

SECTION 5.0 DISTRICT USE REGULATIONS

5.8 DISTRICT USE REGULATIONS: AQUIFER PROTECTION DISTRICT (AP)

5.8.1 Statement of Intent

Within this district lies an extensive deposit of coarse grained, stratified drift. The U.S. Geologic Survey notes a portion of this area has a saturated thickness of greater than forty (40) feet, indicative of high water yielding conditions. Creation of this district is deemed essential to protect this significant water supply source for the Town. As ground waters have been shown to be easily, and in many cases, irrevocably contaminated by many common land uses, it is imperative all reasonable controls over land use, waste disposal and material storage be conscientiously exercised.

5.8.2 Establishment of District

The Aquifer Protection District is herein established as an overlay district. The boundaries of this District are those shown on a map entitled, "Aquifer Protection" in Section 2 of these Zoning Regulations. The District includes the entire coarse grained stratified drift deposit with a saturated thickness of greater than forty (40) feet and all land directly upgradient.

Where the bounds of this District are in doubt or dispute, the burden of proof shall be upon the owners of the land in question to show where they should be located. Such proof shall be in the form of a map, prepared by a professional engineer and land surveyor, at a scale of 1 inch to forty feet, with two feet contours, showing the existing district boundary and that proposed.

5.8.3 Permitted Uses

Within this District the requirements of the underlying districts continue to apply, except that notwithstanding the requirements of the underlying district, no uses indicated by an "N" in the following schedule shall be established subsequent to the effective date of these Regulations, nor shall any uses indicated by an "SP" in the following schedule be established subsequent to the effective date of these Regulations without first receiving a special permit subject to the criteria set forth in Section 5.8.4. Single family dwellings are exempt from these aquifer protection regulations.

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PROHIBITED USES

- N (a) Manufacture, use, storage, transport or disposal of hazardous materials as a principal activity.
- N (b) Sanitary landfill, septage lagoon, waste water treatment facility for municipal or industrial wastes.
- N (c) Road salt storage.
- N (d) Junkyard, salvage yard, truck terminal.
- N (e) Gasoline station, car wash, auto repair or auto body shop.
- SP (f) Excavation, filling or removal of earth materials.

ACCESSORY USES

- N (g) Underground storage of hazardous materials.
- SP (h) Above ground storage of hazardous materials in quantities greater than associated with normal use, other than fuel storage for residential space heating.

5.8.4 Special Permit Criteria

Special permits required under Section 5.8.3 shall be granted only if the Planning and Zoning Commission determines the ground water quality resulting from on-site wastewater disposal or other operations on-site shall not cause degradation of ground waters outside any authorized zone of influence which would result in a condition which renders the ground waters unsuitable for direct human consumption. If existing ground water quality is not now suitable for drinking water purposes, on-site disposal or operations on-site shall cause no further deterioration.

5.8.5 Submittals

In applying for a Special Permit under this Section, the PZC may require, in addition to that required under Section 8, all or some of the following information:

- (a) A complete list of all chemicals, pesticides, fuels or other potentially hazardous materials to be used or stored on the premises in quantities greater than associated with normal household use. Information on the measures proposed to protect all storage containers from vandalism, corrosion, leakage and spillage and for control of spilled materials may also be requested.

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- (b) A description of all potentially hazardous wastes to be generated, including provision for storage and disposal measures as described in part (a) above.
- (c) For above ground storage of hazardous materials or waste, evidence of qualified professional supervision of the design and installation of such storage facilities or containers.
- (d) For areas with an impervious surface greater than 30% of total lot areas, a showing of runoff water disposal plans. Dry wells shall be used only where other methods are infeasible and shall be preceded by oil, grease and sediment traps designed to remove contaminants. A schedule for maintenance of such traps may also be required.
- (e) For on-site disposal of sewage in quantities in excess of 2000 gpd, documentation from the wastewater discharge permit granting authority that such system meets all applicable codes and regulations.