

TOWN OF HARWICH



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

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

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

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

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/202530709>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3412](tel:+18722403412)

Access Code: 202-530-709

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/202530709>

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

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

VI **NEW BUSINESS**

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

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

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

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

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

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

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

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

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

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

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

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

XI 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