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TOWN OF BREWSTER BOARD OF HEALTH

LOCAL REGULATION TO SUPPLEMENT TITLE 5 STATE ENVIRONMENTAL CODE

BEDROOM DEFINITION FOR THE PURPOSE OF SIZING A SEPTIC SYSTEM

- 1. Authority.** In accordance with Massachusetts General Laws, Chapter 111, Sections 31 and 127A, the Brewster Board of Health hereby adopts the following regulation to supplement the provisions of the State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage (hereinafter, "Title 5").
- 2. Purpose.** The purpose of this regulation is to provide a greater degree of protection to environmental and public health, to protect groundwater from contamination, prevent the spread of disease, and provide greater clarification of the definition of "bedroom" as that term is used by the Board in applying the provisions of Title 5 and the Brewster Board of Health Regulations pertaining to on-site sewage treatment and disposal systems. This regulation is only intended to assist the Board of Health in sizing a subsurface sewage disposal system; it is not to be applied to other Federal, State or Town Regulations.
- 3.** To the extent application of this definition will not result in an interpretation less stringent than the provisions of Title 5, the term "bedroom" shall be defined as follows for the purpose of sizing a subsurface sewage disposal system (proposed and existing):

Bedroom: "Any portion of a dwelling which is designed to furnish the minimum isolation necessary for the use as a sleeping area and otherwise meets the following criteria:

- (a) floor space of no less than 70 square feet
- (b) for new construction, a ceiling height of no less than seven feet three inches.
- (c) for existing houses and mobile homes, a ceiling height of no less than seven feet zero inches
- (d) an electrical service and ventilation; and
- (e) at least one window.

Privacy Elimination: A room that meets the definition of a bedroom as defined above will not be considered a bedroom if any of the following are present:

- (a) Removal of privacy door and construction of a minimum 4' cased opening without a door; or
- (b) Existence of two separate cased openings that combine to be greater than or equal to 6' neither opening Having a door; or
- (c) The only access to a room that requires walking through another room that meets the definition of a bedroom. The walk-through room shall not be considered a bedroom.
- (d) Loft area consisting of three walls and a half wall not exceeding 42" in height

Living rooms, dining rooms, kitchens, hall, bathrooms, unfinished cellars and unheated sunrooms, and unheated storage areas over garages are not considered bedrooms. A heated sunroom will not be considered a bedroom only if it meets one of the criteria stated in paragraphs (a) – (d) above. A finished room over a free standing or attached garage is considered a bedroom if it meets the bedroom definition criteria. For purposes of this regulation, a "sunroom" shall be defined as an area within or attached to a dwelling with a glazing area (glass, light transmitting ceramic, screens and/or light-transmitting plastic panels) in excess of 40% of the gross area of the area's exterior walls and roof, and shall include sunrooms, porches, three season rooms and the like.

4. Design Flows. An applicant must design and install systems using design flows for the number of bedrooms determined hereunder unless the Brewster Board of Health makes the specific determination, after a public hearing, that a system using design flows for a smaller number of bedrooms will not negatively impact the public health, safety, welfare, or the environment and unless the Board of Health approves an appurtenant deed restriction, running with the land and in favor of the Board, limiting the property to the smaller number of bedrooms.

5. Floor Plans and Inspections. In order to determine compliance with any provision of the foregoing regulation, a floor plan must be filed with the Brewster Board of Health for the Health Agent to make a determination as to bedroom count. If the Health Agent deems it necessary, he or she may refer the determination of the bedroom count to the Board of Health for a vote. If the Board of Health, by a majority vote of its members, deems that an inspection of an existing residence would be helpful to confirm the bedroom count, the Health Agent shall have the authority to inspect the premises and report back to the Board his or her findings.

Adopted: May 23, 2006

Effective: September 1, 2006

Amended: October 17, 2006

Effective: Upon Publication

Amended: July 22, 2008

Effective: Upon Publication

Amended: March 10, 2015

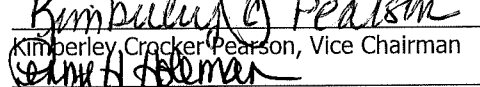
Effective: May 22, 2015

Amended: November 2, 2022 (Space over garage, privacy elimination)

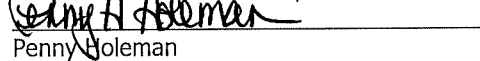
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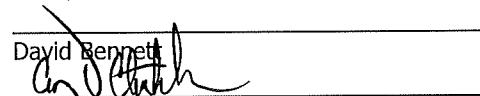
Annette Graczewski, Chairman



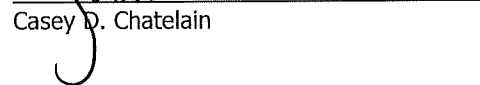
Kimberley Crocker Pearson, Vice Chairman



Penny Holeman

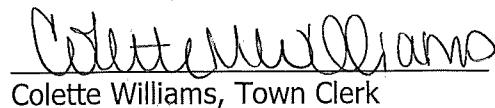


David Bennett



Casey D. Chatelain

Board
Of
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Colette Williams, Town Clerk