

Southampton Water Supply District

A. Purpose of District

To promote the health, safety and welfare of the community by protecting and preserving the surface and groundwater resources of the Town and the region from any use of land or buildings which may reduce the quality of its water resources.

B. Definitions

1. **AQUIFER** : Geologic formation composed of rock or sand and gravel that contains significant amounts of potentially recoverable potable water.
2. **GROUNDWATER** : All water found beneath the surface of the ground.
3. **HAZARDOUS WASTE** : A waste which is hazardous to human health or the environment. Hazardous wastes have been designated by the U.S. Environmental Protection Agency under 40 CFR 250 and the Regulations of the Massachusetts Hazardous Waste Management Act, Massachusetts General Laws, Chapter 21C.
4. **IMPERVIOUS SURFACES** : Materials or structures on or above the ground that do not allow precipitation to infiltrate the underlying soil.
5. **LEACHABLE WASTES** : Waste materials including solid wastes, sludge and pesticide and fertilizer wastes capable of releasing water-borne contaminants to the environment.
6. **PRIMARY AQUIFER RECHARGE AREA** : Areas which are underlain by surficial geologic deposits including glaciofluvial or lacustrine stratified drift deposits or alluvium or swamp deposits, and in which the prevailing direction of groundwater flow is toward the area of influence of public and private water wells.
7. **TRUCKING TERMINAL** : Business which services or repairs commercial trucks which are not owned by the business.
8. **WATERSHED** : Lands lying adjacent to water courses and surface water bodies which create the catchment or drainage areas of such water courses and bodies.

C. Scope of Authority

The Water Supply Protection District is an overlay district and shall be superimposed on the other districts established by this bylaw. All regulations of the Town of Southampton Zoning Bylaw applicable to such underlying districts shall remain in effect, except that where the Water Supply Protection District imposes additional regulations, such regulations shall prevail.

D. District Delineation

1. The Water Supply Protection District is herein established to include all lands within the town of Southampton lying within the primary recharge areas of groundwater aquifers and watershed area of the Manhan Reservoir which now or may in the future provide public water supply. The map entitled 'Water Supply Protection District', Town of Southampton, on file with the Town Clerk, delineates the boundaries of the district.

2. Where the bounds delineated are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should properly be located. At the request of the owner(s), the Town may engage a professional hydro geologist to determine more accurately the location and extent of an aquifer or primary recharge area, and may charge the owner(s) for all or part of the cost of the investigation.

E. Prohibited Uses

1. Business and industrial uses, not agricultural, which manufacture, use, process, store, or dispose of hazardous materials or wastes as a principal activity, including but not limited to metal plating, chemical manufacturing, wood preserving, furniture stripping, dry cleaning, and auto body repair, or which involve on-site disposal of process waste waters.

2. Trucking terminals, bus terminals, car washes, motor vehicle gasoline sales, automotive service and repair shops.

3. Solid waste landfills, dumps, auto recycling, junk and salvage yards, with the exception of the disposal of brush or stumps.

4. Underground storage and/or transmission of petroleum products excluding liquefied petroleum gas.

5. Outdoor storage of salt, de-icing materials, pesticides or herbicides.

6. Dumping or disposal on the ground, in water bodies, or in residential septic systems of any toxic chemical, including but not limited to septic system cleaners which contain toxic chemicals such as methylene chloride and 1-1-1 trichlorethane, or other household hazardous wastes.

F. Restricted Uses

1. Excavation for removal of earth, sand, gravel and other soils shall not extend closer than five (5) feet above the annual high groundwater table. A monitoring well shall be installed by the property owner to verify groundwater elevations. This section shall not apply to excavations incidental to permitted uses, including but not limited to providing for the installation or maintenance of structural foundations, freshwater ponds, utility conduits or on-site sewage disposal.

a. Access road(s) to extractive operation sites shall include a gate or other secure mechanism to restrict public access to the site.

2. The use of sodium chloride for ice control shall be minimized, consistent with the public highway safety requirements.

3. Salt storage areas shall be covered and be located on a paved surface, with berms to prevent run-off from leaving the site.

4. Commercial fertilizers, pesticides, herbicides, or other leachable materials shall be used with all necessary precautions to minimize adverse impacts on surface and groundwater, and shall not result in groundwater concentrations exceeding Massachusetts Drinking Water Standards.

5. Above-ground storage tanks for oil, gasoline or other petroleum products shall be placed in a building in a concrete basement or on a diked, impermeable surface sufficient to contain the volume of the tank plus 10% to prevent spills or leaks from reaching groundwater. Floor drains shall be plugged to prevent discharges of leaks.

G. Drainage

1. For commercial and industrial uses, to the extent feasible, run-off from impervious surfaces shall be recharged on the site by being diverted toward areas covered with vegetation for surface infiltration. Dry wells shall be used only where other methods are infeasible, and shall be preceded by oil, grease and sediment traps to facilitate removal of contamination. All recharge areas shall be permanently maintained in full working order by the owner(s).

H. Special Permit Uses

1. Uses Allowed by Special Permit

The following uses may be allowed by Special Permit obtained from the Board of Appeals:

- a. Commercial and industrial uses which are allowed in the underlying district;
- b. Any enlargement, intensification or alteration of an existing commercial or industrial use;
- c. The rendering impervious of more than 20% of any single residential lot.

2. Requirements for Special Permit in the Water Supply Protection District

The applicant shall file six (6) copies of a site plan prepared by a qualified professional with the Board of Appeals. The site plan shall at a minimum include the following information where pertinent.

- a. A complete list of chemicals, pesticides, fuels and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use.
- b. Those businesses using or storing such hazardous materials shall file a hazardous materials management plan with the Board of Appeals, Hazardous Materials Coordinator, Fire Chief, and Board of Health which shall include:
 - (1) Provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage or vandalism, including spill containment and clean-up procedures.
 - (2) Provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces.
 - (3) Evidence of compliance with the Regulations of the Massachusetts Hazardous Waste Management Act 310 CMR 30, including obtaining an EPA identification number from the Mass. Department of Environmental Quality Engineering.
- c. Drainage recharge features and provisions to prevent loss of recharge.

d. Provisions to control soil erosion and sedimentation, soil compaction, and to prevent seepage from sewer pipes.

3. Additional Procedures for Special Permit in the Water Supply Protection District

a. The Board of Appeals shall follow all special permit procedures contained in Section XI.

b. The Board of Appeals may grant the required special permit only upon finding that the proposed use meets the following standards and those specified in Section XI of this bylaw. The proposed use must:

(1) in no way, during construction or thereafter, adversely affect the existing or potential quality or quantity of water that is available in the Water Supply Protection District, and;

(2) be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation and other water-related natural characteristics of the site to be developed.

c. The Board of Appeals shall not grant a special permit under this section unless the petitioner's application materials include, in the Board's opinion, sufficiently detailed, definite and credible information to support positive findings in relation to the standards given in Section VII-H-3(b).

I. Non-conforming Use

Non-conforming uses which were lawfully existing, begun or in receipt of a building or special permit prior to the first publication of notice of public hearing for this bylaw may be continued. Such non-conforming uses may be extended or altered, as specified in M.G.L. Ch. 40a, Sec. 6, provided that there is a finding by the Board of Appeals that such change does not increase the danger of surface or groundwater pollution from such use.