

SUNAPEE HEALTH OFFICER
PUBLIC HEARING

6:00PM Town Office Meeting Room

Tuesday, January 31, 2023

Join us on Zoom: <https://us06web.zoom.us/j/81091566543>

The Sunapee Health Officer is holding a public hearing pursuant to RSA 147:1 for the purpose of presenting and discussing the proposed septic regulation.

Please find attached the proposed septic regulations to be discussed.

Proposed Septic Rules for the Town of Sunapee
Final 1-25-23

Authority: Health Officers

NH RSA 147:10 grants municipal health officers, with the approval of the Board of Selectmen (NH RSA 147:1), authority to adopt regulations that will ensure that wastewater disposal systems shall not be a nuisance or injurious to public health.

General Purpose and Intent

- 1) Protect the quality of the surface waters of Lake Sunapee, which is the major public water supply for the Town of Sunapee
- 2) Protect the quality of ground water in the lakes, ponds and Sugar River in the Town of Sunapee
- 3) Protect public health through prevention of human contact with sewage and related pathogens
- 4) Prevent increased nitrogen and phosphorus accumulations and related pathogens from entering the lakes, ponds, rivers, streams and aquifer recharge areas
- 5) Provide a proactive approach towards septic systems posing higher risk and significance of failure within the Shoreland Overlay District.

Reference & Definitions

All terms used herein shall have the same definitions as found in State regulations and references based on Chapter Env-Wq 1000 “Subdivisions; Individual Sewage Disposal Systems” with Statutory Authority RSA 485-A:6, latest effective date Oct. 1, 2016 or most recent.

Applicability

These regulations apply to all sewage disposal systems on private septic system located wholly, or part within the Shoreline Overlay District, (within 250 feet of lakes & ponds over 10 acres in size and fourth order streams) as well as all commercial food preparation facilities within the entire Town of Sunapee on a septic system.

Septic Tank Pumping

All septic tanks to be pumped on the following schedule:

All developed properties with septic systems in the Shoreline Overlay District in the Town of Sunapee shall be pumped a minimum of once every three years.

In cases where a septic tank or pump chamber has not been pumped out in the three years prior to the adoption of this regulation, such systems shall be pumped out within one year of the effective date of this regulation.

Exceptions

Exceptions to these regulations are to be determined by the Town Selectboard or its designee.

Holding Tank Exception: Properties that have a ‘holding tank’ system, shall abide by the NHDES regulations, which currently require the holding tank to be pumped when the tank is at 80% capacity.

Grease Trap Exception: All commercial Food preparation facilities within the Town of Sunapee, on a septic system are required to have a grease trap system installed. All grease trap systems must be pumped per manufacturer’s or service providers recommendation but no less than twice a year.

Owners of Residential properties occupied by 2 or fewer persons and owners of properties used on a strictly seasonal use may apply to the Board of Selectmen, or designee, for a waiver of the 3 year requirement. In no case shall a septic tank be pumped less often than once every 6 years.

Waivers shall not be granted for commercial or any type of Short Term Rental (STR) properties.

The Health Officer shall maintain a list of approved proprietary Innovative/Alternative Technology (ITA) septic systems as defined in NHDES Env-Wq1024. Such systems shall be pumped out, inspected and maintained at a frequency specified by the ITA manufacturer. The Health Officer may also request inspection records from the manufacturers of the ITA systems.

Sale of property within Shoreland Overlay District

When a developed waterfront property is sold or transferred, a copy of the **Waterfront Property Site Assessment Study required by NHDES Env-Wq 1025 regulations** must be submitted to the Town either by the seller or their Agent within 10 days of the sale of property.

Adoption

- A) These regulations shall be administered by the Code Enforcement Officer and/or Health Officer or by such person as the Board of Selectmen may designate. Any person willfully violating these regulations shall be guilty of a violation.

- B) Prior to the effective date of this regulation, the owners of all affected properties shall be provided with a written notice of the requirements of these regulations.

- C) Property owners who have had their septic tanks pumped within 3 years prior to the effective date of this regulation shall provide the Health Officer, or designee, with documentation of such pumping, failing which it shall be presumed that the septic tank pumped has not been pumped within 3 years prior to the effective date of this regulation.

- D) Property owners who have had their septic tank/ holding tank/ grease trap pumped out after the effective date of this regulation shall provide the Health Officer or designee with documentation of the pumping, including receipts from the Company that did the pumping, and the approximate gallons of septage pumped. Such information shall be provided within 10 days of the pumping.

Douglas Gamsby
Health Officer, Town of Sunapee

You and Your Septic System *A Homeowner's Guide to Septic System Maintenance*

Your septic system is a highly efficient biological system that can effectively digest and disperse your household sewage and other organic wastes. Properly designed, installed and maintained, it should give you many years of trouble-free service, **but only if it is properly maintained**. The key to the life and service of any septic system is proper maintenance.

How Does Your Septic System Work?

A septic system is designed to condition untreated liquid household waste (sewage) so that it can be readily dispersed and percolated into the subsoil. Percolation through the soil accomplishes much of the final purification of the effluent, including the destruction of disease-producing bacteria.

Your septic tank is the first step in the process of sewage conditioning. Without it, the untreated sewage would quickly clog the receiving soil and prevent the purification process of leaching and soil percolation. Septic tanks serve three functions:

- Removal of solids.
- Bacterial action.
- Sludge and scum storage.

In the first step, as sewage enters the septic tank, its rate of flow is reduced so that the larger solids sink to the bottom or rise to the surface. These solids are retained in the tank, and the clarified effluent with suspended and dissolved solids is discharged.

Bacterial action is the second function. The solids and the liquids in the tank are partially decomposed by bacteria and other natural processes. These bacteria are called anaerobic because they thrive in the absence of free oxygen. This decomposition of sewage under anaerobic conditions is termed "septic," hence the name of the system (and the cause of the odor).

Storage is the third function of your system. Sludge is the accumulation of solids at the bottom of the tank, while scum is a partially submerged mat of floating solids that may form at or near the surface. Space must be provided in the tank to store the residues during the intervals between cleaning. Otherwise, the sludge and scum will eventually be scoured from the tank and will clog the leach field and receiving soil. Periodic cleaning of your tank is essential for it to function properly.

Finally, the treated effluent from the septic tank is discharged to the leach field where it percolates through suitable gravel and finally into the subsoil for further purification.

Remember: A properly maintained septic system will adequately treat your sewage. A septic system failure is unhealthy, illegal if not corrected and a nuisance. Also, replacing an existing system can be costly! The life of the system can be prolonged by proper maintenance and frequent tank pumping.

What You Can Do to Properly Maintain Your Septic System

First and foremost, inspect your septic tank every year. If the sludge and surface scum combined are as thick as 1/3 the liquid depth of your tank, have the tank pumped out by a licensed pumper. Your tank should be pumped out at least every two to three years.

Do not flush bulky waste or grease into the system. It can plug the sewer and/or distribution lines.

Do not flush toxic materials into the system. Paint thinner, gasoline, pesticides, chlorine, drain cleaners and other caustic or toxic substances can kill the naturally-occurring bacteria in the tank and impair its function. If in doubt, don't flush it.

Conserve water. Too much water can overload your system and adversely affect its function.

Don't allow vehicles or livestock on your leach field. The weight can compact the soil and/or break pipes.

Any soggy areas around the system, or disagreeable odors, could indicate system failure. Have it checked.

Additional Suggestions

Minimize or eliminate use of kitchen "disposal" units, which grind up food wastes and place a burden on the septic tank, especially if the original septic design did not accommodate one.

If water treatment system backwash has been directed into the home septic system, check to make sure that the additional volume from the discharge can be accommodated by your septic system. Unfortunately, the majority of treatment systems are installed after the home and septic system are built. The additional water to the septic tank and leaching field may cause problems with septic system operation or may overload the existing leaching area and result in premature failure. Additionally, some experts believe that the brine from backwashing may have detrimental effects on bacteria growth and may influence the soil's ability to infiltrate water.

Maintaining a Record

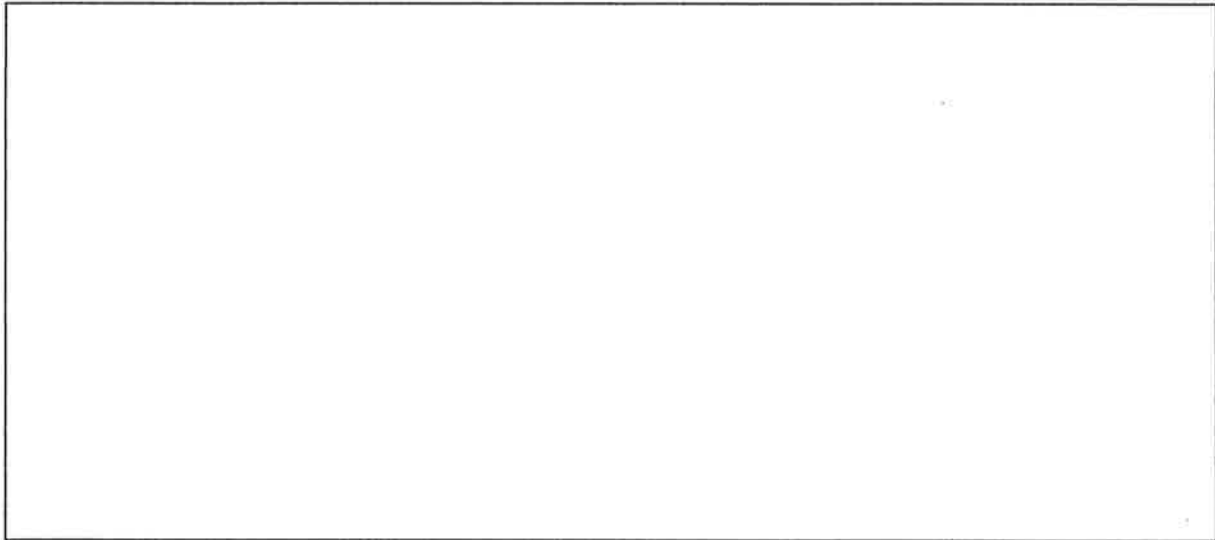
On the next page, is a template for creating a permanent maintenance record of your septic system for your files.

For More Information

For more information, please contact the NHDES Subsurface Systems Bureau at (603) 271-3501 or go to our [NHDES website](#) for detailed information.

Septic System Maintenance Record for: _____

First, in the space below, make a sketch of the location of your septic tank in relation to your house. Measure and record on your sketch the distances from the house foundation to the septic tank or cesspool cover, to the distribution box, leaching system and to other permanent features such as nearby trees or rocks.



Date System Installed: _____ Installer: _____

Record of Pumping Service/Maintenance

Date	Septic Service Provider

For More Information

For more information, please contact the NHDES Subsurface Systems Bureau at (603) 271-3501 or go to our NHDES website for detailed information.

ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

WD-SSB-10

2019

Selling Developed Waterfront Property *Site Assessment Study Required*

Relevant Laws: RSA 4:40-A, 485-A:2 (definitions), 485-A:39, RSA 483-B:4

Relevant NHDES Administrative Rule: Env-Wq 1025

Statutory Requirements

Prior to executing a purchase and sale agreement for any “developed waterfront property” using a septic disposal system, an owner shall, at his or her expense, engage a permitted subsurface sewer or waste disposal system designer to perform an on-site assessment study.

“**Developed waterfront property**” means any parcel of land upon which stands a structure suitable for either seasonal or year-round human occupancy, where such parcel of land is contiguous to, or within, 200 feet of the [reference line](#) of all waterbodies protected under RSA 483-B, the (Shoreland Water Quality Protection Act). Waterbodies protected under RSA 483-B includes: All lakes and ponds greater than 10 acres, all 4th order and greater streams and rivers, all designated rivers and river segments under RSA 483-A (The Rivers Management and Protection Act) and all waters subject to the ebb and flow of the tide (including tidal marshes, rivers and estuaries). The [Consolidated List of Waterbodies Jurisdictional under the Shoreland Water Quality Protection Act](#) is a comprehensive list of all freshwater bodies protected under RSA 483-B. **Please note:** A *Site Assessment Study* must be conducted whenever any part of the property is within 200 feet of the reference line, not merely when the structure or septic disposal system is within 200 feet of the reference line.

The *Site Assessment Study* is a form prepared by a [NHDES-permitted septic system designer](#) that you, as the seller, hire to determine if your site meets the current standards for septic disposal systems established by NHDES. The Site Assessment Study form is **not** submitted to NHDES. The completed Site Assessment Study form is transferred from the seller to the buyer and becomes part of the purchase and sales agreement.

In instances where a subsequent sale of a developed waterfront property occurs for which a Site Assessment Study has already been conducted for a previous sale, if no changes occurred to the information required on the original Site Assessment Study, the property owner and assessor may certify that no change in the information required has changed in lieu of conducting a new site assessment study.

The site assessment study was originally required prior to listing or offering a waterfront property for sale but, since 1993, it has been required prior to executing a purchase and sale agreement and must include an on-site inspection. The site assessment form may be obtained from the Subsurface Systems Bureau, or on-line by selecting the following; [site assessment form](#).

For More Information

If you have any questions concerning septic systems, contact the NHDES Subsurface Systems Bureau at (603) 271-3501, or 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095; Fax: (603) 271-6683;

<https://www.des.nh.gov/land/septic-systems>