



Planning Department

**TOWN OF ACTON**  
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February 26, 2014

### **Notice of Public Hearing on Proposed Zoning Changes**

Please publish the following in the Acton Beacon as a LEGAL NOTICE on *March 13, 2014* and *March 20, 2014*.

Acton Planning Board public hearing - 04/01/14, 7:45 PM, Town Hall (204), on a proposed zoning bylaw change in table 4.3.7.1 to further regulate uses in the groundwater protection overlay district zones. Agricultural operations may be impacted. Proposals are available at the Planning Department in Town Hall.

#### **Distribution list (do not include in advertisement):**

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**ARTICLE XXX (NO. 1)**

**AMEND ZONING BYLAW – GROUNDWATER Protection District**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw Section 4.3.7.2 **USE Regulations within the GROUNDWATER Protection District** as follows,

By inserting new sub-paragraph numbered 26, with accompanying field tables, as follows:

“STORAGE of liquids: petroleum products, cleaning chemicals, detergents, antifreeze solutions, solvents, swimming pool treatment chemicals, in aggregate quantities exceeding 90 gallons, for purposes other than heating the premises on which it is located”

Zone 1 Well Protection Area “No”

Zone 2 Recharge Protection Area “No”

Zone 3 Aquifer Protection Area “No”

or to take any other action relative thereto.

**MOTION**

Move that the Town adopt the zoning bylaw amendments as set forth in the Article.

**SUMMARY**

**The purpose of the additional paragraph is to expand the protection of the water supply from these compounds to the entire surface recharge area while still allowing incidental use. All of these chemicals are potentially harmful to the Town’s water supply. All three water recharge zones are sensitive areas. The storage of these liquid materials in a zone 3 will be permitted up to a total (aggregate) amount of 90 gallons which will allow homeowners and small businesses to continue reasonable use of these supplies. The effect of this bylaw will be to limit the amount of these chemicals that can be stored above drinking water aquifers.**

Direct inquiries to: Roland Bartl, AICP, Planning Director: [planning@acton-ma.gov](mailto:planning@acton-ma.gov) / (978) 929-6631

Selectman assigned: Janet Adachi: [bos@acton-ma.gov](mailto:bos@acton-ma.gov) / (978) 929-6611

**Recommendations: Board of Selectmen Finance Committee Planning Board**

**ARTICLE XXX (NO. 2)**

**AMEND ZONING BYLAW – GROUNDWATER Protection District**

(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw Section 4.3.7.2 **USE Regulations within the GROUNDWATER Protection District** as follows,

(a) By amending the language of paragraph 13 and the accompanying field table as follows:

“STORAGE outside of a BUILDING of Fertilizer, Pesticide, Herbicide or deicing chemicals”

Zone 1 Well Protection Area “No”

Zone 2 Recharge Protection Area “No”

Zone 3 Aquifer Protection Area “No”

*[Note-subparagraph 13 and the accompanying field table currently read:  
Outdoor STORAGE of fertilizer, animal manure, soil conditioner, pesticide, herbicide  
and deicing chemicals.*

*Zone 1 Well Protection Area “No”*

*Zone 2 Recharge Protection Area “No”*

*Zone 3 Aquifer Protection Area “Yes”]*

And

(b) By inserting new sub-paragraph numbered 27, with accompanying field tables, as follows:

“STORAGE outside of a BUILDING of animal manure, soil conditioner, or compost in aggregate quantities larger than ten (10) cubic yards.”

Zone 1 Well Protection Area “No”

Zone 2 Recharge Protection Area “No”

Zone 3 Aquifer Protection Area “Yes”

or to take any other action relative thereto.

**MOTION**

Move that the Town adopt the zoning bylaw amendments as set forth in the Article.

**SUMMARY**

**The purpose of the first change, (a) is to prohibit the outdoor storage of fertilizer, pesticides, herbicides or deicing chemicals in areas that recharge our well aquifers. The existing bylaw allows the storage of these materials in zone 3 and combines these obviously hazardous materials with manure and soil conditioner which do not present the same level of risk to our drinking water supply. Currently, outdoor storage of fertilizers, pesticides, herbicides and deicing chemicals is not permitted in water protection zones 1 and 2 but these chemicals could be stored out of doors (in the open) in a zone 3. The difference between a zone 2 and a zone 3 recharge area is the amount of time it takes water to travel from a water protection zone to a town well. This change will reduce the chance of these chemicals entering the Town's water supply either through spillage or weathering of materials stored outside. The effect of this change is to require indoor storage for any of these compounds stored in any drinking water supply recharge areas.**

**The purpose of the second change (b) is to provide continued protection of zones 1 and 2 of these compounds as previously provided in 4.3.7.2 subparagraph 13. This new paragraph also adds protection from compost pile runoff in zones 1 and 2. The effect of this bylaw change is to add additional protection for the water supply from compost pile runoff.**

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**Recommendations: Board of Selectmen Finance Committee Planning Board**