6' from the abutters crawl space where 10' is required. Variance request of 4'.

3. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 1' from the property line where 10' is required. Variance request of 9'.

Per 310 CMR 15.248: To allow no reserve area be provided

*Vote to accept/deny/take this under consideration*

**I. Hearing-Berset, 10 Central Avenue,** to consider a variance request to install a new Title 5 septic system prepared by Clark Engineering LLC.

Variance from 310 CMR 15.211-Minimum Setbacks

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

*Vote to accept/deny/take this under consideration*

**VI REPORT OF THE HEALTH DIRECTOR (January 2019)**

*Vote to accept/deny/take this under consideration*

**VII CORRESPONDENCE**

*Vote to accept/deny/take this under consideration*

**VIII PERMITS**

ESTABLISHMENT	ADDRESS	TYPE	TYPE
<b>STABLE</b>			
Brumbyrun Farm *	32 Derby Lane	Com. Stable	
Cape Farm Supply *	374 Main Street	Res. Stable	
Cape Farm Supply *	1590 Factory Road	Res. Stable	

Forget Me Not Farm *	236 South Street	Res. Stable	
Full Circle Farm *	210 South Westgate Road	Com. Stable	
Jody Ellis *	307 Queen Anne Road	Res. Stable	
Sea Horse Farm *	34 Lunch Lane	Com. Stable	
Susan Shaw *	326 Main Street	Res. Stable	
<b>SEPTIC HAULER</b>			
Cape Cod Septic Services *			
J. O'Loughlin Inc. *			
Wind River Environmental *			
<b>SEPTIC INSTALLER</b>			
A & S Construction *			
Barrows Excavating *			
Cape Cod Septic Services *			
Cape Coastal Builders *			
Condon's Excavating *			
Dig It Construction *			
J. O'Loughlin Inc. *			
MCE Dirtworks *			
<b>TOBACCO</b>			
Fully Baked Smoke Shop *	216 Route 28-Unit 5		
Portside Liquors *	1421 Orleans Road		
West Harwich Sav-On-Gas *	4 Route 28		
<b>REFUSE HAULER</b>			
Milley Trucking *			
The Brothers Disposal *			
<b>FOOD SERVICE</b>			
Cakes for All Occasions *	15 Partridge Lane	Limited Food Service	
Cape Cod Cranberry Harvest *	33 Rocky Way	Limited Food Service	Event Permit
Cape Cod Regional Tech HS *	351 Pleasant Lake Ave	Institution	
Christ Church Episcopal *	671 Route 28	Institution	
<b>Corner of Yum (2019 New)</b>	<b>31 Sea Street</b>	<b>Caterer</b>	
Friends of the South Harwich Meetinghouse *	270 Chatham Road	Limited Food Service	
Harwich Junior Theater *	105 Division Street	Limited Food Service	
Harwich Junior Theater *	Sisson Road	Limited Food Service	
J. Bar *	537 Route 28	Retail: <600 sf	1-30 seats
Noble House *	21 Route 28	61-150 seats	
Pilgrim Congregational Church *	533 Route 28	Institution	
Pilgrim Lodge AF & AM *	706 Main Street	Institution	
Pleasant Lake Farm *	2 Birch Drive	Retail: <600sf	
Red's Pizza *	703 Main Street	Retail: <50 sf	31-60 seats
Royal *	328 Bank Street	Institution	
St. Peters Lutheran Church *	310 Route 137	Institution	
Szechuan Delight *	1421 Orleans Road	Take Out	
The Lunch Stop *	1421 Orleans Road	Take Out	

Wingate at Harwich *	111 Headwaters Drive	Institution	
<b>TITLE 5 INSPECTOR</b>			
Michael T. Bisienere *			
Paul Martin *			
<b>MOTEL</b>			
Inn on the Beach *	16 Bank Street		
Olde Harwich Lodgings *	40-44 Route 28		
<b>2019 Renewal *</b>			

*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:

Posted by:

Jennifer Clarke

Signature

Date

\_\_\_\_\_

Town Clerk

Date

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