Proposed Amendments Related to the Aquifer Protection District

March 2, 2024

# Eliminate References to the Water District

*The Whately Water District (WWD) public water supply was abandoned in 2022. In 2023, zoning bylaws were amended to eliminate some, but not all, references to the WWD. In 2024, the Planning Board proposes to fully remove all references in the bylaw to the WWD. All references to the Whately Water Department, the extant public water supply for the Town of Whately, are to be retained.*

*Here, we propose revising ~171-28.4 (C) to eliminate reference to the Source Water Assessment Program (SWAP) report that was prepared for the Water District.*

## Marked-Up Version

The text below uses yellow highlighting to indicate proposed amendments. ~~Strikeout formatting~~ is used to indicate text deletions.

**171-28.4 (C) CRITERIA DEFINING THE AREAS WITHIN THE AQUIFER PROTECTION DISTRICT**

For the purposes of this district, there are hereby established within the Town three (3) [Amended ATM 05.23.2023 Art. 25] Aquifer Protection District Areas, consisting of Zone I, Zone II, and [Amended ATM 05.23.2023 Art. 25] Zone III. The criteria used to delineate these areas are set forth in the Massachusetts Drinking Water Regulations, 310 CMR 22.02, and are described in the Source Water Assessment Program Report~~s~~ prepared by the Massachusetts Department of Environmental Protection for the ~~Whately Water District (January 14, 2002) and the~~ Whately Water Department (November 27, 2002).

## Clean Version

This version shows the proposed bylaw text after amendments.

**171-28.4 (C) CRITERIA DEFINING THE AREAS WITHIN THE AQUIFER PROTECTION DISTRICT**

For the purposes of this district, there are hereby established within the Town three (3) [Amended ATM 05.23.2023 Art. 25] Aquifer Protection District Areas, consisting of Zone I, Zone II, and [Amended ATM 05.23.2023 Art. 25] Zone III. The criteria used to delineate these areas are set forth in the Massachusetts Drinking Water Regulations, 310 CMR 22.02, and are described in the Source Water Assessment Program Report prepared by the Massachusetts Department of Environmental Protection for the Whately Water Department (November 27, 2002).

# Update the Town Zoning Map

*The Town Zoning Map specifies the boundaries of all zoning districts. In 2024, we propose to replace the Zoning Map (most recently approved in 2023) with a new map. The new map revises the Aquifer Protection District zones II and III to exclude zones that were used solely to protect the now-abandoned WWD public water supply.*

*The new map in PDF format accompanies this document.*

# Correct the Applicable Aquifer Map

*In conjunction with a new Town Zoning Map, the Board proposes to amend ~171-28.4 (D)(1) to refer to the new Zoning Map. We expect the date of the new map to be the same date selected for the 2024 Annual Town Meeting. As part of this amendment, we remove a sentence referring to the Water District zones.*

## Marked-Up Version

The text below uses yellow highlighting to indicate proposed amendments. ~~Strikeout formatting~~ is used to indicate text deletions. Highlighted text not in strikeout formatting is new text.

D. AQUIFER PROTECTION DISTRICT AREA BOUNDARIES

(1) Aquifer Map

The boundaries of the Aquifer Protection District are shown on the “Whately Zoning Map – Aquifer Protection District Areas” dated <ATM DATE 2024> as amended by Town Meeting. ~~This map includes the newly defined Zone II and expanding Zone III for the three (3) bedrock wells in the Whately Water District.~~ Said map is hereby made a part of this Zoning Bylaw.

## Clean Version

This version shows the proposed bylaw text after amendments. Highlighting is used to indicate new text that will be determined later.

D. AQUIFER PROTECTION DISTRICT AREA BOUNDARIES

(1) Aquifer Map

The boundaries of the Aquifer Protection District are shown on the “Whately Zoning Map – Aquifer Protection District Areas” dated <ATM DATE 2024> as amended by Town Meeting. Said map is hereby made a part of this Zoning Bylaw.