

TOWN OF CHELMSFORD

Chapter 201 BOARD OF HEALTH REGULATIONS

ARTICLE VI SUBSURFACE SEWAGE AND WASTEWATER DISPOSAL

GROUNDWATER PROTECTION

(added 4-10-1987; amended 4-3-1995; amended 1-11-2021)

201-24. REGULATION IN ADDITION TO STATE CODE

The Chelmsford Board of Health enforces the following additional regulations in conjunction with all applicable State regulations (Title V – The State Environmental Code)

- A. Minimum leaching area is 600 square feet of leaching bed or its equivalent (for one, two- or three-bedroom dwellings).
- B. Distances of leaching areas from wells shall be 100 feet. All other water course shall be 75 feet (all uses) Distance to all drains shall be a minimum to 50 feet. As used in this subsection, “watercourse” shall mean any natural or man-made stream, pond, lake, wetland, coastal wetland, swamp, or other body of water, and shall include wet meadows, marshes, swamps, bogs and areas where groundwater, flowing or standing surface water, or ice, provided a significant part of the supporting substrate for a plant community for at least five months of the year.
- C. Cutoff rate on percolation tests is 30 minutes per inch. (All uses)
- D. Deep observation holes will be performed ONLY during the months of March 1 to December 1 (all uses).
- E. Grease Trap (External) – A grease trap (capacity to be determined at time of septic system design by flow estimate) must be installed for all food service establishments.

201-25. GROUNDWATER PROTECTION; DISCHARGE OF WASTEWATERS FROM ALL DEVELOPMENTS.

- A. Authority: – The Board of Health, in accordance with 105 CMR 400.00, State Sanitary Code, Chapter 1 shall protect the Health and well-being of the Town of Chelmsford.
- B. Purpose: – The purpose of this regulation is to protect the groundwater resource of the Town of Chelmsford.
- C. Definitions: – As used in this section, the following terms shall have the meanings indicated.
Board: – The Chelmsford Board of Health and their duly authorized agents or representatives.
BOD: – Abbreviation for biochemical oxygen demand. The quantity of oxygen used in the biochemical oxidation of organic matter in a specific time, at a specified temperature and under specified conditions.
Development: - Any residence, company, firm, or establishment that generates wastewater.

Groundwater Resources: - That position of the water beneath the surface of the earth that can be collected with wells, tunnels, or drainage galleries or that flows naturally to the earth's surface via seeps or springs.

Occupant: - The person, partnership or corporation that has quarters in a development.

Owner: - Any person, partnership or corporation that is on the Town Assessor's List for the purpose of paying property taxes on a residential, an industrial or commercial development.

Sanitary Wastewater: - Wastewater derived principally from dwellings, business buildings and institutions. It may not contain groundwater or storm water.

Secondary Treatment: - The treatment of wastewater by biological methods after primary treatment. It is required to be a DEP approved secondary treatment.

Town: - Town of Chelmsford, County of Middlesex, Commonwealth of Massachusetts.

D. Required Provisions:

1. All wastewater discharges within the Town of Chelmsford that are not connected to the municipal sewer must be approved by the Chelmsford Board of Health.
2. Any owner of a development must connect its wastewater discharge to the municipal sewer when capacity becomes available and ordered by the Board of Health to connect.
3. Any owner with a development located in the DEP Zone 2, Aquifer district, or Groundwater Protection Zone and future DEP approved Zone 2's will be required to have a minimum of secondary treatment before discharge to the ground if the design flow is less than 10,000 gallons per day. Any flow greater than 10,000 gallons per day must have DEP approval for the type of treatment (required in all areas of the Town of Chelmsford; see maps).
4. Any development shown to be located in the other Shaded areas (Rivers Act, Aquifers) of the Water Resources Map will also be required to have a minimum of secondary treatment before discharge to the ground.
5. Any development in the non-shaded areas of the Town Water Resources Map (Addendum A) will be required to have a secondary treatment on its groundwater discharge "if";
 - A. The development exceeds 440 gallons per day per 40,000 square feet of land or
 - B. There is a percolation rate of <6 minutes per inch or is >30 minutes per inch, or
 - C. The development does not dry line for future sewer capacity.

E. Variance: -

1. Variances to these regulations shall be granted for seriously aggrieved parties by the Board of Health when, in its opinion:

The person requesting a variance has established that enforcement of the provision of these regulations from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances of the individual case; and

The person requesting a variance has established that the level of public health and environmental protection, that is at least equivalent to that provided under these regulations, can be achieved without strict application of the provision of the regulation from which it is brought.

With regard to variances for new construction, enforcement of the provision from which a variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust.

2. Every request for a variance shall be made in writing and shall state the specific variance(s) sought and reason, therefore. The request for variance must indicate the current property owner as well as the applicant, if different.
3. No variance request shall be heard except after the applicant has notified all abutters by certified mail at his own expense at least (14) days prior to the Board of Health meeting date at which the variance request will be on the agenda. The notification shall state the specific variance(s) sought and the reason, therefore, shall indicate the date, place and time of the hearing, and shall indicate that the abutters may view the proposal at the Health Department during regular business hours.
4. No hearing will be scheduled unless the design plan or other information submitted has been reviewed and found to be technically complete and accurate.
5. Cancellation of a public hearing shall require re-notification of abutters by the applicant.

An advertised, a public hearing was held on January 11, 2021 at a regularly scheduled Board of Health meeting. These regulations were accepted and approved by vote of the Chelmsford Board of Health on January 11, 2021 and are to be in full force and effect and as of January 11, 2021. These regulations shall be available in the office of the Chelmsford Board of Health and the Town Clerk.