

**EGREMONT**

**BUILDING PERMIT**

**GUIDEBOOK**

<b>WHEN IS A BUILDING PERMIT NECESSARY IN EGREMONT?</b>	<b>Building Permit needed</b>	<b>Board of Health Approval</b>
New Structure	Yes	Yes
New Addition	Yes	Yes
Change of Use of Structure	Yes	Yes
New Roofing Shingles on Existing Structure	Yes	No
New Roof Sheathing on Existing Structure	Yes	No
New Roofing Material (e.g., shakes, slate or tile)	Yes	No
New Interior Partitions in Existing Structure	Yes	Yes *
New Sheetrock in Existing Structure	Yes	No
Painting an Existing Structure	No	No
New Steps to an Existing Structure	Yes	No
New Deck on Existing Structure	Yes	Yes
New Windows or Skylights on Existing Structure	Yes	No
Replacement Windows on Existing Structure	Yes	No
New Foundation on Existing Structure	Yes	Yes
New Chimney or Fireplace on Existing Structure	Yes	No
Installation of Wood Stove in Existing Structure	Yes	No
New Doorway(if includes framing) in Existing Structure	Yes	No
New Staircase in an Existing Structure	Yes	No
New Siding on an Existing Structure	Yes	No
Demolition	Yes	Yes
New Kitchen Cabinets in an Existing Structure	No	No
New Countertops in an Existing Structure	No	No
New Floors or Floor Covering in an Existing Structure	No	No
New Plaster in an Existing Structure	Yes	No
New Outbuilding (Accessory Barns, Garages, Sheds)	Yes	Yes
Installation of Insulation in an Existing Structure	Yes	No
Moving an Existing Structure	Yes	Yes
Swimming Pools	Yes	Yes
New or Altered Sign	Yes	No
Outdoor Boiler	Yes	Yes
All Other Situations	**** CONTACT BUILDING INSPECTOR ****	

\*Yes if a new room is being constructed in an Existing Structure (e.g., den, office, study, bedroom)

**TOWN OF EGREMONT  
APPLICATION FOR HOUSE NUMBER**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Phone number you can be reached at \_\_\_\_\_

Assessors Map and Parcel number: Map: \_\_\_\_\_ Parcel: \_\_\_\_\_

Road Name: \_\_\_\_\_

Directions/location of property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of nearest neighbor: \_\_\_\_\_

New Construction:    Yes    No

Full-time residency \_\_\_\_\_    Part-time residency \_\_\_\_\_

Previous owner if any \_\_\_\_\_

**File this form with the Town Hall Office Staff in the Selectmen's Office. Thank you.**  
\*\*\*\*\*

Your number is: \_\_\_\_\_

Please post number in accordance with Bylaw 16: no lower than 42 inches above ground level, 3"-6" reflective numbers, at the main entrance to the property on the roadway. You may wish to order a sign from our Fire Department - see office staff at the Town Hall. Please get form from Town Hall Office Staff a new resident package.

Assigned by: \_\_\_\_\_

Date: \_\_\_\_\_

Number must be posted before any construction begins. A \$10.00 per day fine may be assessed for failure to post sign.

# ***Building Permit Application Form***

***Inspector of Buildings: Thomas Race***

***Office Hours are Tuesday from 12:30 to 3:30p.m.***

***Office Phone Number: 413/528-0182 - Ext.13***

***Messages checked daily: Please leave a message***

# BUILDING PERMIT APPLICATION PROCEDURES

1. Obtain necessary forms in Building Inspector's office or through the Selectmen's office.
2. Potable water supply required before obtaining a building permit for a dwelling.
  - A. Present connection certificate from Town water supply.
  - B. Present complete water test from existing water supply.
  - C. Obtain well permit from Board of Health, drill a new well, and present complete water test to Board of Health for Well Completion Certificate.
3. If applying for a permit which will create a need for a new or rebuilt septic system you MUST contact a member of the Board of Health or Juliette Haas at 413-528-0182
4. Septic System Requirement (per Board of Health)
  - A. Engineering plans showing that a septic system is possible on the site.
  - B. Existing dwellings should submit a plot plan showing all buildings, driveways, wells and septic system components.
  - C. Building floor plans showing livable areas.
  - D. BOH will then sign building permit application.
5. Either draw three (3) sets of detailed plans, have your contractor draw three (3) sets of detailed plans, or have an architect provide three (3) sets of blue prints. (Attached to application when complete)
6. Complete Building Permit Application form and specification sheets.
7. Have the Board of Health Agent sign permit application form and ISDS plans when well requirements are completed and approved.
8. Get Planning Board approval (when required) on permit application.
9. Get Conservation Commission approval (when required) on application.
10. Present plan to Fire Chief for permit and approval of smoke and heat detector locations and have him sign application form.
11. Have Road Superintendent review driveway permit and assign street number and sign application.
12. Building Inspector, as Zoning Agent, will approve for zoning or refer to Appeals Board, if necessary.
13. Presuming that the plans meet requirements of the State Building Code, a permit may be picked up within thirty (30) days.

NOTE 1: If for any reason the plans are not approved, the Building Inspector will notify the applicant concerning necessary changes. When a mutual agreement has been reached, the permit will be issued.

NOTE 2: Submit three (3) plot plans with location of structure from all boundaries

NOTE 3: All modulares require an approval from Electrical Inspector

14. Certificate of Compliance
  - A. Certificate of compliance for septic system required from BOH before obtaining a C of O.
  - B. Final building inspection by BOH.
  - C. BOH will sign C of O.
  - D. See Board of Health guidelines for further details.

STATE HIGHWAY

DOES THE PROPERTY REQUIRE  
ACCESS FROM A STATE HIGHWAY?  
(ROUTE 23 OR 41)

YES

NO

Contact the Mass. Highway Dept.  
in Lenox, MA to obtain a State  
Highway Curb Cut.

Contact the Egremont Highway  
Superintendent to initiate Road  
opening permit process.

\*\*\*\*\*

E-911 NUMBER

Contact the Egremont Town Hall at 413-528-0182 to set up a 911 number  
for your new residential structure. Number must be posted during  
construction. (Fines may be assessed for failure to do so.)

\*\*\*\*\*

SMOKE DETECTOR APPROVAL

Contact Egremont Fire Chief for Smoke Detector Approval

\*\*\*\*\*

Water

Is there public water on the street?

YES

NO

Can new building be  
hooked up?(contact  
Egremont Water Co.)

YES

NO

Is there a well already dug on  
site?

YES

NO

Obtain Private Well

Const.

Obtain letter from Egremont Water  
Company with Build. Permit Application

Permit from Board. Of  
Health Prior to Installation.

Obtain well completion report  
and Complete Water Test  
for inclusion with  
Building Permit Application

Contact Well Driller to  
Dig well or identify other  
Source of water.

Get a Complete Water Test

## PROCEED TO NEXT ISSUE

### SEPTIC SUITABILITY

Has there been a Passing Percolation Test and Deep Hole Analysis done to ascertain the site's suitability for installation of a septic system?

YES

NO

Has there been a septic plan designed for the site and approved by the Board Of Health?

Contact a Certified Soil Evaluator, for Registered Sanitarian or Professional Engineer to perform the tests. Evaluator must contact the Board of Health to witness tests.

YES

NO

Is there a Septic System (approved by Board Of Health) already located on site?

Contact a Registered Professional Engineer to prepare a septic system plan in accordance with Title 5 requirements

YES

NO

Contact a licensed Septic System Installer to arrange for installation during the building process. Disposal works Construction Permit Required.  
(Contact Brd. Of Health for list of licensed installers)

Proceed to next issue

\*\*\*\*\*

**LOT DIMENSIONS**-Does the lot meet the following dimensional requirements for the zoning District in which it is located?

District	Minimum Lot area	Minimum Frontage	Front Setback	Side/Rear Setback
Residential/ Agricultural	One Acre	150'	40'	25'

YES

NO(See ZBA for Variance Possibilities)

Is it possible to locate the structure at least 40' from the front property boundary and 25' from all other property boundaries?

YES

NO

## PROCEED TO NEXT ISSUE

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Contact a Certified Soil Evaluator, for Registered Sanitarian or Professional Engineer to perform the tests. Evaluator must contact the Board of Health to witness tests.

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NO (See ZBA for Variance Possibilities)

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YES

NO

Proceed to next issue

A variance would be required from  
the Zoning Board of Appeals  
(See article 8 of the Zoning By-Laws)

USE OF LOT

Residential(Single)(\*2 family w/2 acres) If NO-non residential  
if yes, proceed below See Planning Board &  
And Zoning Board of  
Appeals

\*\*\*\*\*

FLOOD-PLAIN: Is the property located within  
the 100 year flood plain?

YES

Review Flood Plain By-Law  
and flood proofing requirements  
with the Building Inspector and see  
Conservation Commission

NO

PROCEED TO NEXT ISSUE

\*\*\*\*\*

HISTORIC Is the property located  
DISTRICT within the Egremont Historic  
District?

YES

Review Historic District By-Law  
and see Egremont Historic District  
Commission

NO

PROCEED TO NEXT ISSUE

\*\*\*\*\*

WETLANDS

Will any construction or land alteration be made within 100' of a wetland or 200'  
from a River, Brook or Stream? If there is any question whether there are  
Wetlands, or the extent of Wetlands,(Contact the Conservation Commission for a  
Request for a Determination to determine if and where wetlands(as defined by  
law) exist on your property) It is a Land Owner's responsibility to comply.

YES

A Notice of Intent must be filed with the  
Conservation Commission. Contact  
Commission to ascertain requirements

NO

No action.

of the Massachusetts Wetlands Protection Act.

Conservation Commission issues Order of Conditions

\*\*\*\*\*

**APPLY TO BUILDING INSPECTOR FOR A BUILDING PERMIT**

\*\*\*\*\*

**ARE YOU BUILDING YOURSELF?**

**YES**

Fill out the Building Application

**NO**

Contractor or Architect Applies  
and fills out Building Application

Attach Well Completion Certificate or other proof  
of potable water, Complete Water Test & Septic permits from the Board of Health  
Identify Location of Disposal of Construction Debris  
List Contractor's Construction Supervision License  
Include two (2) sets of plot survey, building plans and road opening permit signed  
by the Highway Superintendent(or State Highway Department curb cut, if on Rt.  
23 or 41)  
If modular home, include Massachusetts certification information

**BUILDING INSPECTOR REVIEWS APPLICATION**

If application is complete and construction, as proposed, meets all town bylaws  
and regulations, state statutes and regulations and building codes, Permit issued  
(maximum 30 days after application, usually within (7) days)  
Trade contractors must apply for Plumbing, Electrical and Gas Piping  
(if applicable) Permits

\*\*\*\*\*

**INSPECTIONS:**

**Building Inspections** are performed at the following times during construction:

- 1) Before Foundation is Back-Filled
- 2) When rough framing, including partitions, is complete(before insulation is installed)
- 3) Final Inspection for Certificate of Occupancy

\*\*At all other times if work is done which would be concealed(such as Masonry work which will be hidden by interior walls) at the time of the next regular inspection.

**Plumbing Inspections** are performed at the following times during construction:

- 1) After Rough Plumbing is completed
- 2) After Finish Plumbing is completed

\*\*At all other times if work is done which would be concealed at the time of the next regular inspection.

**Electrical Inspections** are performed at the following times during construction:

- 1) At installation of temporary service
- 2) At installation of meter trough and underground wiring (if any)
- 3) After Rough Wiring is completed
- 4) After Finish Wiring is completed

\*\*At all other times if work is done which would be concealed at the time of the next regular inspection.

**Miscellaneous** other inspections required PRIOR to issuance of Certificate of Occupancy:

- 1) Inspection of Smoke Detectors: Contact Fire Chief for inspection
- 2) Driveway /Curb-cut: There are certain requirements for connecting your Driveway to a Public Highway. If your structure is on a Town Road, contact the Highway Superintendent for information on what is required and to inspect after the Driveway is installed. If your structure is being built on a State Highway (Routes 23 or 41), contact the State Highway Department in Lenox for information on state highway curb cuts.
- 3) The Septic System needs to be inspected by a Board of Health Agent prior to backfilling.
- 4) If you are having Propane appliances or heating apparatus installed in your Building, the installation and piping needs to be inspected by the Gas and Piping Inspector.
- 5) Fuel Storage Tanks need to be inspected by the Inspector of Flammable Fuel Storage.

\*\*\*\*\*

### INSPECTORS FOR THE TOWN OF EGREMONT:

Building Inspector	Thomas Race.....	528-0182
Electrical Inspector	Richard Cappadona.....	229-2120
Plumbing Inspector	Robert Krupski.....	229-8019
Board of Health Clerk	Juliette Haas.....	528-0182
Gas & Piping Inspector	Art Hyatt.....	229-2986
Fire Chief	William Turner.....	528-3464



# TOWN OF EGREMONT

P.O. BOX 368  
EGREMONT, Massachusetts 01258  
Phone (413) 528-0182 EX 13  
FAX (413) 528-5465

Permit Number \_\_\_\_\_

Date Issued \_\_\_\_\_

Expiration Date  
\_\_\_\_\_

## TRENCH PERMIT

Pursuant to G.L. c. 82A §1 and 520 CMR 7.00 et seq.(as amended)

THIS PERMIT MUST BE FULLY COMPLETED PRIOR TO CONSIDERATION

Name of Applicant			Phone	Cell
Street Address				
City/Town	MA	ZIP		
Name of Excavator (if different from applicant)			Phone	Cell
Street Address				
City/Town	MA	ZIP		
Name of Owner(s) of Property			Phone	Cell
Street Address				
City/Town	MA	ZIP		
Other Contact	Permit Fee Received No ( ) Yes ( ) \$ 20.00			
Description, location and purpose of proposed trench: Please describe the exact location of the proposed trench and its purpose (include a description of what is (or is intended) to be laid in proposed trench (eg; pipes/cable lines etc..) Please use reverse side if additional space is needed.				
Insurance Certificate #:				
Name and Contact Information of Insurer:				
Policy Expiration Date:				
Dig Safe #:				
Name of Competent Person (as defined by 520 CMR 7.02):				

Massachusetts Hoisting License #	
License Grade:	Expiration Date:

BY SIGNING THIS FORM, THE APPLICANT, OWNER, AND EXCAVATOR ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH, ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS, G.L. c. 82A, 520 CMR 7.00 et seq., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW.

THE UNDERSIGNED OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE MUNICIPALITY TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERNING SUCH WORK.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE MUNICIPALITY IN CONNECTION WITH THIS PERMIT AND THE WORK CONDUCTED THEREUNDER, INCLUDING BUT NOT LIMITED TO ENFORCING THE REQUIREMENTS OF STATE LAW AND CONDITIONS OF THIS PERMIT, INSPECTIONS MADE TO ASSURE COMPLIANCE THEREWITH, AND MEASURES TAKEN BY THE MUNICIPALITY TO PROTECT THE PUBLIC WHERE THE APPLICANT OWNER OR EXCAVATOR HAS FAILED TO COMPLY THEREWITH INCLUDING POLICE DETAILS AND OTHER REMEDIAL MEASURES DEEMED NECESSARY BY THE MUNICIPALITY.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE MUNICIPALITY AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT.

APPLICANT SIGNATURE

\_\_\_\_\_ DATE \_\_\_\_\_

EXCAVATOR SIGNATURE (IF DIFFERENT)

\_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE (IF DIFFERENT)

\_\_\_\_\_ DATE: \_\_\_\_\_

For City/Town use -- Do not write in this section	
PERMIT APPROVED BY	\$ _____ Application Fee
PERMITTING AUTHORITY	
CONDITIONS OF APPROVAL	
_____	
_____	Date

## Summary of 1926 CFR Subpart P -OSHA Excavation Standard

This is a worker protection standard, and is designed to protect employees who are working inside a trench. This summary was prepared by the Massachusetts Division of Occupational Safety and not OSHA for informational purposes only and does not constitute an official interpretation by OSHA of their regulations, and may not include all aspects of the standard.

For further information or a full copy of the standard go to [www.osha.gov](http://www.osha.gov).

- **Trench Definition per the OSHA standard:**
  - An excavation made below the surface of the ground, narrow in relation to its length.
  - In general, the depth is greater than the width, but the width of the trench is not greater than fifteen feet.
- **Protective Systems** to prevent soil wall collapse are always required in trenches deeper than 5', and are also required in trenches less than 5' deep when the competent person determines that a hazard exists. Protection options include:
  - Shoring. Shoring must be used in accordance with the OSHA Excavation standard appendices, the equipment manufacturer's tabulated data, or designed by a registered professional engineer.
  - Shielding (Trench Boxes). Trench boxes must be used in accordance with the equipment manufacturer's tabulated data, or a registered professional engineer.
  - Sloping or Benching. In Type C soils (what is most typically encountered) the excavation must extend horizontally 1 ½ feet for every foot of trench depth on both sides, 1 foot for Type B soils, and ¾ foot for Type A soils.
  - A registered professional engineer must design protective systems for all excavations greater than 20' in depth.
- **Ladders** must be used in trenches deeper than 4'.
  - Ladders must be inside the trench with workers at all times, and located within 25' of unobstructed lateral travel for every worker in the trench.
  - Ladders must extend 3' above the top of the trench so workers can safely get onto and off of the ladder.
- **Inspections** of every trench worksite are required:
  - Prior to the start of each shift, and again when there is a change in conditions such as a rainstorm.
  - Inspections must be conducted by the competent person (see below).
- **Competent Person(s) is:**
  - Capable (i.e., trained and knowledgeable) in identifying existing and predictable hazards in the trench, and other working conditions which may pose a hazard to workers, and
  - Authorized by management to take necessary corrective action to eliminate the hazards. Employees must be removed from hazardous areas until the hazard has been corrected.
- **Underground Utilities** must be:
  - Identified prior to opening the excavation (e.g., contact Digsafe).
  - Located by safe and acceptable means while excavating.
  - Protected, supported, or removed once exposed.
- **Spoils** must be kept back a minimum of 2' from the edge of the trench.
- **Surface Encumbrances** creating a hazard must be removed or supported to safeguard employees. Keep heavy equipment and heavy material as far back from the edge of the trench as possible.
- **Stability of Adjacent Structures:**
  - Where the stability of adjacent structures is endangered by creation of the trench, they must be underpinned, braced, or otherwise supported.
  - Sidewalks, pavements, etc. shall not be undermined unless a support system or other method of protection is provided.
- **Protection from water accumulation hazards:**
  - It is not allowable for employees to work in trenches with accumulated water. If water control such as pumping is used to prevent water accumulation, this must be monitored by the competent person.
  - If the trench interrupts natural drainage of surface water, ditches, dikes or other means must be used to prevent this water from entering the excavation.
- **Additional Requirements:**
  - For mobile equipment operated near the edge of the trench, a warning system such as barricades or stop logs must be used.
  - Employees are not permitted to work underneath loads. Operators may not remain in vehicles being loaded unless vehicles are equipped with adequate protection as per 1926.601(b)(6).
  - Employees must wear high-visibility clothing in traffic work zones.
  - Air monitoring must be conducted in trenches deeper than 4' if the potential for a hazardous atmosphere exists. If a hazardous atmosphere is found to exist (e.g., O<sub>2</sub> <19.5% or >23.5%, 20% LEL, specific chemical hazard), adequate protections shall be taken such as ventilation of the space.
  - Walkways are required where employees must cross over the trench. Walkways with guardrails must be provided for crossing over trenches > 6' deep.
  - Employees must be protected from loose rock or soil through protections such as scaling or protective barricades.

**CONDITIONS AND REQUIREMENTS PURSUANT TO G.L.C.82A AND 520 CMR 7.00 et seq. (as amended)**

By signing the application, the applicant understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
- ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Persons engaging in any in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq., entitled Subpart P "Excavations".
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.
- vi. This permit shall be posted in plain view on the site of the trench.

For additional information please visit the Department of Public Safety's website at [www.mass.gov/dps](http://www.mass.gov/dps)

Summary of Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to [www.mass.gov/dps](http://www.mass.gov/dps)  
Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at least ¾" thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to attend trenches at all times, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shutdown until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.



TOWN OF EGREMONT  
MASSACHUSETTS

P.O. Box 368  
So. Egremont, MA 01258  
(413) 528-0182

## ASSIGNMENT OF RESPONSIBILITY REGARDING SWIMMING POOL FENCING

It is understood by the owner/pool contractor that meeting of swimming pool fencing regulations is the responsibility of the owner/pool contractor. All arrangements and costs for fencing are the responsibility of the owner/pool contractor. If responsibility is being relayed to the owner, fencing is not included in any way in the pool construction contract.

Furthermore, the owner/pool contractor acknowledges his/her responsibility to follow the applicable state Building Code 780 CMR 421 regarding the type and construction of such fencing as required.

Please sign below and return one copy to the Office of Building Inspector, Town of Egremont.

I confirm that I have received a copy of the foregoing and understand that swimming pool fencing is my responsibility.

\_\_\_\_\_  
owner's/pool contractor signature

\_\_\_\_\_  
print owner's name

\_\_\_\_\_  
Date

# Egremont Board of Health

P.O. Box 368 Egremont, MA 01258

413.528.0182 fax-528.5465

(Revised 5.12.05)

## Title V Related Lists

(This list may not be complete and does not imply any recommendation by the BOH. It is provided on request for informational purposes only. Firms are not listed in any particular order.)

### **Soil Evaluators (percs) who work in the area**

Kelly, Granger and Parsons	528-3291
White Engineering	443-8011
Soil Tech	528-1338
Foresight Land Services	528-8822
Scott McFarland	274.0254
Accord Engineering	528-8999
Berkshire Engineering	243-3780

### **Septage Haulers permitted in Egremont**

Berkshire-Pittsfield Septic	443-2708
Ketchen Pumping	243-3023
Mount Everett Sanitation	528-3364
Sanitary Septic	442.3658
Tri-Town Septic Service	637-1719
Yankee Septic Tank Service	637-2433
Certified Sewer Service	860-379-2695

### **Septic System Designers who work in the area**

Kelly, Granger and Parsons	528-3291
White Engineering	443-8011
Soil Tech	528-1338
Foresight Land Services	528-8822
Accord Engineering	528-8999
Guntlow and Associates	458-2198
SK Design Group	443-3537
Berkshire Engineering	243-3780

### **Title V Inspectors who work in the area**

Mount Everett Sanitation	528-3364
Peck Construction	528-1620
Wilkinson Excavating	229-7711
Soil Tech	528-1338
Berkshire-Pittsfield Septic	443-2708
Great River Construction	528-4121
Allen Joiner	637-2883

### **Septic System Installers who work in the area**

Great River Construction	528-4121
Mt. Everett Landscaping	528-3364
Wilkinson Excavating	229-7711
Walter Hewins	229-8849
Germain Construction	528-1686
William Warner Const.	528-2316
Berkshire Pittsfield	443-2708
Peck Construction	528-1620



# TOWN OF EGREMONT

Board of Health

P.O. Box 368

Egremont, MA 01258-0368

April 3, 2006

To: Licensed septic designers and septic installers

From: The Egremont Board of Health

Re: Increase in Egremont DWCP fees

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Please take note of the following fee increases recently approved by the Egremont Board of Health which will take effect Monday, April 3, 2006:

	<u>Old fee</u>	<u>New fee</u>
Disposal Works Construction Permit -new construction/bare land/new house	\$200	\$250
Disposal Works Construction Permit -existing structure/entirely new septic system	\$200	\$250
DWCP/Repair -multiple inspections by BOH	\$100	\$150
DWCP/Repair -new d-box/new tank/etc.	\$100	\$100
DWCP/Minor Repair -inlet line/outlet line repair - installation of risers/filter	\$50	\$50

There have been no changes to the Title 5 inspection fees (still \$75) or the perc fees (still \$200 new construction/\$150 repair to an existing structure). Feel free to call the Egremont Board of Health clerk Juliette Haas if you have any questions.

*"The most wasted of all days is one without laughter" e.e. cummings*

15.301 continued

a nominee trust situation, whoever has authority to add a new beneficiary is responsible for the inspection. An inspection conducted up to three years before the time of transfer may be used if the inspection report is accompanied by system pumping records demonstrating that the system has been pumped at least once a year during that time.

(4) Exclusions. Inspection of a system is not required at the time of transfer of title of the facility served by the system in the following circumstances:

(a) a certificate of compliance for the system has been issued by the approving authority within two years prior to the time of transfer; or

(b) the owner of the facility or the person acquiring title has signed an enforceable agreement with the approving authority to upgrade the system or to connect the facility to a sanitary sewer or a shared system within the next two years following the transfer of title, provided that such agreement has been disclosed to and is binding on the subsequent owner(s); or

(c) the facility is subject to a comprehensive local plan of on-site septic system inspection approved in writing by the Department and administered by a local or regional governmental entity, and the system has been inspected at the most recent time required by the plan. A comprehensive local plan may prioritize systems to be inspected on the basis of proximity to water resources, soil or geological conditions, age or size of systems, history of performance, frequency of pumping or other routine maintenance activity, or other relevant factors, and may establish different schedules and frequency of inspection on the basis of such criteria, provided that all systems are inspected at least once every seven years by a System Inspector approved by the Department.

(5) A system shall be inspected upon any change in use or expansion of use of the facility served, for which change or expansion a building permit or occupancy permit from the local building inspector is required. Unless the system is a cesspool, failing as set forth in 310 CMR 15.303 and 15.304(1), or a significant threat to public health, safety and the environment as set forth in 310 CMR 15.304(2), upgrade of the system is not required if the system was designed to accept design flows resulting from the change in use or expansion of use. Upgrades to accept increases in actual or design flow to any cesspool or to any other system above the existing approved capacity shall be in accordance with 310 CMR 15.352. Whenever an addition to an existing structure which changes the footprint of a building with no increase in design flow is proposed, the system inspection shall be an assessment to determine the location of all system components, including the reserve area, in order to ensure that the proposed construction will not be placed upon any of the system components. If official records are available to make a determination regarding location of system components, an inspection is not required for footprint changes.

(6) Systems with a design flow of 10,000 gallons per day or more at full build out shall be inspected by December 1, 1996 in accordance with the provisions of 310 CMR 15.006 (transition rules) and the applicable provisions of 310 CMR 15.300 through 15.354. Such systems shall be reinspected at least once every three years thereafter.

(7) Shared systems shall be inspected annually.

(8) When a facility is divided or the ownership of two or more facilities is combined as specified in 310 CMR 15.010(2) or (3), all systems serving the facility or facilities shall be inspected.

(9) All systems shall be inspected when the owner or operator thereof is ordered to do so by the local approving authority, the Department or court.

(10) The results of any inspection(s) required by 310 CMR 15.301 shall be submitted to the approving authority on a System Inspection Form approved by the Department within 30 days of the inspection by the approved System Inspector, provided that this sentence shall not be construed to require the owner of a system or a System Inspector to submit to the approving authority the results of a voluntary assessment of the condition of a system that is not performed to comply with a requirement of 310 CMR 15.301. Any system determined to require upgrade