

SUBSURFACE DISPOSAL OF SANITARY SEWAGE
(adopted May 1, 1995 unless otherwise noted)

Pursuant to 310 CMR 15.00 Title 5 of the State Environmental Code, "Minimum Requirements for the Subsurface Disposal of Sanitary Sewage".

1. Deep observation holes for the determination of groundwater elevations may be performed during the months of March and April, and other months during which the Board of Health allows based on climatic conditions. Additionally, if soil evaluation can, in the opinion of both the permit applicants' engineer and Board's Agent, determine groundwater out of season on a specific site, this testing may be acceptable in lieu of actual observation of high groundwater.
 - a). If actual groundwater observation holes are dug (in-season), the effect of groundwater used for design shall be 5'.
 - b). If soil evaluation is used to determine groundwater the offset used shall be that allowed in Title 5 (310 CMR 15.000).
2. Deep observation holes must be completely refilled within twelve (12) hours of being witnessed by the Board of Health or its agent.
3. A lot must be inspected by the Board or its agent when it is clear of snow before a sewage disposal works construction permit may be issued.
4. Any dwelling used for summer occupancy only may not be occupied year-round until a sewage disposal system, meeting the requirements of Title 5, and Ashburnham regulations, serves the dwelling.
5. Leaching facilities (including proposed expansion areas) must be located at least one hundred (100) feet from the nearest wetland, watercourse or wetland vegetation.
6. All plans submitted to the Board of Health must be drawn to a scale of one (1) inch to twenty (20) feet.
7. The length of the pipe between the septic tank and the distribution box shall not exceed one hundred (100) feet.
8. The distances required by Title 5 and the Ashburnham Board of Health are minimum distances and may be increased it, in the opinion of the Board or its agent, such an increase is required to protect the environment or the public health.
9. The area between trenches shall not be used for the reserve area of a system.
10. The trenches installed in fill are prohibited unless proper engineering documentation of the construction methods to be used are noted on the design plan. The engineer's certification will certify to the placement of the fill required.

11. A minimum of four (4) feet must be available between the primary and expansion leaching facilities.
12. The sewage disposal system must be located on the same lot as the facility it is intended to serve; for the purpose of this regulation, a lot shall not be interconnected by an easement or right-of-way.
13. No privy, humus or self-contained toilet may be used without the written permission of the Board of Health. Such permission shall indicate the period of time for which such a facility may be used and in no case shall exceed one (1) year. Permanently installed privies, humus or self-contained toilets must receive written permission annually.
14. Every request for a variance shall be made in writing and shall state the specific variance sought and the reasons therefore. No variance shall be granted for a new sewage disposal system, repair, nor for an enlargement to an existing system which increases capacity to accommodate additional flows, except after the applicant has notified all abutters by certified mail at his own expense at least 10 days before the Board of Health meeting at which the variance request will be on the agenda. The notification shall state the specific variance sought and the reason therefore. (adopted Oct. 2, 1989)
15. The area of land defined by a circle with a twenty-five (25) foot radius around a failing percolation test shall be deemed unsuitable for sewage disposal.
16. The area of land defined by a circle with a twenty-five (25) foot radius around a deep observation hole with less than the prescribed amount of pervious, naturally occurring soil, as described in Title 5 (310 CMR 15.000), shall be deemed unsuitable for sewage disposal.
17. Mounding
When an individual proposes a sewage disposal system in excess of 2,000 gallons per day, groundwater-mounding analysis will be acquired as part of the design information submitted to obtain a Sewage Works Construction Permit.
18. Innovative System
When an individual proposes to use one of the Department of Environmental Protection's approved innovative systems for the design of a sewage disposal system, they must also receive approval from the Board of Health.
19. If an applicant for a sewage disposal work permit construction claims the right to use the 1978 Code (Title 5, 310 CMR 15.00). The Ashburnham Board of Health regulations in effect on March 1, 1995 and before shall govern the design of the system.

20. The following uses are prohibited in the Watershed Protection District as defined by Ashburnham Zoning By-Laws of the Town of Ashburnham. Where the location of a boundary is uncertain the burden of proof shall be upon the owner(s) of the land in question and subject to Town Zoning By Laws 2.25, 2-g.
 - a). The replacement or repair of an existing subsurface sewage disposal system which results in an increase in design capacity greater than the design capacity of the existing system(s).
 - b). Individual sewage disposal systems that are designed to receive more than 110 gallons of sewage per quarter per day or 440 gallons of sewage per acre per day, whichever is greater, provided that; the replacement or repair of the existing system which will not result in design capacity above the original design, shall be exempted.
21. In the Floodway, designated on the Flood Boundary and Floodway map, with any boundary disputes being determined according to the Towns Zoning By Laws 2.25, a-g, the following provision shall apply.
 - a). New construction requiring the installation of a subsurface sewage disposal system is prohibited.