

TOWN OF HARWICH



BOARD OF HEALTH
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TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, MARCH 12, 2019-6:30 P.M.
HARWICH TOWN HALL – SMALL HEARING 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) –February 19, 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 and other town owned recreation areas

Vote to accept/deny/take this under consideration

B. Discussion- Discuss how the Board would like to proceed regarding glyphosate use on town properties.

Vote to accept/deny/take this under consideration

C. Discussion- Review a draft letter to Massachusetts Department of Agricultural Resources regarding the Vegetation Management Plan for Cape Cod and the use of herbicides

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 February 19, 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5 Inspection report for property transfer in accordance with Harwich Board of Health Regulations should be modified or withdrawn (continued from February 12, 2019 meeting)

Vote to accept/deny/take this under consideration

B. 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 3'.

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 over 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 46' from the coastal bank where 50' is required. Variance request of 4'.

Variance from Harwich Board of Health Regulation 1.210

1. Per BOH Regulation 1.210: To allow a proposed septic tank and sewer line to be 42' from the coastal bank where 50' is required. Variance request of 8'.

2. Per BOH Regulation 1.210: To allow a proposed soil absorption system to be 46' from the coastal bank where 100' is required. Variance request of 54'.

Vote to accept/deny/take this under consideration

C. Hearing-Olson, 23 Bettys Lane, to consider a variance request to install a new Title 5 septic system prepared by J.M. O'Reilly & Associates, 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 2' from the property line where 10' is required. Variance request of 8'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 13' from the cellar wall where 20' is required. Variance request of 7'.
3. 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'.
4. Per 310 CMR 15.211(1): To allow a proposed septic tank to be 6' from the cellar wall where 10' is required. Variance request of 4'.
5. Per 310 CMR 15.248: No reserve area provided
Vote to accept/deny/take this under consideration

D. Hearing-Hayden, 215 Lower County Road, to consider a variance request to install a new Title 5 septic system prepared by Bass River Engineering

Variance from 310 CMR 15.211-Minimum Setbacks

1. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 6' from the property line where 10' is required. Variance request of 4'.
2. Per 310 CMR 15.211(1): To allow a proposed soil absorption system to be 10' from the bulkhead where 20' is required. Variance request of 10'.
Vote to accept/deny/take this under consideration

E. Hearing-Dooley, 25 Moody Road, to consider a variance request to install a new Title 5 septic system prepared by Down Cape Engineering, 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 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 11.9' from the foundation where 20' is required. Variance request of 8.1'.
Variance from Harwich Board of Health Regulation 1.210
1. Per BOH Regulation 1.210: To allow a proposed soil absorption system to be 85' from the wetland where 100' is required. Variance request of 15'.
Vote to accept/deny/take this under consideration

F. Show Cause Hearing-Main Street Quik Pik, 715 Main Street- To discuss violations of Harwich Board of Health Regulations Restricting the Sale of Tobacco Products

Vote to accept/deny/take this under consideration

VI REPORT OF THE HEALTH DIRECTOR (February 2019)

Vote to accept/deny/take this under consideration

VII CORRESPONDENCE

Vote to accept/deny/take this under consideration

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

| ESTABLISHMENT | ADDRESS | TYPE |
|---|------------------|--------------|
| FOOD SERVICE | | |
| Ten Yen * | 554 Route 28 | 31-60 seats |
| Weatherdeck Restaurant * | 168 Route 28 | 61-150 seats |
| Wequassett Resort-Main Kitchen * | 2173 Route 28 | >150 seats |
| Wequassett Resort-Pavilion * | 2173 Route 28 | 61-150 seats |
| Wequassett Resort-Outer Bar & Kitchen * | 2173 Route 28 | 61-150 seats |
| Wequassett Resort-Tennis Grille * | 2173 Route 28 | 1-30 seats |
| Wychmere Harbor Functions-Café * | 23 Snow Inn Road | 61-150 seats |
| Wychmere Harbor Functions- Clubhouse * | 23 Snow Inn Road | >150 seats |
| TITLE 5 INSPECTORS | | |
| Mike DeCosta Jr. * | | |

| | | |
|-----------------------|--|--|
| Nick Geneseo * | | |
| 2019 Renewal * | | |

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

X ADJOURN
Vote to accept/deny/take under consideration

Authorized posting officer:

Posted by:

Jennifer Clarke
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