



PLANNING & ZONING DEPARTMENT

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ADOPTED AMENDMENT TO THE ZONING REGULATIONS Section 6.2 Aquifer Protection Area (for Locally-defined Aquifers)

Reasons: The amendment clarifies that these zoning regulations pertain only to locally-defined aquifers shown on the Town's Aquifer Protection District map. [The Town is in the process of adding a State-defined Level A Aquifer to its Zoning Map, and separate State-mandated regulations will be adopted by the Aquifer Protection Agency for regulation of activities within those boundaries.] The amendment also adds language pertaining to the regulation of Home Occupations in aquifer overlay areas, and references guidelines for Best Management Practices for aquifer development. The regulation provides a review process for determining whether proposed activities are regulated or non-regulated.

Unless otherwise indicated:

Xxxx – Bold, underlined, means language to be added.

~~[xxxx]~~ – Strikethrough, in brackets, means language to be deleted

6.2. Aquifer Protection Zone (Locally-defined)

A. PURPOSE

The Aquifer Protection Zone (locally-defined) is adopted to protect the public health by reducing or minimizing the potential for the contamination of groundwater resources in certain identified stratified drift aquifers, in order to ensure a present and future supply of safe and healthy drinking water for present and future generations.

B. AQUIFER TYPES

1. **State-Defined – A state-defined aquifer is an area of contribution or recharge for a public water supply used by a private or public company serving at least one thousand persons, designated and mapped as "Level A" in accordance with §22a-354c of the Connecticut General Statutes, including the following in Ridgefield:** ~~In addition to any other local ordinance or State regulation, the provisions of this Section shall apply to the following State-defined aquifer protection areas in Ridgefield:~~
 - ~~a. Round Pond Aquifer.~~ **a. Oscaleta Well Field (Aquarion Water Company)**¹
2. **Locally-Defined** - The provisions of this Section shall apply to the following locally-defined

¹ The State-defined aquifer in the Town of Ridgefield is under the jurisdiction of the Aquifer Protection Agency of the Town, and regulated by the Town's Aquifer Protection Regulations adopted 3/23/10, effective on [when accepted by the Commissioner of the CTDEP].

aquifer protection areas in Ridgefield, **identified on map cited in subsection 6.2.C, below, as follows:**

- a. Titicus Valley Aquifer;
- b. Upper Titicus Aquifer;
- c. Sugar Hollow Aquifer;
- d. Great Swamp Aquifer – North Section;
- e. West Mountain Aquifer;
- f. Great Swamp Aquifer – South Section;
- g. Little Pond Aquifer;
- h. Branchville Aquifer; and
- i. Simpaug Aquifer.

C. ZONING PARAMETERS

1. The location and boundaries of the above **locally-defined** aquifers are shown on a map entitled “Aquifer Protection Districts,” as amended, which is hereby incorporated into and made a part of this Section. The above map is on file at the Ridgefield Town Clerk’s Office and the Planning and Zoning Office.
2. The Aquifer Protection Zone **for locally-defined aquifers** is hereby declared to be an overlay to any other zone, and the regulations, restrictions and requirements contained herein shall be in addition to those applicable in the underlying zone.

D. PERMITTED ACTIVITIES

The following activities are permitted within a ~~State-defined aquifer or a~~ locally-defined aquifer:

1. Any activity conducted at a single-family residence without compensation.
2. Any agricultural activity regulated pursuant to CGS 22a-354m(d).
3. Any agricultural activity which employs best management practices, as recommended by the U.S. Soil Conservation Service, for the application of manure, fertilizers or pesticides and management of animal wastes.

E. SPECIAL PERMIT ACTIVITIES (LOCALLY-DEFINED AQUIFER)

The following activities may be permitted within a locally-defined aquifer subject to the granting of a Special Permit by the Commission when in compliance with these Regulations and other local, state, and federal requirements:

1. Gasoline stations, auto repair and service stations, new or used car dealerships, car washing stations.
2. Bulk oil storage/fuel storage.
3. Lawn care services, furniture stripping establishments.
4. Non-municipal storage of road salt / deicing material.
5. Above ground fuel oil storage tank provided that:

- a. plans showing designs and construction details for the installation of petrochemical tanks have been prepared by a Connecticut licensed professional engineer; and
 - b. such plans have been approved by the Connecticut Department of Environmental Protection.
6. Groundwater heat pump systems supplying heating and cooling provided that engineering plans and details demonstrate that the designs for the system will assure the return of only uncontaminated water to the groundwater.
 7. Municipal facilities, services and related uses including, but not limited to:
 - a. municipal garages for the storage, repair and maintenance of motor vehicles and equipment,
 - b. fuel storage and dispensing facilities,
 - c. handling and storage of road salt and deicing materials provided that a plan to prevent leachate contamination shall be submitted depicting structural and nonstructural measures such as, but not limited to, building enclosures, impervious pads and pavements, self-contained drainage system, detention basins, filters, separators or other devices and management practice.
 - d. solid waste recycle and transfer stations,
 - e. storage of roads and parks construction and maintenance material and supplies, and
 - f. municipal sewage and septage treatment facilities.
 8. **Home occupations where activities may contaminate ground water quality, including but not limited to any of the following:**
 - a. **hazardous materials handling for use or storage of more than 2.5 gallons of each type of such material on-site at any one time, and provided that the total of all hazardous materials on-site does not exceed 55 gallons at any one time;**
 - b. **repair and/or maintenance of vehicles, engines or equipment;**
 - c. **fuel storage for other than residential use;**
 - d. **disposal of waste water generated by the activity.**

F. PROHIBITED ACTIVITIES (LOCALLY-DEFINED AQUIFER)

The following uses of land and buildings are specifically prohibited within any locally-defined aquifer protection zone:

1. Hazardous wastewater treatment sites; disposal of hazardous material; storage, manipulation, or transportation of hazardous material, except such hazardous material as is in sealed or unopened containers for resale or maintained in containers for normal household use.
2. Sanitary landfill sites, non-municipal septage disposal lagoons.
3. Underground residential fuel oil tanks, oil, gasoline or hazardous material pipelines.
4. Dry-cleaning and dyeing establishments and laundries that utilize cleaning solvents.
5. Lithography, photo-engraving, plate making, commercial printing and gravure establishments.

6. Photo processing establishments, unless served by municipal sewers.
7. Beauty salons, unless served by municipal sewers.
8. Any other use otherwise permitted within the corresponding zoning district which may discharge hazardous material into the groundwater.

G. STANDARDS

1. **Drainage Plan** - Any Special Permit application which includes the construction of buildings and related parking area for a use other than a single-family residential dwelling shall include a drainage plan, prepared by a Connecticut licensed professional engineer, which shall be designed to minimize suspended solids and maximize groundwater recharge.
2. **Operations Plan** - Any Special Permit application which includes the construction of buildings and related parking area for a use other than a single-family residential dwelling, shall include an operations plan prepared by a Connecticut licensed professional engineer with specific expertise in aquifer protection, which shall specify the procedures to be used in managing the activities at the site.
3. **Aquifer Impact Assessment** - On an application for a Special Permit or for revising the boundaries of a locally-defined Aquifer Protection Districts, the Commission may require an Aquifer Impact Assessment be prepared by a Connecticut licensed professional engineer with specific expertise in aquifer protection describing, insofar as is pertinent to the application:
 - a. Aquifer characteristics, including a delineation of the primary recharge area and details of the hydrologic budget, including natural and man-induced sources of recharge and withdrawal.
 - b. Details of the proposed aquifer usage, including static conditions and an estimate of the quantity of induced surface flows.
 - c. Potential impacts to the aquifer, including impacts to other users of the aquifer, in terms of levels, quantity of water available and water quality changes.
 - d. Proposed measures to monitor, report, and mitigate any impacts.
4. **Best Management Practices – Applicants for all projects within locally-defined Aquifer Protection Districts shall refer to Section 12 of the Aquifer Protection Area Regulations of the Town of Ridgefield (for State-defined Aquifers) for guidance on the design and maintenance of buildings, site improvements and storm water management.**
 - a. **The Commission may impose Special Permit conditions based on these Best Management Practices in approving applications under this Section.**

H. PROCEDURES

1. The Commission, in arriving at its decision on an application must find that the proposal, as submitted and/or together with conditions and/or modifications that the Commission may attach to it, will ensure that:
 - a. the groundwater quality will not fall below federal or state standards for drinking water quality, except that, if existing groundwater quality is already below said standards the implementation of the proposal will result in no further deterioration; and

- b. accidental spills and discharge of toxic and hazardous materials will be safely contained by measures and devices detailed in the application or prescribed by the Commission.

[Add the following new paragraph.]

I. DETERMINATION OF REGULATED AND NON-REGULATED ACTIVITIES

- 1. **Any person proposing to carry out a regulated activity in the locally-defined Aquifer Protection Zone is required to provide information about the proposed activity to the Planning and Zoning Office on a form provided by the department. Such form shall provide sufficient information to enable staff to properly determine that the proposed activity is a regulated activity or a non-regulated activity within the Aquifer Protection Zone. Staff may refer such information to the Commission for further review.**
- 2. **If such activity is determined to be a non-regulated activity, then no further action under this Section is required.**

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