



TOWN OF RAYNHAM  
*Selectmen and Board of Health*  
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**Raynham Board of Health**

**REGULATIONS PERTAINING TO THE DESIGN, CONSTRUCTION AND MAINTENANCE OF SEWAGE DISPOSAL SYSTEMS IN THE TOWN OF RAYNHAM**

**Purpose & Scope:**

The purpose of these regulations is to set forth standards where the Board of Health, acting under the authority conferred by MGL Chapter 111, Section 31, governs the design, construction and maintenance of sewage disposal systems.

**Rationale:**

The Town of Raynham receives most of its drinking water from public and private wells located within the Town's borders. The groundwater serves as the source of the supply. Proper construction, design and maintenance of sewage disposal systems is imperative to protect this precious resource.

**Design & Construction:**

1. Where the Public Sewer System is not available minimum lot sizing shall be based on the following:

<u>Percolation Rate</u>	<u>Minimum Lot Size</u>
10 MPI or Less	60,000 s.f. w/out public water
11-30 MPI	60,000 s.f. w/public water 80,000 s.f. w/out public water 60,000 s.f. w/out public water & system with enhanced nitrogen removal

Any percolation rate greater than 30 mpi is a failure rate.

2. When calculating the leaching area required for a septic system, the design capacity of the system must meet or exceed 150% of the capacity required by 310 CMR 15.000, State Environmental Code, Title V.

3. All septic leaching facilities must be constructed so that the bottom of the facility is a minimum of five (5) feet above the estimated seasonal high groundwater elevation.
4. The time period during which percolation tests and soil evaluations may be conducted shall be March 1<sup>st</sup>, to May 31<sup>st</sup> of each year. The season may be extended by vote of the Board of Health. The Board of Health or its agent may allow individual lots to be "soil tested" out of season where a hardship can be demonstrated and the request for "testing" is made in writing.
5. If the septic system is located between the street line and the front line of the nearest building wall, the minimum set back of the building shall be sixty (60) feet from the street line (r.o.w.).
6. The design engineer shall be required to inspect all construction of the system and certify in writing that the work has been completed in accordance with the terms of the permit and approved plans.
7. An as-built plan shall be furnished to the Board of Health when the system has been completed and prior to occupancy permit approval. Final fill and grading must be shown on as-built.
8. Percolation tests are valid for two years from the date of the test. Sewage Disposal Systems must be installed and inspected within one year of the issuance of a "Sewage Disposal Works Construction Permit". These deadlines can be extended at the discretion of the Board of Health or its agent on a case by case basis where a hardship can be demonstrated and the request for "extension" is made in writing.
9. At the time when the Board of Health or its agent is to witness a percolation test or soil evaluations pursuant to an application for a Sewage Disposal Works Construction Permit, the Board of Health or its agent may have an independent witness accompany them to observe said tests.
10. No leaching facility shall be located closer than 100 feet to a pond, brook, stream or other body of water as determined by the Board of Health.
11. No component of a new Sewage Disposal System shall be located within the 100 year flood plain.
12. No wetland shall be filled in order to meet setbacks as required in Title V or these regulations.
13. In order to avoid a conflict of interest, an engineer, sanitarian, Title V system inspector, septic installer, septic hauler or soil evaluator, shall not be allowed to perform a percolation test, soil evaluation, or septic inspection or installation on a property in which he/she has a financial interest.
14. Outside Consultants:
  - a) When reviewing an application for a permit or reviewing an application for approval, the Board of Health may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impact. The Board may require that applicant pay a "review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application.
  - b) In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the board in analyzing a project to ensure compliance with all relevant laws, bylaws, and regulations.

- c) Funds received by the Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only in connection with the specific project or projects for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the permit approval or application.
- d) Review fees may only be spent for services rendered in connection with the specific project from which they were collected. Accrued interest may also be spent for this purpose. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor.

15. Applications/Fees:

The Board of Health shall require an application and fee for the following:

- a) Witnessing of percolation tests/soil evaluations.
- b) Sewage Disposal Works Construction Permit
- c) Sewage Disposal System Abandonment Permit.
- d) Septage Hauler.
- e) Disposal Works Installer Permit.

A fee is to be submitted with the application. All fees shall be adjusted from time to time. Refer to Raynham Board of Health Fee Schedule.

16. Public Sewer System Connections:

- a) Any on-site Sewage Disposal System failing to protect public health and safety and the environment as set forth in 310 CMR 15.303 (1), and 310 CMR 304 (1) shall be connected into the Town's existing public sanitary sewer line (when available), in accordance with the provisions of the Town's Sewer By-Law, within ninety (90) days of the Board of Health's notice requiring it.
- b) When connecting any property into the public sewer system, the use of the existing septic system must be discontinued completely and abandoned to the satisfaction of the Board of Health as set forth in 310 CMR 15.354. A Sewage Disposal System Abandonment Permit shall be obtained from the board prior to connection to the public sewer system. The Board of Health shall inspect to assure compliance.

17. Pumping/Maintenance:

All septic systems must be maintained. All septic tanks should be pumped and removed of their contents a minimum of once every two (2) years. Septic Pumper must be licensed by the Raynham Board of Health.

18. Variances:

- a) The Board of Health may vary the application of any portion of these regulations with respect to any particular case, when, in its opinion, the enforcement thereof would do manifest injustice; provided that the decision of the Board of Health shall not conflict with the spirit of

these regulations, and provided further, such variances may be granted only after notice given to all affected parties and after a hearing is held. Any variance granted by the Board of Health shall be in writing.

- b) Any variance or other modification authorized to be made by 18a may be subject to such qualifications, revocations, suspensions or expiration as the Board of Health expressed in its grant. A variance or other modifications authorized to be made by 18a may otherwise be revoked, modified or suspended in whole or in part, only after the owner or affected party (ies) have been notified in writing and have been given an opportunity to be heard.

19. Severability:

- a) Should any portion of these regulations be found unlawful or invalid, the remaining portions shall remain valid and in effect.

Adopted by unanimous vote of  
Raynham Board of Health November 25, 2003.  
Effective: November 25, 2003.