

**TOWN OF MASHPEE  
BOARD OF HEALTH**

**SEPTIC PERMIT REQUIREMENTS REGULATION**

The following regulations are set forth by the Mashpee Board of health and replaces all previous Town of Mashpee Rules and Regulations with subsequent amendments, Mass. General Laws Ter. Ed. and are being adopted to supplement, clarify, modify, and augment the provisions of Title V of the State Environmental Code for basic requirements.

Regulation 1: ENFORCEMENT

For purposes of enforcing these regulations, the Health Agent, or designee, and Agent of the Board of Health, shall be the enforcing officer.

Regulation 2: DISPOSAL WORKS CONSTRUCTION PERMITS

No individual sewage disposal system or other means of sewage disposal shall be located, constructed, altered, repaired, or installed until a permit for its location, construction, alteration or repair of installation shall have been issued by the Board of Health. A fee shall be charged by the Board of Health at the time the application is made for a permit for construction and/or alteration and/or repair. The fees shall be listed on the “Fee Schedule”. Fees for permits shall not be returned if construction or repair is abandoned.

A Disposal Works Construction Permit shall be void if installation of a subsurface sewage disposal system is not completed within 12 months from the date of issue of such permit. A new permit may be issued by the Board of Health following submission of a new application. New percolation tests, observation pits and plans may be required.

Regulation 3: APPLICATION FOR DISPOSAL WORKS CONSTRUCTION PERMIT

Applications for permits to install, construct, or repair private sewage systems in the Town of Mashpee shall be submitted to the Board of Health agents for approval. A plan of the proposed system prepared by a Registered Professional Engineer, should be submitted. The fee for a permit, made payable to the Town of Mashpee, shall be submitted upon approval by the Health Agent. The agent of the Board of Health will order the issuance of all permits following approval.

Regulation 4: BUILDING ALTERATIONS

The owner or other person or persons having control over any existing building or buildings hereafter altered and added to, shall not commence construction under a building permit for living quarters until a permit for alteration of the sewage disposal system has first been obtained from the Agent of the Board of Health. Occupancy of any such construction shall not take place

until a Certificate of Compliance has been issued by the Agent of the Board of Health as required under Regulation 7.

Regulation 5: USE

The use of an individual septage system by more than one property dwelling or other premise is prohibited. The Sewage Disposal facility shall be located on the property, which it serves.

Regulation 6: DISPOSAL WORKS INSTALLER'S PERMIT

No person or firm shall engage in the construction, alteration, installation, or repair of any individual sewage disposal system without first obtaining an Installer's permit from the Board of Health. Such permits shall expire at the end of the calendar year in which they are issued unless earlier revoked by the Board of Health.

Regulation 7: CERTIFICATE OF COMPLIANCE

A Certificate of Compliance signed by the agent of the Board of Health and relating to the design plans, materials and construction shall be submitted upon completion of the installation of a private sewage system to the installer.

Regulation 8: REQUIREMENTS FOR PLANS

A Registered Professional Engineer shall prepare the plan. The plan is to be submitted on a scale of no less than 1" – 30", which lies within 10' of any portion of the sewage disposal system and shall consist of the following.

- a) The property and building to be served and the location of the proposed sewage disposal facilities; precise location of the manholes, clean-out plugs, location of any streams, drains, or known source of water supply within 200 feet of the disposal system.

The plan shall include existing and proposed contours of the land on a two foot interval within the immediate area of the leaching facility.

- b) Lot lines and distances necessary to satisfy requirements set forth in Regulation 9.
- c) The plan shall include a detailed layout of the proposed system including invert elevations of the septic tank, distribution box, leaching pipes or pits; including the spacing of pipes or pits. Size and gradation of stones used in the disposal field shall be noted.
- d) Location and depth of the observation pits, location and results of percolation tests. The elevation of the highest water table and soil log must be shown and recorded on the plan.
- e) The plan shall be submitted in duplicate. The identity, location, and elevation of the benchmark shall be shown on the plan. Provisions will be made on the plan endorsement

of approval of the Board of Health agent. No permit shall be issued until the plan has been endorsed accordingly.

- f) A cross-section showing elevations drawn through the property lines and house foundation wall, septic tank and leaching field or pits, including the centerline of the street if the system is in front of the house.
- g) Dwellings with expansion attics shall provide a septic system according to the total number of finished bedrooms.
- h) The plan shall be stamped by the Professional Engineer certifying that the proposed installation complies with the zoning laws and regulations of the Town of Mashpee.

Regulation 9: LOCATION OF DISPOSAL FACILITIES

Distance: The location of the disposal facilities shall be such as to provide between it and the components listed in the following table not less than the distances stated.

<u>COMPONENT</u>	<u>SEPTIC TANK</u>	<u>LEACHING FIELD PIT/DIFFUSORS</u>
Well or Suction Line	50 feet	150 feet
Water Supply Line (pressure)	10 feet	10 feet
Property Line	10 feet	10 feet
Dwelling	10 feet	20 feet
Surface water supplies or tributaries including open and subsurface drains	100 feet	100 feet
Watercourses including streams, ponds, open subsurface drains		
Single	25 feet	75 feet
Multiple	25 feet	100 feet
Edge of Fill		25 feet
Downhill slope steeper than one vertical to three horizontal		50 feet

All grades of roads in subdivision adjoining water within Mashpee shall be not less than six feet (6') above the mean high water of lakes, ponds, streams, tidal waters, flats and all tributaries of such tidal waters and flats.

Foundations of dwellings shall be not less than two feet (2') above the lowest point of the road or roads adjoining each lot. This provision may be waived by the Agent of the Board of Health, upon determination that no adverse effect will result. On land adjoining lakes, ponds, streams, drainage ditches, tidal waters, flats and all tributaries of such tidal waters and flats, sewage disposal systems shall comply with the Commonwealth of Massachusetts, D.E.Q.E. Title V, and said systems shall terminate not less than one hundred feet (100') from a point at least two feet (2') above mean high water or to a greater height where conditions warrant it, for single family dwellings, and one hundred feet (100') for multiple dwellings. No fill shall be deposited when the water table is within two feet (2') of the original grade. Where fill is deposited it shall be in compliance with regulations of the D.E.Q.E., Title V.

Regulation 9.1:

Permits for on-site sewage disposal or water supply may be approved for construction when located within all "A" and all "V" Zones, as designated as F.I.A. Flood Hazard Boundary Map numbers H & I, 2; through H & I, 14; effective October 6, 1976, on file with the Town Clerk, the Board of Health, the Planning Board and the Building Inspector, when it is demonstrated by the applicant that in the event of flooding to base flood elevations such facilities are designed to minimize contamination. Any new or replacement water supply system or sanitary sewerage system within such area shall be designed to minimize or eliminate infiltration of floodwaters. Applicant shall also comply with the provisions of the Massachusetts Department of Environmental Quality Engineering, Title V.

Regulation 9.2:

The minimum leaching area per bedroom shall be 125 sq. ft. when a leaching field is utilized as final dissemination of sewage. This area shall be increased according to regulations of Title V of the Massachusetts Department of Environmental Quality Engineering, where a garbage disposal is installed.

Regulation 10: TESTS

- A. Complete data used in determining the percolation rate shall be shown on the plan. All percolation tests shall be conducted in accordance with the requirements of Title V, of the Department of Environmental Quality Engineering.
- B. One or more observation pits shall be excavated in the area of the proposed system. THE DEPTH OF THE PITS SHALL BE AT LEAST FOUR FEET BELOW THE BOTTOM OF THE PROPOSED LEACHING FACILITY. A soil log, which shall be taken from the observation pits, must be recorded on both the application and the plan.

- C. Percolation tests shall be performed on each lot where a septic system is to be constructed. This information shall be recorded on the plan.
- D. All percolation tests are to be performed in the presence of a Professional Engineer approved by the Public Health Agent. Prior notices of at least forty-eight (48) hours of excavation and test must be provided.
- E. In general, and at the discretion of the Agent of the Board of Health, percolation tests must be conducted and high-water elevations shall be determined, during the high-water time of the year. Soil with an average percolation rate slower than 15 minutes per inch will be considered unsuitable for the subsurface disposal of sewage by the Board of Health.

#### Regulation 11: SEPTIC TANKS

Construction of leaching facilities in clean granular fill is permissible when the following conditions exists:

- a) When the impervious material can be excavated to pervious material below and be replaced with clean fill per regulation 2.15 of Title V of the State Environmental Code and the underlying pervious strata is at least four feet thick.
- b) Where a depth of at least four feet of pervious material in natural soil can be maintained below the bottom of the leaching area. Excavation will not be allowed into impervious material without penetrating into pervious material as in (A) above.

#### Regulation 13: INSPECTION

The Board of Health requires that all construction be inspected by the agent of the Board of Health before backfilling. Prior notice of at least twenty-four (24) hours for said inspection must be provided to said agent. A Certificate of Compliance will not be issued unless all construction has been completed in accordance with the approved plan and required inspections.

#### Regulation 14: MAINTENANCE

Every owner or agent of premises in which there are any private sewers, individual sewage disposal systems or other means of sewage disposal shall keep the sewer and disposal system in good repair and shall have such works cleaned or repaired at such times as ordered by the Board of Health. Should the owner or agent of the premises fail to comply with such an order, the Board of Health may cause the works to be cleaned and repaired and all expenses incurred will be paid by the owner.

#### Regulation 15: EXPANSION

Plans submitted for approval shall contain an additional area reserved for future expansion of the disposal field at least equal to the area of the disposal field. Said expansion area must conform to all requirements of these regulations and to Article XI of the State Sanitary Code. The expansion area is to be kept open and may not be built upon with the exception of movable structures such as tool houses, and above-ground swimming pools may not be constructed, which would preclude the expansion area from conforming with the minimum distances established in Regulation 9.

Regulation 16: FURTHER REGULATIONS

The Mashpee Board of Health reserves the right to adopt further regulations as deemed necessary, or restrict or delete any of the above regulations in the best interest of the Town of Mashpee.

These Board of Health regulations are subject to the various provisions set forth in Title V of the State Sanitary Code.

Regulation 17: ENFORCEMENT AND FINES

No person shall install, repair, and/or alter a septic system in the Town of Mashpee without a Board of Health issued Septic Installer's Permit and a Disposal Works (Septic) Construction Permit. The installation of a system without an Installer's Permit will be subject to a \$200.00 fine. The installation of a septic system without a Septic Construction Permit will result in the following fines:

First offense: \$150.00; second offense: \$300.00; any subsequent violation, in the same calendar year, shall result in revocation or suspension of the license to install in the Town of Mashpee as determined by the Board of Health. If the license is revoked, the Installer may come to the Board to request reinstatement of their license the following calendar year.

Regulation 18: EFFECTIVE DATE

These regulations shall take effective upon publication in a newspaper of general circulation. No regulations shall be enforced retroactively.

Regulation 19: SEVERABILITY NOTICE

If any section, paragraph, sentence, clause, phrase, or work of these regulations shall be judged invalid for any reason whatsoever, that decision shall not effect any other portion of these regulations, which shall remain in full force and effect; and to this end the provisions of these regulations are hereby declared severable.

Per Order Of,  
Mashpee Board of Health

Ernest Virgilio, Chairman  
John Livingston, Co-Chairman  
Edward Raposa, Clerk

***Adopted: July 27, 1977***

***Revised: January 3, 2024 (Adv: 1/12/24)***