

**Town of Berkley**  
**Office of**  
**BOARD OF HEALTH**  
1 North Main Street, Berkley, MA 02779  
508-822-7828

**Subsurface Disposal, Well and Land Development Regulation**  
**Revised July 23, 2025**

**Procedure to Obtain Perc Test**

1. Engineer must contact Board of Health in writing to request date for perc test appointment and fill out application **completely**.
  - a) Request must contain name, address and phone number of the **Property Owner**.
  - b) Request must contain the verified assessor's map and lot numbers (**in red**), the **street number** and the **street name** of the property.
  - c) Request must include a check payable to the Town of Berkley for **\$485.00**. (Foul weather notwithstanding, if the perc is cancelled a minimum 48 hours' notice by applicant must be given in order for the money to be returned. Inspectors have other full-time jobs and must schedule work accordingly). If Perc date is rescheduled without adequate notice an additional fee of \$150.00 will be assessed.
  - d) Notice of determination from Berkley Conservation Commission shall be obtained before tests are done and wetland areas flagged.
  - e) The person scheduling perc testing shall be responsible to ensure that all test pit locations and access to these locations has been completed **prior to the day of testing**.
  - f) Percolation rates over 30 minutes an inch is not acceptable, except for repairs of existing systems.
2. Title V requires two percs per lot and observation holes logged and four perc holes for new construction.
  - a) If a successful perc test cannot be achieved with the first four holes; each additional hole is charged **\$150.00 per hole dug or perc test done in same deep hole**.
  - b) Additional fees must be paid on the day of the perc test.
  - c) A clearly marked ruler shall be used for percolation testing. **Homemade and wood rulers are not acceptable**. Lines must be visible from ground

level. Inspectors must be able to read markers without entering the deep hole.

- d) An Excavator is required for digging perc test holes for new construction.
3. No de-watered percs will be allowed. Mechanical devices will not be allowed to de-water perc holes. (i.e.: large pumps or mud pumps). If a waiver is permitted for this section Conversation Commission approval will be required.
  4. The perc season is December 1-April 30<sup>th</sup> for new construction. Percs should be scheduled well in advance. April is a rainy month and cancellation could mean long delays.
  5. Testing is done Monday through Friday (weather permitting) from 8:00 AM – 12 Noon and 1:00 PM – 4:00 PM if agents are available.
  6. Access to lots and areas to be perced must be completed **prior to the day of the tests**. The Board of Health agent is a witness to perc testing and is not required to wait while the client clears an access to the perc site(s).
  7. **Perc tests expire two years from the date of original perc test**. The Board of Health will not extend percolation tests that have already expired. Test results brought to us before expiration may be extended at the Board's discretion.
  8. Perc pipes shall extend 3 feet above the ground, shall be scheduled 40 perforated 4-inch PVC and shall have perc date and perc rate.
  9. Machine operator shall have a license to operate said machine, and will be required to show the Board of Health witness proof of license from the State of MA.
  10. All lots shall be re-perced after roads are complete and lots have been staked if perc area has been disturbed.
  11. Engineer must mail perc test results to the Board of Health with a soil log and depth and elevation of ground water within 60 days of the test.
  12. Perc tests to be done by Professional Engineer or Licensed Sanitarian or Licensed Soil Evaluator.
  13. The soil absorption system shall be calculated 50% larger than the Title V requirements (e.g. Title V = 400 square feet – Berkley requirement = 600 square feet, etc.)
  14. Percolation rates over 30 minutes an inch is not acceptable, except for repairs of existing system.

## **Procedure for Septic Installation and Repairs**

1. **No repairs, replacement, or installation of Septic Systems may be done without notifying the Board of Health prior to beginning work.**
  - a) The Board of Health will not accept any pump type septic system unless it is a repair or a reconstruction of the existing or failing system and there is no other solution.
  - b) The Board of Health requires that septic systems be set back not less than 100 feet from any wetlands. Plans must be stamped by the Conservation Commission verifying setbacks before approval.
2. A Perc test fee of **\$375.00** is required for all repairs.
3. Licenses are obtainable at the Board of Health Office on regular meeting nights which are the second and fourth Tuesdays of the month at 7:00 pm.
4. A written test is required on Title V and Berkley Board of Health Regulations.
5. Permits are not transferable.
6. Installers Permit Fees: Fees **\$200.00** for the first-time permits accompanied by \$25,000 bond to the Town of Berkley. If you should require a re-test a fee of \$100 is required. As-Built for the first-time installers to be done by Town Engineer or engineer approved by the Board of Health.
7. **The person obtaining the Installer's Permits must be on the job site to supervise work at all times.**
8. All repairs shall be approved by a Professional Engineer and installed according to Title V and the Berkley Board of Health Regulations.
9. An "As-Built" Certification with all elevations noted must be submitted to the Board of Health upon completion of repairs, replacement or installation.
10. All septic tanks must have an access manhole at the tank inlet and outlet brought to the finish grade.
11. Septic repairs which do not meet Title V requirements must have plans prepared by a Professional Engineer. Engineer will then apply for variances from the appropriate departments.
12. No installer shall do his own As-Built plan. The As-built plan must be done by another engineer.

## **Berkley Regulations Which Vary from Title V**

1. A five (5) foot separation is required between the bottom of the leaching area and the water table for all systems.
2. The building of homes is not allowed on land where the water table rises to within four (4) feet of the existing ground unless a Variance is granted by the Board of Health Department.
3. No de-watered Perc Tests are allowed by pumping or other mechanical devices.
4. A twenty (20) foot setback from the property lines is required for all well and septic installations.
5. Effective March 11, 2003 all cesspools will be an automatic failure on Title V Inspections for title transfers.
6. Replacement material for septic system leaching areas will require laboratory testing. These tests will be a minimum of a Sieve Test Analysis. More stringent testing may be required at contractor's expense.
  - a) **All septic replacement sand that is to be tested will be removed from the leaching area by a certified laboratory and tested by lab. Test will not be accepted unless they have been removed from the site of the system by the testing lab.**
7. The soil absorption system shall be calculated 50% larger than Title V requirements (e.g. Title V = 400 square feet – Berkley requirement = 600 square feet, etc.).
8. Installation of Zabel filters will be required on any new construction or repairs.
9. There will be \$150.00 per variance granted from any of the Board's regulations.
10. If an installer's license is not renewed by March 1<sup>st</sup> of the current year, the applicant may be subject to re-testing with an additional fee of \$100.00 to cover clerical work.

### **Disposal Works Construction Permits**

1. Applications shall be submitted to the Board of Health.

2. Applications must have the Engineer's original seal and signature and be made out in full by the Engineer.
3. A copy of the original Perc Test report shall be supplied with each application.
4. Applications shall be submitted with a minimum of (5) sets of prints in black and white (blueprints are no longer acceptable) with a check for \$225.00 payable to the Town of Berkley included. (The check is non-refundable whether or not the application is approved). Prints shall be no larger than 18 X 24 inches and on a separate sheet from other work and of professional quality (e.g. not hand drawn sketches). Prints shall also be accepted on electronic media.
  - a) Application must include Verified Assessor's Map and Lot Numbers and **Street Name and Number**.
5. Prints supplied with the application must have an elevation schedule which includes foundation, elevation, and water table elevation as well as proposed septic system elevations.
6. The benchmark elevation shall be a stable immovable object. (Nails in trees, etc. are not acceptable).
7. Septic Installation inspections are as follows:
  - a) The open hole of the leaching area (after area is excavated to recommended elevation) **is to have a four (4) foot deep hole dug in the center** and must be in the approximate width of a backhoe bucket for the purpose of ground water observation.
  - b) The second inspection is done after the entire system is in place with stone and pea stone also in place.
    1. Covers shall be removed by the Installer for the inspection.
    2. Additional excavation may be required by the inspector at this time. (The machine should be left on the job).
    3. The septic tank shall not be backfilled until inspected by the Board of Health with 6 inches of stone under the tank area.
  - c) The final inspection is done after the yard is brought to finish grade and loamed. If it is not possible for loam and seed because of cold weather Septic components to within 6-7 inches of final grade.
  - d) After septic systems are installed, the entire system (from the farthest limits of the leaching area) must be staked and construction or caution

tape shall be affixed to stakes to prevent vehicular traffic from driving on these areas.

8. All septic tanks shall have an access manhole at the inlet and outlet brought to the finish grade.
9. Upon the final inspection by the design engineer and an “As-Built” Certification is submitted, reviewed and approved by the Board of Health, the Compliance Certificate will then be signed by two members of the Board of the Health.
10. A 24-hour notice is required for all inspections. (Phone numbers of agents will be furnished upon request).
  - a) The Board of Health office phone is checked periodically for messages but do not rely on this phone alone for inspection requests.
11. Final Septic System elevations shall be done by a qualified person independent of the Septic System Installer.

Addendum's to be added after this page.

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ADDENDUM

May 26, 1998

Revised September 23, 2008

1. The person scheduling perc testing shall be responsible to ensure that all test pit locations and access to these locations has been completed prior to the day of testing.
2. The soil absorption system shall be calculated 50% larger than Title V requirements (e.g. Title V = 400 square feet – Berkley requirement = 600 square feet, etc.).
3. Percolation rates over 30 minutes an inch is not acceptable, except for repairs of existing systems.

Signed this day of September 23, 2008

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James Romano, Chairman

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Steve Rapoza, Member

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Dan Fournier, Clerk

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ADDENDUM

January 9, 2001

Revised June 24, 2008

Revised September 23, 2008

1. Installation of Zabel filters will be required on any new construction or repairs.
2. There will be a fee of \$150.00 per variance granted from any of the Board's regulations.
3. If an installer's license is not renewed by March 1<sup>st</sup> of the current year, the applicant may be subject to re-testing with an additional fee of \$100.00 to cover clerical work and office expense.

Signed this day of September 23, 2008

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James Romano, Chairman

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Steve Rapoza, Member

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Dan Fournier, Clerk



**Board of Health Regulations – Page**

**ADDENDUM**

No Installer shall do his own As-Built plan. The As-Built plan must be done by another engineer if it is installed by the Design Engineer.

Signed this day of

James Romano, Chairman

Frank Alizio, Clerk

Steven Raposa, Member

## **Board of Health Regulations**

### **ADDENDUM**

Revised February 10, 2009

#### **PROCEDURES FOR SEPTIC INSTALLATION AND REPAIRS**

1. A floor plan for the proposed house must be provided with the application for Disposal Works.
2. Installer's Permits will be renewed only to licensees who have demonstrated professionalism during their previous installations.
3. All Septic Systems must be installed according to the plan approved by the Board of Health and the signed contract with the property owner and meet all Title V requirements.
4. A copy of a signed contract between the Installer and the property owner, where the Septic System will be installed must be provided to the Board of Health before the work is begun.
5. A \$150.00 filing fee will be required when filing a Title V Official Inspection Form.

#### **FOR NEW CONSTRUCTION OR ADDITIONS**

1. Before a Certificate of Occupancy is issued a final walk through of the home will be done by a representative of the Board of Health. There is a fee of \$150.00. The Certificate will be issued upon a satisfactory inspection of the home. The home must coincide with the floor plan supplied with the Septic Plans.

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James Romano, Chairman

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Steve Rapoza, Member

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Dan Fournier, Clerk