

TOWN OF FRANKLIN

Board of Health
355 East Central Street, Franklin, MA 02038

OUTDOOR WOOD BURNING BOILER

CONSTRUCTION PERMIT APPLICATION

Fee \$ 100.00 Permit # _____

Name: _____ Telephone: _____

Address: _____

Please attach a site plan, prepared by a Registered Civil Engineer indicating the proposed location of the boiler in relation to other buildings on your property, all neighboring houses within 500 feet and all state licensed schools, daycare or healthcare facilities within 750 feet. Include distances from all buildings, roads adjacent to the site, and distances from the boiler to woods, brush and flammable structures.

Dimensions of boiler structure: _____

Proposed height of unit smokestack: _____

Name of boiler manufacturer: _____ Model: _____

I have received a copy of and understand the Town of Franklin Regulations regarding outdoor wood boilers.

(Signature)

(Date)

I have reviewed and understand the manufacturer's installation and operating instructions of the unit.

(Signature)

(Date)

BOARD OF HEALTH PERMIT APPROVAL

(Signature)

(Date)

Sign-offs from electrical
and building inspectors must
be submitted before final
BOH approval is granted.

BOARD OF HEALTH APPROVAL FOR OPERATION

An inspection by the BOH must be conducted and a signature obtained before unit is operated.

(Signature)

(Date)

TOWN OF FRANKLIN

BOARD OF HEALTH

A. Authority

This regulation shall be effective on and after November 7, 2008, and so remain until either modified or amended by the Franklin Board of Health. This regulation is enacted under authority granted by, but not limited to, Massachusetts General Laws, Chapter 111, sections 31, 31C, 122, 142A through 142M.

B. Purpose

This regulation has been enacted by the Franklin Board of Health for the purpose of minimizing the human health hazards resulting from the smoke, particulate matter and noxious fumes emitted by outdoor wood burning boilers, to encourage proper techniques in the location and use of these boilers, and to promote the public comfort, convenience and well-being.

C. Definitions

1. **Outdoor Wood Burning Boiler (OWB):** a commercially manufactured, wood fired boiler surrounded by a water jacket and a smoke vent, (whether or not housed in an insulated free-standing shed with a smoke stack and used to heat water) that is carried by pipes to provide heat to a building or other structure. Wood Burning Boilers do not include fire pits, chimneys, wood fired barbecues or equipment intended exclusively for producing maple syrup, reclaiming or refining metals.
2. **Commercially Manufactured:** meaning built and operational, and subsequently ready for shipment whether packaged or not.
3. **Wood Fuel:** all wood intended to be used as fuel, including but not limited to trees, cordwood, logs, lumber and clean wood from manufacturing processes, wood pellets, slabs, bark and chips. This definition DOES NOT include cardboard, plywood, particleboard, or materials chemically treated with any preservative, adhesive, paint, oils, or materials containing plastic or rubber.
4. **Seasoned Wood:** wood that has been cut, stacked and dried for a period of at least 6 months.
5. **Emission Point:** any place (including but not limited to a stack or vent) at or from which any air contaminant is emitted to the ambient air space.
6. **Odor:** property of gaseous, liquid or solid materials that elicits a physiologic response by human sense of smell.

D. Requirements

1. Only commercially manufactured outdoor wood fired boilers may be installed and operated in the Town of Franklin.
2. A permit is required from the Franklin Board of Health to install an outdoor wood-burning boiler. The permit process shall include submission of a written application form and payment of the permit fee established by the Board of Health.
3. Permit applicants must demonstrate to the satisfaction of the Board of Health that they understand the requirements for the proper installation and operation of an OWB. This includes appropriate permits and sign-offs for all work done by licensed contractors and inspections required by building and electrical inspectors.
4. The application must be accompanied by a to scale site plan prepared by a Registered Civil Engineer indicating the proposed boiler location in relation to all existing structures, and separating distances from the boiler to all buildings and outbuildings on site, and all neighboring structures within 500 feet. The plan must also indicate distances to all roads adjacent to the site and distances from the boiler to woods, brush and flammable structures.
5. No OWB shall be installed within 75 feet of the house it is serving or within 500 feet of any other structure, except that no OWBs shall not be located closer than 750 feet from the property line of any state licensed school, daycare or healthcare facility. A clear radius of 30 feet must be maintained between any OWB and any trees or vegetation of height greater than the height of the top of the fuel feed door.
6. Boilers must have a smokestack height of at least 5 feet higher than the height of the highest abutting residence (actual roof peak) within a radius of 500 feet.
7. Boilers may only be operated during the heating season, which for the purpose of this regulation is September 16th to April 15th.
8. Only dry, seasoned, untreated wood fuel may be burned in the OWB.
9. The manufacturer's recommendations for the operation of the unit must be followed.
10. Boilers installed before the effective date of these regulations may request a waiver from sections of this regulation that they do not meet upon application for a permit. In such cases, a permit application must be filed with the Board of Health and such installation must be in compliance with all local zoning regulations and state plumbing, and electrical codes. The Board of Health will determine whether to grant the

wavier based on the public health, safety and welfare.

11. The Franklin Board of Health and/or the Agent for the Board shall have the right to take appropriate enforcement or other action, in accordance with Chapter 111 of the Massachusetts General Laws, with respect to any such OWB that it determines constitutes a nuisance or public health risk.

E. Enforcement and Remedies

1. If an inspection or examination reveals an OWB is installed or operated in a manner that is not compliant with the above regulations, The Franklin Board and/or the Agent for the Board, is authorized to issue notices of violation, cease and desist orders, and other administrative enforcement orders to compel compliance with these regulations.
2. If an inspection or examination determines than an OWB is operated in a manner that constitutes a threat to public health, safety, welfare a nuisance or cause of odor, filth or sickness, in accordance with Massachusetts General Laws, Ch. 111, the Board of Health and/or the Agent of the Board shall issue an order to cease operation of the OWB.
3. The Board of Health may take enforcement action deemed appropriate and lawful, including but not limited to criminal prosecution, civil action for injunctive relief or money damages, or both. The Board of Health may levy fines of \$50.00 for the first offense. Each day of violation shall constitute a separate offense. Any succeeding day of violation may be punished by a penalty of \$250.00 per day of offense.

F. Severability

Each part of this regulation shall be construed as separate to the end that if any paragraph, sentence, clause, or phrase thereof shall be held invalid for any reason, the remainder of that regulation and all other regulations shall continue in full force.

Effective Date: November 7, 2008

By Vote of the Franklin Board of Health



Bruce J. Hunchard, Chairman



Paul Cheli



Donald Ranieri, Jr.