



TOWN OF SHERBORN
19 Washington Street
Sherborn, MA 01770
508-651-7850

P R E S S R E L E A S E

September 1, 2020

For immediate Release

GROUNDWATER PROTECTION COMMITTEE VACANCIES

The Groundwater Protection Committee is composed of appointees representing other town boards, thereby effectively bringing together a broad array of perspectives to the health, safety, environmental, aesthetic, financial and other issues associated with protecting the Town's drinking water resources.

The overseers of our Town's groundwater resources strive to protect Sherborn Drinking water from that which may compromise the quality, availability and safety of the Town's water supply.

We currently have openings on this committee.

For more information and an application to be considered for appointment please contact:
Diane Moores, Assistant Town Administrator
Diane.moores@sherbornma.org
508-720-4308

OFFICE	NAME	TERM EXPIRES
Electronic Voting Committee	Wassim Bassalee Abigail Fiske Evelyn Scott-Ludwig	indefinite indefinite indefinite
Emergency Management Director	Erron Kinney	indefinite
Energy Committee	Michael C. Lesser Gino Carlucci John Higley Gregory Kennan	6/18 6/20 6/20 6/21
Farm Pond Advisory Committee	Craig Surman Patricia C. Cassell Jacqueline Martin Catherine Rocchio Sophia Hill Patricia F. LeBlanc Karyn Kaplan Melinda O'Neill Adam Henry (Associate)	6/18 6/19 6/19 6/19 6/20* 6/20 6/21 6/21 6/19
Governance Task Force II	Erin Carroll Gregory Kennan Coralinda Lincoln Adam Page Addie Mae Weiss	indefinite indefinite indefinite indefinite indefinite
Groundwater Protection Committee	Katharine R. Sturgis (Appointed by Elderly Housing) Daryl Beardsley (Appointed by the Board of Health) Allary Braitsch (Appointed by the Conservation Commission)	indefinite indefinite indefinite
HIPPA Officer	Fred Abdellahad	DRUG ADDICT indefinite
Historical Commission	Eugene Goldfield James Guarino Diana S. Wheelwright Margaret S. Novak Ronald Steffek	6/19 6/19 6/19 6/20 6/21
Historic District Commission	James Guarino Margaret S. Novak Ronald Steffek Diana S. Wheelwright Eugene Goldfield Adam Redford	6/19 6/19 6/20 6/20 6/21 6/21
Insurance Advisory Committee	Tony Abril Lisa Lynch	6/20 6/20
Leland Farms Trustee	Alycia Goody	6/21

GROUNDWATER PROTECTION BY-LAW STUDY COMMITTEE (1991)

9 members appointed by Selectmen for one-year term

The Groundwater Protection By-law Study Committee came into existence in August, 1991, and held meetings approximately every two weeks until the 1992 Town Meeting, at which Meeting the Committee presented a proposed Groundwater Protection Bylaw, several related zoning bylaws, and an amendment to the Enforcement Bylaws of the Town. A slide show was presented to the voters at Town Meeting on the subject of the proposed Groundwater Protection Bylaw. All of the Committee's proposals were passed unanimously by Town Meeting. Thereafter, the Groundwater Protection Bylaw was approved by the Attorney General, and became law in July, 1992.

After Town Meeting's approval of the Bylaw, the activities of the Committee shifted towards implementation of the Bylaw. The Committee finalized the Town's Underground Tank Register and arranged for its mailing to all affected property owners for verification. The Committee assisted in the purchase of identification tags and in the notification about the Bylaw's requirements to all area fuel distributors.

During July, 1992, the Committee prepared Fire Department Rules and Regulations with the Fire Chief to implement the new Bylaw. A public hearing was held on July 22, 1992, and the new regulations were promulgated by the Chief, effective September 1, 1992.

Finally, the Committee, before it expired in August, 1992, identified further refinements desirable for the Groundwater Protection Bylaw and asked the Selectmen to continue some group in effect to continue to advocate for ground water protection and to encourage public awareness of the sensitivity and vulnerability of our ground water. An Article correcting four minor typographical errors in the Groundwater Protection Bylaw will be presented to the 1992 Town Meeting.



Town of Sherborn
SHERBORN, MASSACHUSETTS 01770

TOWN OFFICES: P.O. BOX 186 • Phone (508) 651-7850

SHERBORN, MA

SA NOV 17 AM 9:44

MARGUERITE R. BALASCHAK, CMC
TOWN CLERK

November 16, 1994

Mr. Jonathan Avery
48 Maple Street
Sherborn, MA 01770

Dear Jon:

At its meeting of November 15, 1994 the Board of Selectmen voted to dissolve the Groundwater Protection Advisory Committee as a Selectmen appointed board. It is our understanding that this group will be reconstituted as an advisory committee whose members will be appointed as follows:

Two members appointed by the Board of Selectmen, at least one to be a citizen at large
One member appointed by the Conservation Commission
One member appointed by the Board of Health - *Marguerite R. Balaschak*
One member appointed by the Planning Board
One member appointed by the Water Commissioners

The Board of Selectmen thanks you for your service on its committee and asks that you inform your board of the need to appoint a representative to the newly constituted committee.

Sincerely yours,

Marguerite R. Balaschak

Marguerite R. Balaschak
Senior Administrative Assistant

cc: Town Clerk

GROUNDWATER PROTECTION COMMITTEE (1994)
4 members, indefinite terms;
one each appointed by Elderly Housing; Planning Board; Board of Health;
Conservation Committee
Groundwater Protection By-law (1992, 1993, 2006)

Groundwater Protection Committee

The Groundwater Protection Committee (GPC) is composed of appointees representing other town boards, thereby effectively bringing together a broad array of perspectives to the health, safety, environmental, aesthetic, financial, and other issues associated with protecting our drinking water resources. As overseers of our town's groundwater resources, the GPC strives to protect Sherborn's drinking water from that which may compromise its quality, availability, and safety.

At its meeting of November 15, 1994 the Board of Selectmen voted to dissolve the Groundwater Protection Advisory Committee as a Selectmen appointed board. It is our understanding that this group will be reconstituted as an advisory committee whose members will be appointed as follows:

Two members appointed by the Board of Selectmen, at least one to be a citizen at large
One member appointed by the Conservation Commission ✓
One member appointed by the Board of Health ✓
One member appointed by the Planning Board ✓
One member appointed by the Water Commissioners

✓ ✓ ✓ ✓ ✓ *Elderly Housing*

CHAPTER 21. GROUNDWATER PROTECTION BYLAW (Added 1992, amended 1993, 2006)

Section 1: Preamble: Interests protected by this Bylaw.

The purpose of this Bylaw is to promote the health, safety and welfare of the inhabitants of the Town of Sherborn by protecting, preserving and maintaining the groundwater supplies of the Town. The groundwater underlying the Town is the sole source of the drinking water for the residents of the Town. Because there is no public water supply available, residents maintain private wells located on the various lots within the Town. Spills and discharges of petroleum products and other toxic and Hazardous Material and Discharges of sewage and salt have repeatedly threatened the quality of groundwater and related water resources, throughout the Commonwealth and elsewhere, posing potential public health and safety hazards and threatening economic losses to the affected communities. By adopting this bylaw, the Town intends to reduce the threat of such spills and discharges. An additional purpose of this Bylaw is to protect the residents of the Town and the Town itself from the potentially devastating financial and environmental consequences of contamination of wells or groundwater due to leakage arising from failure of underground storage tanks.

Section 2: Definitions.

"Discharge" shall mean the introduction of a liquid or soluble or leachable solid material upon or into land or water bodies having an effect within the Town of Sherborn. Discharge includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and includes disposal of such materials into any wastewater disposal or treatment system, dry wall, catch basin or landfill which has not received approval by the Board of Health.

"Fertilizer" shall mean any of a large number of natural and synthetic materials including, but not limited to, nitrogen, phosphorus and potassium compounds, the normal use of which is by spreading on or working into soil to increase its capacity to support plant growth.

"Groundwater": all water below the surface of the ground, including that in bedrock.

"Hazardous Material" shall have the same definition as is set forth in 310 Code of Massachusetts Regulations (CMR) 40.000, as follows: material, including, but not limited to, any material in whatever form which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare or to the environment, when improperly stored, treated, transported, disposed of, used or otherwise managed. The term shall not include oil, but shall include waste oil and all those substances which are included under 42 U.S.C. §9601(14), but it is not limited to those substances. The term shall also include, but is not limited to all material regulated as hazardous waste or recyclable material under 310 CMR 30.000.

"Manure" shall mean barnyard or stable dung, which may include discarded animal bedding, used to fertilize soil. It shall not mean manure deposited naturally.

"Pesticides" shall mean any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest, any insecticide, herbicide, rodenticide, any other substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant, provided that the term "pesticide" shall not include (i) any article that is a "new animal drug" within the meaning of section 201w of the Federal Food, Drug and Cosmetic Act (21 U.S.C. s.321(w)), or that has been determined by the Secretary of the United States Department of Health, Education and Welfare not to be a new animal drug by a regulation establishing conditions of use for the article; (ii) any article that is an animal feed within the meaning of section 201(x) of such act (21 U.S.C. s.321(x)), or (iii) any chemical the storage of which is governed by regulations adopted by the Commonwealth of Massachusetts State Pesticide Board pursuant to c. 132B of the General Laws of the Commonwealth.

"Stockpiling or disposal of snow" shall mean the transportation of snow by means of a truck, excavator, loader or similar equipment to a location off the property onto which it has fallen. It shall not refer to simply plowing, shoveling or blowing such snow to the edges of a highway, street, road, sidewalk or parking lot.

"Tank" shall include any tank of any design and any capacity, whether above or under the ground, and includes both the Tank itself together with related piping and controls, and shall also include drums, and bulk storage containers of any kind, description and design but excluding tanks that

are part of aircraft or motorized vehicles and contain fuel for such vehicles, and excluding tanks used exclusively for the storage of propane.

Section 3: Regulation of Storage Tanks.

A. New underground Tanks prohibited. Following the effective date of this bylaw, the installation of any underground Tank of any design and of any capacity for storage of any material other than water, propane or septage if part of a septic system approved by the Board of Health is prohibited within the Town of Sherborn. New commercial, municipal or agricultural Tanks meeting all requirements of 527 CMR, including those requirements that have deferred effective dates, are exempt from this provision.

B. Storage Tanks. Following the effective date of this bylaw, storage Tanks may be installed either:

- (1) within a building as defined in Section 1.5 of the Zoning Bylaw of the Town, such as a basement of a residence, only where there is full compliance with 527 CMR and with the rules and regulations of the Fire Chief, adopted pursuant to Section 3C of this Chapter;
- (2) above ground outdoors, only where there is full compliance with 527 CMR and with the rules and regulations of the Fire Chief, adopted pursuant to Section 3C of this Chapter.

C. Local Rules and Regulations. The Fire Chief may adopt rules and regulations implementing, detailing and specifying additional requirements so that

- (1) underlying each Tank shall be a surface that is designed and at all times operated so that it is free of cracks and gaps and is sufficiently impermeable to contain leaks and spills until the leakage or spillage of stored material is detected and removed; and further
- (2) each Tank shall be placed on such surface so that the surface beneath the Tank is visible for inspection for spills and structural integrity; and further
- (3) piping and related fittings are to meet specifications set forth in the regulations; and
- (4) such regulations shall contain a procedure for the issuance of variances from such requirements upon good cause shown when unusual conditions related to size, location, or geography exist and when an alternative design would accomplish the intent of this Bylaw.

D. Existing Underground Tanks – Any existing underground tank shall be removed from the ground or closed in accordance with 527 CMR by April 30, 2007, unless documentation is provided that it has been upgraded to comply with the requirements of 527 CMR regarding equipment for the prevention and detection of leaks, including cathodic protection, double walls and monitoring systems. Documentation of compliance with the testing requirements of 527 CMR must also be provided.

Section 4: Hazardous Material.

A. Outdoor Storage. Because of the risk of soil contamination from rain, wind and weather conditions, the outdoor storage of Hazardous Material, except as exempted by Section 4D of this Chapter, is prohibited within the Town of Sherborn. Unless exempted in Section 4D, Hazardous Material lawfully used within the Town may be stored only in sheltered conditions within weatherproof buildings or under waterproof roofs where there exists an impermeable floor graded to contain spills or discharges, or an impermeable floor with a containment berm or wall.

B. Disposal Prohibited. The release or disposal of Hazardous Material within the limits of the Town, other than at such lawful disposal sites and times as may be designated by the Board of Health, is prohibited.

C. Notification Requirements. In order that the Town, the abutters and public safety officials may know of the existence and locations where Hazardous Materials is stored, every person who regularly stores or keeps at one location two hundred (200) pounds or more of any one Hazardous Material, or a cumulative total of two hundred (200) pounds of several different Hazardous Materials, except as exempted in Section 4D of this Chapter, shall notify the Board of Selectmen prior to initiating such storage and on or before December 31 of each year thereafter. The notification shall consist of a statement setting forth the owner's name, the quantity and type of Hazardous Material, the date when the Hazardous Material will be or was first stored and location thereof.

D. Exemptions. The following are exempt from the requirements of this Section:

- (1) Pipelines: existing utility pipeline facilities constructed and used for the purpose of transporting and conveying petroleum products and natural gas; provided, however, that any such transportation and conveyance complies with all applicable law and is designed, constructed, operated and used so as to prevent contamination of groundwater or surface water.
- (2) Commercial or Agricultural Tanks: existing or new commercial or agricultural Tanks meeting all requirements of 527 CMR, including those requirements that have deferred effective dates.
- (3) Any Hazardous Material that is subject to the requirements of section 5, 6 or 7 of this Chapter, except that this exemption shall not relieve a person who regularly stores or keeps such Hazardous Material from the requirements of section 4C of this Chapter.

Section 5: Fertilizer and Manure.

A. Fertilizer Storage. Because of the risk of groundwater contamination from rain, wind and weather conditions, the outdoor storage of two hundred (200) pounds or more of fertilizers at any one location is prohibited, except as follows:

- (1) The temporary and transitory outdoor storage of fertilizer of no more than one week duration shall be allowed as of right in areas other than within one hundred feet of a well head, bank, or freshwater wetland, beach, marsh, meadow, bog, or swamp, or within two hundred

feet of any estuary, creek, river, stream, pond or lake or any land under said waters or bordering lands subject to flooding as defined in the Sherborn Wetlands Regulations.

(2) Fertilizers may be stored under waterproof roofs where there exists an impermeable floor; **or** in or upon a motor vehicle or trailer, provided that such fertilizers are sealed within waterproof containers and are covered by a waterproof tarp, roof or the equivalent overhead coverage from exposure to weather; -

B. Manure Storage. Manure piles of more than 200 pounds shall not be stored:

(1) within 100 feet of any water supply well head; or

(2) within 100 feet of (a) any bank, freshwater wetland, beach, marsh, meadow, bog, swamp, estuary, creek, river, stream, pond or lake; or (b) bordering land subject to flooding (generally the 100-year storm flood line); all as defined in the Sherborn Wetlands Regulations, unless such storage is covered or within a waterproof container or structure with an impermeable floor that prevents the release of runoff from the manure.

Section 6: Road Salt and Deicing Chemicals.

A. Prohibition of introduction of snow from outside Town into the Town for storage and/or melting. Because of the use of road salt and other deicing chemicals in snow removal and snow clearing, following the effective date of this Bylaw, the transportation of snow from outside the Town into the Town for storage and/or melting within the Town limits is prohibited;

B. The stockpiling or disposal of snow or ice removed from highways, streets, roadways, sidewalks and parking lots is prohibited except as follows:

(1) In the event of severe winter weather the CM&D Director may stockpile snow as necessary only at locations designated by the Board of Selectmen.

(2) Where the Planning Board has required snow removal to maintain parking spaces as a condition of its site plan approval, property owners may remove snow from the premises and stockpile it in coordination with the CM&D Director.

C. Bulk storage. The bulk storage outside of road salt or deicing chemicals or any mixture of sand and road salt or sand and Deicing chemical is prohibited. Bulk storage of road salt or deicing chemicals or any mixture of sand and road salt or sand and deicing chemicals, whether mixed or unmixed, is allowed within weatherproof buildings or under waterproof roofs where there exists an impermeable floor graded to contain spills or discharges or an impermeable floor with a containment berm or wall.

D. Exemption. The following are exempt from the requirements of this Section:

(1) The outside storage of one 25 lb. or less bag of salt or deicing chemical for normal home, office or store use on the premises; or

(2) The outside storage of one 55 gallon drum or equivalent container of sand-salt mixture, provided that the open end of the drum is equipped with a covering.

Section 7: Certain Petroleum-based Commercial Activities Regulated within the Town.

Because of the existence within the Town of certain types of commercial petroleum-based activities and because of the unreasonable risk of groundwater contamination created by such commercial activities, any commercial operation within the Town, whether new or pre-existing, involving new or used automobile and/or truck sales or storage establishments, gasoline service stations, automobile repair shops, truck service stations, or similar commercial petroleum-based establishments, shall be required following the effective date of this Bylaw to comply with the standards set forth below, without regard to whether such activities are new or pre-existing:

A. Such activity is at all times to be in full compliance with a site management plan prepared by the owner or operator of the site and approved by the Board of Health, which plan is to specify

- (i) storage, use and handling of any Hazardous Materials or petroleum products utilized on the site and
- (ii) the precautions taken or to be taken to minimize the threat of spills and to prevent the discharge of contaminants into the soil and groundwater of the Town; and

B. The activity must at all times be in compliance with the requirements of Sections 3 and 4 of this Chapter, if applicable; and

C. Such activity shall at all times be conducted so that all reasonable precautions are taken to minimize the threat of spills and to prevent the discharge of contaminants into the soil and groundwater of the Town of Sherborn.

Section 8: Solid Waste.

The disposal within the Town of solid waste except grass, compost, brush and other decomposing plant or animal material other than at the Sherborn Transfer Station, or at such locations as may be established from time to time by the Board of Health, is prohibited.

Section 9: Application of this Bylaw to Operations and Activities of the Town of Sherborn.

All Departments of the Town of Sherborn shall comply with all Sections of this Bylaw.

Section 10: Report of Leaks, Spills and Discharges.

In the event of a Discharge, spill or loss of petroleum product, pesticides, Hazardous Materials or other chemicals regulated by this Bylaw, or the unaccounted for decline in volume of such substances that may indicate that a leak or discharge has occurred, that requires such owner or operator to report such spill, loss or discharge to representatives of the governments of the United States or the Commonwealth of Massachusetts, such owner or operator shall also immediately provide duplicate notification or report to the Fire Chief and to the Board of Health.

Section 10A: Pesticide Storage

The Town recognizes that Pesticides play an important and necessary role in controlling insects and other pests. To protect further the groundwater of the Town, the storage of two hundred and fifty (250) pounds or more of Pesticides on one lot of land within the Town of Sherborn is prohibited unless such Pesticides are stored in sheltered conditions within weatherproof buildings where there exists an impermeable floor. This Section 10A shall take effect on January 1, 1995.

Section 11: Enforcement.

Violations of this Chapter shall be governed by Chapter 16 of the General Bylaws. Each day during which the violation occurs shall constitute a separate offense.

Section 12: Severability.

Provisions of this Chapter are severable and if any provision hereof shall be held invalid by any court of competent jurisdiction under any circumstances, such invalidity shall be construed as narrowly as possible and the balance of the Chapter shall be deemed to be amended to the minimum extent necessary to effect its purposes.