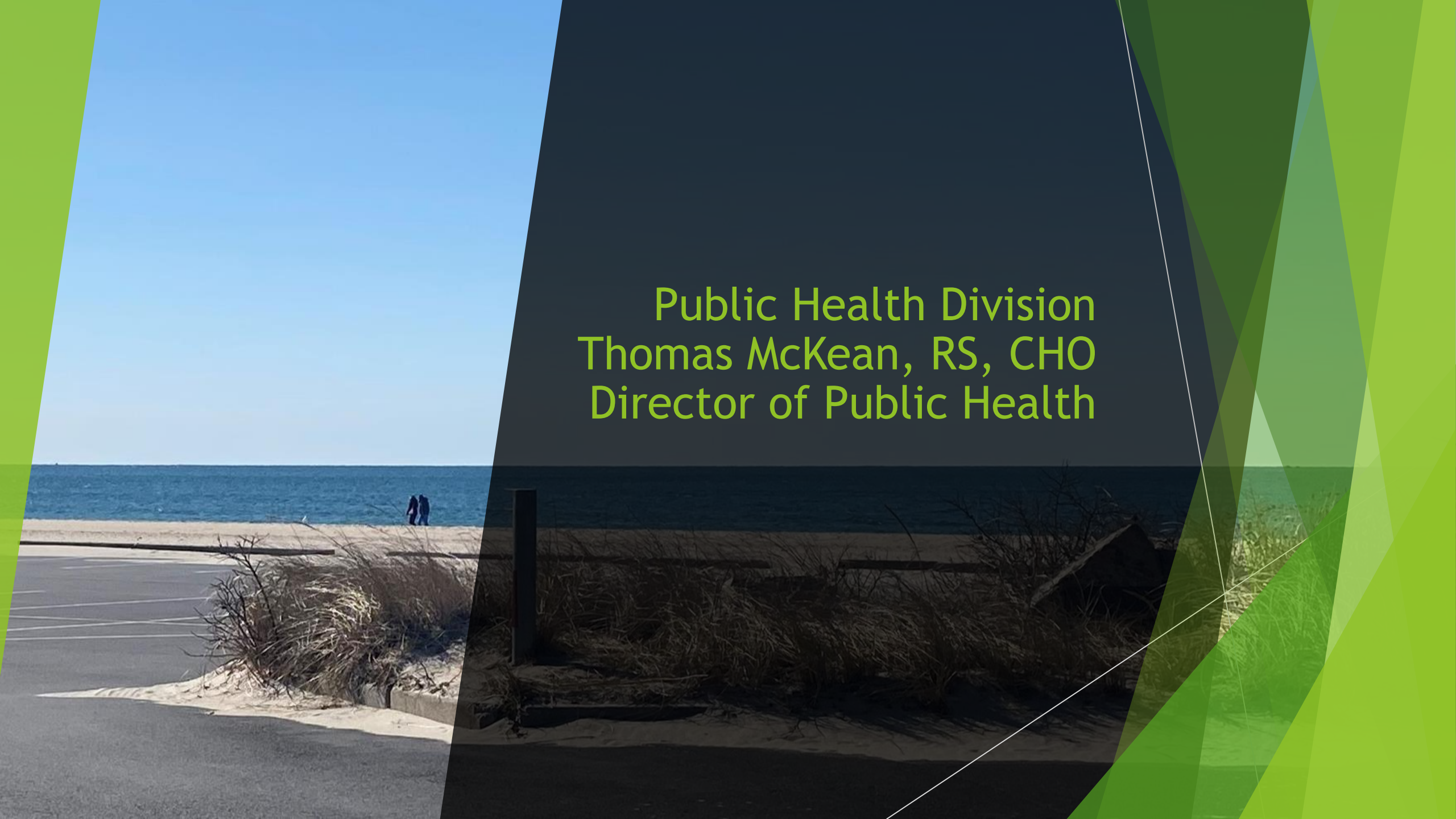
I/A Systems

When Innovative- Alternative Systems Are Required

in the Town of Barnstable



Public Health Division
Thomas McKean, RS, CHO
Director of Public Health

CURRENT CODE REQUIREMENTS

310 CMR 15.215, Nitrogen Loading Limitations

When property is located within a Zone II and more than 440 gallons per acre per day but no more than 660 gallons per acre per day is requested.

Public and Private Water Supply Protection Areas

No facility owner for New Construction in Nitrogen Sensitive Areas designated in 310 CMR 15.214(1)(a) shall install a system designed to receive or allow a system to receive more than 440 gallons of design flow per day per acre except as set forth in **310 CMR 15.202 (use of recirculating sand filters),** 310 CMR 15.216 (aggregate flows) or **310 CMR 15.217 (enhanced nitrogen removal).**

BOARD OF HEALTH REGULATION

ARTICLE XIII Innovative and Alternative Systems § 360-37

Only Applicable to wastewater discharge flows of 1650 gallons per day or greater.

ARTICLE XIII Innovative and Alternative Systems

§ 360-37 **Applicability:**

A. This regulation shall apply to residential and nonresidential development meeting or exceeding the following criteria:

(1) Residential development of single-family or multifamily homes, lots and/or residential dwelling units held or controlled in common ownership with a Title 5 design flow of 1,650 gallons per day or more of wastewater; and

(2) Nonresidential development with a Title 5 wastewater design flow of 1,650 gallons per day or more, and the expansion or change of use of existing nonresidential developments that generate a wastewater design flow above the existing approved design capacity of the system; and

(3) In the case of residential condominium developments with a total wastewater design flow of 1,650 gallons per day or more, this regulation shall apply in the case of an expansion or change of use upon a determination by the Board that the existing system does not protect the public health, safety and welfare, or, upon a change of ownership or routine inspection if, upon inspection, the system fails inspection as defined in 310 CMR 15.00.

ADDITIONAL CIRCUMSTANCES

WHEN the BOARD OF HEALTH REQUIRES I/A SYSTEMS

When a soil absorption system (leaching facility) is proposed to be located **less than four feet above** the maximum adjusted groundwater table.

When a soil absorption system (leaching facility) is proposed to be located **less than fifty (50) feet away from wetlands.**

When **too many bedrooms** are discovered at a property located within a nitrogen sensitive area.

(e.g. an existing property is permitted by Health for three bedrooms, but four bedrooms are discovered during or after sale of property)

Example: ADU's

Too Many Bedrooms- The Health Division continues to strictly enforce nitrogen loading limitation regulations at properties located within nitrogen sensitive areas, regardless of the type of building permit application permit sought.

ADU's Continued

For example:

If a property is one acre in size and is located within a GP District, without public sewer available, it is limited to three (3) bedrooms maximum in accordance with the Town of Barnstable Wastewater Discharge Ordinance. If the existing onsite dwelling already contains three bedrooms and now an ADU is proposed- the property owner will be told that the maximum number of bedrooms allowed at this property is three bedrooms. The only option available at this time is to remove a bedroom from the main dwelling (remove portions of walls/ doors in order to remove privacy in a room which was previously labeled as a bedroom) .
NOTE: If located outside a GP/WP an I/A may be approvable

COMPOST TOILETS

- Allowed by right in accordance with 310 CMR 15.000 and MA Plumbing Code.
- No variances needed nor required.

TIGHT TANKS

Required or approved by the Board of Health for failed systems where public sewer is planned to be provided in near future (e.g. less than ten years in Phase 1 of the CWMP) and a septic system repair is not feasible without multiple environmental variances or without extensive environmental variances (e.g. System is less than two feet above groundwater). [NOTE: DEP does not normally approve tight tanks].

Question Which Requires Additional Scientific Research

If in the future, innovative-alternative systems are required in other areas (e.g. within 300 feet of waterbodies), **will it be enough** to significantly reduce nitrogen and/or phosphorous at the resources that we wish to protect?