

TOWN OF HARWICH



BOARD OF HEALTH

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**TOWN OF HARWICH BOARD OF HEALTH
TUESDAY, AUGUST 17, 2021- 6:30 P.M.
HARWICH TOWN HALL – DONN B. GRIFFIN ROOM
MEETING MINUTES**

BOARD OF HEALTH MEMBERS PRESENT: Chairwoman Pamela Howell, R.N., Vice Chairwoman Sharon Pflieger, M.S., Member Ronald Dowgiallo, D.M.D., Member Matthew Antoine & Member Kevin DuPont, R.N.

STAFF MEMBERS PRESENT: Health Director Kathleen O’Neill, Senior Health Agent Carrie Schoener & Executive Administrative Assistant Jennifer Clarke

OTHERS PRESENT: Selectman Larry Ballantine, & John E. Krafton III

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

Chairwoman Howell called the meeting to order at 6:30 p.m.

II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) July 21, 2021

Mr. Dowgiallo moved to approve the minutes of the July 21, 2021 Board of Health meeting as printed, 2nd by Mr. Antoine and approved 5-0-0.

III 6:30 PM - BOARD OF HEALTH WORK SESSION

1. COVID-19 Update

Health Director O’Neill reported that Harwich is currently tracking 9 active and 1 probable case of COVID-19. To date, 8,903 of Harwich full time residents are fully vaccinated and 9,742 have received at least one dose. Recently, a 3rd dose of the MRNA COVID-19 vaccine has been approved for those who are immunocompromised.

Mr. Dowgiallo asked if the schools have mandated any vaccines. Health Director O’Neill responded that they have not at this point. They will however be requiring masks, which will be monitored on policy reflective of the data.

2. Board of Health Discussion on Sewer Extension Criteria

Health Director O'Neill stated that the Board will need to look at certain criteria to determine how sewer extensions will be approved.

Mr. Dowgiallo asked if any homes in Harwich have been connected yet. Health Director O'Neill responded that no homes have been connected, however connections for some properties in Phase 2 will be read in the next few weeks.

As far as extensions are concerned, Mr. DuPont feels that 10 years from a recent Title 5 Certificate of Compliance would seem appropriate. He noted that connecting into the sewer is a significant cost and asked if people would have an avenue to ask for an extension due to financial hardships. Health Director O'Neill responded that extensions due to financial hardships would be considered. Once an owner receives their order letter, they will have 2 years to connect. The Board would likely not see any financial hardships requests until close to that 2 year connection deadline.

Ms. Pflieger asked if the Board could have a requirement for system pumping. Health Director O'Neill confirmed that this would be possible.

Health Director O'Neill noted that this discussion will be ongoing.

3. Board of Health Review and Discussion on Sewer Connection Regulation

The Board has been presented with the draft Harwich Board of Health Sewer Connection regulation, which has been vetted by Town Counsel. Anything in the draft can be adjusted and what is being presented tonight is based off of Chatham's regulation.

The Board had a discussion on timelines for innovative/alternative septic systems versus traditional septic systems, noting that innovating/alternative systems can be much costlier.

Health Director O'Neill suggested that the Board leave the draft regulation as presented with respect to the type of system, and then have the owners request an extension for connection, if they so choose. Requests for extension would require a Board of Health hearing.

Ms. Pflieger asked to add the following statement to section d; "unless the Board of Health has approved an extension prior to transfer."

Mr. Dowgiallo moved to schedule a public hearing to solicit comment on the proposed Harwich Board of Health Sewer Connection Regulation, to be held on Friday, September 24, 2021 at 10:00 a.m., 2nd by Mr. DuPont and approved 5-0-0.

IV OLD/UNFINISHED BUSINESS

No old/unfinished business was discussed.

V NEW BUSINESS

1. **Show Cause Hearing-West Harwich Realty Trust/A & W Drive Inn, 297 Route 28-** Show cause hearing for failure to comply with an order issued to upgrade 2 failed septic systems (dwelling system & storage/bathroom system)

Health Director O'Neill reported that no action is required for this agenda item. The Health Department has been contacted by Bass River Engineering to schedule test holes and the owner has been given a deadline for submittal of the completed disposal system construction permit.

- 2. Hearing-Shorten, 8 Port Pines Road**-to request a reconsideration of Order of Conditions originally granted on February 19, 2002, then on May 9, 2017 which include a condition of 'There is to be no increase in square footage, habitable space or number of bedrooms to the dwelling beyond those as shown on plan dated January 29, 2002.' The proposal is to construct a 2nd floor rear dormer to add 180 square feet of headroom for 2 closets and a master bath en suite.

Chairwoman Howell opened the hearing. Health Director O'Neill read the reconsideration request. John Krafton from Krafton Woodworks & Designs, LLC was present on behalf of the property owner. The proposal is to construct a 2nd floor rear dormer to add 180 square feet of headroom for 2 closets and a master bath en suite. The first floor plan has eliminated one bedroom and converted it into a mudroom. This results in the bedroom count decreasing from 4 to 3. They are not proposing to add to the footprint of the home in any way.

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

Health Director O'Neill recommended approval of the reconsideration of a previous condition that was placed on February 19, 2002 and May 9, 2012 for the property located at 8 Port Pines Road with the following conditions:

1. No further increase in square footage or habitable space without review by the Board of Health as shown on plan dated January 13, 2021, prepared by R & R Design (project number 220-1205).
2. The property shall be deed restricted to a maximum of 3 bedrooms.
3. Variances and conditions are to be recorded at the Barnstable County Land Court.
4. All previous conditions apply.

Mr. Antoine moved to accept the recommendation of the Health Director, 2nd by Ms. Pflieger and approved 5-0-0.

VI REPORT OF THE HEALTH DIRECTOR- JULY 2021

Health Director O'Neill reported that she continues to participate in weekly calls with the Department of Public Health every Tuesday. These calls have been vital for on-going updates, especially with the COVID-19 variants. The Health Agent's Coalition also continues to meet bi-weekly to discuss COVID related topics as well as other regional concerns.

The Health Department has begun discussions with the Barnstable County Health Department about holding our annual flu clinic(s).

Carrie Schoener started as our Senior Health Agent on August 2, 2021 and has been an incredible asset. Mark Polselli will continue to witness test holes for the next couple of weeks. Kasey's remote internship has ended. Kasey was a wonderful addition to the Department this summer and created fantastic educational brochures.

The annual non-resident tax payer meeting will be held virtually again this year. Pre-recorded staff interviews will be aired on Channel 18.

Health Director O'Neill has been working on the budget proposals for FY23 and beyond.

VII CORRESPONDENCE

No correspondence was reviewed or discussed.

VII PERMITS

ESTABLISHMENT	ADDRESS	TYPE
FOOD SERVICE		
Cape Cod Cranberry Harvest *		Event Permit
Cape Cod Macarons (2021 NEW)		Event Permit
Harwich Athletic Association *	75 Oak Street	Take Out
Jake's Dockside Shack (2021 NEW)	715A Route 28	31-60 seats
UTILITY (SEWER) INSTALLER		
Apex Excavating (2021 NEW)		
B & B Excavation (2021 NEW)		
Bortolotti Construction (2021 NEW)		
GFM Enterprises (2021 NEW)		
JW Dubis & Sons (2021 NEW)		
Speakman Excavating, LLC (2021 NEW)		
T.W. Nickerson, Inc. *		
*2021 Renewal		

The only permit of note is Jake's Dockside Shack, which is a scribner's error. The correct name should be Jakes at the Harbor. The applicant has been asked to correct their food service application paperwork and submit it to the Health Department, prior to their permit being released.

Mr. Dowgiallo moved to approve the permit list dated August 17, 2021, with a note that Jakes at the Harbor will be issued upon receipt of their corrected food service application paperwork, 2nd by Mr. Antoine and approved 5-0-0.

IX OTHER

No other items were discussed.

X ADJOURN- The meeting adjourned at 7:03 p.m.

Ms. Pflieger moved to adjourn the meeting at 7:03 p.m. 2nd by Mr. Dowgiallo and approved 5-0-0.

Respectfully Submitted,

Jennifer Clarke

Next meeting is Tuesday, September 21, 2021 at 6:30 p.m.

Documents included in August 17, 2021 Board of Health Meeting Packet:

- August 17, 2021 Board of Health Agenda
- Draft Board of Health minutes dated July 20, 2021
- COVID-19 update dated August 9, 2021

- Draft Harwich Board of Health Sewer Connection Regulation
- Chatham Board of Health Sewer Connection Regulation
- Site Summary for 297 Route 28 dated August 17, 2021
- Notice of Violation for 297 Route 28 dated July 30, 2021
- Notification to Owner for 297 Route 28 dated September 15, 2020
- Title 5 inspection for 297 Route 28/System 1 dated August 3, 202
- Notice of Violation for 297 Route 28 dated September 15, 2020
- Title 5 inspection for 297 Route 28/System 2 dated August 3, 2020
- Notice of Violation for 297 Route/System 3 dated September 15, 2020
- Title 5 inspection for 297 Route 28/System 3 dated August 3, 2020
- Site Summary for 8 Port Pines dated August 17, 2021
- Application for Board of Health Variances and associated documents dated August 2, 2021
- Health Director Monthly Report for July 2021
- Any other documents submitted for/at the August 17, 2021 Board of Health meeting