

Variance Process

(please note that the time frames given regarding letter authoring are general, not guaranteed)

Depending on the type of Variance you have applied for, there may be a waiting period:

- **In-House Variances** – there is a 10 business day abutter notification period – generally, on the 11th business day following submission of a complete application, the application will be reviewed. If there are no issues with the plan/variance request, Variance paperwork will be authored (within a business day of review). This paperwork will be sent to the owner on file, via US mail. *If you wish to pick up Variance paperwork, please email the Health Department that you wish to do so within the 10 day abutter waiting period - healthdepartment@town.dennis.ma.us*
- **Board of Health Variances** – These Variances are approved, denied, or continued at the monthly Board of Health Meetings (2nd Thursday of each month). Variance paperwork is authored within 5-7 business days of the Board of Health meeting, and mailed to the owner on file. *If you wish to pick up Variance paperwork, please email the Health Department that you wish to do so prior to the date of the Board meeting – healthdepartment@town.dennis.ma.us*

Variance paperwork must be recorded at the Barnstable County Registry of Deeds- 3195 Route 6A, Barnstable Village (rear of the Superior Court House). They accept original signatures only, no copies permitted. Once the variance is recorded, please return a recorded copy to the Health Department (email/hand-delivery/mail). Once the variance is received, final review/signature of awaiting permits (septic, building) will occur, generally within 1-2 business days, pending the receipt of green cards from the abutter certified mailing.



How to Apply for an In-House Variance

1. Gather all of the required paperwork to submit the application	<input type="checkbox"/> Completed Application for Board of Health Variances.	Form is located in the Variance application packet
	<input type="checkbox"/> Two (2) Site/Septic Plans	Obtained in the online scanned database or from the Health Department. Only necessary if footprint of house is changing or you will be installing or upgrading your septic (if installing, plans come from engineer).
	<input type="checkbox"/> Floor Plan (Existing & Proposed of entire dwelling)	Obtain from your architect or if no professionals involved, may draw plans.
	<input type="checkbox"/> Copy of Notice Sent to Abutters	Form is located in the Variance application packet.
	<input type="checkbox"/> List of Abutters Names and Mailing Addresses	Obtained from the Assessor's department
	<input type="checkbox"/> Nitrogen Loading Calculation <i>(required for all 16B variance applications)</i>	Builder or homeowner - fill out the nitrogen loading calculation form located in the Variance application packet. Engineer - actual calculations - existing & proposed – must be provided.
	<input type="checkbox"/> Conservation Commission Sign Off form and, if applicable, Subsequent Documentation	Form is located in the Variance application packet. Signature required, as well as any additional applicable paperwork (Determination of Applicability or Order of Conditions).
2. Submit application w/ appropriate fee This starts the 10 business day abutter notification wait period	<input type="checkbox"/> New Construction - \$130.00 <input type="checkbox"/> Additions/Alterations to Existing Dwellings -\$130.00	<input type="checkbox"/> Voluntary Upgrades - \$70.00 <input type="checkbox"/> Failed System Upgrades - \$70.00
3. Send certified mail to abutters the same day application is submitted		Return green certified mail postcards to HD when variance is approved & authored.
4. Variance paperwork will generally be authored the business day after the abutter waiting period ends – sent to homeowner via mail (if you prefer to pick-up the paperwork, you must email during the abutter wait period - healthdepartment@town.dennis.ma.us) . Owners sign variance paperwork – original signatures only per Barnstable County.	5. Take signed variance paperwork to be recorded at the Barnstable County Registry of Deeds. Return a copy of the recorded paperwork to the HD (scanned & emailed copy is acceptable)	6. Upon receipt of copy of recorded paperwork, pending Permits will be signed off. This may take an additional business day or two.



How to Apply for a Board of Health Variance

1. Gather all of the required paperwork. You will submit 6 (six) complete packets of the following paperwork:	<input type="checkbox"/> Completed Application for Board of Health Variances.	Form is located in the Variance application packet
	<input type="checkbox"/> One (1) Site/Septic Plans	Obtained in the online scanned database, from an Engineer, or from the Health Department – depending on the project
	<input type="checkbox"/> Floor Plan (Existing & Proposed of entire dwelling)	Obtain from your architect/engineer or if no professionals involved, may draw plans.
	<input type="checkbox"/> Copy of Notice Sent to Abutters	Form is located in the Variance application packet.
	<input type="checkbox"/> List of Abutters Names and Mailing Addresses	Obtained from the Assessor's department
	<input type="checkbox"/> Nitrogen Loading Calculation (<i>required for all 16B variance applications</i>)	Builder or homeowner - fill out the nitrogen loading calculation form located in the Variance application packet. Engineer - actual calculations - existing & proposed – must be provided.
	<input type="checkbox"/> Conservation Commission Sign Off form and, if applicable, Subsequent Documentation	Form is located in the Variance application packet. Signature required, as well as any additional applicable paperwork (Determination of Applicability or Order of Conditions).
2. Submit application w/ appropriate fee - submit the application by the Deadline for the meeting you wish to attend	<input type="checkbox"/> New Construction - \$130.00 <input type="checkbox"/> Addition/Alteration to existing Dwelling - \$130.00	<input type="checkbox"/> Voluntary Upgrades - \$70.00 <input type="checkbox"/> Failed System Upgrades - \$70.00
3. Send certified mail to abutters the same day application is submitted		
4. Attend Board of Health Meeting		<input type="checkbox"/> Submit Certified Mail Cards at Hearing
5. Variance paperwork will be authored within 5-7 business days from Meeting – sent to homeowner via mail (if you prefer to pick-up the paperwork, you must email prior to meeting - healthdepartment@town.dennis.ma.us). Owners sign variance paperwork – original signatures only per Barnstable County.	6. Take signed variance paperwork to be recorded at the Barnstable County Registry of Deeds. Return a copy of the recorded paperwork to the HD (scanned & emailed copy is acceptable)	7. Upon receipt of copy of recorded paperwork, pending Permits will be signed off. This may take an additional business day or two.

The Commonwealth of Massachusetts
Town of Dennis Health Department
685 Route 134
South Dennis, MA 02660

Mon – Fri 8:30 a.m. to 4:30 p.m.
(508) 760-6158
healthdepartment@town.dennis.ma.us

Check List for Variance Applications

Filing Fees:

- | | |
|---|----------|
| <input type="checkbox"/> New Building Construction..... | \$130.00 |
| <input type="checkbox"/> Additions/Alterations to Existing Dwellings..... | \$130.00 |
| <input type="checkbox"/> Voluntary Upgrades..... | \$70.00 |
| <input type="checkbox"/> Failed System Upgrades..... | \$70.00 |

Board of Health Public Hearing Check List:

The following information shall be submitted by the filing deadline:

Six complete packets which include:

- One (1) Copy of Completed Application for Board of Health Variances (Check Public Hearing Box)
- One (1) Site/Septic Plan
- One (1) Floor Plan (Existing & Proposed of entire dwelling)
- One (1) Copy of Hearing Notice Sent to Abutters
- One (1) Copy of List of Abutters Names and Mailing Addresses (Abutters list must be obtained from the Assessor's Department)
- One (1) Copy of Nitrogen Loading Calculations - Per Town of Dennis Regulation 16.B.3: All new or repaired septic systems in Environmentally Sensitive Areas, as defined in Regulation 9.3A, shall have Nitrogen Loading Calculations submitted with the application (*required for all 16B variance applications*)
- One (1) Copy of Conservation Commission Sign Off form and, if applicable, Subsequent Documentation, per Town of Dennis Regulation 16.B
- Filing Fee (See Above)
- The Certified Mail Receipts (green post cards) must be submitted to the Board of Health at the time of the hearing

Board of Health hearings are held on the second Thursday of each month at 7:00 p.m., in the Nathan Stone Jr Hearing Room (basement level) of the Town of Dennis Offices, 685 Route 134, South Dennis.

In-House Variance Approval Check List:

The following information shall be submitted for approval by the Health Department:

- Completed Application for Board of Health Variances (Check In-House Approval Box)
- Two (2) Site/Septic Plans
- One Floor Plan (Existing & Proposed of entire dwelling)
- Copy of Notice Sent to Abutters
- List of Abutters Names and Mailing Addresses (Abutters list must be obtained from the Assessor's Department).
- One Nitrogen Loading Calculation - Per Town of Dennis Regulation 16.B.3: All new or repaired septic systems in Environmentally Sensitive Areas, as defined in Regulation 9.3A, shall have Nitrogen Loading Calculations submitted with the application (*required for all 16B variance applications*)
- One Conservation Commission Sign Off form and, if applicable, Subsequent Documentation, per Town of Dennis Regulation 16.B
- Filing Fee (See Above)
- Certified Mail Receipts (green post cards) shall be submitted prior to the issuance or signature of Permits.

In accordance with Title 5, abutters must be notified at least 10 days prior to action by the Board of Health. The Health Department has 45 days to review the application, in accordance with M.G.L., Chapter 111. Written decisions will be sent to the applicant and a copy to the design engineer.

Rev 05/2019



Town of Dennis

Health Department

685 Route 134, South Dennis, MA 02660

Phone: 508-760-6158

Email: healthdepartment@town.dennis.ma.us

Received: _____

Abutter Deadline: _____

Due: _____

Application for Board of Health Variances

In-House Approval

Public Hearing

Date: _____

Name of Applicant: _____

Mailing Address: _____

Telephone Number: () _____ City _____ Zip Code _____

Owner(s) of Record: _____

Mailing Address: _____

Property Address: _____ City _____ Zip Code _____

Street No. _____ Village _____

Map:	Parcel:	Book:	Page:	LC Certificate:	LC Plan:	Miscellaneous:
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Design Engineer/Sanitarian: _____

Firm/Company Name: _____

Mailing Address: _____

Telephone Number: () _____ City _____ Zip Code _____

Signature: _____
Engineer or Applicant

New Construction Voluntary Upgrade Addition/Alteration Failed System

Conservation Commission Approval Required: No Yes Date of Hearing ____/____/____

Conservation Commission Sign-Off, and if required, Order of Conditions/Det. of Applicability attached:

List all Variances from State and Local Codes

TITLE 5, SEC. #:	DESCRIPTION OF VARIANCE(S):

DENNIS REG. #:	DESCRIPTION OF VARIANCE(S):

IHV Office Use Only

Approved by: _____ Date: _____

1. The design engineer shall submit a certified as built plan, with OR without elevations, to the Health Department.
2. Record variances and conditions at the Registry of Deeds to run with the property with a copy to the Health Dept.
3. _____

In-House Variance Notice

Date: _____

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: _____
No. Street Village

Dear Abutter:

Please be advised that an application for variances from the regulations of the Mass. Department of Environmental Protection, Title 5, and/or the Town of Dennis Regulations for Subsurface Disposal of Sewage, has been submitted to the Dennis Health Department for approval. The following variances are requested:

List all Variances from State and Town Codes

Title 5, SEC. #:	Description of Variance(s):

Dennis REG. #:	Description of Variance(s):

The application and plans are available for review at the Dennis Health Department, Dennis Town Offices, 685 Route 134, South Dennis, MA, Monday through Friday (excluding holidays) from 8:30 a.m. to 4:30 p.m. Their email is healthdepartment@town.dennis.ma.us

Sincerely,

CC: Dennis Health Department

Public Hearing Notice

Date: _____

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: _____
No. Street Village

Dear Abutter:

A public hearing has been scheduled for the Dennis Board of Health to take action on an application for variances from the regulations of the Mass. Department of Environmental Protection, Title 5, and/or the Town of Dennis Regulations for Subsurface Disposal of Sewage. The following variances are requested:

List all Variances from State and Town Codes

Title 5, SEC. #:	Description of Variance(s):

Dennis REG. #:	Description of Variance(s):

Said hearing will be held in the Nathan Stone, Jr. Hearing Room of the Dennis Town Offices, 685 Route 134, South Dennis, on _____ at 7:00 p.m.

The application and plans are available for review at the Dennis Health Department, Dennis Town Offices, 685 Route 134, South Dennis, MA, Monday through Friday (excluding holidays) from 8:30 a.m. to 4:30 p.m. Their email is healthdepartment@town.dennis.ma.us

Sincerely,

CC: Dennis Health Department



Town of Dennis
Health Department

Kristen Keller
Health Director

Tel: (508) 760-6158
Fax: (508) 394-6289

**Dennis Conservation Commission Sign-Off
for
Board of Health Variance Application**

The following property requires a Regulation 16.B variance from the Town of Dennis Septic System Regulations 9.3A. The current policy of the Board of Health requires that the property be reviewed by the Conservation Commission prior to the submittal of the application to the Board of Health.

Please Complete (print):

Property Address	Map/Parcel
Owner	Day Phone No.
Address	
Agent	Day Phone

The Conservation Commission has reviewed the plan for the property and has determined the following:

- Request for Determination of Applicability (attach Determination of Applicability)
- Notice of Intent (attach Order of Conditions)
- Abbreviated Notice of Intent (attach Order of Conditions)
- Approval Not Required

Signature of Conservation Agent

Date

Comments:



Town of Dennis Health Department

685 Route 134, South Dennis, MA 02660

Telephone: (508) 760-6158 ~ email: healthdepartment@town.dennis.ma.us

Information Required for the Board of Health to Calculate Nitrogen Loading:

Property Address:	
Square Footage of the Lot:	
Square Footage of the Existing Footprint:	
Square Footage of the Proposed Addition Footprint:	
Total Square Footage of the Proposed Addition & Existing Footprint:	
Square Footage of the Fertilized Lawn:	
Square Footage of the Driveway/Parking Area:	
Existing Number of Bedrooms:	
Proposed Number of Bedrooms:	

Please Note:

This form is for homeowner/builder use only. Engineers/Sanitarians are required to submit completed nitrogen loading calculations to the Health Department with a Variance Application.

TITLE 5 (Sec.)

15.211(1):

Variance of ___' requested from the 10' separation requirement from the septic tank to the property line.

Variance of ___' requested from the 10' separation requirement from the septic tank to the foundation.

Variance of ___' requested from the 10' separation requirement from the soil absorption system to the property line.

Variance of ___' requested from the 10' separation requirement from the soil absorption system to the water service line.

Variance of ___' requested from the 25' separation requirement from the soil absorption system to a leaching catch basin.

Variance of ___' requested from the 10' separation requirement from the septic tank to the water service line.

Variance of ___' requested from the 20' separation requirement from the soil absorption system to the foundation.

Variance of ___' requested from the 10' separation requirement from the soil absorption system to the water service line.

Variance of ___' requested from the 10' separation requirement from the reserve system to the property line.

Variance of ___' requested from the 20' separation requirement from the reserve system to the property line.

Variance of ___' requested from the 100' separation requirement from the soil absorption system to a Coastal Bank.

Variance of ___' requested from the 100' separation requirement from the soil absorption system to a Wetland.

Variance of ___' requested from the 50' separation requirement from the soil absorption system to a Bordering vegetated Wetland.

15.212:

Variance of ___' requested from the 5' separation requirement from the bottom of the soil absorption system and high groundwater.

15.221(7):

Variance of ___" requested from required no more than 36" below finish grade to the top of all soil absorption system components.

15.227(5)

Variance of ___" requested from the septic tank and pump chamber inverts to be less than the required 12" above ground water.

15.228(1):

Variance of ___" requested from the required 9" separation between the true grade and cover of septic tank.

15.229:

Pumping to Septic Tanks (1) System designs specifying pumping of sewage to a septic tank may be approved by the Approving Authority for a single family dwelling provided that the volume of sewage pumped is less than 25% of the design flow of the system, the pump discharge pipe is connected to the building sewer and:

15.248(1):

Variance requested to allow for no provision of the required reserve area.

15.255(5):

Variance of ___' requested from the required 5' removal of unsuitable or impermeable soils beyond the outer perimeter of the soil absorption system.

15.255(2)(e):

Variance of ___' requested from the required 10' separation from the impervious barrier to the soil absorption system.

15.260(1):

Variance requested to allow the use of a Tight Tank.

15.405(1b): Variance of ____' requested to increase the maximum allowable depth of system components required, provided that adequate venting and adequate access are provided and H-20 loading is provided for all system components.

15.405(1i): Variance is requested to allow sieve analysis in lieu of a percolation test.

15.405(1j): Variance of ____" requested from the 12" separation requirement between the inlet and outlet tees to high ground water.

15.405(1)(c): Variance is requested to allow 25% reduction in Leaching Area.

TOWN OF DENNIS (Regulation)

Reg. 5.0: Variance requested to allow the use of an individual sewage disposal system by more than one property.

Reg. 8(d)1: Variance of 1' requested from the required 5' separation between the bottom of the soil absorption system and high (or adjusted) groundwater.

Reg. 9.0:

Variance of ____' requested from the 10' separation requirement from the septic tank to the property line.

Variance of ____' requested from the 10' separation requirement from the septic tank to the foundation.

Variance of ____' requested from the 10' separation requirement from the soil absorption system to the property line.

Variance of ____' requested from the 20' separation requirement from the soil absorption system to the foundation.

Variance of ____' requested from the 10' separation requirement from the soil absorption system to the water service line.

Variance of ____' requested from the 100' separation requirement from the soil absorption system to a watercourse.

Variance of ____' requested from the 50' separation requirement from the septic tank to a watercourse.

Variance of ____' requested from the required 5' separation between the bottom of the leaching facility/soil absorption system and high groundwater.

Reg.12C: Variance requested to allow less than 1' separation from the soil absorption system to existing natural grade.

Variance requested to allow construction of the septic tank and the soil absorption system ____' above the existing natural grade from the required 1' below the existing natural grade.

Reg. 15.0: Variance requested for no provision of the required reserve area.

Reg. 16.B: Variance requested to allow the addition/alteration (or new construction) of habitable space in an Environmentally Sensitive Area.

Variance of ____ requested from the not to exceed 5ppm nitrogen loading calculation.