

Sec. 21-186. - Groundwater recharge and wellhead protection overlay districts.

(a)

Findings. The groundwater underlying the town is the sole source of its existing and future drinking water supply. Discharges of toxic and hazardous materials and sewage discharge threaten the quality of such groundwater supplies and hydrologically connected surface waters posing potential public health and safety hazards and threatening economic losses to the community.

(b)

Purpose. The purpose of this section is to:

(1)

Protect the health, safety and welfare of the public;

(2)

Protect the public drinking supply in the town from the effects of high intensity land development and from potentially hazardous materials associated with specific land uses;

(3)

Protect, preserve and maintain the quality and quantity of the groundwater supply; and

(4)

Permit the use of land within the groundwater protection zones for agricultural purposes and encourage the use of farmland in a manner which is consistent with the protection of groundwater resources.

(c)

Criteria for designation of groundwater protection zones. The town establishes the groundwater protection zones in this subsection. The designated zones described in this subsection have been mapped based on the best available scientific information. Lines have been established based on current wells and pumping ability. Information concerning installation of new wells and other updated information will be incorporated into this section as it becomes available. See [section 21-367](#), entitled "Groundwater district description," for a listing of plats and lots within the groundwater recharge and wellhead protection overlay districts. The character of soils and subsoil conditions in these areas is such that any use introducing pollutants, contaminants or waste into the natural drainage system could adversely affect the quality of municipal drinking water sources. The zones are as follows:

(1)

Zone 1 groundwater protection areas. Zone 1 groundwater protection areas shall include those areas designated and mapped by the state department of environmental management as community wellhead protection areas,

nontransient noncommunity wellhead protection areas, transient noncommunity wellhead protection areas, as well as those areas mapped as groundwater reservoirs (>40 feet saturated thickness, >4,000 ft. sq./day transmissivity) in the Hunt, Annaquatucket, Pettaquamscutt and Chipuxet aquifers.

a.

Annaquatucket Wellhead Protection Area. This district includes those areas described in the town wellhead protection area pilot project, prepared by the United States Environmental Protection Agency in cooperation with the state department of environmental management and the town, December 1991. Zone 1 includes the delineated wellhead protection areas for four municipal supply wells.

b.

Hunt Wellhead Protection Area. This district includes those land areas described in the Phase I Report Hunt River Aquifer Wellhead Delineation Study, prepared by GZA, Inc., for the Towns of North Kingstown and East Greenwich, the City of Warwick, the Rhode Island Economic Development Corporation, and the Kent County Water Authority. The area is identified as the wellhead protection area (groundwater capture zone) for seven existing and one proposed public well sites. This area also includes the groundwater reservoir area for the Hunt Aquifer.

c.

Pettaquamscutt Wellhead Protection Area. This area includes the community wellhead protection area to the three town public water supply well sites.

d.

High Point wells #1 and #2. This district includes the wellhead protection area for two community wells located at the SSTAR facility on 1950 Tower Hill Road in North Kingstown (plat 36, lot 5). These wells are by definition community wells.

e.

Zone 1 groundwater protection areas. Zone 1 includes a 1,750-foot radius circle around transient noncommunity water system wells located outside the water service area. The creation of a new water service area shall automatically remove or modify to the correct zone any affected lots from the applicable groundwater protection area. The creation of new town water service areas and the construction of town serviced water lines in areas that fall into this category will automatically remove all lots and abutting lots from the groundwater 1

designation and place said lots in a groundwater 2 designation, unless other such groundwater protection requirements from this chapter apply to keep said lots in the groundwater 1 protection zone.

(2)

Zone 2 groundwater protection areas. The zone 2 groundwater protection area includes those critical portions of the recharge areas to groundwater reservoirs as mapped by the state department of environmental management (RIDEM) which are located beyond the defined zone 1 groundwater protection areas or the line of zero transmissivity established by the U.S. Geological Survey, whichever is more conservative. These areas shall include:

a.

Those areas lying within the drainage basin and contributing recharge to zone 1 in the Hunt, Annaquatucket, Pettaquamscutt and Chipuxet aquifers. This boundary has been modified to reflect the findings of Phase I Report Hunt River Aquifer Wellhead Recharge Area Study.

b.

Zone 2 includes a 1,750-foot radius circle around the transient noncommunity water system wells located inside the water service area.

(d)

Permitted uses in Zone 1 and Zone 2 Groundwater Protection Areas. All uses permitted in the underlying districts shall be permitted in the zone 1 and zone 2 areas subject to the development criteria listed in (1)—(3) below. However, these development criteria shall not apply to development in the Post Road district that will be connected to a centralized sewer system and that meets all other applicable development standards required by the town.

(1)

The average density of any residential development shall not exceed one dwelling unit per two acres and the use is not prohibited in table 1 in subsection (h) of this section. No density bonuses shall be granted in groundwater protection areas.

(2)

All new commercial and industrial development must show that the nitrate loading standard of five mg/l as set forth in article VI of [chapter 8](#) of this Code, pertaining to groundwater reservoirs and recharge areas, can be met on site using a conventional individual sewage disposal system.

(3)

On residential lots that are nonconforming by area (square footage) and where municipal sewers are not available, for all new construction, alteration,

additions, expansions, enlargements or intensifications for which the state department of environmental management determines that an upgrade to the individual sewage disposal system is required, the upgraded system must include the installation of a nitrogen reducing septic disposal system for on-site treatment of wastewater approved by the state department of environmental management.

(e)

Special use permits. Where consistent with the definition of the district or reasonably necessary for the public convenience and welfare, certain land use activities may be granted by special use permit by the zoning board of review in a zone 1 or zone 2 wellhead protection area, following development plan/site plan approval and recommendation by the planning commission (see subsection (h), table 1).

(f)

Criteria for special use permits. In addition to any other requirements imposed by this chapter or any other applicable sections of this chapter, all special uses shall comply with the following design criteria:

(1)

The storage of any toxic or hazardous materials that are permitted by this chapter shall be stored indoors on impervious surfaces which shall be bermed to retain any spillage, and in accordance with all other applicable regulations.

(2)

No floor drains shall be permitted.

(3)

All site plans submitted for review shall, in addition to all other materials, include for approval by the planning commission a current hazardous material handling and contingency plan and a waste management plan.

(g)

Land development and development plan review

(1)

All uses proposed to be located in zone 1 or zone 2 groundwater protection areas shall be reviewed in accordance with [section 21-133](#) or [section 21-284](#) of the zoning ordinance as applicable.

(2)

At the request of the director of planning and development, the planning commission or zoning board of review, applications may be referred to existing town committees, commissions or boards or outside expertise, at the expense of the applicant, for a report of findings and recommendations including a statement on the general consistency of the application with the goals and purposes of this section. Recommendation shall be rendered

within 45 days of receipt of the application by the groundwater committee or conservation commission.

(3)

In granting approval for applications located within a zone 1 and/or zone 2 groundwater protection area, the following shall be considered by the reviewing body and applied in the decision-making process:

- a. Adequacy and suitability of the site for the proposed use, including the availability of utilities and other public services.
- b. Demonstration of the use of currently accepted best management practices (BMPs) (see [section 21-187](#)).
- c. Adequacy of sewage disposal method, water source and stormwater management.
- d. Nitrate-nitrogen loading pursuant to article VI of [chapter 8](#) pertaining to groundwater reservoirs and recharge areas.
- e. Soil erosion and sediment control plans.
- f. Provisions of appropriate natural buffers for wetlands and surface water bodies.
- g. Impact on public and private water supplies.
- h. Proposed groundwater withdrawals.
- i. Storage of any potentially hazardous material and a hazardous materials contingency plan for these materials.
- j. The ability to meet standards contained in article VI of [chapter 8](#) pertaining to groundwater reservoirs and recharge areas. Applicants may be required to assess ambient water quality.

(4)

In addition to the standard site plan submission requirements, the following shall also be provided for proposals to be located in the groundwater areas:

- a.

Existing and proposed water sources and volumes of projected water use.

b.

Location and description of any proposed facilities for refuse storage and disposal.

c.

Location and brief description of existing vegetation, topographic features and water bodies and wetlands.

d.

Location of public wells within 400 feet and private water supply wells within 200 feet of the subject property.

(5)

Nutrient loading calculations performed as part of any permit submittal shall incorporate the following assumptions:

Loading numbers for nitrogen sources

Activity or Discharge	Nitrogen Loading Coefficient
Effluent from standard OWTS	<u>35</u> mg/L
Effluent from DEM approved innovative system	19 mg/L
Effluent from centralized wastewater facility	10 mg/L (zero if transported off-site)
Turf fertilization	<u>3.0</u> lbs per 1,000 square feet with 25% leaching rate to groundwater
Roof runoff	0.5 mg/L per unit area
Pavement runoff	<u>1.5</u> mg/L per unit area
Atmospheric Deposition	0.05 mg/L

Recharge Numbers for Nitrogen Dilution

Site Area	Rate of Recharge
Artificial recharge from impervious areas	Annual volume determined by stormwater management calculations
Undisturbed areas by NRCS hydrologic soils group	
A soils	24 inches per year
B soils	18 inches per year
C soils	10 inches per year
D soils	3 inches per year
Wetlands and surface waters	0 inches per year

(h)

Regulated uses in zone 1 and zone 2 groundwater protection areas. Regulated uses in zone 1 and zone 2 groundwater protection areas shall be as follows:

(1)

Any use or accessory use which is not permitted as a permitted use or by special use permit in the underlying zoning district is prohibited in the groundwater protection areas;

(2)

Table 1 as follows indicates prohibited and permitted uses in zone 1 and zone 2 groundwater protection areas.

TABLE 1. RESTRICTIONS ON LAND USE ACTIVITIES IN ZONE 1 AND ZONE 2 GROUNDWATER PROTECTION AREAS

Y = Permitted use

N = Prohibited use

S = Special use permit required

Land Use Activity	Zone 1	Zone 2
Pretreatment facility for existing nonconforming use (1) (See end notes at the end of this table)	S	Y
Gravel extraction (2)	S	S
Excavation other than for construction associated with a permitted use and installation of a physical improvement associated therewith to a level closer than eight feet to the groundwater table (1 and 3)	N	N
Filling, grading or transferring material from off site in excess of 20 cubic yards (4)	S	S
Medical or dental offices (5)	S	Y
Commercial storage for resale of paint, thinners, lacquers, chemical strippers and chemical preservatives (6)	S	Y
Vehicle maintenance as accessory to a permitted or special use (1)(8)	S	S
Car and truck cleaning, as accessory to a permitted use (not including engines) (1)	S	Y
Incinerators, solid waste landfills, hazardous waste treatment, storage or disposal facilities and solid waste transfer stations and recycling facilities (7)	N	N
Vehicle maintenance, airplane, boat, truck, other vehicle maintenance and/or small engine service stations and gas stations (8)	N	N
Junkyards and salvage yards	N	N
Machine shops (9)	N	S
The process of wood preserving and furniture painting and refinishing except as accessory to a permitted use	N	S
Paint application shops, rustproofers, metal and drum cleaning/reconditioning (1)	N	S
Commercial on-site dry cleaning or commercial laundering	N	S
Beauty shops, salons, parlors, hair salons and barbershops, including the commercial operation of similar cosmetology or hairdressing establishments/schools	N	S

Veterinary offices	N	S
Commercial kennels and pounds or animal shelters	N	S
Health care facilities, hospitals, nursing and convalescent homes and medical or biological laboratories, clinics or research facilities	N	S
Commercial on-site photo processing, including but not limited to medical X-rays and nuclear medicine	N	S
All uses which discharge process wastewater on site except for the discharge of sanitary waste in accordance with the approved individual sewage disposal system (1)	N	N
Commercial washing of automobiles or trucks (10)	N	S
Any other use which involves as a principal activity the generation, storage, use, treatment, transportation or disposal of hazardous waste	N	N
Except as otherwise permitted by this section, all uses which involve the use, storage, treatment, processing, recovery or disposal of hazardous materials designated under 40 CFR 116, pursuant to section 311 of the Federal Clean Water Act and subsequent amendments thereto or other toxic pollutants as defined under G.L. 1956, § 23-19.1-1 et seq., as amended (1 and 11)	N	N
Underground storage of hazardous materials, oil, gasoline or other petroleum products, excluding liquefied petroleum gases, in any quantity (12)	N	N
Storage or piping of petroleum or refined petroleum products other than liquefied petroleum gases or petroleum products, which will provide heat for the premises. All aboveground tanks must be bermed and the planning commission must approve adequate containment measures (1 and 13)	N	N
The bulk storage in vehicles of fuel oil or other toxic and hazardous substances in excess of 110 gallons overnight or for more than 12 hours (1)	N	N
Storage of road salt and deicing chemicals	N	N
Commercial metal plating and etching	N	N
Jewelry manufacturing and jewelry plating	N	N
On-site embalming	N	S
Sewage treatment plant	N	N
All uses which require a UIC permit from the state department of environmental management (RIDEM)(17)	Y	Y
Commercial feedlots/concentrated animal feeding operations (14)	S	S
Pesticide and fertilizer storage (1)	S	Y
Addition, enlargement or expansion of a permitted use on nonconforming lots (15)	S	S
Chemical and bacteriological laboratories (14)	N	N
New automobile dealerships (16)	N	S
Commercial storage for resale of propane or liquefied petroleum gases provided the storage capacity does not exceed 2,000 gallons (18)	Y	Y

*All permitted and special use permits must include the use of best management practices (BMPs).

End notes:

(1)

These prohibitions and/or permit requirements shall not apply, however, to uses accessory to on-site agricultural operations as that term is defined in G.L. 1956, § 2-23-4 or any amendment thereto on any lot on which, as of October 5, 1998, agricultural operations were being performed as a primary use.

(2)

Gravel extraction, gravel mining and mineral deposit removal, except as part of preparation for an approved development project or an existing licensed removal site, providing that the following conditions are met:

a.

All conditions as required by [chapter 16](#), entitled "Soil and Earth Removal," are complied with.

b.

Excavation for removal of earth, sand, gravel and other soils shall be no closer than eight feet above the maximum groundwater table. A well shall be installed by the property owner to verify the groundwater elevations at a location approved by the town.

(3)

In all cases, excavation to a level closer than eight feet to the groundwater table shall be minimized if possible.

(4)

Except where part of an approved final development/site plan or approved building permit or performed in the normal course of maintenance or operation of a permitted use, or where the use of the land is for the primary purpose of agriculture.

(5)

Provided, however, that the zoning board of review may require effluent separation and the installation of separate waste disposal systems for the disposal of toilet and bath facilities waste and for the disposal of waste from all other sources of the premises.

(6)

The commercial storage for resale of paint, thinners, lacquers, chemical strippers and chemical preservatives as accessory to a primary permitted use.

(7)

Except horticultural waste from on-site agricultural operations.

(8)

It is the intent of this ordinance to prohibit vehicle maintenance, airplane, boat, truck maintenance and/or small engine service stations and gas stations as a primary use. Vehicle maintenance may be allowed by special

use permit when accessory to a permitted or special use activity. Such repair/maintenance activities shall be conditioned on the use of the best available control technologies and best management practices that protect and monitor water quality. The developer will be required to provide for oversight/monitoring of repair facilities by a mutually agreed upon qualified entity.

(9)

Except where accessory to an on-site agricultural operation as defined in end note (1) for table 1 of this subsection (h)(2).

(10)

Provided, however, car and truck cleaning may be allowed by special use permit where accessory to a permitted use or a use allowed by special use permit; however best available control technologies and best management practices shall be used and water reclamation/recycling shall be required. The number of vehicles may be conditioned by the zoning board of review.

(11)

Provided, however, that quantities of the substances described in this section do not exceed 55 gallons or 250 pounds dry weight may be stored on the premises, if, in the opinion of the building official and planning department, the storage of the substance does not constitute a potential for degradation of surface water or groundwater resources in the area and there is compliance with the following requirements:

a.

The total quantity of all of the hazardous materials stored on the premises shall not exceed 55 gallons or 250 pounds dry weight.

b.

The hazardous materials stored on the premises shall only be used for office or business use.

c.

All hazardous materials stored on the premises shall be contained in a suitable storage area which shall be approved by the building official.

(12)

Replacement or upgrade of preexisting storage facilities shall be exempt from this provision, provided that any such replacement of a preexisting storage facility shall not, without the grant of a special use permit, exceed 125 percent of the tank size total capacity existing as of the effective date of the ordinance from which this section derives, and all such replacements shall be required to obtain all necessary permits and licenses from the state department of environmental management and the town.

(13)

Aboveground storage tanks located outside shall have containment dikes or berms surrounding them. Containment dikes shall be coated concrete or metal or equivalent materials and shall be large enough to contain 110 percent of the tank capacity. Storage tanks located inside buildings shall be placed on an impervious surface which shall be bermed to retain spillage. Storage tanks permitted by this section shall be located either outside of the building and above ground or within the building for which the petroleum product is providing heat.

(14)

Except where accessory to an on-site agricultural operation as defined in end note (1) for Table 1 of this subsection (h)(2) concerning which site plan approval for such accessory use by the technical review committee shall be required.

(15)

On residential lots that are nonconforming by area (square footage) and where municipal sewers are not available, for all additions, expansions, enlargements or intensifications for which the state department of environmental management determines that an upgrade to the individual sewage disposal system is required, the upgraded system must include the installation of a nitrogen reducing septic disposal system for on-site treatment of wastewater approved by the state department of environmental management.

(16)

New automobile dealerships may be allowed in zone 2 groundwater areas where existing conditions would preclude future water supply development. Applicant must demonstrate that existing water quality would be protected.

(17)

Such systems shall be conditioned on the use of the best available control technologies and best management practices that protect water quality. The developer may be required to provide for oversight/monitoring of UIC.

(18)

Provided however; best management practices (BMP's) shall be used in the siting and containment of the propane or liquefied petroleum gas. Aboveground outside storage tanks need not be enclosed within a roofed three-sided structure. The propane or liquefied petroleum gas storage shall be in compliance with the National Fire Protection Association standards, applicable Groundwater Recharge and Wellhead Protection Overlay District standards and [section 21-279](#) (d)(13)d.

(i)

Nonconforming lots. Nothing contained in this section shall affect the validity of any standard subdivision, cluster subdivision or residential compound which was given final approval by the planning commission prior to October 5, 1998, and the validity of any uses permitted within such standard subdivision, cluster subdivision or residential compound, with respect to the application of subsection (d) of this section, shall be governed by the provisions of this section that were in effect prior to October 5, 1998, or upon the date of giving final approval to any standard subdivision, cluster subdivision or residential compound for which the planning commission has given conceptual approval of the entire development and at least preliminary approval of a phase of the development prior to October 5, 1998. Furthermore, nothing contained in this section shall prevent the planning commission from giving final approval to any standard subdivision, cluster subdivision or residential compound for which the planning commission gave preliminary approval prior to October 5, 1998; if such final approval is given by the planning commission, the validity of and uses permitted within such standard subdivision, cluster subdivision or residential compound shall, with respect to the application of subsection (d) of this section, be governed by the provisions that were in effect prior to October 5, 1998.

Nothing contained in this section shall prevent the planning commission from renewing or extending final approval to any standard subdivision, cluster subdivision or residential compound for which the planning commission gave final approval prior to October 5, 1998, but which expired because the approval was not submitted for signature and recording, as long as a new final application is submitted to the planning commission by December 31, 1998.

Further, nothing contained in this section shall affect the minimum dimensional requirements for size of any lot which is a lot of record, the dimensions of which have not been altered since the creation by voluntary conveyance which rendered such lots more nonconforming and which was created by the following:

(1)

A deed or plat recorded on or after July 28, 1947, and which was in full compliance with the minimum dimensional requirements for size of the zoning ordinance in effect at the time of such recording; or

(2)

A deed or plat recorded prior to July 28, 1947.

(j)

Nonconforming uses. Nonconforming uses are those uses that were lawfully existing or in receipt of a building permit prior to the first publication of notice of public hearing for the ordinance from which this amendment derives. Any expansion or change in use shall be subject to this section.

(k)

Creation or modification of lots. Upon the creation or modification of lots from a lot that was in an existing groundwater protection zone, said new or modified lot(s) shall automatically be included or removed from the applicable groundwater protection zone, according to the official groundwater protection area map and as specified in this chapter.

(Rev. Ords. 1974, § 17-8-6; Ord. No. 88-21, § 1, 10-24-1988; Ord. No. 90-1, §§ 1, 3, 2-12-1990; Ord. No. 91-1, § 1, 2-11-1991; Ord. No. 92-20, § 1, 11-16-1992; Ord. No. 94-12, § 1, 6-27-1994; Ord. No. 98-15, § 1, 10-5-1998; Ord. No. 99-5, § 1, 5-10-1999; Ord. No. 03-13, § 2, 9-8-2003; Ord. No. 07-02, §§ 10—12, 2-5-2007; Ord. No. 07-12, §§ 3—6, 6-11-07; Ord. No. 08-18, § 6, 7-7-08; Ord. No. 10-04, § 4, 2-22-2010)

Sec. 21-187. - Best management practices.

(a)

Recommendations and guidelines. To the extent possible, all applicants for activities in groundwater areas shall follow the recommendations and guidelines contained in the documents listed below. Where any applicable standards in the Post Road district conflict with those listed in these publications, the standards for the Post Road district shall apply.

(1)

Rhode Island Soil Erosion and Sediment Control Handbook, 1989, as amended.

(2)

State of Rhode Island Stormwater Design and Installation Standards Manual, 1993, as amended.

(3)

Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMPs, by the Metropolitan Washington Council of Governments, 1987, as amended.

(4)

The USEPA Office of Water Publication Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters, 1993, as amended.

(b)

Demonstration of use. In addition to subsection (a) of this section, all applicants shall demonstrate the use of the best management practices (BMPs), including but not limited to the following:

(1)

Maintenance. All facilities and structures constructed in accordance with the prescribed best management practices shall be maintained by the owner and/or operator to ensure the ability of such facilities and structures to function as designed. Failure to properly maintain such facilities and

structures shall constitute a violation of this section and shall be subject to enforcement action of the town.

(2)

Secondary containment. Use of a berm, dike, wall or other physical means shall be used to contain spilled material and reduce or eliminate influx of precipitation. Containment must be designed sufficient to contain ten percent of the total volume of II containers of hazardous materials and/or substances stored or 110 percent of the largest container, whichever is greater. Secondary containment requirements for aboveground storage tanks are contained in table 1 of subsection [21-186\(h\)](#).

(3)

Blocking of existing interior floor drains; design of new buildings without floor drains/sumps. All existing structures with a potential for the release of hazardous materials/substances to the environment via a floor drain or sump must ensure that such exit routes are maintained blocked (e.g., spill mats, berms, etc.) to prevent the release or accumulation of material. All new structures that utilize such materials must be designed without drains and/or sumps.

(4)

Prohibited outdoor unenclosed hazardous material and pesticide storage. The storage of hazardous materials/substances and pesticides is prohibited when not provided with three-sided structures with roofs and a means to prevent the influx and/or flow of precipitation.

(5)

Fertilizer storage. The storage of fertilizers is prohibited when not provided with a means to prevent the influx and/or flow of precipitation.

(6)

UST compliance; retrofitting of existing USTs and prohibition of the installation of new USTs. All existing underground storage tanks (USTs) used to store hazardous materials/substances/petroleum products must be retrofitted in accordance with the requirements specified in the state department of environmental management regulations for underground storage facilities used for petroleum products and hazardous materials (effective July 21, 1992). Installation of all new USTs is prohibited.

(7)

Cover and secondary containment for loading/unloading areas. All areas utilized for the loading/unloading/transfer of hazardous materials/substances/petroleum products must be provided with sufficient overhead and side cover to prevent the influx of precipitation and sufficient

secondary containment (via berms, dikes, negative berms, etc.) to prevent the release of the material to the environment.

(8)

Density restrictions for unsewered areas. There shall be a limitation on the average density of development to two acres per dwelling unit for all residential structures located in areas not served by municipal sewers. Density bonuses shall not be granted in groundwater protection areas.

(9)

Facility spill prevention. Development of a facility spill prevention plan for all facilities utilizing hazardous materials/hazardous substances, petroleum products shall be required. The plan shall be developed in accordance with the minimum requirements of Rhode Island Rule 5.02 Contingency Plan Requirements. Note: This requirement does not preclude or substitute for any potentially applicable requirements of the Rhode Island Oil Pollution Prevention Regulation (RIGL) chapters 46-12, 42-17.1 and 42.35 or USEPA Spill Prevention Control and Countermeasure Plan (SPCC), 40 CFR [112](#)

(10)

Mandatory inspection and pumping of individual sewage disposal systems. Inspection and pumping of individual sewage disposal systems located in groundwater protection areas shall be required. Such pumping and inspection shall be consistent with any applicable sections of this Code or town ordinances pertaining to wastewater management.

(11)

Surface stormwater runoff controls. The use of on-site surface stormwater runoff controls to both prevent the potential for releases of hazardous materials/substances, oil, fertilizers or pesticides to the environment and provide for discharge off site shall be required. Controls may include such structures as trench drains, berms, retention ponds, vegetated buffer areas, etc.

(12)

Mandatory monitoring of wells. The installation and/or use of existing wells to monitor for the presence of specified pollutant parameters shall be required.

(13)

Denitrification systems. The design and installation of a biological denitrification septic disposal system for the on-site treatment of domestic wastewater shall be required. Denitrification systems must have the approval of the state department of environmental management, division of water resources, individual sewage disposal systems division. Due to required maintenance and monitoring of denitrification systems, all denitrification

systems must be noted on the deed to the lot to ensure knowledge,
recognition and maintenance of the system at the time of sale.

(Ord. No. 98-15, § 2, 10-5-1998; Ord. No. 08-18, § 6, 7-7-2008)