

## SEPTIC EASEMENT REG

### BOARD OF HEALTH TOWN OF BOURNE

At its regular meeting on March 13, 1996, the Bourne Board of Health hereby adopts the following regulation pursuant to Chapter III, Section 31 of the Massachusetts General Laws:

The use of septic system easements will not automatically be allowed for the issuance of "Disposal Works Construction Permit" applications, for new, residential or commercial, septic systems, when the use of said easements are used as a method to maintain the required Title 5 and local Board of Health setbacks, which shall include, but not be limited to the following: property lines, wells, foundations, edge of wetlands, top of coastal bank, or where the placement of the septic system on the existing lot cannot be achieved without variances. Before any septic system easements are requested, the applicants must first request the necessary variances required under Title 5 and local Board of Health regulations, excluding easement variances, with pertinent information regarding nitrogen loading, groundwater flow direction, and any proposed use of alternative technology that will mitigate the impact caused by not being able to achieve the required setbacks. The use of septic system easements will only be considered on a case by case basis, when such variances required under Title 5 and Local Board of Health regulations have been denied by the Board of Health and where the use of easements will not create more than 440 gallons per day, of combined septic system effluent, per acre of said lot on which the easement exists. Said easement, if approved, is to be recorded with the Registry of Deeds, along with a maintenance schedule agreement, with required pumping of no less than every two years. The "recorded easement" will be presented to the Board of Health and be a condition of the completion and issuance of the "Disposal Works Construction Permit" application.

Bourne Board of Health