



TOWN OF GROTON

Board of Health
173 Main Street
Groton, MA 01450

BOARD OF HEALTH

Michelle Collette, Chair
Robert J. Fleischer, Member
Evan Thackaberry, Member

Date: Monday, March 6, 2023
Time: 7:00 PM
Location: 1st Floor Meeting Room, Groton Town Hall
Members Present: Michelle Collette, Chairperson; Robert J. Fleischer, Member; Evan Thackaberry, Member; Ira Grossman, Board of Health Agent
Others Present: Michael Morgan, Paul Iannacci

Michelle Collette called the meeting to order at 7:01 p.m.

1 OLIVIA WAY – Variance Request to State Sanitary Code 410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets

Property owner Michael Morgan was present and provided brief overview of proposed plans to basement. They would like to add a recreational space to the basement. Mr. Morgan will be having a Mitsubishi system installed to help with the air ventilation.

Ira Grossman has no objections.

Robert Fleischer moved to grant the variances as presented for 1 Olivia Way to the State Sanitary Code 410.250: Habitable Rooms Other than Kitchen -- Natural Light and Electrical Outlets as described in the letter dated February 13th, 2023 and that the Board of Health Decision Notice be recorded with the Middlesex South Registry of Deeds prior to the issuance of the Building Permit.

Evan Thackaberry seconded and the motion carried.

15 RHODENDA ROAD – Continuation Discussion of Septic Design System Variance Request

The engineer and property owners are still working on completing the pending items for 15 Rhodenda Road.

Evan Thackaberry moved to continue the discussion of the septic design system variance request for 15 Rhodenda Road to the Board of Health meeting on April 3rd, 2023.

Robert Fleischer seconded and the motion carried.

REVIEW BOARD OF HEALTH REGULATIONS

Groton resident of 347 Townsend Road Paul Iannacci was present. Mr. Iannacci had a minor complaint regarding his neighbors leaving their trash receptacles out in the front of their property every day and wanted to seek guidance on whether this was permitted under the Town's regulations.

Brief discussion ensued regarding current bylaws.

Ira Grossman and Michelle Collette will drive by the property to assess the situation and will provide photos to the other Board members to determine whether any further action will be required.

Board members reviewed the following regulations and provided their comments and proposed edits (draft versions of documents attached).

- Chapter 330 Wells
- Chapter 315 Subsurface Sewage Disposal Regulations

Board members will look at the other Board of Health regulations and see if they would like to review any others at a future meeting.

The Board will revisit this discussion at their meeting on April 3rd, 2023. Ira Grossman will reach out to engineers or other members of the public to see if they have any additional comments or feedback to provide.

OLD / NEW BUSINESS

MEETING MINUTES

The Board reviewed the meeting minutes dated October 17th, 2022.

Robert Fleischer moved to accept the meeting minutes dated October 17th, 2022. Evan Thackaberry seconded and the motion carried.

Robert Fleischer moved to adjourn the meeting at 8:38pm. Evan Thackaberry seconded and the motion carried.

Minutes by Sammie Kul.

APPROVED: March 20, 2023

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Draft Revisions

March 6, 2023

Chapter 330 Wells

[**HISTORY:** Adopted by the Board of Health of the Town of Groton 7-22-2002; amended 11-18-2002, 4-29-2003, 7-21-2003; 5-15-2006 and 11-21-2011. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Water — See Ch. 90.

Water use restrictions — See Ch. 91.

Water Commission — See Ch. 93.

Sewers — See Ch. 190.

Zoning — See Ch. 218.

Subsurface sewage disposal regulations — See Ch. 315.

Sewer Commission regulations — See Ch. 396.

Water Department regulations — See Ch. 407.

§ 330-1 Purpose; permit required.

These regulations are intended to protect the public health and general welfare by ensuring that private wells are constructed, deconstructed or decommissioned in a manner which will protect the quality of the groundwater derived from private wells. Therefore, the property owner or designated representative of an owner proposing to construct or deconstruct a well shall obtain a permit therefore from the Board of Health. The well contractor must have the well permit (See Emergencies under § 330-17) in his/her/their possession at the specific job site during all aspects of the well drilling process.

§ 330-2 Authority.

These regulations are adopted by the Town of Groton Board of Health, as authorized by MGL C. 111, § 31. These regulations supersede all previous regulations adopted by the Board of Health regarding the construction and deconstruction of private wells.

§ 330-3 Definitions.

A. As used in this chapter, the following definitions shall have the meanings indicated:

AGENT

The Nashoba Associated Boards of Health, as designated by MGL C. 111, § 27A, the Groton Board of Health, lab staff from a state-certified water lab or other individuals designated as agents by the Groton Board of Health.

AGRICULTURAL WELL

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A well which provides water solely for agricultural purposes. An agricultural well requires a water test upon installation in compliance with the Groton Board of Health regulations. There shall be no plumbing connecting an agricultural well to a habitable structure. All spigots served by an agricultural well, in addition to itself, must be identified by a firmly attached yellow metal tag having the shape of a four-inch equilateral triangle bearing the legend "WATER UNSAFE" in letters not less than 7/16 inch in height.

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AGRICULTURE

The business of cultivating the soil, producing crops, and raising livestock useful to man.

APPLICANT

Any person who intends to have a private well constructed or deconstructed.

AQUIFER

A water-bearing geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs.

BACKFLOW PREVENTION DEVICE

A Water Department approved device which operates as a check valve on the service pipe to prevent any material from being forced or drawn into any public or private water system, thereby contaminating the potable water supply.

BEDROCK

The solid rock that underlies all soil, sand, clay, gravel, and loose material on the earth's surface.

BOARD

The Board of Health of the Town of Groton, Massachusetts or its authorized agent.

BUSINESS OF DIGGING OR DRILLING

A person who charges a fee for digging or drilling a well, or a person who advertises for hire the availability to dig or drill wells within the Commonwealth of Massachusetts.

CASING

Impervious durable pipe placed in a boring to prevent the walls from caving in and to serve as a vertical conduit for water in a well.

CERTIFIED LABORATORY

Any laboratory currently certified by the Massachusetts Department of Environmental Protection for drinking water analysis. A laboratory holding provisional certification shall also qualify.

CLOSED-LOOP GEOTHERMAL BOREHOLE

A boring drilled to facilitate the installation of a pipe loop or tubing for a ground source heat pump system whether circulating water, heat transfer fluid or refrigerant using direct exchange.

DEEP WELL

Any well with a total depth of greater than 100 feet.

DRILLED WELL

Any well that is drilled into bedrock with a casing that is sealed to the bedrock.

DRIVEN WELL

Any well utilizing a drive-well point which is driven into the ground.

DUG WELL

Any excavation dug by man or machine which is used to provide water for irrigation or any other purpose.

GEOHERMAL WELL

Any shaft or hole drilled into the surface of the earth, greater than 20 feet in depth, which is used or intended to be used in connection with coring, or the drilling for, prospecting for, or the production of geothermal resources, hot water, petroleum, natural gas, or other hydrocarbon substances, or shallow extraction wells for heating, agricultural or other purposes, or is used or intended to be used for the subsurface injection into the earth of oilfield waste, gases, water or liquid substances, including any such existing hole, shaft or casing which has not been abandoned, except that "geothermal, oil or gas exploratory or development well" shall not include "temporary exploratory probe," as defined in this section.

IRRIGATION WELL

An irrigation well requires a water test upon installation in compliance with the ~~Greton~~ Board of Health regulations. There shall be no plumbing connecting an irrigation well to a habitable structure. All spigots served by an irrigation well, in addition to the well itself, must be identified by a firmly attached yellow metal tag having the shape of a four-inch equilateral triangle bearing the legend "WATER UNSAFE" in letters not less than 7/16 inch in height.

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NONESSENTIAL PRIVATE WELL

Any well not used as a potable water source, including but not limited to irrigation wells.

OPEN-LOOP BOREHOLE

A water well designed to produce source water above land surface to provide heat transfer to a geothermal well.

PERSON

An individual, corporation, company, association, trust, or partnership.

PFAS

Per- and polyfluoroalkyl substances (PFAS) are a group of synthetic chemicals that have been in used in firefighting foam, chrome-plating, waterproof textiles and other Teflon products. These chemicals are of concern due to their persistence in the environment and risk of adverse health impacts.

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POINT WELL

Any well utilizing a drive-well point which is driven into the ground.

PRIVATE WELL

Any dug, driven, or drilled hole, with a depth greater than its largest surface diameter, developed to supply water intended and/or used for human consumption and that will not serve either a number of service connections or a number of individuals sufficient to qualify as a public water system as defined in 310 CMR 22.00.

PUMPING TEST

A procedure used to determine the characteristics of a well and adjacent aquifer by installing and operating a pump.

REGISTERED WELL DRILLER

Any person registered with the Department of Environmental Protection Bureau of Resources Protection to dig or drill wells in the Commonwealth of Massachusetts.

SHALLOW WELL

Any well with a total depth of less than 100 feet, including but not limited to points, dug wells, driven wells, and wash wells.

SILCOCK SPIGOT

Any faucet with a direct connection to a dwelling.

STATIC WATER LEVEL

The level of water in a well under non-pumping conditions.

STRUCTURE

A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, fence, or the like.

WASH WELL

Any well created through the removal of soils by water or fluid prior to the placement of the well piping, a.k.a. "Jetted Well."

WELL

An excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of providing a water supply.

B. Unless the context requires otherwise, words not herein defined shall have the same meaning as given in the applicable regulations of the Department of Environmental Protection (DEP)

C. The following are not wells for the production of water as used in these regulations:

- (1) Post holes;
- (2) An excavation for the purpose of obtaining or prospecting for oil, natural gas, minerals other than water, products of mining and quarrying;
- (3) Injection well regulated under DEP UIC program;
- (4) Cathodic protection wells;
- (5) Wells used for dewatering purposes in construction work;
- (6) Monitor wells, geographical test borings and piezometers;
- (7) Ponds, pits, sumps and drainage trenches;
- (8) Contaminant recovery wells otherwise regulated by the DEP; and
- (9) Closed-loop geothermal boreholes.

§ 330-4 Well construction/deconstruction permit.

- A. The application for a permit for the installation of an individual well, geothermal well, monitoring well and test well shall be made by a contractor, appropriately licensed.
- B. The property owner or his/her/their designated representative shall obtain a permit from the Board of Health or its agent prior to the commencement of construction and/or deconstruction of a private well, nonessential private well, irrigation well, monitoring well, hydrogeological well, heating and cooling well, agricultural well, drilled holes, bore holes, or other holes drilled by mechanical means greater than 10 feet, and any other structure that is considered a well.
- C. Any dwelling on property with a lot line that is within 500 feet of a water main must be connected to a municipal water supply system.
- D. An applicant for a well construction permit must secure a letter from the municipal water supply system stating that no public water is available within 500 feet of any lot line prior to seeking a permit.

E. Permit applications.

(1) Each permit application to construct a well shall include the following:

- (a) Application form furnished by the Nashoba Associated Boards of Health.
- (b) The property owner's name and address.
- (c) The well driller's name and proof of valid state registration.
- (d) A plan with a specified scale, preferably signed by a registered surveyor or engineer, showing the location of the proposed well in relation to existing or proposed above or below ground structures.
- (e) Potential sources of contamination.
 - [1] A description of visible prior and current land uses within 400 feet of the proposed well location, which represent a potential source of contamination, including but not limited to the following:
 - [a] Existing and proposed structures.
 - [b] Subsurface sewage disposal system.
 - [c] Subsurface fuel storage tanks.
 - [d] Public ways.
 - [e] Utility right-of-way.
 - [f] Any other potential sources of pollution.

[2] The Board may choose to require additional information pertaining to, but not limited to, all of the above, including the location of landfills, waste sites, PFAS contamination sites, and agricultural land uses that are within 500 to 1,000 feet of the well site. Should we review Harvard's policy for PFAS? IG SAID: CAN REQUIRE ADDITIONAL TESTING BASED ON KNOWN CONTAMINATION; BEST WAY TO DO IT IS TO LEAVE IT AS A LIVING DOCUMENT. PFAS 13 WENT UP TO \$480. 16 OR 18 IS ALMOST \$600.

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COMPREHENSIVE & RADON IS \$215 NOW IF IG COLLECTS WATER SAMPLE.

13, 16 OR 18 "PACKAGE"

NOTHING KNOWN OUTSIDE OF THE HS

IG - VERY SMALL AREA SO FAR; WON'T KNOW UNLESS YOU TEST

ANY NEW WELL HAS TO GET A WATER QUALITY TEST

CAN IG DRAFT A POLICY STATEMENT FOR CONSIDERATION FOR NEXT MEETING?

DO IT EVERYWHERE VS. SITE SPECIFIC - YES, EVERYWHERE

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330- SECTION 8A - WOULD BE ADDING PFAS REQUIREMENT FOR THAT SECTION

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AND SECTION E

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- (2) All well permit applications are subject to the review of the Town of Groton Water Department and/or the West Groton Water Supply District prior to issuance.
- (3) All irrigation and agricultural wells shall post a sign (eight inches by 12 inches) notifying the public that it is in fact an "irrigation well in use."
- F. The permit shall be on site at all times that work is taking place. Each permit shall expire one year from the date of issuance unless revoked for cause. Permits may be extended for one additional six-month period, provided that a written request is received by the Board prior to the one-year expiration date. No additional fee shall be charged for a permit extension, provided there is no change in the plans for the proposed well.
- G. Well construction permits are not transferable. Acquiring any additional necessary permits (e.g., plumbing and electrical permits, etc.) shall be the responsibility of the applicant.
- H. Electrical service shall not be grounded to the well.

§ 330-5 Requirements for private well.

The following shall be submitted to the Board of Health or its agent within 30 days after completion of construction of any well:

- A. A copy of the state's Water Well Completion Report.
- B. A copy of the Water Quality Report required pursuant to § 330-8 of these regulations.

§ 330-6 Well location and use requirements.

- A. In locating a well, the applicant shall identify all potential sources of contaminants which exist or are proposed within 400 feet. When possible, the well shall be located upgradient of all potential sources of contamination and shall be as far removed from potential sources of contamination as possible, given the layout of the premises.
- B. Each well or bore hole shall be accessible for repair, maintenance, testing, and inspection. The well shall be completed in a water-bearing formation that will produce the required quantity of water under normal operating conditions.
- C. The following minimum lateral/circumferential distances from potential sources of contamination shall apply:

Source of Contamination	Minimum Lateral/Circumferential Distance (feet)
Leaching facility (310 CMR 15.00)	100
Cesspool	100
Septic tank	50
Sewer line	100

Source of Contamination	Minimum Lateral/Circumferential Distance (feet)
Property line	50
Public or private way, common drive, roadway easement, parking lot	50
Active or closed landfill	400
Hazardous waste spill site	400
Any type of surface water/wetland	100
In-ground pool	25
Septic expansion area	100
Slab or foundation	10

- D. A suction line or supply line shall be located a minimum of 25 feet from a building sewer constructed of durable corrosion-resistant material with watertight joints, or 50 feet from a building sewer constructed of any other type of pipe; 50 feet from a septic tank; 100 feet from a leaching field; and 100 feet from a privy.
- E. Water supply lines shall be installed at least 10 feet from and 18 inches above any sewer line. Whenever water supply lines cross sewer lines, both pipes shall be constructed of class 150 pressure pipe and shall be pressure tested to assure watertightness.
- F. The Board reserves the right to impose minimum lateral distance requirements from other potential sources of contamination not listed above. All such special well location requirements shall be listed, in writing, as a condition of the well construction permit.
- G. No private well, nonessential private well, or its associated distribution system shall be connected to either the distribution system of a public water supply system or any type of waste distribution system.

§ 330-7 Water quantity requirements.

Each well must supply an adequate quantity of water for the purpose for which it is intended and shall be tested to give satisfactory evidence of continuing capability to do so. Before being approved, every well shall be pump tested by the installer. The results of the test shall be submitted to the Board of Health on

the previously described Well Completion Report, and the Board shall maintain such as a public record. The following are guidelines for what will be considered satisfactory, but the Board of Health may vary these guidelines in particular cases where it is demonstrated that the well will furnish an adequate supply of water for the purpose for which it was intended.

A. Shallow wells, washed wells, points, pits or excavations are not allowed. The Board may grant a variance for shallow wells, washed wells, points, pits or excavations for irrigation purposes or when a drilled well cannot be utilized. Where a variance has been granted, shallow wells, washed wells, points, pits or excavations shall produce a minimum of 15 gallons per minute after performing a four-hour pump test. Wash wells must be tested every six months and the results submitted to the Board of Health office. No shallow wells will be allowed in a primary water or secondary water resource district as designated under the Groton Zoning Bylaw, with exceptions for agriculture and/or business when deemed appropriate by the Board.

B. Well production.

(1) After pump testing, all drilled wells shall produce at least the following gallons per minute:

Static Water Depth in Well (feet)	Required Yield (gallons per minute)
100	6
200	5
300	4
400	3
500	2

(2) If the water depth is above a stated level shown on the chart above, then the next highest required yield shall be used.

§ 330-8 Water sampling and quality testing requirements.

All private wells and nonessential private wells shall be disinfected following construction, rehabilitation, and well or pump repair before the well is placed into service. The well shall be pumped to waste (not to the septic system) until the water is as clear as possible. Thereafter the well and pumping equipment (and plumbing, if installed) shall be disinfected with a solution containing at least 50 ppm of chlorine. The well shall remain in contact with the chlorine solution for a minimum of 24 hours before the well is pumped to waste (not to the septic system) and the water found to be free of chlorine.

A. The ~~Groton~~ Board of Health, Nashoba Associated Boards of Health, Massachusetts Department of Environmental Protection certified laboratories, or other persons approved by the Board of Health shall collect water samples immediately following construction or rehabilitation and disinfection of a well. A representative sample for laboratory analysis shall be collected at pump discharge or from a tap in the pump discharge line. Chemical and bacteriological analysis shall meet the standards set forth by the Massachusetts Department of Environmental Protection Public Water Supply Division regulations for potable water for the following items: total coliform, fecal coliform/E.coli, arsenic, lead, nitrate nitrogen, nitrite nitrogen, and radon and approval of the results by the Groton Board of Health or the Nashoba Associated Boards of Health shall be obtained before the well shall be put into service as a potable supply. All wells shall be tested for the following secondary standards: calcium, copper, iron, magnesium, manganese, potassium, sodium, alkalinity, chloride, chlorine, color, conductivity, fluoride, hardness, odor, pH, sulphate, turbidity, and sediment.

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B. The water sample shall be analyzed by a laboratory certified to perform drinking water analysis by the Department of Environmental Protection, and a record of the results sent to both the ~~Groton~~ Board of Health and the Nashoba Associated Boards of Health. Any fees for water testing will be charged and collected through Nashoba Associated Boards of Health prior to approval of water supply service.

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C. Water samples submitted for bacteriological analysis shall meet the standard of zero total coliform per 100 milliliters of sample using a method accepted in the latest edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association.

D. The ~~Groton~~ Board of Health or Nashoba Associated Boards of Health may require that additional chemical analysis shall be performed on the well water. Such a requirement shall specify which chemicals shall be tested for and the reason for the test.

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E. The Board of Health may require that suspected contaminated wells be tested for any biological, chemical, or radiological contaminant. The sample shall be collected by the Board of Health or its agents. Add reference to policy on PFAS testing requirements for wells in specified areas – see Town of Harvard.

Commented [ET1]: Can we use Harvard's site as a template for adding resources on our site for PFAS, arsenic, and uranium?

F. Arsenic levels shall not exceed 10 ppb. Radon levels shall not exceed 10,000 pCi/L.

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G. Water with radon levels exceeding 10,000 pCi/L shall require notification through the property deed. Absorption and absorption filters such as charcoal, which would become radioactive waste as a result of their use, shall not be used for radon removal from water.

H. Water with arsenic levels that meet or exceed 10 ppb shall require notification through the property deed.

I. All wells located on property to be sold shall be tested and the results submitted to the Board within six months (one year? YES MEMBERS AGREE; 6 MONTHS IS TOO SHORT A PERIOD), but no less than 30 days, prior to the transfer of ownership. All wells, including drinking water wells, shall be retested at the time of sale and/or transfer of the property that utilizes a groundwater well for drinking water purposes if standards are not met and treatment is required. Reference PFAS policy? NO NEED TO.

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J. All treatment systems employed for the removal of a contaminant shall be a point of entry system. Any use of a treatment system for the purposes of achieving compliance with any drinking water standard shall require retesting to demonstrate effectiveness and shall require notification of the property record at the Registry of Deeds of the existence and need for operational equipment in order to provide potable water.

§ 330-9 Well construction requirements.

A. Wells shall be constructed in conformance with the recommendations of the latest edition of the Manual of Individual Water Supply, USEPA, Water Supply Division (Exception: Springs, shallow wells, washed wells, points, pits or excavations shall not be used for the purpose of potable water supply.)

B. All individual wells, geothermal wells, monitoring wells and test wells shall be constructed in strict compliance with the specifications set forth in these regulations.

C. All individual wells, geothermal wells, monitoring wells and test wells constructed pursuant to these regulations shall be constructed or altered by a duly licensed well contractor, geothermal well installation contractor, or pump installation contractor. The licensed well or geothermal well installation contractor is responsible for taking all reasonable precautions to insure the maintenance of all isolation distances as set forth in these regulations. This includes, but is not limited to, visual site inspections, drilling the well in the location specified on the well permit and confirmation of these distances by the property owner.

D. Wells must be completed above grade, the casing shall extend at least 18 inches above the finished ground surface unless the well is located in a floodplain. For wells constructed in a floodplain, the casing shall extend at least two feet above the level of the highest recorded flood. The top of the casing shall be reasonably smooth and level.

E. General well design and construction.

(1) All private wells shall be designed such that:

(a) The materials used for the permanent construction are durable in the specific hydrogeologic environment that occurs at the well site.

(b) No unsealed opening that could conduct surface water or contaminated groundwater vertically to the intake portion of the well or transfer water from one formation to another will be left around the well.

(2) Permanent construction materials shall not impart toxic substances, taste, odors, or bacterial contamination to the water in the well.

(3) The driller shall operate all equipment according to generally accepted standards in the industry and shall take appropriate precautions to prevent damage, injury or other loss to persons and property at the drilling site.

(4) Well construction design shall insure that surface water does not enter the well through the opening or by seepage through the ground surface. Construction site waste and materials shall be disposed of in such a way as to avoid contamination of the well and the aquifer. During any time that the well is unattended, the contractor shall secure the well in a way so as to prevent either tampering with the well or the introduction of foreign material into the well.

(5) Well yield shall be measured and recorded at least every 50 feet during drilling.

(6) All water used for drilling, well development, or to mix a drilling fluid shall be obtained from a source which will not result in contamination of the well or the water-bearing zones penetrated by the well. Water shall be conveyed in clear sanitary containers or water lines and shall be chlorinated to an initial concentration between 50 mg/L and 100 mg/L.

(7) A free-chlorine residual of 10 mg/L shall be maintained in any water used at the drill site. Water from wetlands, swamps, ponds and other similar surface features shall not be used.

(8) All drilling equipment, including pumps and down hole tools, shall be cleaned and disinfected prior to drilling each new well or test hole.

(9) All drilling fluids shall be nontoxic. Drilling fluid additives shall be stored in clean containers and shall be free of material that may adversely affect the well, the aquifer, or the quality of the water to be pumped from the well. Surfactants should be biodegradable. The use of biodegradable organic polymers shall, when possible, be avoided.

(10) All wells, including those that have been hydrofractured, shall be developed so as to remove fine materials introduced into the pore spaces or fractures during construction.

(11) One or more of the following methods shall be used for development: overpumping, backwashing, surging, jetting, air-lift pumping.

(12) The completed well shall be sufficiently straight so that there will be no interference with installation, alignment, operation or future removal of the permanent well pump.

§ 330-10 Deconstruction requirements and irrigation wells.

A. A well that is abandoned shall be destroyed to protect the groundwater and to eliminate potential

physical hazards. Wells shall be sealed with nonhazardous, impervious materials which shall be permanently in place. All casing materials, pumping equipment, and distribution lines shall be removed. The excavation shall be returned to the current existing grade of the surrounding land. A record of abandonment shall be kept on file in the office of the Board.

- B. Abandoned wells, test holes, and borings shall be decommissioned so as to prevent the well, including the annular space outside the casing, from being a channel allowing the vertical movement of water.
- C. The owner of a private well shall decommission the well *within XXX months or years* if the well meets any of the following criteria: IG WOULD RECOMMEND 6 MONTHS OR 3 MONTHS IS REASONABLE; 6 MONTHS SOUNDS REASONABLE PER MEMBERS
 - (1) Construction of the well is terminated prior to completion of the well.
 - (2) The well owner notifies the Board that the use of the well is to be permanently discontinued.
 - (3) The well has been out of service for at least three years.
 - (4) The well is determined by the Board to be a potential hazard to public health or safety and the situation cannot be corrected.
 - (5) The well is determined by the Board to be in such a state of disrepair that its continued use is impractical.
 - (6) The well has been determined by the Board to have the potential for transmitting contaminants from the land surface into an aquifer or from one aquifer to another and the situation cannot be corrected.
- D. The property owner shall be responsible for ensuring that all abandoned wells and test holes or borings associated with private well installations are properly plugged in accordance with the best management practices. Only registered well drillers may plug abandoned wells, test holes, and borings.
- E. In the case of new well construction, all test holes and borings shall be plugged before the well driller completes work at the site.
- F. For each private well destroyed after the effective date of these regulations, the owner shall comply with the following requirements:
 - (1) A well destruction permit application.
 - (2) A well destruction permit.
 - (3) A well driller's or digger's report of destruction.

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§ 330-11 Irrigation wells.

- A. Irrigation wells shall be deep wells (bedrock; one-hundred-foot minimum deep well).
- B. To prevent cross-connection of potable and nonpotable water supplies, no dwelling shall be served in any capacity by both a private well and the Town of Groton's public water system unless the two water systems are completely separate. In addition to such a complete separation, a backflow protection device, approved by the plumbing inspector and the public water supplier, must be installed in the dwelling to prevent backflow and cross-connections with the Town's public water supply.
- C. Irrigation wells shall provide water through sprinkler heads or through spigots mounted on the well head. The Board of Health prohibits the use of sillcock spigots for irrigation wells.
- D. Conversion of a preexisting drinking water well to an irrigation well shall require permitting and

approval by the ~~Greton~~ Board of Health.

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§ 330-12 Geothermal wells.

A. Location of closed-loop geothermal boreholes.

- (1) The construction of a closed-loop geothermal borehole is prohibited at other than a safe distance from any potential source of contamination. The minimum safe distances shall apply for the sources listed below:

Minimum Distances

Minimum Lateral/ Circumferential Distance

Source of Structure	(feet)
Sewer lines	10
Septic tanks	25
Springs	100
Septic drain fields	50
Water wells	100
House to septic tank connection	10
House to sewer line connection	10

B. Source of drilling water for closed-loop geothermal boreholes.

- (1) All water used in drilling and construction of a closed-loop geothermal borehole shall be from a public water supply or water well.
- (2) All water used in the drilling or construction process shall be treated with enough chlorine product to retain a free chlorine residual of at least 10 parts per million.
- (3) The driller shall take all steps necessary to maintain safety around the borehole until the closed loop is installed and grouted in the borehole.

C. Reporting of closed-loop geothermal boreholes.

- (1) A Report of Well Driller for a closed-loop geothermal borehole system shall be submitted by the driller to the Board of Health within 30 days after the drilling or closure of the last closed-loop borehole in the system at the site.

D. Closed-loop geothermal borings and underground lines associated with heat transfer to geothermal boreholes are required to have detectable underground tape placed above the boring or heat transfer lines within 18 inches of land surface to denote the subsurface location of the installations.

E. For systems with 10 or less closed-loop boreholes, the driller is required to provide a master plat to both the owner and the Board of Health of the location of each borehole. The sketch shall include related distances from major buildings, septic tanks and field lines and sewer lines and be submitted with the Report of Well Driller within 30 days upon completion of drilling of the last borehole on a given project. Site plans drawn up by a licensed engineer may be used if the driller is unable to

provide a master sketch.

§ 330-13 Enforcement.

- A. The Board of Health, or its agent, shall investigate violations of these regulations and may take such actions as the Board or its agent deems necessary for the protection of the public health and the enforcement of these regulations.
- B. If any investigation reveals a violation of these regulations, the Board or its agent shall order the private well owner to comply with the violated provisions.
- C. These orders shall be in writing and served in the following manner:
 - (1) Personally, by any person authorized to serve civil process; or
 - (2) By any person authorized to serve civil process by leaving a copy of the order at the well owner's last and usual place of abode; or
 - (3) By sending the well owner a copy of the order by registered or certified mail, return receipt requested, if the well owner is within the commonwealth; or
 - (4) If the well owner's last and usual place of abode is unknown or outside the commonwealth, by posting a copy of the order in a conspicuous place on or about the premises or by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the Town of Groton.

§ 330-14 Hearing.

- A. A private well owner to whom any order has been served may request a hearing before the Board by filing with the Board, within seven days after the day the order was served, a written petition requesting a hearing on the matter. Upon receipt of such petition, the Board shall set a time and place for such hearing and shall inform the well owner thereof in writing. The hearing shall be commenced not later than 30 days after the day on which the order was served. The Board, upon application of the well owner, may postpone the date of the hearing for a reasonable time beyond such thirty-day period if in the judgment of the Board the well owner has submitted a good and sufficient reason for such postponement. At the hearing, the well owner shall be given an opportunity to be heard and show why the order should be modified or withdrawn. After the hearing, the Board shall sustain, modify, or withdraw the order and shall inform the well owner, in writing, of its decision. If the Board sustains or modifies the original order, it shall be carried out within the time period allotted in the original order or in the modification.
- B. Every notice, order, or other record prepared by the Board in connection with the hearing shall be entered as a matter of public record in the office of the Town Clerk or in the office of the Board.
- C. If a written petition for a hearing is not filed with the Board within seven days after the day an order has been served or if, after a hearing, the order has been sustained in any part, each day's failure to comply with the order as issued or modified shall constitute an additional offense.

§ 330-15 Appeals.

Any person aggrieved by the final decision of the Board may seek relief therefrom within 30 days in any court of competent jurisdiction, as provided by the laws of this commonwealth.

§ 330-16 Violations and penalties.

Any person who violates any provision of these regulations, or who fails to comply with any order issued hereunder by the Board of Health, may be fined no less than \$10 and no more than \$500 per day. Each day that a violation exists and each day's failure to comply with an order shall constitute a separate offense.

§ 330-17 Variances.

- A. The Board may, after a public hearing, grant a variance from the application of these regulations when, in its opinion, the enforcement thereof would do manifest injustice, and the applicant has demonstrated that the equivalent degree of protection will still be provided to the private water supply without strict compliance with the provisions of these regulations.
- B. Every request for a variance shall be made in writing and shall state the specific variance sought and the reasons therefor. The writing shall contain all the information needed to assure the Board that, despite the issuance of a variance, the public health and environment will be protected. Notice of the hearing shall be given by the Board, at the applicant's expense, at least 10 days prior thereto, *by publication in a newspaper of general circulation in the Town of Groton, and by ~~certified, regular~~ mail to all abutters within 300 feet of the property, including owners on the opposite side of the street, upon which the private well is located. The applicant shall present a certificate of mailing receipt for all Abutters at the beginning of the public hearing. The presentation of the receipt for all abutters required to be notified as identified on the tax list shall constitute compliance with Abutter notification requirements. The Board of Health shall determine whether the applicant has complied with the abutter notification requirements.* The notice shall include a statement of the variance sought and the reasons therefor. Any grant or denial of a variance shall be in writing and shall contain a brief statement of the reasons for approving or denying the variance. A copy of each variance shall be on file for 30 days following its issuance and shall be available to the public at all reasonable hours in the Office of the Town Clerk or Office of the Board of Health. No work shall be done under any variance until 10 days elapse from its issuance, unless the Board certifies, in writing, that an emergency exists. **CONSISTENT WITH THE WAY CONSERVATION HAS IT: INTERNAL CONSISTENCY**

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BOB – CAN THERE BE A TOWN POLICY BE ADOPTED HERE? MC – NO BC ZONING, WETLANDS ETC. IS DIFFERENT FROM EACH OTHER; PB & ZBA OF APPEALS SEND THE NOTICES; APPLICANTS DON'T SEND THE NOTICES; APPLICANTS DO THE ABUTTER MAILINGS

- C. Any variance may be subject to such qualifications, revocation, suspension, condition, or expiration as is provided in these regulations or as the Board expresses in its grant of the variance. A variance may otherwise be revoked, modified or suspended, in whole or in part, only after the holder thereof has been notified, in writing, and has been given an opportunity to be heard.
- D. Emergencies.
- (1) If an emergency condition exists, that is, if the lack of water poses an immediate and significant danger to the health and welfare of persons, livestock or domestic fowl or crops, then the Board of Health shall issue a well construction permit within 24 hours of receipt of the completed permit application. It is the responsibility of the well contractor and/or property owner to substantiate that an emergency condition exists by submission of a signed statement to the Board of Health. Emergency well construction permits will be issued only to replace an existing water supply where the lack of water poses an immediate and significant threat to human health or when the Board of Health determines that other exceptional circumstances exist.
- (2) The drilling process for an emergency well construction must begin within 24 hours of receipt of the permit except when inclement weather conditions or other abnormal circumstances occur.

§ 330-18 Severability.

If any provision of these regulations or the application thereof is held to be invalid by a court of competent jurisdiction, the invalidity shall be limited to said provision(s) and the remainder of these regulations shall remain valid and effective. Any part of these regulations subsequently invalidated by a new state law or modification of any existing state law shall, by an amendment of the regulations, be brought into conformity with the new or amended law. However, the revision necessary to comply with state law shall be deemed to be effective immediately, and the regulations shall be applied and enforced so as to comply with state law.

§ 330-19 **Effective date; amendments.**

These regulations were amended and adopted by vote of the Town of Groton Board of Health at a public hearing on November 21, 2011, and are to be in full force and effect on and after November 21, 2011. Before said date, these regulations shall be published and a copy thereof placed on file in the Board of Health office and filed with the Department of Environmental Protection in Boston. These regulations or any portions thereof may be amended, supplemented or repealed from time to time by the Board, with notice as provided by law, on its own motion or by petition.

§ 330-20 **Disclaimer.**

The issuance of a well permit shall not be construed as a guarantee by the Board of Health or its agent that the water system will function satisfactorily nor that the water supply will be of sufficient quality or quantity for its intended use.

IG – MAKE SURE TO INCLUDE IRRIGATION WELL STUFF FROM SKILLINGS?

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The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Draft Revision

Updated March 6, 2023

Chapter 315 Subsurface Sewage Disposal Regulations

[HISTORY: Adopted by the Board of Health of the Town of Groton 11-26-2001; amended in its entirety 8-20-2007. Subsequent amendments noted where applicable.]

§ 315-1 Testing requirements.

- A. The Board of Health shall require that each individual lot shall meet all applicable requirements of Title V and the ~~Groton~~ Board of Health. Two groundwater observation holes and two percolation tests must be performed on each lot to prove a suitable primary and expansion area for each lot. This requirement shall also apply to a subdivision for which a preliminary or definitive plan has been submitted.
- B. Deep observation holes for the determination of groundwater elevations may be performed during the months of March and April. Use of holes conducted in months other than March and April will be limited to Class II and Class III soils, with a percolation rate of greater than five minutes/inch. Observation holes in March and April may be required by the Board of Health or its agent at their discretion on all sites.
- C. Deep observation holes must be completely refilled within 12 hours of being witnessed by the Board of Health or its agent.
- D. A lot must be inspected by the Board of Health or its agent when it is clear of snow before a sewage disposal works construction permit may be issued.
- E. There must be a minimum of five feet of pervious material between the bottom of the leaching facility and the groundwater elevation and/or any impervious layer. The offset above groundwater may be increased depending upon climatic and/or site conditions encountered.
- F. Well water samples taken as required by 310 CMR 15.303(1)(m) shall be taken by the ~~Groton~~ Board of Health, the Nashoba Associated Boards of Health, or a representative from a state-certified water analysis laboratory.

§ 315-2 Existing structures; conversions; additions.

- A. No installation for summer use shall be considered on any reduced basis. All sewage disposal systems shall be designed for a full twelve-month year-round usage.
- B. No existing homes shall be subdivided into multiple apartments without prior approval of the Board of Health.
- C. No additions or alterations to a dwelling and/or structures will be allowed until it is documented to the satisfaction of the Board of Health or its agent that the existing sewage disposal system is adequate in terms of permeability of soils, groundwater, and refusal for a proposed alteration or addition to an existing dwelling and/or structure, and that the lot size is large enough to permit a septic system repair or expansion.
- D. Conversion of seasonal residences.

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- (1) Conversion of a lawfully seasonal residence for use as a permitted year-round residence and for which the lot is not conforming to the lot size standards of the bylaw in effect is subject to the grant of a special permit by the Board of Appeals. Any application for such a permit shall be referred to the Board of Health for a report thereon within 35 days after receipt of the application by the Board of Health.
- (2) A special permit shall be granted only if the Board of Appeals is assured by the Board of Health that:
 - (a) The minimum Standards for Fitness for Human Habitation (Article II of the State Sanitary Code) and Minimum Requirements for the Disposal of Sanitary Sewage in Unsewered Areas (Title 5 of the State Environmental Code) and the rules and regulations of the Board of Health are met or the Board of Appeals conditions the special permit on meeting such minimum standards; and
 - (b) Such conversion of all seasonal residences in the general area having lots similar (or less limited) in lot size and land and soil type characteristics would not result in substantial danger of contamination of the groundwater supply or of any pond or stream. In making such finding, the Board of Health shall consider the ability of the soil to absorb expected quantities of sewage disposal effluent, the degree of filtration of effluent before entering bedrock fissures or other groundwater supply and other characteristics of the land soil types.

§ 315-3 Design requirements.

- A. All plans, including as-built plans, for subsurface sewage disposal systems submitted to the Board of Health or its agent must be drawn to a scale of one inch to 20 feet. Design plans shall include a locus plan, an original stamp, signature and date by the engineer or sanitarian of record, and a system profile drawn to a scale of one inch equals 20 feet horizontal and one inch equals eight feet vertical. As-built submissions shall include at least one copy showing as-built conditions overlaying the design plan. As-built plans shall include all invert and septic system component elevations, including pump float elevations, if applicable.
- B. When engineered plans are required, the plans must be submitted by a registered sanitary engineer; a registered professional engineer with experience in sanitary engineering or a registered sanitarian ~~with a co-stamp indicating review of the plan by an engineer meeting the referenced experience. DO NOT NEED THIS~~
- C. When submitting engineered plans to the Board of Health or its agent for review, if the design firm has not been responsible for the lot line survey for said lot, it shall be the responsibility of the applicant to supply to the Board or its agent an official, stamped copy of the survey plan for the referenced lot.
- D. 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.
- E. The area between trenches shall not be used for future expansion of a system.
- F. Leaching trenches installed in fill material will require the use of forms or a trench box when the invert of the pipe of the proposed trench is above original grade. When the invert elevation of the proposed trenches is below the original elevation of top and subsoil in the proposed leach area, then trenches may be constructed without the use of a box or forms, provided fill has been properly placed and compacted prior to trench construction.
- G. The proposed expansion area must be accessible by gravity flow or in the same manner that the primary area is designed and/or installed.
- H. At least five feet of naturally occurring materials must be in place over ledge; fill shall not be used to meet this requirement.
- I. Percolation rates over 14 minutes/inch require leaching trenches.

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J. Pump systems.

- (1) All force main sewer lines used for effluent pump and grinder pump systems shall be 160 pounds flex or equal. The force main, once installed, must be pressure tested at least 15 p.s.i. for 15 minutes prior to backfill. The force main must be bedded in a minimum of six inches of sand.
- (2) Rail systems, or approved equal, shall be provided for all pump systems to allow for removal of the pump for maintenance, repair or replacement.
- (3) Rail systems for pumps up to one horsepower shall consist of 3/4-inch PVC pipe with steel rebar within for support, or approved equal. The ends of the pipe are to be sealed to prevent effluent infiltration.
- (4) Rail systems for pumps greater than one horsepower shall consist of two-inch stainless steel pipe.
- (5) Wiring shall be continuous to the building without the use of a junction box in the pump chamber. This includes wiring for the pump and the floats. Any conduit around electric lines shall be caulk-sealed to prevent liquid or gas entry at both ends of the conduit.
- (6) For effluent pump systems, there shall be a drain hole to allow effluent to drain back from the force main. The drain hole shall be installed after the check valve.
- (7) The maintenance of all pump systems, solid or effluent shall be documented by the design engineer. A copy of the system maintenance plan shall be provided to the homeowner by the installer and/or builder prior to occupancy.

K. Whenever a system must be pumped, the soil absorption system shall be pressure dosed. For all system designs greater than 2,000 gallons per day, the system shall be inspected per Title 5, 310 CMR 15.254(2)(d), not less than four times per year.

L. No component of a sewage disposal system, including but not limited to the leach area, sewer line, distribution box, distribution line, septic tank, clean-out or manhole, shall be located under any portion of a public or private road right-of-way.

M. Zone III nitrogen loading.

- (1) Any sewage disposal system serving any facility, other than a residential facility serving two or fewer units, located within a Zone III Water Resource Protection Area as mapped by the Massachusetts Department of Environmental Protection (DEP) or as designated by the Town of Groton, shall not receive more than 220 gallons per day of sewage effluent per 10,000 square feet of property area. *See the Town of Groton Water Resource Protection Districts Map. WE'VE TALKED ABOUT DEP, ZONE 3 ETC. MC - IN THE EVENT THERE IS A DISCREPANCY, IG FINE GOOD IDEA.*
- (2) When innovative and alternative treatment is provided, which is approved by the DEP for the removal of nitrogen, a facility may discharge up to a total of 275 gallons per day per 10,000 square feet of property area.
- (3) For the purpose of this regulation, only property which is contiguous and the legal title is held and controlled by the same owner may be used when calculating nitrogen loading.

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§ 315-4 Interceptor drains.

- A. Interceptor drains for the purpose of this regulation shall be defined as any drain installed to lower the groundwater table in any proposed leach areas.
- B. Interceptor drains shall be installed and subsequently tested in an approved groundwater season as

designated by the Board of Health.

- C. Testing of an interceptor drain will require the excavation and observation by the Board or its agent of at least three test holes. These test holes shall be one uphill of the installed drain, one in the proposed primary area, and one in the proposed expansion area.
- D. The observed test holes must provide definitive evidence of the drain's effectiveness in lowering the water table.

§ 315-5 Distance requirements.

- A. Leaching facilities (including the proposed expansion area) must be located at least 100 feet from any wetland, watercourse, wetland vegetation, seasonal streams and drainage ditches.
- B. When the length of pipe from the house prior to the distribution box exceeds 100 feet, construction shall comply with 310 CMR 15.222.
- C. A minimum of 10 feet must be available between the primary and expansion leaching facilities.
- D. A minimum of 25 feet must be available between a failing percolation test and the entire exterior perimeter of any proposed leach areas.
- E. A minimum of 25 feet (horizontal distance) must be available between ledge and the entire exterior perimeter of any proposed leach areas. For the purpose of definition, ledge observed at a depth not in compliance with Title 5 shall be used to determine the measurement distance.
- F. A minimum of 35 *???* feet must be available between the edge of any street, passageway or road line and the entire exterior perimeter of any proposed leach areas. *Discuss 35 ft?? IG – DOES NOT AGREE WITH THIS #; WOULD SUGGEST 20; TOG IS MORE RESTRICTIVE THAN TITLE 5 REGS; IG – BC IT MAKES MORE SENSE FOR SOME OF THEM; IF THERE ARE LOCAL REASONS WHY YOU NEED TO BE MORE PROTECTIVE THAN TITLE 5 REGS; IG – CAN EVEN USE 10 (ALREADY IN TITLE 5); MEMBERS – LET'S DO 20*
- G. A minimum of 20 feet must be available between any property line and the entire exterior perimeter of any proposed leach areas.
- H. The distances required by Title 5 and the ~~Groton~~ Board of Health are minimum distances and may be increased if, in the opinion of the Board or its agent, such an increase is required to protect the environment or the public health.
- I. A minimum of 15 feet must be available between the edge of a soil absorption system and an adjacent side slope, measured from the top of the pea stone elevation in the soil absorption system. The finished side slope is not to be steeper than 3:1 (horizontal-vertical). Walls and impervious barriers are not allowed to adjust the side slope requirement and offset.

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§ 315-6 Square footage requirements.

Leach beds and pits will be sized at 150% of Title 5 requirements. Leaching areas based on percolation rates greater than 14 minutes/inch shall have a reserve area of 150% of the primary area. *Ira - Do we need an amendment or policy reference for Presby systems? IG – WE CURRENTLY HAVE IT WRITTEN AS A POLICY “INNOVATIVE & ALTERNATIVE”; A LOT OF DIFF. TECHNOLOGY NOW THAT HAS A REDUCED...*

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SHOULD WE BE MORE RESTRICTIVE ON THE IA SYSTEMS THAN THE TITLE 5'S? IG – PREMATURE FAILURE – DIED W/IN 10 YEARS OF INSTALLATION; BOB – NOT PRESSURE DOSE; IG – IDEALLY A SYSTEM SHOULD BE PRESSURE DOSED

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§ 315-7 Tight tanks; privies.

- A. ~~A~~. Holding or tight tanks shall not be used for sewage disposal in new or remodeled buildings. *All holding tanks and tight tanks shall have valid contracts for pumping and visual observation*

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for the tanks at all times, for the duration of the use of the tanks. The property owner shall submit copies of the pumping records to the Board of Health. Effective date??? REQUIRED ESCROW ACCOUNT FOR LAST CASE; PERMIT STILL HASN'T BEEN PICKED UP

16-18 TIGHT TANKS IN TOWN

EVAN – CAN WE TIE THIS INTO THE ESCROW? YES BUT A LOT OF WORK / FOLLOW UP

MC – IT WOULD BE BE AS EFFECTIVE DATE VS. GOIN TO BACK TO EXISTING SYSTEMS

IG – WE DO NOT SEE VERY MANY TIGHT TANKS; OCCASSIONAL AND TRY TO AVOID THEM AS MUCH AS POSSIBLE

NEED TO ADD SOMETHING ABOUT THE ESCROW ACCOUNT

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- B. Privies, humus and self-contained toilets.
- (1) 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 year.
- (2) Permanently installed privies, humus or self-contained toilets must receive written permission annually from the Board of Health.

§ 315-8 Review of plan.

- A. The ~~Groton~~ Board of Health may require review of a subsurface sewage system plan with a discharge of 5,000 gallons or more.
- B. The Board of Health shall select the engineer for this review, and the cost of the engineer shall be borne by the applicant for this system.
- C. The engineer shall be a registered professional engineer in the Commonwealth of Massachusetts with a specialty in sanitary or civil engineering.
- D. This regulation shall apply to all sewage systems of this capacity that discharge effluent in the Town of Groton, effective August 20, 2007.

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§ 315-9 Variance procedure.

- A. Any request for a variance from these supplemental regulations shall be submitted in writing to the Board of Health and its agent. The design plans must accompany the variance request. The request for the variance shall come from the applicant and/or the applicant's engineer and shall explain the reason(s) why said variance(s) are requested.
- B. All requests for variances must include a listing of all variances sought.
- C. All abutters, including owners on the opposite side of the street, and their abutters must be notified by the applicant of any variance request by a copy of a variance request letter sent to their usual place of address, ~~by certified mail, return receipt requested~~, at least 10 days prior to the hearing date. ~~Return receipts are to be provided to the Board of Health at the hearing.~~ The applicant shall present a certificate of mailing receipt for all Abutters at the beginning of the public hearing. The presentation of the receipt for all abutters required to be notified as identified on the tax list shall constitute compliance with Abutter notification requirements. The Board of Health shall determine whether the applicant has complied with the abutter notification requirements. IG – WOULD LIKE BOARD TO CONSIDER REMOVING FOR LOCAL VARIANCES; MORE TIME AND MONEY; ONLY USE IT FOR TITLE 5 VARIANCE HEARINGS; IG DOESN'T THINK IT ADDS ANYTHING TO THE ACTUAL VARIANCE HEARING; NO SUBSTANTIVE THERE; BOB – ABUTTERS WILL

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TAKE NOTE MORE AND PAY ATTENTION IN CASE ANYTHING GOES WRONG

MC – BUILDING PERMITS – ABUTTERS DON'T GET NOTIFIED

IG ASKED BOARD MEMBERS TO THINK ABOUT THIS

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D. Any request for a local upgrade approval as provided in Title 5 shall require submissions as noted in Subsections A, B and C above.

§ 315-10 Revocation.

The Board of Health reserves the right to revoke any approval, permit or certificate of compliance which is found to be based on incorrect, incomplete, or misleading information.

§ 315-11 Repeal and date of effect.

All rules and regulations pertaining to subsurface sewage disposal systems and any part thereof in conflict with these regulations are hereby repealed, and these regulations shall be in full force and effect August 20, 2007.

§ 315-12 Severability.

Should any paragraph, sentence, clause, or phrase of these regulations be declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

§ 315-13 Appeals.

Any person aggrieved by the final decision of the Board may seek relief therefrom pursuant to MGL C. 249, § 4, as otherwise provided by the laws of this commonwealth.