

TOWN OF HARWICH



BOARD OF HEALTH
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**Town of Harwich Board of Health
Wednesday, August 17, 2016-6:30 PM
TOWN HALL – SMALL HEARING ROOM
MINUTES**

BOARD OF HEALTH MEMBERS PRESENT: Chairman Dr. Robert Insley, Vice Chairman Pamela Howell, R.N., Members Frank Boyle & Cynthia Bayerl

STAFF MEMBERS PRESENT: Health Director Paula Champagne, Senior Health Inspector Meggan Tierney & Administrative Assistant Jennifer Clarke

OTHERS PRESENT: Tom McLellan, & Stephanie Sequin

I CALL TO ORDER

At 6:33 p.m., Chairman Insley called the meeting to order.

II MINUTES OF PREVIOUS MEETING (Regular Meeting Minutes) – 7/12/16

Motion made by Ms. Bayerl, seconded by Mr. Boyle to accept the regular meeting minutes of the July 12, 2016 Board of Health meeting. 3-0-0 Unanimous.

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

Pam arrived at 6:35 PM

Senior Health Inspector Meggan Tierney & Health Director Paula Champagne gave a presentation of the citizen's public portal access of Accela. The ultimate goal is for the public to be able to file permits and do research for different departments with a target date of after Labor Day to go live. Ms. Tierney presented the general user portal and Health Director Champagne said that the department will be working with engineers and inspectors so that paperwork can be filed and paid for electronically.

IV 7:00- OLD/UNFINISHED BUSINESS

No old/unfinished business was discussed.

V NEW BUSINESS

A. Hearing-Gebhard, 52 Ginger Plum Lane, to consider a variance request to install a sewage disposal system prepared by Bass River Engineering.

Variations from 310 CMR 15.211(1) Minimum Setback Distances

1. Per 310 CMR 15.405: To allow a proposed soil absorption system to be 18' from the cellar wall where 20' is required. Variance request of 2'.
2. Per 310 CMR 15.405: To allow a proposed soil absorption system to be 5' from the lot line where 10 is required. Variance request of 5.
3. Per 310 CMR 15.405: To allow a proposed soil absorption system to be 9' from the slab foundation where 10' is required. Variance request of 1'.
4. Per 310 CMR 15.405: To allow a proposed septic tank to be 6' from the lot line where 10' is required. Variance request of 4'.
5. Per 310 CMR 15.405: To allow a proposed septic tank to be 5' from the lot line where 10' is required. Variance request of 5'.
6. Per 310 CMR 15.405: To allow a proposed septic tank to be 6' from the slab foundation where 10' is required. Variance request of 4'.

Chairman Insley opened the hearing. Tom McClellan from Bass River Engineering was present. The applicant is seeking to upgrade the existing cesspool. The variance requests are for setbacks only, no environmental variances. There are no conflicts with the abutting properties soil absorption systems. Chairman Insley closed the hearing.

Health Director Champagne recommended approval of the project with the following conditions:

1. The dwelling shall be restricted to a total of 3 bedrooms as submitted on the 6/22/16 plan.
2. The septic system design flow will be for 330 GPD. No increase in flow, number of bedrooms or square footage.
3. No provisions for a garbage disposal.
4. Record deed restriction as "margin referenced" and return a copy to the Health Department.
5. Variance requests are for setbacks only and not environmental.

Mr. Boyle moved to accept the recommendation of the Health Director to approve the variance request. Ms. Bayerl seconded the motion. 4-0-0 Unanimous.

B. Hearing-Boujoukos, 39 Rainbow Way, to consider a variance request to replace a sewage disposal system prepared by Ryder & Wilcox.

Variations from 310 CMR 15.227 Placement and Construction of Tees

1. Per 310 CMR 15.227: To allow the inlet elevations of the septic tank/pump chamber to be less than 12" above high groundwater.

Variations from 310 CMR 15.203 System Sewage Flow Design Criteria

2. Per 310 CMR 15.203: To allow the soil absorption system to be reduced by 2.4% (8 gpd).

Variations from 310 CMR 15.211(1) Minimum Setback Distances

3. Per 310 CMR 15.405: To allow a proposed soil absorption system to be 6.5' from the west property line where 10' is required. Variance request of 3.5'.
4. Per 310 CMR 15.405: To allow a proposed soil absorption system to be 3.5' from the north property line where 10' is required. Variance request of 6.5'.

Variations from Harwich Board of Health Regulation 1.210

5. To allow a proposed soil absorption system to be 79' from a bordering vegetated wetland where 100' is required. Variance request of 21'.

Chairman Insley opened the hearing. Stephanie Sequin from Ryder & Wilcox was present. The applicant is seeking to upgrade the existing septic system that was installed in the late 1960's. There is an existing 3 bedroom dwelling on the property which sits adjacent to Sand Lake. The entire property is located within the 100' buffer to a bordering vegetated wetland had the project has obtained approval from the Conservation Commission. Ms. Sequin and the Board discussed the groundwater conditions for the property and the proposed septic system design. The closest corner of the soil absorption system from the bordering vegetated wetland is 79'. The design engineer has

proposed a 24 hour water test to ensure the water tightness of the septic tank. The property owners are proposing to renovate and update the existing dwelling with part of the project to be enclosing the farmer's porch on the North side of the dwelling, which will be turned into habitable space. The engineer stated that they have made every effort available to prevent intrusion of the system during high groundwater months. They suggested that the Board require yearly inspections of the system to confirm that it is at normal operating levels. Dr. Insley asked if the client had considered raising the house.

Health Director Champagne noted that this project was heard by the Board of Health in 2010 and the project was denied. At the time, the owner was opposed to having the soil absorption system on the front portion of the property. A walk thru of the dwelling was done to verify the floor plan and proposed renovation plans. Health Director Champagne would like to see more assurances from the engineer and more testing requirements formulated before she would feel comfortable making a recommendation.

Ms. Sequin requested that the hearing be continued until the September 12, 2016 Board of Health meeting.

Mr. Boyle made a motion to continue the hearing until the September 12, 2016 Board of Health meeting. Ms. Bayerl seconded the motion. 4-0-0 Unanimous.

VI REPORT OF THE HEALTH DIRECTOR (July 2016)

- **Projects-**

- **Employee Wellness** -The Cape Cod Municipal Health Group –Wellness Committee (I am 1 of 6 members) has presented the programs and budget for FY17 to the Steering Committee for approval . We have a budget of \$190,000 serving >10,000 subscribers and their families in 57 governmental units on Cape Cod and Martha's Vineyard. We have been transitioning our programs from classroom based focus groups to larger arenas of activity-- challenges, screening clinics, self-paced fitness challenges, \$ incentives for participation and prevention screenings. This year we will be moving into more computer based self-tracking programs and have interviewed vendors to offer a system wide program

- **Staff News-**

- Sadly, we need to announce the departure of our Executive Assistant Extraordinaire Carol Genatossio. Unfortunately, she just is not able to return to the position at this time following a lengthy medical/personal leave and has opted for an early retirement. Carol has over 21 years of service with the town and is the only employee to have worked in all 5 departments in Community Development - the past 11 in Health & ConsCom. Not only is a wealth of institutional knowledge leaving the organization, but she has set the Gold Standard for job performance in our office. We hope to work with the administration to begin a search to fill the position as the organization has been stressed and strained during our busiest season over this lengthy absence. The administration has been exploring yet another reorganization venture involving the support staff so we are not certain yet how this will affect our request to fill the vacancy.
- Community Development Vacancies- a dramatic change in the dynamics of the workforce is anticipated. Town Planner Dave Spitz retired July 8th and Building Commissioner Dave Riquinha has just announced his departure effective Sept 1st.

- **Accela Permitting Software Implementation-** After 14 months of 'back office' implementation and training, we have been working towards the next challenges of introducing the program to the public for electronic submittal of simple projects and research capabilities. We had hoped to offer the public portal for all of Community Development however; we have been working at a different pace and on different goals. It is abundantly clear that the administration is frustrated with the perceived lack of progress on this mission. To that end, Health has ramped up efforts to activate the citizen's access portal for several categories of electronic application submittal and records research. We're very excited with the prospect of making the public portal operational and initiating an awareness campaign as to this great feature. Now that Accela has connected the

historical data with the current 1 year live usage material, we have a meaningful program we can offer to the public. This feature will be of key interest to a large sector of our clientele to research properties, download completion letters and documents, and track project submittals.

Examples-

- The engineer /designer researching a parcel history for a new client can accomplish this remotely and already know what records they want retrieved before arriving at town hall(less wait time in line)
- Same example-but- there are no records- the engineer saves a trip to town hall
- Designers/pumpers/installers can access scanned documents as they become available
- Realtors, banks, buyers, sellers, lawyers can all access the approval letters for Real Estate Inspections remotely as they become available (a case in the last week has generated a minimum of 10 calls to the office inquiring as to whether a specific permit has been filed)

- ***Community Development –***
 - Permitting Software- to address the growing discontent with the slow progress/perceived constraints with the Accela program, the Town Administrator scheduled two outside vendor presentations. While an intriguing possibility, given the enormous staff investment with the current path, the decision was to march on as planned with the current project. Absent active leadership (the Town Planner was a coordinator, but there was no firm oversight assigned to staff) the Town Administrator will now be the facilitator of the project with Accela and our Cape Cod Commission Liaison Dave Sullivan. Dave will report directly to Chris with measurable progress and visible results expected.
 - Project reviews- staff met with Orleans Auto Supply about a possible relocation to Harwich Antiques Center
 - All Dept Hd meeting – emergency management/Hurricane Season Primer; also Town Clerk has requested emergency management team to assist with crowd control and facilitation at Presidential Election

- ***Food Service Program-***
 - Perks Café- on site review of expanded offerings and outdoor bar- ‘beer garden’ and evening entertainment. Review of outdoor bar construction / sink & waterline installed w/out permits. Sink has been relocated, connected to plumbing and waterline removed.
 - The Mad Minnow has applied for a mobile food permit to sell hot dogs from a mobile push cart in the rear of the property. The cart has been inspected and meets our requirements for health and safety.
 - The Local Scoop has applied for a mobile food permit to sell packaged ice cream from their refrigerated truck. The base of operations is a permitted facility in Orleans The mobile truck will be selling at various events and private parties in town.

- ***RET’s/ Sewage permit review – outstanding issues***
 - Mooncusser’s- report of breakout of sewage in parking lot July 4th week-end. Site visit with owner to correct issue.
 - 199 Route 28- walk thru RET- number of bedrooms- return to compliance plan needed- finished 2nd floor rooms do not meet definition of bedroom
 - 60 Christopher Way- RET- Zone II - # bedroom issue- 3 where 4 are permitted- return to compliance plan needed
 - Mabel Canto Way- complaint of washing machine hose not connected to system; met with owner who agreed to investigate issue and propose return to compliance plan

- ***MISC.***
 - Zika Virus Management Plan- CDC advisory developed for schools- forwarded to CCTech and Monomoy

- West Harwich Groundwater Plume- inquiries sent to BOS have been forwarded to Health Director for review. BOS have requested a complete subject summary. Director has researched and collated over 1,000 pages of documents and is in the process of reviewing. Not known at this time what BOS expectations are but anticipating the preparation of a presentation on the issue in the near future.
- 18 Alder Way- neighborhood complaint of possible Haz waste storage issues. Investigated with Building Commissioner- unsubstantiated.
- Recreation Camp- the Lighthouse Charter School now has a new Camp Director; this existing recreational camp for children has operated for several years. The camp application and paperwork was submitted late due to the change in staffing this year. Even with the late start, the camp was able to fully comply with all of the regulations and was permitted successfully.
- “Green Packets”- in an effort to reduce paper waste for BOH meeting packets, we will institute a system of emailing large documents that appear under correspondence. These are generally items ‘taken under advisement’ and not requiring additional review or discussion. They will be listed on the agenda and a hard copy will remain with the office file as required. Anyone wishing to receive a paper copy of any items should then notify the office. We have instituted this measure with the August 2016 packet.
- Fiscal Year changeover July 1st- budget reconciliation; \$\$ turnovers; encumbrances; set up FY17 accounts. Many thanks to Elaine Banta, who now handles the budget management for the 5 Community Development Depts as well as weekly payrolls.

Health Director Champagne reported that the owner of Fully Baked Smoke Shop contacted the Health Department regarding his establishment having a humidor and selling cigars. An inspection of the establishment was done for compliance. Health Director Champagne recommended that the tobacco permit be amended to include the humidor and cigar sales.

The conditions of the amended permit will read:

1. Sales limited to e-products & cigars.
2. Humidors must be locked at all times.

Mr. Boyle made a motion to accept the recommendation of the Health Director to amend the tobacco permit for Fully Baked Smoke Shop. Ms. Bayerl seconded the motion. 4-0-0 Unanimous.

VII CORRESPONDENCE

No correspondence was discussed.

VIII PERMITS

ESTABLISHMENT	ADDRESS	TYPE
FOOD SERVICE		
Baskins True Value	481 Route 28	<50 sq. ft. (non PHF only)
Cape Cod Claddagh Inn and Irish Pub	77 Route 28	61-150 seats
Cape Life Gifts	337 Route 28	Retail <50 sq. ft (non PHF only)
Freedom Cruise Line Inc.	715 Route 28	Limited Food Service
Mad Minnow	554 Route 28	Mobile Food Service
Suzanne's Sweet Savories		Event Permit
The Local Scoop (new)		Mobile Food Service
POOL		
Coachman Motor Inn	774 Route 28	

Cape Cod Claddagh Inn and Irish Pub	77 Route 28	
SEPTIC INSTALLER		
Cardinal Construction	Sandwich, MA	
J.C. Ellis Design Co. Inc. (new)	Eastham, MA	
Minot Reynolds	Orleans, MA	
RECREATIONAL CAMP/CABIN/PARK		
Cape Cod Lighthouse Charter School	195 Route 137	

Ms. Bayerl moved to approve the permits as per the list dated August 17, 2016. Ms. Howell seconded the motion. 4-0-0 Unanimous.

IX OTHER

The Board of Health is scheduled for its annual visit with the Board of Selectmen on Monday, October 3, 2016.

X ADJOURN- The meeting adjourned at 7:45 p.m.

Mr. Boyle moved to adjourn. Ms. Howell seconded the motion. 4-0-0 Unanimous.

Submittals of the meeting are part of the permanent record.

Respectfully Submitted,

Jennifer Clarke

Next meeting is Monday, September 12, 2016 at 6:30 p.m. in the small hearing room.