

## Proposed changes to Berlin Board of Health Regulations

### General Requirements:

#### K: Construction in Fill

Remove the following paragraph on Page 5

*“Any system constructed in fill must meet the requirements outlined in Title 5 (310 CMR 15.255). Clean granular fill (as required by Title 5) shall be considered part of the leaching facility. In any case, when the plan proposes to fill a low wetland area, or alter land within 100’ of a vegetated wetland, the Berlin Conservation Commission shall be consulted regarding compliance with the Wetlands Protection Act. If fill is proposed in the plan, the percolation test first be performed in the natural terrain. Any material used for fill must pass the percolation test requirements outlined in Title 5 (310 CMR 15.255).”*

Replace with:

**“Any system constructed in fill must meet the requirements outlined in Title 5 (310 CMR 15.255). When the plan proposes to fill a low wetland area, or alter land within 100’ of a vegetated wetland, the Berlin Conservation Commission shall be consulted regarding compliance with the Wetlands Protection Act. If fill is proposed in the plan, the percolation test first be performed in the natural terrain. Any material used for fill must pass the sieve test requirements outlined in Title 5 (310 CMR 15.255).”**

#### P. Use of Title 5

Remove the following paragraph on page 5

*In situations where the 1978 Environmental Code, Title 5, applies, the Berlin Regulations in effect prior to March 31, 1995 must be met.*

### IV. LOCATION

Remove the following paragraph on Page 6

*B. Depth to groundwater is to be determined at the wettest time of the year, or by the soil strata as approved by the Board. Groundwater to be performed between March 1<sup>st</sup> and April 30<sup>th</sup>, or as otherwise determined by the Board. A total of four holes, two in the primary leaching area and two in the reserve area, each being a minimum of ten feet deep, must be dug as outlined in Title 5.*

Replace with the following:

#### B. Deep TestHoles

Depth to groundwater is to be determined by the soil strata. Determination shall be by

a DEP approved soil evaluator. A total of four holes, two in the primary leaching area and two in the reserve area, each being a minimum of ten feet deep, must be dug as outlined in Title 5 (310 CMR 15.102). The board or its Agent may require further holes after viewing the lot.

Remove the following table on Page 7

**F. Distances**

The location of the sewage disposal system shall provide the following minimum distances:

Well or suction line	100'	100'
Well or suction line where ledge is prevalent	100'	100'
Well or suction line where SSDS is installed in 2 min/in or less soils	100'	150'
Dwelling with cellar (including foundation drains)	25'	25'
Property line	20'	25'
Surface water supplies or tributaries to reservoirs, and all open or subsurface drains and aqueducts (except foundation drains)	100'	150'
Water courses, streams, ponds, swamps and other wetlands	100'	100'
Water courses, streams, ponds, swamps and other wetlands where SSDS is installed in 2 mins/in or less soils	100'	150'
Adjoining walls of the primary and reserve area		10'
Horizontal offset to ledge	25'	25'

Replace with the following table:

	SEPTIC TANK	LEACHING FACILITY
Dwelling with cellar (including foundation drains)	10'	20'
Property line	20'	25'
All open or subsurface drains and aqueducts (except foundation drains)	50'	50'
Water courses, streams, ponds, swamps, other wetlands and surface waters	50'	100'
Adjoining walls of the primary and reserve area		10'
Horizontal offset to ledge	10'	25'

## V. COMPONENTS

### A. Sewer Line Length

**Remove the following paragraph**

*The requirements of Title 5 (310 CMR 15.222) shall be applied to all sewer lines. No sewage disposal line (gravity feed or force main) shall exceed 100 feet in length from the building outlet to the sewage disposal facility. Any design of this type will require a complete topography and engineering detail of the sewer line and location. Deep test holes along the path of the sewer line may be required by the Board.*

**Replace with the following paragraph:**

The requirements of Title 5 (310 CMR 15.222) shall be applied to all sewer lines. No sewage disposal line (gravity feed or force main) shall exceed 400 feet in length from the building outlet to the sewage disposal facility. Deep test holes along the path of the sewer line may be required by the Board.

**Remove the following paragraph:**

### C. Depth to Maximum Groundwater Elevation

*No leaching facility (pit, chamber, trench, galley, or field) shall be constructed in areas where the maximum groundwater elevation is less than 5 feet below the bottom of the facility.*

**Replace with:**

**C. Depth to Maximum Groundwater Elevation**

No leaching facility (pit, chamber, trench, galley, or field) shall be constructed in areas where the maximum groundwater elevation is less than 4 feet below the bottom of the facility, 5' in soils with percolation rates of 2 minutes per inch or less.

**WELL REGULATIONS**

**4.1 Well Location Requirements**

**Remove the following paragraph**

(1) The following minimum lateral distances from contamination shall apply with the granting of a variance under special conditions:

Source of Contamination	Minimum Distance
Leaching facility (310 CMR 15.000)	100
Leaching facility (in soils with percolation rates of two minutes Per inch or less)	150
Cesspool	100
Septic Tank	50
Sewer Line	50
Property Line	50
Public or private way, common drive, easement,	50
Active or closed landfill	400
Hazardous waste spill site	400
Any type of surface water	100

**Replace with:**

**4.1 Well Location Requirements**

(1) The following minimum lateral distances from contamination shall apply with the granting of a variance under special conditions:

Source of Contamination	Minimum Distance
Leaching facility (310 CMR 15.000)	100
Cesspool	100
Septic Tank	50
Sewer Line	50
Property Line	50
Public or private way, common drive, easement,	50
Active or closed landfill	400
Hazardous waste spill site	400
Any type of surface water	100