

### **§ 305-2.1. Permits.**

- A. In order to enforce the provisions of Article II of the State Sanitary Code, Regulation 4, "Water Supply,"<sup>1</sup> a permit from the Board of Health shall be required for the development of a suitable source of water supply prior to the start of any construction on a building or buildings where water will be used. The state is the permitting authority for closed-loop geothermal ground source heat pump wells. No building permit shall be issued for the construction of a building which would necessitate the use of water therein, unless a suitable supply of water is available from a well located on the property where the building is to be constructed, or a connection to a semipublic or public water supply is available.
- B. Permit requirements. No private or semipublic water supply shall be installed, altered or repaired until a permit has been obtained from the Board of Health or its agent. The fee for this permit shall be set by the Board of Health from time to time. A permit so granted shall expire 24 months from the date of issue unless construction is begun.
- C. Permit application.
  - (1) For the purposes of this regulation, a complete application shall include:
    - (a) A completed well construction permit application, signed by the property owner, and the associated fee which is set by the Board of Health from time to time.
    - (b) A plan drawn to scale, indicating boundary lines of the applicant's property; the location and the number of wells, as required under §§ 305-2.6 and 305-2.7 herein; and the location of all existing and proposed structures and septic systems within 200 feet of each existing or proposed well on the applicant's property; and the location of any existing or proposed driveway, right-of-way, or traveled way, as defined in § 305-2.2.
    - (c) The location of areas subject to the jurisdiction of the Conservation Commission pursuant to the Wetlands Protection Act, MGL c. 131, § 40, and the regulations promulgated thereunder as 310 CMR 10.00; the Town of Sherborn Wetlands Bylaw (Chapter 226 of the General Bylaws), and Chapter 410, Wetlands Regulations, of the Code of the Town of Sherborn.
    - (d) Written approval from the Conservation Commission in the form of an administrative approval, negative determination of applicability, or order of conditions from the Conservation Commission for the proposed well location.
    - (e) If a new or replacement sewage disposal system is required, a complete disposal works construction permit application, as described in Article I, Sewage Disposal, § 305-1.4B, is required.
  - (2) The complete application shall be considered filed on the date upon which it is filed with the Board of Health by the person who is seeking the permit or their authorized representative.

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1. Editor's Note: See 105 CMR 410.000.

- D. Permit release requirements. No foundation or building permit shall be issued until the well is installed, completed and has been demonstrated to supply water of the quality and quantity specified herein. No occupancy of the building the well is to serve shall be permitted until an acceptable tested water sample has been obtained from a tap in the building.
- E. Well pump and storage tank permits. A well pump and storage tank permit shall be required. This shall be obtained from the Board of Health after the well has been approved by the Board for suitability both as to water quality and quantity.