Chapter 252. Septic Systems

Article I. Percolation Tests and Septic Plans

§ 252-1. Authority.

Pursuant to MGL c. 111, § 31, the Belchertown Board of Health has adopted the following rules and regulations pertaining to the procedure for conducting percolation tests and submitting disposal works construction permits to the Board of Health for approval and permit issuance.

§ 252-2. Regulations.

A. The location of passing percolation tests and deep holes must be permanently marked in the field with a fluorescent stake or similar method of identification for future reference. The deep hole stakes must be enumerated and the perc labeled.

B. Septic plans submitted must be the original application, filled out completely, signed by the applicant and accompanied by a complete set of plans designed in accordance with Title V and the Belchertown Board of Health regulations.

C. Three copies of the application and plans must also be submitted, totaling four sets.

D. Plans must be accompanied by an application review fee of $25 payable to the Town of Belchertown and contain a copy of the official Board of Health percolation test/deep hole data sheet.

E. The application must accurately list the Assessor’s Map and lot number and street number, if available, and be accompanied by a United States Geological Survey locus map and Assessor’s Map.

F. A copy of the submittal will be forwarded to the Belchertown Conservation Commission for review and comment.

G. The Board recommends that the plan be drawn on paper 11 1/2 inches by 17 inches, or large enough to accurately detail all requirements, and be scaled minimally at one inch to 50 feet; larger scale is preferable.

H. Pre and post contour lines must be shown on the plan.

I. The side view or cross section must indicate to what depth topsoil and subsoil will be removed prior to placement of fill.

J. The area of fill must be shaded or otherwise marked on the plan view and specify clean, compacted soil with a percolation rate of two minutes per inch or less.

K. Slope calculations must be submitted or noted as not applicable.

L. Both wells and wetlands within 200 feet of the septic system must be shown or, if none are present, a statement that neither are located within 200 feet must be noted on the plan. Any wetland delineation shown must indicate the person, firm or organization who or which performed the delineation and the date.

M. Drainage structures, including catch basins, swales and easements, within 150 feet of the septic system must be shown or, if none are present, a statement that none are located within 150 feet must be noted on the plan.
Article II. Subsurface Sewage Disposal Systems

§ 252-3. Additions to Title V.

Pursuant to 310 CMR 15.003, local regulations regarding subsurface sewage disposal systems consist of Title V in its entirety, with the following additions:

A. The percolation season shall be March 1 to May 31.\[^{[2]}\]
   \[^{[2]}\] Editor's Note: On February 6, 1995, the Board of Health voted to provide for an extended fall season to commence on September 1 and end on November 30.

B. Two deep holes shall be required on all lots.

C. The system must be designed over deep holes.

D. Leach fields must be 100 feet minimum distance from watercourses and waterways, including wetlands.

E. End caps shall be required on all lines in the leach area.

F. Manhole covers shall be required.
   \[^{[1]}\] Editor's Note: See also Ch. 1, General Provisions, § 1-2, Noncriminal disposition.

Article III. Installers

§ 252-4. Authority.

This article is adopted pursuant to MGL c. 111, § 31 and 310 CMR 15.00 et seq.

§ 252-5. Purpose.

A properly functioning septic system is required for the protection of public health. Correct installation, in addition to siting, design and maintenance, is an important component of ensuring properly functioning subsurface sewage disposal systems. The purpose of these regulations is to ensure that septic system installers permitted by the Belchertown Board of Health are knowledgeable regarding septic system construction, materials used and governing state and local regulations. The purpose of these regulations is also consistent with the requirements of 310 CMR 15.019, which provides that the local approving authority shall issue disposal system installer's permits only to those persons who have demonstrated capacity or knowledge of the proper construction and installation of septic systems.

§ 252-6. References; written exam; disposal works installer's permit.

A. Any person or business wishing to obtain or renew a disposal works installer's permit from the Town of Belchertown shall submit two references to the Board of Health or its agents. These references shall be in written form, prepared by area health officials or system designing professionals (no more than one reference from a designing professional) and contain a statement that the bearer has satisfactory knowledge and at least two years' experience or the equivalent in the field of septic installation. An installer's permit issued by another
municipality in Massachusetts shall be acceptable as one of the required references. This subsection may be waived by the Board of Health for a permitted installer wishing to renew a permit who has previously submitted valid references to the Board.

B. In addition to presenting the above-required references, any person or, in the circumstance of businesses with a number of employees, the foreman or other on-site supervisor engaged in installing septic systems within the Town of Belchertown shall take and pass with a grade of 75% a written exam prepared and administered by the Belchertown Board of Health or its agents. Re-examination is possible at the next available test date, should a passing grade not be achieved at a hearing or subsequent sitting. Alternative testing methods will be made available to those applicants with special needs. This subsection may be waived by the Board of Health for a permitted installer wishing to renew a permit and who has previously taken and passed the written examination administered by the Board of Health.

C. As required by Title V of the State Environmental Code, no person or firm shall engage in construction, alteration, installation or repair of an individual sewage disposal system without first obtaining a disposal works installer's permit from the Belchertown Board of Health. The permit shall expire on December 31 of the year in which it was issued, unless otherwise revoked for cause or renewed by the Board of Health. The fee for the permit is established annually by the Board of Health in its schedule of fees.

§ 252-7. Enforcement; violations and penalties.

A. For violations of any of the requirements of these regulations, the Board of Health may temporarily suspend or permanently revoke the disposal works installer's permit after the Board of Health has provided the permit holder with the opportunity for a hearing on the matter. The Board of Health shall notify the permit holder, in writing, stating the reasons for which the permit is subject to suspension or revocation and providing the date and time of the hearing.

B. In addition to suspension or revocation, the Board of Health may enforce the provisions of these regulations through civil or criminal court action or noncriminal disposition pursuant to MGL c. 40, § 21D and Chapter 1, General Provisions, § 1-2, Noncriminal Disposition, of the Code of the Town of Belchertown, approved at the Special Town Meeting of March 20, 1995, with the following penalties:

1. First offense: fine of $25 in addition to obtaining the required permit.

2. Second offense: fine of $50 in addition to obtaining the required permit.

3. Third or subsequent offense: fine of $100 in addition to obtaining the required permit.

§ 252-8. Severability.

If any portion, sentence or word of these regulations is declared invalid for any reason whatsoever by a court of competent jurisdiction, that decision shall not affect any other portion of these regulations, which shall remain in full force and effective. To that end, these regulations are hereby declared severable.
Chapter 270. Subdivision of Land

Article IV. Definitive Plans

§ 270-23. Sanitary sewage systems.

A. Where sewage disposal is to be by individual on-site sewage disposal systems, no person shall install such an individual sanitary sewage disposal system except in adherence with the requirements and regulations of:

(1) The Massachusetts Environmental Code, Title V, of the Department of Environmental Protection;

(2) The Town of Belchertown Board of Health;

(3) The Town of Belchertown Conservation Commission; and

(4) Any recommendations of the Board of Health pursuant to MGL c. 41, § 81U.

B. Failure of the Board of Health to report to the Planning Board within 45 days after receipt of a definitive plan shall not exempt the proposed plan from the regulations established pursuant to the Massachusetts Sanitary Code, Title V, of the Department of Public Health, the Belchertown Board of Health, or the Belchertown Conservation Commission.

C. The applicant for definitive subdivision shall submit preliminary soil logs and percolation data performed by a professional engineer or registered sanitarian for review if the area is proposed for individual on-site sewage disposal.

D. Upon review of the proximity of public sewer, soil logs, and other information, the Board of Health, at its discretion, may require the subdivision to be connected to the public sewer system. Generally, if a public sewer system is within 1,000 feet of the subdivision, the applicant must connect the subdivision to the public sewer system. The Board of Health is the final authority on sanitary sewer requirements; the Planning Board cannot grant waivers on the Board of Health’s requirements.