
ENVIRONMENTAL Fact Sheet



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Selling Developed Waterfront Property *Site Assessment Study Required*

Relevant Law: RSA 4:40-A, 485-A:2, 485-A:39.
Relevant Adm. Rule: Env-Wq 1025

Statutory Requirements

Prior to executing a purchase and sale agreement for any “developed waterfront property” using a septic disposal system, an owner shall, at his expense, engage a permitted subsurface sewer or waste disposal system designer to perform an on-site assessment study.

“**Developed waterfront property**” means any parcel of land upon which stands a structure suitable for either seasonal or year-round human occupancy, where such parcel of land is contiguous to or within 200 feet of the reference line of a fresh water body, coastal waters, or a river, as defined in RSA 483-B:4. Note that a site assessment study must be conducted whenever any part of the property is within 200 feet of the reference line, not merely when the structure or septic disposal system is within 200 feet of the reference line.

The site assessment study is a report prepared by a DES-permitted septic system designer that you as the seller hire to determine if your site meets the current standards for septic disposal systems established by DES.

The assessment originally had been required prior to listing or offering the waterfront property for sale, but since 1993, it has been required prior to executing a purchase and sale agreement and must include an on-site inspection. The site assessment form may be obtained from the Subsurface Systems Bureau, or on-line at http://des.nh.gov/organization/commissioner/pip/forms/ssb/documents/ssb_site_assess.doc.

For Further Information

If you have any questions concerning septic systems, contact DES Subsurface at (603) 271-3501, or PO Box 95, Concord, NH 03302-0095; (603) 271-3711; Fax: (603) 271-6683;
<http://des.nh.gov/organization/divisions/water/ssb/index.htm>.