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RULES & REGULATIONS GOVERNING THE SUBSURFACE DISPOSAL OF SEWAGE

The Board of Health, Town of Sudbury, Massachusetts, acting under the authority of Chapter III Section 31 of the General Laws and amendments, Title V of the State Environmental Code, and by any other power thereto enabling, and acting thereunder and in accordance therewith, made and adopted the following rules and regulations as a supplement to Title V of the State Environmental Code to become effective March 26, 1998.

SECTION I. ISSUANCE AND EXPIRATION OF SEWAGE PERMITS.

No sewage or waste disposal works shall hereafter be constructed, altered, repaired, or installed until a permit has first been paid for and obtained from the Board of Health. Permits shall become void twelve months after date of issue unless construction thereunder is begun within that period.

SECTION II. SUITABILITY OF SITE.

No two sites are alike. If there is any doubt as to the acceptability of a location for subsurface sewage disposal, the Board of Health may require as much additional proof as it feels necessary to remove that doubt. Additional proof may be obtained from, but is not limited to, additional deep test pits and percolation tests, or waiting until the months of March, April or May to investigate areas of possible severe wetness in the spring.

SECTION III. LEACHING AREA REQUIREMENTS.

Residential square footage requirements are based on sidewall area only.

Minimum square feet per bedroom

	Perc. Rate 1-10 min.	Perc. Rate over 10-20 min.	Perc. Rate over 20-30 min.
Trenches	150	170	225
Pit or galleries	50	75	100

Leaching beds are not permitted.

When the expansion area is proposed between trenches, the minimum distance (wall to wall) shall be 12 feet.

Full service restaurants

The design requirements for full service restaurants will be twice what is required under Title V of the State Environmental Code. This includes the size of the septic tanks, grease traps and the leaching facility. Furthermore, alternating pumps must be provided and the effluent must be discharged to two separate disposal areas of equal size. Alarms must be provided in accordance with Title V. Design capacity shall be based upon total indoor and outdoor seating.

SECTION IV. A. MINIMUM SEWAGE DESIGN FLOW FOR MULTI-FAMILY RESIDENCES.

1. The sewage design flow for multiple family residences shall be based upon 200 gallons per day for one bedroom units and 110 gallons per day per bedroom for units with more than one bedroom.

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2. Ancillary facilities associated with multi-family residences such as, but not limited to, office space, function halls, exercise facilities, laundry rooms, and other activity areas shall be considered additional sources of sewage flow in calculating the total sewage design flow.
3. The leaching area requirements for multi-family residences shall meet the square footage requirements required for residential housing in Section III.
4. The minimum daily sewage design flow shall be based upon the number of rooms usable as bedrooms irrespective of the manner of ownership or contents of a Master Deed for condominiums.

A bedroom shall be defined as a room providing privacy, intended primarily for sleeping and consisting of all of the following:

- a. floor space of no less than 70 square feet,
- b. for new construction, a ceiling height of no less than 7 feet 3 inches,
- c. for existing housing and for mobile homes, a ceiling height of no less than 7 feet 0 inches,
- d. an electrical service and ventilation, and
- e. at least one window or slider.

Living rooms, dining rooms, kitchens, halls, bathrooms are not considered bedrooms. Units in multi-family residences shall be presumed to have at least one bedroom up to a total of five rooms, not including bathrooms, hallways, and unheated storage areas. Units with six or seven rooms, not including bathrooms, hallways, and unheated storage areas, shall be presumed to have at least two bedrooms. Units with eight or more rooms, not counting bathrooms, hallways, and unheated storage areas, shall be presumed to have at least three bedrooms. In multi-family residences which exceed one thousand two hundred square feet in area, not including bathrooms and unheated storage areas, the number of bedrooms shall be calculated as a minimum of two bedrooms. The higher of the two calculations of the number of bedrooms described above shall be used.

B. MINIMUM SEWAGE DESIGN FLOW FOR "HOUSING FOR THE ELDERLY"

For multi-family residences that qualify under Title V as being "housing for the elderly", sewage design flow for one bedroom units shall be reduced to 180 gallons per day, rather than 200 gallons per day, while the sewage design flow for units with more than one bedroom shall remain 110 gallons per day per bedroom.

All other provisions noted in Part A, paragraphs 2, 3, and 4 above, for multi-family residences shall apply to multi-family residences that qualify under Title V as being "housing for the elderly".

SECTION V. CONSTRUCTION IN FILL.

When construction in clean granular fill is required, both the primary area and the expansion area must be prepared.

SECTION VI. PUMPS.

Sewage pumps of any type are hereby prohibited from any residential or other dwelling unit's system unless a variance is granted by the Board of Health.

SECTION VII. SURFACE WATERCOURSES.

The minimum distance between leaching facilities and surface watercourses shall be one hundred (100) feet.

Surface watercourses shall be defined as any area where water is present on the surface of the ground for a period of three months. This includes, but is not limited to: marshes, wetlands, swamps, rivers, streams, brooks, and ponds. Vegetated wetlands and drainage swales that are temporarily active due to precipitation are excluded from this definition.

Leaching facilities must be a minimum of fifty (50) feet from all other watercourses that are deemed wetlands because of vegetation and/or soil conditions.

Whichever requirement maximizes the distance between watercourses and leaching facilities will be enforced.

SECTION VIII. INSTALLATION IN AQUIFER PROTECTION AREAS.

If a subsurface disposal system is to be installed in a Zone II aquifer protection area, the distance from the bottom of the leaching facility to the high groundwater must be six (6) feet.

SECTION IX. SUBSURFACE DRAINS.

When a drain is proposed to lower the groundwater so the bottom of the leaching facility will be four feet above the water table, it must first be installed and proved to be functioning prior to the Board of Health issuing a permit.

SECTION X. RETAINING WALLS.

When retaining walls are proposed in lieu of the slope requirement as detailed in Title V of the State Environmental Code, a variance is needed from the Sudbury Board of Health.

SECTION XI. FOUNDATIONS.

All foundations must be properly engineered and constructed to prevent chronic dampness from occurring in the building.

SECTION XII. SEPTIC SYSTEM LOCATION.

A subsurface disposal system must be on the same lot as the dwelling or buildings it serves.

SECTION XIII. SEWAGE SYSTEM INSPECTION REQUIREMENTS.

It shall be the responsibility of the installer to arrange with the Board of Health for the following inspections:

- A. Any clean granular fill that is required for the disposal system must first be approved by the Board of Health or their agent prior to it being installed.
- B. After excavation of leaching area.
- C. After placement of fill when system is to be constructed in same.
- D. After construction is complete but before backfilling.
- E. After construction is complete, the Board requires a written certification from a Registered Engineer or Registered Sanitarian that the system has been installed in accordance with good engineering practice and as nearly as possible according to the approved plans. Any deviation from the approved plan must be noted in the certification.

SECTION XIV. PROVISION OF TOILET FACILITIES FOR PLACES OF BUSINESS.

A. The owner of any existing building hereafter erected or converted into one or more stores or other places of business, and in which one or more persons are employed, shall provide sufficient toilet facilities as determined by the Board of Health.

B. The owner of any building or space erected or converted into one or more food service establishments with any seating (indoor or outdoor) which serves the public shall provide toilet facilities for patrons of each individual establishment.

SECTION XV. DISPOSAL OF SEPTAGE.

All septage pumped in the Town of Sudbury must be disposed of at the Wayland-Sudbury Septage Treatment Facility, or under emergency conditions at a facility designated by the Board of Health or the Wayland Road Commissioners, as operators of the facility. Failure to comply with this requirement will subject the pumper to the revocation of his permit to pump in Sudbury.

SECTION XVI. VARIANCES.

No provision of these regulations may be varied except by a vote of the Board of Health. Such variances will be granted only when the Board believes it to be in the interest of protecting the public health. Neither financial hardship nor past practices are adequate reasons for the granting of variances.

SECTION XVII. PENALTY.

Whoever violates any of these rules and regulations shall be punished as provided in the General Laws of the Commonwealth of Massachusetts.

SECTION XVIII. UNCONSTITUTIONALITY CLAUSE.

Should any section, paragraph, sentence, clause or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of said rules and regulations shall not be affected thereby.

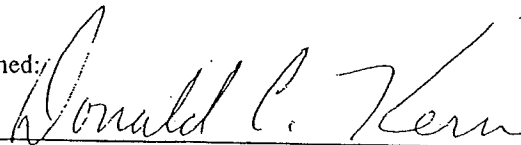
SECTION XIX. REPEAL.

All former rules and regulations are hereby repealed.

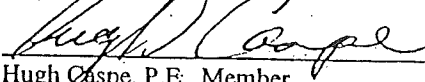
SECTION XX. ADOPTION AND DATE OF EFFECT.

These rules and regulations were adopted by unanimous vote of the Board of Health of the Town of Sudbury on February 15, 1984, amended on February 23, 1989, revised on March 30, 1995, amended on November 7, 1996 and March 26, 1998 and are to be in full force and effect on and after March 26, 1998. The amendments to the rules and regulations will be published in a newspaper distributed in this Town and a copy of these regulations shall be deposited in the office of the Town Clerk.

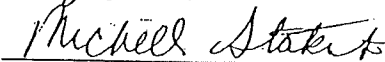
Signed:



Donald C. Kern, M.D., Chairman



Hugh Caspe, P.E., Member



Michelle Stakutis, M.P.H. Member