

ARTICLE 11 – SPECIAL PROTECTION AREAS**11.1. SIGNIFICANT AQUIFER PROTECTION AREA****11.1.1. Purpose and Intent**

It is the purpose and intent of these regulations to protect the groundwater resources of the Town from adverse development or land use practices (such as but not limited to the disposal or storage of solid wastes, sludge, subsurface waste disposal, road salting materials, gas or other petroleum products) that might reduce the quality and quantity of water that is now, and in the future will be, available for use by the Town, its citizens and businesses.

11.1.2. Locations Subject to Protection Area

11.1.2.1. Overlay Area. The Significant Aquifer Protection Area shall apply to the land area within the Town's sand and gravel aquifers plus the land within 500 feet of these aquifers. The Aquifer Overlay Area embraces and overlays other provisions and growth management areas set forth in this Ordinance and as such its requirements are in addition to the requirements of the underlying growth management area. Where the provisions of the Aquifer Protection Area conflict with or impose a higher standard than the provisions of any underlying growth management area, the provisions of the Aquifer Protection Overlay Area shall prevail.

11.1.2.2. Identification Of Aquifer Boundaries. The boundaries of the Significant Aquifer Protection Area shall be as delineated on the Special Protection Areas Map of Clifton, Maine.

11.1.2.3. Boundary Disputes. When the official boundaries of the Significant Aquifer Protection Area as delineated on the Special Protection Areas Map are disputed due to lack of sufficient detail on the available map, the landowner or agent may submit hydrogeologic evidence to support the claim. The evidence shall be prepared by a Geologist, Certified in the State of Maine.

11.1.3. Prohibited Uses

In addition to those uses prohibited in the underlying growth management area, the following uses are prohibited.

- asphalt/tar processing
- automobile graveyards
- below ground storage of petroleum products or chemicals for new uses
- biological laboratories and chemical laboratories
- car or truck washes
- chemical manufacture
- chemical warehousing
- chemical reclamation
- coal storage other than for residential heating
- dry cleaners
- electrical equipment or electronic circuit manufacture
- fuel oil distribution
- furniture stripping/finishing

- industrial waste storage, impoundment or disposal
- injection wells
- junk and salvage yards
- laundromats
- meat packers
- metal plating, finishing or polishing
- mobile home parks
- oil pipelines
- paper mills
- paint shops
- pesticides/herbicides and fertilizer manufacture and warehousing
- pharmaceutical manufacture
- photo processing
- plastic and fiberglass manufacture and fabrication
- printing
- rubber manufacture and fabrication
- septage and recreational vehicle waste receiving stations for commercial use
- slaughter houses
- sludge and septage storage, disposal or processing
- sludge and septage spreading
- snow dumps
- solid and hazardous waste storage, disposal or processing
- solid or hazardous waste transfer sites
- tanneries
- textile mills
- truck terminals
- uncovered salt piles
- uncovered sand/salt piles
- wood treatment processors

11.1.4. Groundwater Impact Analysis

For projects requiring Site Plan Review, the Planning Board may require submittal by the applicant of a Groundwater Impact Analysis. The Analysis shall be prepared by a State of Maine Certified Geologist with experience in hydrogeology. The Analysis shall contain the following components unless waived by a specific vote of the Board. (The Board expects the detail of this Analysis to vary with the intensity of the development.)

- 11.1.4.1.** A map showing: (1) soil types and (2) surficial geology on the property (3) the

recommended sites for subsurface waste disposal systems and wells in the development; and (4) direction of ground water flow.

11.1.4.2. The relationship of surface drainage conditions to ground water conditions.

11.1.4.3. Documentation of existing ground water quality for the site.

11.1.4.4. A nitrate analysis or other contaminant analysis as applicable including calculation of levels at the property line(s) and wells on the property.

11.1.4.5. For water intensive uses, analysis of the effects of aquifer drawdown on the quantity and quality of water available for other water supplies or potential water supplies.

11.1.4.6. The Planning Board may require installation and regular sampling of water quality monitoring wells for any use or proposed use deemed to be a significant actual or potential source of pollutants or excessive drawdown. The number, location and depth of monitoring wells shall be determined as part of the Hydrogeologic Study, and wells shall be installed and sampled in accordance with "Guidelines for Monitoring Well Installation and Sampling" (Tolman, Maine Geologic Survey, 1983 or most recently accepted method adopted by the State of Maine). Water quality sample results from monitoring wells shall be submitted to the Code Enforcement Officer with evidence showing that contaminant concentrations meet the performance standard for pollution levels.

11.1.4.7. A list of assumptions made to produce the required information.

11.1.5. Conditions and Standards

In addition to any other applicable standards of this Ordinance, the following standards shall be met:

11.1.5.1. Sanitary Waste Water Disposal

11.1.5.1.1. No use, including home occupations, shall dispose of other than normal domestic waste water on-site. Disposal of waste water shall be in strict compliance with the State Plumbing Code and other relevant state and local laws, rules and ordinances.

11.1.5.1.2. No more than 900 gallons per day of sanitary waste shall be discharged to any one subsurface wastewater disposal system.

11.1.5.2. Petroleum Storage. For above ground or indoor storage, an impermeable diked area shall be provided; the diked areas must be roofed to prevent accumulation of rainwater in the diked area and shall be properly ventilated. There shall be no drains in the facility. All concrete, whether walls or pads, shall be reinforced concrete and shall be designed by a Professional Engineer Registered in the State of Maine.

Where required by the Maine Department of Environmental Protection a "Spill Prevention Control & Countermeasure Plan (SPCC)" shall be prepared and submitted to the Code Enforcement Officer.

11.1.5.3. Excavation or Mining Fill, Sand, Gravel and Other Minerals. Excavation shall not be allowed below five feet above the average seasonal high water. The water table shall not be artificially lowered by ditches, trenches, pumping or other methods.

11.2. THE BANGOR WATER DISTRICT PROTECTION AREA

The Bangor Water District Protection Area applies to all lands owned and managed by the Bangor Water District. The purpose of the Overlay Protection Area is to prevent contamination of this drinking water resource. The only development allowed in this Special Protection Area is that deemed

SPECIAL PROTECTION AREAS

necessary by the Bangor Water District to manage the watershed. Uses within the Bangor Water District Overlay Area are subject to all the requirements of the underlying growth management area in addition to any restrictions the Water District self-imposes. All development within the Bangor Water District Protection Area is subject to Planning Board review and approval.

11.3. THE SHIPLEY CONSERVATION EASEMENT PROTECTION AREA

The Shipley Conservation Easement Protection Area applies to all the lands under ownership of Thomas J. and Elizabeth Shipley at the time of adoption of this Ordinance and that are under management of the Forest Society of Maine through a private conservation easement. The purpose of the Overlay Protection Area is to conserve the scenic, natural, and wildlife habitat values of this large tract of undeveloped woodland. Uses within the Shipley Conservation Protection Area are subject to all the requirements of the underlying growth management area in addition to any restrictions the Shipley owners and the Forest Society of Maine self-impose. All development within the Shipley Conservation Easement Area is subject to Planning Board review and approval.