



TOWN OF NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

Planning Board for discussion October 11, 2016

Sanitary Protection -Zoning Ordinance (ZO)

Current Provisions- see pages 5-6	Additional Ideas for discussion
8.Sanitary Protection –Article II, #8	8. Septic – Individual Sewage Disposal System
<p>a. No cesspool, septic tank or sewage disposal area shall be constructed or maintained less than 75 feet from the edge of a public water body; from a well; or from a dwelling other than that to which it is appurtenant.</p> <p>As per Article XIII F.(1), no septic tank or leach field may be constructed or enlarged closer than 100 feet to any Wetland whenever excessively well-drained soils with rapid permeability are encountered, otherwise 75 feet shall govern.</p>	<p>No septic tank or leach field may be constructed or enlarged closer than 100 feet to any wetland. Soils information uses in evaluating the suitability of the site shall be per NHDES requirements. Distance to any streams (perennial and intermittent streams), shall be those observed in the field and also include any other streams such as those identified on the existing Zoning Overlay maps, as all streams are not included on such maps.</p>
<p>b. No waste waters or sewage shall be permitted to run free into a public water body or be discharged in any way that may be offensive or detrimental to the health of others. All such waste shall be conveyed away underground through use of an accepted sanitary system or in such a way that it will not be offensive or detrimental to health.</p>	
<p>c. If construction, alteration, or expansion of an Accessory Building on a property includes bathroom facilities and space that may be used as guest quarters, the Health Officer may require the design and, if the existing system is 20 years old or older, the construction of a new or modified sub-surface sewage disposal system that will support the potential loading at the site. If any bathroom facilities are installed in an Accessory Building, subsurface sewage disposal system modifications must be designed and approved by the NH Department of Environmental Services and installed at the site to provide for the disposal of effluent from the new bathroom facilities.</p>	<p>Any expansion that increases the sewerage load to an on-site septic system, or changes or expands the use of a septic system shall require approval by the NH Department of Environmental Services (Note this is the current language found in the nonconforming provisions, page 81). Any proposed expansion, relocation, remodeling or replacement of a structure which would increase the building size, or redesignate existing bedrooms to other uses such as a den, home office, playroom, sewing room, or other functional space shall require design of a new system. A new system is required if the existing system is more than 20 year olds.</p>
<p>d. All sanitary systems shall be designed, constructed and maintained in accordance with standards set and enforced by the NH Department of Environmental Services.</p>	

Notes:

The word “septic” is used eight (8) times in the current ZO:

- ✓ Article II, General Provisions # 8 Sanitary Protections, pages 5-6.
- ✓ Article XIII, Wetlands Conservation Overlay District, F. Special Provisions (1), page 51
- ✓ Article XX, Nonconforming, B. 1, page 81
- ✓ Article XXII, Streams Conservation Overlay District, E (9), page 91
- ✓ Article XXVI, Workforce Housing (N), page 115

The word “sanitary is used ten (10) times in the current ZO:

- ✓ Article II, General Provisions, Excavation #2, c, iv, page 4
- ✓ Article II, General Provisions # 8 Sanitary Protections, pages 5-6.
- ✓ Article II, General Provisions # 11 Temporary Structures, (b), page 11.
- ✓ Article III, Definitions # 74 Impact Fees (page 26) and # 154 Substantial Improvements (page 33).
- ✓ Article XIII, Wetlands Conservation Overlay District, K. Lot Size, (2), page 54.
- ✓ Article XV, Floodplain Overlay District, 2 (b), page 60

The word “leach” is used four (4) times, see references listed above for septic/sanitary. The word “leachfield” is not used in the Zoning Ordinance.

See attached information from NHDES Env-WQ 1004.15 (email 9/9/16 from Deb Langner, Town Health Officer).

General Recommendation: Include all the provisions which pertain to “sanitary protection” aka septic systems be included in one section of the Zoning Ordinance.

Note: This is for discussion only, and is not in final form. Ideas presented are subject to discussion, may be arranged, deleted or amended per the discussion of the Board.

Lucy St. John

From: Deb Langner
Sent: Friday, September 09, 2016 9:18 AM
To: Lucy St. John
Subject: env-WQ 1004.15

Hey Lucy,

Here is the language for remodeling in regard to septic systems. No expansion size requirement is listed, but the age requirement of 20 years is the defining part.

Env-Wq 1004.15 Expansion, Relocation, Remodeling, or Replacement of Existing Structures.

(a) No construction or operational approval from the department shall be required for the expansion, relocation, remodeling, or replacement of any structure that meets the requirements of RSA 485-A:38, II-a,

namely:

(1) The work does not increase the load on the ISDS serving the structure;

(2) The ISDS serving the structure received construction and operational approval from the department within 20 years of the date of the issuance of a building permit for the proposed

expansion, relocation, or replacement;

(3) If the property is nonresidential, no waivers were granted in the construction or operational approval of any requirements for total wastewater lot loading, depth to groundwater, or horizontal distances to surface water, water supply systems, or very poorly drained soils; and

(4) The proposed expansion, relocation, or replacement complies with the requirements of the comprehensive shoreland protection act, RSA 483-B, if applicable.

(b) Subject to (c), below, any expansion, relocation, remodeling, or replacement of a structure that does not meet the requirements of RSA 485-A:38, II-a shall be considered new construction, for which an application for an ISDS to serve the structure shall be submitted in accordance with Env-Wq 1003.

(c) The expansion, relocation, remodeling, or replacement of a structure shall not be considered new construction under (b), above, if:

(1) The ISDS serving the structure received construction and operational approval from the department more than 20 years before the date of the issuance of a building permit but otherwise meets the criteria specified in (a), above; and

(2) The footprint of the structure will not change.

(d) For property in the protected shoreland, no structure shall be replaced, relocated, or expanded without the owner first determining that such replacement, relocation, or expansion will not violate RSA 483-B.

Source. (See Revision Note at chapter heading for Env-Wq

1000) #9086, eff 2-9-08; ss by #9904-A, eff 4-16-11

let's schedule time to talk next week,

Deb