



TOWN OF PEPPERELL

Board of Health

MEMORANDUM

DATE: May 18, 2006

TO: Cheryl Lutzca, Zoning Board of Appeals Assistant

FROM: Edward F. Wirtanen, R.S., C.H.O., Health Agent

SUBJECT: **Zoning Board of Appeals Application No. 06-373 for a Comprehensive Permit by Bayberry Enterprise Realty Trust**

In response to your request for comments regarding the Zoning Board of Appeals Application No. 06-373 for a 40B Comprehensive Permit for the construction of twenty-two duplex buildings containing forty-four, 2 bedroom units located off Bayberry Street by the Bayberry Enterprise Realty Trust the Board of Health reviewed the information at their May 17, 2006 meeting. After reviewing the Bayberry Estates, Comprehensive Permit Application the Board of Health had the following comments:

The proposed project consists of the development of 19.85 acres of land located off of Bayberry Street. Forty-four, two bedroom units are proposed to be constructed within twenty-two duplex buildings. The applicant has indicated the project will include town water and a private subsurface sewage disposal system. The site is located in the Town's Aquifer-Watershed Protection Zone.

The Board of Health is unable to provide information on the suitability of the proposed area (32,336 square feet) designated for leaching beds and reserve for on-site sewage disposal. Deep observation holes and percolation tests within the proposed sewage disposal systems and reserve area witnessed by our office is necessary. The applicant has indicated that they will comply with any State Environmental Regulations which would include 310 CMR 15.000: THE STATE ENVIRONMENTAL CODE, TITLE 5: STANDARD REQUIREMENTS FOR THE SITING, CONSTRUCTION, INSPECTION, UPGRADE AND EXPANSION OF THE ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS FOR THE TRANSPORT AND DISPOSAL OF SEPTAGE. The Applicant has indicated a condominium association will maintain this private on-site septic system. Properly prepared plans and application for permit must be submitted for review and approval by the Board of Health. These plans must meet the requirements of the State Environmental Code, Title 5 and the Supplemental Regulations to Title 5 for the Town of Pepperell.

The applicant should be advised that the existing sewage disposal system at 7 (Assessor Map 12, Lot 70) Ashley Street consists of a 1,500 gallon septic tank, 1,500 gallon pump chamber and four 50 foot long trenches. A two-inch diameter force main connects the pump chamber to the

distribution box for the four 50 foot trenches. This force main is located under the proposed forty foot wide Right of Way easement that would provide emergency access to the development. This line is not designed for wheeled traffic and would be damage if traffic were permitted to pass over it.

The proposed water service from Ashley Street into the proposed development would cross the two-inch diameter force main for the sewage disposal system at 7 (Assessor Map 12, Lot 70) Ashley Street. Wherever sewer lines must cross water supply lines both pipes must be constructed of class 150 pressure pipe and shall be pressure tested to assure water tightness in this location and at other crossing within the project.

The Massachusetts Housing Finance Agency in their February 16, 2006 letter of project eligibility indicated that the comprehensive permit must include a condition that the developer provide evidence of compliance with Title V regulations regarding the design and construction of individual wells, septic systems and wastewater treatment plant if applicable to the site prior to issuance of the building permit for the project.

The Board of Health requests that the Zoning Board of Appeals does not wave any of the permitting fees for this development or any of the Board of Health supplemental regulations to Title 5, Subsurface Sewage Disposal regulations if so requested by the Applicant.

The Board appreciates the opportunity to comment on this project and anticipates that the Applicant will provide further information that will address the above issues and permit the Board of Health to comment on suitability for sewage disposal at the site, the volume of proposed waste water disposal at the site, and the design of the sewage disposal system.

CC:Town Counsel

Bayberry Enterprise Realty Trust, c/o Attorney Douglas C. Deschenes, 1 Billerica Road,
Chelmsford, MA 01824