

REGULATIONS GOVERNING SEWAGE AND WASTE DISPOSAL SYSTEMS:

Per R.S.A. 147:1, the following regulations regarding sewage and waste disposal systems for the health and safety of Windham are hereby adopted. These regulations are in addition to any applicable rules promulgated by the New Hampshire Department of Environmental Services ("NH DES") and State laws.

101.0 Objective:

To provide for safe and effective sewage and waste disposal installations which are designed, constructed and installed so as to protect water supplies, to prevent pollution of water supplies, to prevent pollution of surface and ground waters, and to prevent nuisances and potential health hazards.

102.0 General:

102.1 Sewage and waste disposal systems ("Systems") shall consist of at least a septic tank, a distribution box, and an effluent absorption system, or other components approved by the Health Officer and NH DES.

102.2 No drain field shall be located within seventy-five feet (75') of any drinking water supply or well. A separation distance greater than 75' may be required if, based on NH DES rules or on the opinion of the Health Officer, greater separation is warranted based on an evaluation of the particular design in meeting the intent of these Regulations .

102.3 All Systems shall meet NH DES requirements and receive approval by the Health Officer and NH DES.

102.4 Health Officer: Defined as the Town's Health Officer or Deputy Health Officer; see RSA Chapter 128.

102.5 All decisions and opinions of the Health Officer shall be timely documented in writing to the applicant for the System.

103.0 Location and Installation:

103.1 Fill required to raise the bottom of the leaching area above the seasonal high ground water table, impermeable strata or ledge shall satisfy any applicable NH DES requirements. Additional fill – to provide greater vertical separation, may be required if, based on the opinion of the Health Officer in meeting the intent of these Regulations, greater separation is needed based on an evaluation of the System.

103.2 Holding tanks or closed systems may be approved as a temporary replacement for an existing System in failure as a last resort. Such tanks or closed systems shall meet NH DES requirements for waterproofing and alarming to indicate when the tank must be pumped.

103.3 The use of holding tanks shall not be approved for the purpose of converting from seasonal uses to year round uses.

103.4 Final approval of any System serving uses which incorporate a community water system shall be subject to applicable NH DES setback requirements and not be granted approval by the Health Officer until the community water system's water source, quality, and quantity has received approval from NH DES.

103.5 No test pits shall be left open after the necessary soil data has been obtained unless otherwise requested by the Health Officer. All test pit areas shall be returned to their natural grade and appearance upon completion and documentation of each test.

103.6 In addition to NH DES inspection requirements, the Health Officer may require an open test pit adjacent to a leaching area at the time of inspection of the System prior to its covering, in order to determine if the System has been constructed according to the approved plans.

103.7 Repair and replacement of existing non-commercial Systems may be repaired or replaced "in kind" in accordance with applicable NH DES rules and State laws.

103.8 The Health Officer shall inspect and approve the bottoms of all effluent disposal areas that contain leach lines, exclusive of any fill extensions.

104.0 System Structures:

104.1 Designs shall meet NH DES requirements and provide adequate volume for settling for solids and scum storage and cleaning access. The structural designs and materials used shall be in accordance with generally accepted engineering practices, so as to safely sustain all loads, liquids and pressures involved. The Health Officer may require testing to ensure that the construction meets this requirement, such as a watertightness test.

104.2 Designs or portions thereof that are not located beneath impervious surfaces shall provide sufficient soil over the top of a septic tank and other underground structures to permit and promote grass growth and to control odors. Minimum depth below finish grade shall be six inches (6") and shall be no more than eighteen inches (18") below finish grade, unless risers and manhole access are provided, or unless as otherwise constructed in accordance with NH DES rules and approved by the Health Officer.

105.0 Subsurface Absorption Field/Bed:

105.1 If required, a System or portion thereof shall be covered with a permeable layer that will allow ventilation, such as untreated building paper, a 2-inch layer of hay, or filter fabric; impervious coverings such as tar paper or plastic shall not be used as they interfere with ventilation.

105.2 A pipe-and-stone system shall satisfy all applicable NH DES rules.

106.0 Additional Information for System designs for Individual Lots:

106.1 Benchmarks shall be established on each lot, and the locations shown on the plan.

106.2 Locations of any paved areas, driveways and other accesses to public ways.

106.3 The sheet size of all System plans will be drawn on 22" by 34" sheets with separate sheets numbered and showing their relationship to each other.

107.0 Permitting, Enforcement, and Fees:

107.1 No System shall be installed, altered, or repaired unless done in conformity with these Regulations.

107.2 A permit for the installation and/or alteration of a System shall be obtained from the Community Development Department prior to any work on the System.

107.3 Applicable fees will be charged according to the fee schedule approved by the Board of Selectmen.

108.0 Waivers:

108.1 An applicant may appeal a decision of the Health Officer to the Board of Health within ten (10) days of the issuance of the decision. The Board of Health shall hold a hearing and render a decision within thirty (30) days.

108.2 Waivers may be granted only as follows: The Board of Health may vary the application of these Regulations with respect to any particular case when, in its opinion the enforcement thereof would represent an unnecessary hardship, and the applicant has established that the health, safety and environmental protection required under these Regulations could be achieved without strict application of a particular subsection.

109.0 Unconstitutionality Clause:

109.1 So far as the Board of Selectmen may provide, each section of these Regulations shall be construed as separate to the end that if any portion shall be held invalid for any reason, the remainder of these Regulations shall continue in full force and effect.

110.0 Effective Date:

110.1 These Regulations shall take effect upon approval by the Board of Selectmen, publication and receipt by the Town Clerk, Town of Windham, NH.

Adopted by the Board of Health – 1972

Amended by the Board of Health – February 28, 2000

Amended by the Board of Selectmen – February 7, 2006

Amended by the Board of Selectmen – April 3, 2006

Amended by the Board of Selectmen – July 17, 2006

Amended by the Board of Selectmen – August 11, 2014

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