

Mexico Water District

Wellhead Protection

Ordinance

adopted June 12, 2006

Attest: Penny S. Duguay, Town Clerk

**Final Revision
May 26, 2006**

**Mexico Water District
Wellhead Protection Ordinance
May 26, 2006**

Project No. 16-06

Final Revision

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Mexico Water District
Mexico Water District Aquifer Wellhead Protection Ordinance
May 26, 2006

Section 1. Purpose

- A. To manage the groundwater recharge areas of the Mexico Water District's aquifer in order to maintain the present rate of recharge and, where possible, to enhance recharge - thus ensuring a dependable water supply to the Town for the future.
- B. To protect the aquifer from contaminants, which can reasonably be expected to accompany certain uses of land or activities, thereby maintaining the aquifer's high water quality. The water quality for the municipal water supply will require efforts by all residents in the Town of Mexico to ensure that of the quality of the supply remains pure.

Section 2. Findings

- A. The Town of Mexico is fortunate in that it has access to a water supply that is both plentiful and of excellent quality. The Mexico Water District draws water to serve roughly 960 people in Mexico. The total demand from customers is 225,000 gallons of water per day, a rate that is relatively consistent throughout the year.
- B. Rainfall and snowmelt replenishes the aquifer through a process known as recharge. Increasing density of development creates impervious surfaces (areas which water cannot penetrate to reach groundwater), which decrease the amount of water available for use from aquifers. Diminishing recharge also decreases the amount of water available to dilute pollutants.
- C. The most likely sources of contamination are not necessarily large industries, but often small businesses such as gas stations, dry cleaners, and automotive shops; spills or improper disposal of wastes. Other pollution problems result from elevated concentrations of nitrates, and are linked to more common land uses such as household septic systems and use of fertilizers for agriculture.
- D. Thompson Brook has been determined to be a "losing stream" meaning that water flowing in the brook enters the aquifer. The water quality of this brook can affect the water quality of the aquifer. Therefore, the water quality of the brook must also be protected.

Section 3. Definitions

Definitions from Mexico's Shoreland Zoning Ordinance shall apply unless the definitions below are more restrictive.

Accessory Uses: A use or structure, which is incidental or subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Agriculture: The cultivation of soil, producing or raising of crops, for commercial or other purposes, on more than one (1) acre of land. The term shall also include tree, plant and shrub nurseries and versions thereof.

Animal Husbandry: Keeping of more than five (5) animal units (one (1) animal unit represents 1,000 pounds of live animal weight).

Aquifer: A saturated body of soil or rock that will yield economically significant quantities of water to wells and springs. Aquifers that yield over 10 gallons per minute are considered "high yield" aquifers. The estimated yield of the Mexico Water District aquifer is 330 gallons per minute.

Automobile Graveyard: As defined by 30-A M.R.S.A. Section 3752.

Campground: Any area or tract of land to accommodate two or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

Car Wash: A commercial facility for the cleaning of automobiles.

Cemetery: An area for more than 10 graves.

Commercial Animal Feedlots: A lot, building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals for commercial purposes and specifically designed as a confinement area in which manure may accumulate. Pastures shall not be considered animal feedlots under this ordinance.

Commercial Use: A business in which the principal use is the sale of goods and/or services to the general public or other businesses. Indoor storage of goods and equipment is considered as an accessory use. Outdoor storage and uses that fit the definition of industrial use are not included in this definition.

Cone of Depression (or Drawdown Cone): A depression that is created by a well in the water table surface of a body of groundwater and that has the shape of an inverted cone and develops around the well from which water is being pumped.

Contained Salt, Sand/Salt Storage Piles: Salt or sand/salt mixtures stored under cover.

Demolition/Stump Dump: An area used for the disposal of construction/demolition debris (as defined in CMR Chapter 400.1.X) or wood waste including stumps, roots, etc.

Disposal: The discharge, deposit, injection, dumping, spilling, leaking, incinerating, or placing of waste materials in or on any land or water.

Drawdown: The difference between the static water elevation the water table at that point when the well is being pumped.

Dry Cleaning Establishment: Commercial establishment for dry cleaning clothes.

Dwelling Unit: A room or group of rooms designed and equipped exclusively for use as living quarters for only one (1) family, including provisions for living, sleeping, cooking and eating. This term shall not include hotels, motels, and bed and breakfast establishments without cooking facilities in individual rooms or suites.

Engineered Subsurface Disposal System: A system or a combination of individually or jointly owned systems, which serve a single building or group of associated buildings with a total design flow in excess of 2,000 gallons per day. Examples include condominium projects and clustered systems serving residential dwellings. Residential dwellings with individual systems shall not be included.

Forestry/Timber Harvesting: The cutting or removal of at least 50 cords, or equivalent, of timber on a contiguous ownership during a calendar year for the primary purpose of selling or processing forest products. Timber harvesting does not include the clearing of land exclusively for approved construction or the construction or creation of roads.

Full Hydrogeological Study: A study done by a Maine certified geologist that analyzes the subsurface geology of a site, particularly as it relates to groundwater characteristics, and assesses the impact a proposed subsurface waste disposal system or other activity will have on the quality of this groundwater.

Furniture Stripping: Commercial or industrial establishment involved in the stripping and refinishing of furniture.

Gas Station: Establishment involved in the storage or dispensing of petroleum fuels.

Hazardous Material: This term shall mean any gaseous, liquid or solid materials or substances designated as hazardous by the United States Environmental Protection Agency and/or the Maine Department of Environmental Protection.

Home Occupation: An occupation or profession carried out for gain by a resident and conducted as an accessory use in or about the residential dwelling unit. To be considered a home occupation and not a commercial business, the home occupation must be secondary and incidental to the primary use of the premises as a residence, be carried on wholly within the principal structure or accessory structures hereto and be conducted primarily by a member or members of the family residing in the dwelling unit.

Examples of Home Occupations include:

1. Beauty shops
2. Office of physician or dentist
3. Day care center
4. Woodworking

The term does not include auto repair or auto body shops.

Impervious Surface: Natural or man-made material on the ground that does not allow water to penetrate into the soil. Impervious surfaces consist of all buildings, paved parking lots, driveways, roads and sidewalks, and any area of concrete, asphalt, plastic or metal.

Industrial Use: A use that involves the mechanical transformation of materials into new products, including manufacture, compounding, assembly or treatment of articles or materials.

In-Law Apartment: A separate living quarters added to an existing single-family residence for use by parents, grandparents, or dependents. An in-law apartment shall not be considered an additional dwelling unit if no expansion of the structure takes place to accommodate the apartment.

Junkyards: As defined by 30-A M.R.S.A Section 3752.

Kennels: Commercial facility involved in the raising or housing of five or more pets such as cats, dogs, etc.

Leachate Material: Liquid from solid materials that may contain harmful contaminants.

Manufacturing: An industrial/commercial establishment, which produces objects or materials (goods).

Metal Plating: An industrial/commercial establishment involved in the plating of metals.

Multifamily Home: A structure that houses three (3) or more dwelling units as defined.

Non-domestic Waste Stream: Waste products not typically associated with residential use.

Open Space: Undeveloped area.

Petroleum: Oil, gasoline, petroleum products and their by-products, and all other hydrocarbons which are liquid under normal atmospheric conditions.

Photo Processors: Commercial establishment involved in the business of developing film.

Primary Recharge Area: The area contributing most directly to the groundwater source. The primary recharge area is defined as Zones 1 and 2 on the Wellhead Protection map.

Public Utilities: Any person, firm, corporation, municipal department or facility, board or commission authorized to furnish electricity, communication facilities, transportation or water or public works to or for the public.

Recharge Area: The area of land or water that contributes water to an aquifer. For the purpose of this ordinance, the recharge area of the Mexico Water District aquifer is comprised of a primary and secondary recharge area.

Residential: Land use, which is for permanent, seasonal or temporary dwellings.

Safe Yield: The amount of water that can be withdrawn annually from a groundwater source without producing an undesirable effect. Undesirable effects include depletion of groundwater reserves, intrusion of low quality water, contravention of water rights and others, such as depletion of stream flow and land subsidence.

Sand & Gravel Extraction: Moving, removing or uncovering of natural resources such as sand & gravel and other materials over an area greater than 5 acres in size. Site preparation for approved construction or road building does not constitute sand & gravel extraction.

Sawmills or Wood Processing Plant: An industrial/commercial facility involved in the processing of raw wood.

Secondary Recharge Area: The area contributing less directly than the primary recharge area but which constitutes a significant percentage of total recharge to the aquifer. For the purpose of this ordinance, the secondary recharge area shall consist of the drainage area of Thompson Brook as established by topographical high points, excluding the area defined as the primary recharge area. This area is identified as Wellhead Protection - Zone 3 on the Wellhead Protection Map.

Service & Repair, Boats and Motor Vehicle: Commercial facility involved in the repair of boats and motor vehicles.

Single-family Home: A dwelling designed for or occupied exclusively by one (1) family.

Sludge: Residual materials produced by water or sewage treatment processes and by septic tanks.

Solid Waste: Useless, unwanted, or discarded solid material with insufficient liquid content to be free flowing. This includes but is not limited to rubbish, garbage, scrap materials, junk, and refuse.

Subdivision: As defined by MSRA Title 30.

Truck Terminal: Commercial facility providing maintenance, storage and/or fueling facilities for commercially registered trucks.

Two-family Home: A dwelling designed for or occupied exclusively by two (2) families.

Uncontained Salt, Sand/Salt Storage Piles: Salt or sand/salt mixtures stored in the open without an approved cover and runoff/leachate collection system

Waste Water: Any liquid waste containing animal or vegetable matter in suspension or solution, or the water carried wastes from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or other sources of water-carried wastes of human origin. The term does not include industrial, hazardous or toxic waste streams.

Waste Water Disposal System: Any system designed to dispose of waste or waste water on or in the surface of the earth or in surface water bodies.

Watershed: The area of contribution to a surface water body or aquifer. It is defined by topographic high points.

Section 4. District Boundaries

- A. For the purposes of this ordinance, and in order to carry out its regulations, the Mexico Water District Aquifer Protection District shall be delineated on a map titled "Mexico Water District Aquifer Wellhead Protection Map", referred to hereafter as "the Map".
- B. A copy of said map will be available for inspection in the Town Office and shall be updated as new information relevant to the criteria listed below, provided a Maine certified geologist, provides sufficient evidence to warrant a change.

C. The Aquifer Protection District includes three (3) zones:

Zone 1 land that is shown on the Map that consists of land within 300 feet of each wellhead.

Zone 2 which consists of the area depicted on the Map between the 200 day and the 2500 day time of travel. Zone 2 also includes a 250 foot buffer on each side of Thompson Brook.

Zone 3 which consists of the watershed of Thompson Brook as determined by U.S.G.S. maps, exclusive of Zone 2 as shown on the Map. This area also constitutes the secondary recharge area.

D. Revision of Map

1. Where the bounds of a Wellhead Protection District, or the position of a site in relation to the District, is in dispute, the burden of proof shall be upon the owner(s) or occupier(s) of the land in question to show where they should be properly located.

2. No changes to the Map shall be made until the Planning Board holds a public hearing, notice of which shall be at least 10 days prior to such hearing in a newspaper of general circulation in the Town of Mexico and surrounding communities and to all abutters of affected property. At said hearing the Planning Board shall hear the evidence demonstrating why the boundary of the Wellhead Protection District or subdistrict shall be changed. Evidence shall include a report from a geologist certified in the State of Maine with proven experience in hydrogeology. The Board shall also notify the Mexico Water District of the hearing at least 14 days prior to the date of the hearing. Within 30 days of the hearing, the Planning Board shall decide whether to recommend to the Selectmen that the proposed Map amendment be placed on the next Town Meeting or special town meeting warrant.

3. Any time the Map is revised, the date of adoption of the revised map by town meeting and signature of the Town Clerk certifying the revision shall be noted on the map.

Section 5. District Use and Space Standards

A. Uses of Land within Zone			
Land Use	Zone 1	Zone 2	Zone 3
1. Residential			
Accessory Uses	Pr	P	P
Single-family homes	Pr	P	P
Home occupations	Pr	Pr	P
Two-family homes	X	P	P
Multi-family homes	X	X	Pr
In-law apartments	X	P	P
2. Commercial			
Agriculture	X	P	P
Animal husbandry other than commercial animal feed lots	X	P	P
Boats, automotive body shops, motor vehicle service & repair	X	Pr	P
Campgrounds	X	X	Pr
Car Washes	X	X	Pr
Commercial uses with non-domestic waste streams	X	X	Pr
Dry cleaning establishments	X	X	Pr
Forestry/timber harvesting subject to the performance standards of the Town's Shoreland Zone Ordinance within 250 ft. of Thompson Brook	X	P	P
Furniture stripping	X	X	Pr
Gas stations	X	X	Pr
Kennels	X	Pr	P
Photo processors	X	X	Pr
Truck terminals	X	X	Pr
3. Industrial			
Sand and gravel extraction	X	Pr	Pr
Junkyard/automobile graveyard	X	X	Pr
Manufacturing	X	X	Pr
Metal plating	X	X	Pr
Sawmills or wood processing plant	X	X	Pr
Other industrial uses with non-domestic waste streams	X	X	Pr

A. Uses of Land within Zone			
Land Use	Zone 1	Zone 2	Zone 3
4. Miscellaneous			
Cemetery	X	X	Pr
Disposal or storage of solid waste, hazardous materials or leachate materials (unless specifically permitted within the Zone)	X	Pr	Pr
"Engineered" (wastewater disposal) system when accompanied by a full hydrogeological study and meeting the performance standards herein	X	Pr	Pr
Open space	P	P	P
Outdoor recreation, except those which disrupt the surfaces of hillsides or other watershed areas	P	P	P
Foot bridge and bicycle paths	P	P	P
Uncontained salt, sand/salt storage piles	X	X	Pr
Wastewater disposal system	X	P	P
Use of off-road vehicles except on designated trails	X	P	P
Public utilities	Pr	Pr	Pr
Contained salt, sand/salt storage piles	X	Pr	Pr
Roads and parking areas	X	P	P
Application of chemical fertilizers, herbicides or pesticides on more than three (3) acres of land	X	X	P
Application of chemical fertilizers, herbicides or pesticides on more than five (5) acres of land	X	X	Pr
Demolition/stump dumps	X	Pr	Pr
Subsurface storage of petroleum and other refined petroleum products with the exception of household heating oil where the underground storage tank is in full compliance with Volume 2 of the Code of Maine rules, 4th Printing, DEP Bureau of Oil and Hazardous Materials, Chapter 691 Regulations for . . . Underground storage facilities	X	X	Pr
Petroleum storage for commercial or industrial use	X	X	Pr
Land application of manure in conformance with the handbook "Manure Utilization Guide" published by the Maine Department of Agriculture, 2001.	X	P	P
Non-residential pipelines for transmission of oil, gas or hazardous materials	X	X	Pr
Aerial spraying of herbicides, pesticides	X	X	Pr

X - Not Permitted

P - Permitted (provided that performance standards contained in Section 8 of this Ordinance are met).

Pr- Requiring Planning Board review.

Section 6. Administration and Enforcement

- A. No activity or land use may be conducted in Zone 1 or 2 except in accordance with these provisions. Failure to conform with these provisions shall constitute a violation and shall be subject to penalties and actions set forth in this ordinance.
- B. All activity within Zone 3 in the Town of Mexico shall meet these requirements and shall follow the guidelines set forth in this ordinance. The Mexico Water District shall be notified in writing prior to any decisions made on the activity by the CEO or the Planning Board. All activities within the Shoreland Zone of the Swift River and its tributaries in the Town of Mexico shall require Planning Board approval. The District shall be notified in writing of the activity and the date of the planning board meeting where the activity will be presented. The CEO will be responsible for notifying the District of these impending activities.
- C. For areas within Wellhead Protection Districts that are governed by the Shoreland Zoning Ordinance, the more restrictive standards shall be applied.
- D. If any portion of a lot is located in Zone 1 or Zone 2, all the land located in Zone 1 shall be governed by the regulations for Zone 1, and the land located in Zone 2 shall be governed by the regulations for Zone 2.
- E. Individuals proposing uses listed as permitted in Section 5 shall submit all applicable information required in Section 7 (submission requirements) to the Town of Mexico Code Enforcement Officer (hereafter referred to as the "CEO") with a building permit application. The CEO shall review this information to determine whether the proposed use or dwelling meets the requirements of the Wellhead Protection District, including performance standards for subsurface waste disposal systems, petroleum storage, lot coverage, any other applicable standards. A building permit shall not be issued until the applicant demonstrates that the proposed use or dwelling meets all requirements of the Wellhead Protection District. The CEO shall notify the Chairman of the Planning Board and the Chairman of the Mexico Water District Trustees of any applications for uses proposed in the Aquifer Protection District.
- F. The Planning Board (hereafter referred to as "the Board") shall review all other proposed uses requiring review listed in Section 5.
 - 1. The Planning Board may consult other local boards or groups regarding uses or development in the Wellhead Protection District such as the Conservation Commission.

2. The Board may require an applicant to submit a hydrogeological study examining the potential impact of the proposed use on groundwater quality. The study must be prepared by a Maine Certified Geologist with proven experience in hydrogeology. The Board may hire an expert to review all information submitted by the applicant and may charge the applicant the cost of the consultant.
3. The Board shall notify the Water District of any applications for uses proposed in the Wellhead Protection District. The Board shall request Water District review of the development or use as a condition of its approval.
4. Such information requested by the Board from outside parties shall be incorporated into the public record and be made available to the applicant. The Board shall decide whether a public hearing is warranted.
5. The Board shall, approve, deny or approve with conditions an application if it makes a positive finding, based on the information presented, that:
 - a. The proposed use meets the specific requirements set forth in this ordinance and will be in compliance with all applicable state and federal laws;
 - b. The proposed use meets all applicable performance standards;
 - c. The proposed use will not create the risk of bacterial or viral contamination of groundwater in Zone 1;
 - d. Control measures proposed to prevent adverse impacts on water quality are adequate and reliable;
 - e. The use will not involve disposal of solid waste, hazardous materials, or leachable materials as prohibited under the terms of this District;
 - f. Petroleum stored-on-site will be properly contained so as to prevent contamination of the groundwater by leaks or spills.
- H. The CEO shall enforce the provisions of the Aquifer Protection District in accordance with M.R.S.A. Title 30-A, Section 4452. The C.E.O. and/or a representative of the Water District may, at reasonable hours, with the consent of the property owner, occupant, or agent enter on any property for determination of compliance with the provisions of this District.

- I. The Planning Board can require installation and regular sampling of water quality monitoring wells for any use deemed to be a significant, actual or potential, source of pollution.
 - 1. The number, location and depth of the monitoring wells shall be determined by a Maine licensed engineer or certified geologist chosen or approved by the Town in accordance with "Guidelines for Monitoring Well Installation and Sampling" (Tolman, Maine Geologic Survey, 1983).
 - 2. Results from monitoring well samples shall be submitted to the Water District with evidence showing that contaminate concentrations do not exceed 1/2 of any federal, state or local drinking water quality standards.
- J. For subdivisions located in the Wellhead Protection District, the Board shall apply the purpose, terms, and criteria of this District to its review. The Board may require submission of a hydrogeological study, prepared by a Maine Certified Geologist with proven experience in hydrogeology, which examines a subdivision's impact on groundwater quality.
- K. The CEO is authorized to issue a cease and desist order whenever he becomes aware of violations of this ordinance. Any person, firm or corporation being the owner of or having contract for use of any building or premises who violates this cease and desist order, or is found guilty of violating any other provisions of this ordinance, commits a civil violation and is subject to a fine of not less than \$100 and not more than \$2,500 for each violation. Each day such a violation is permitted to exist after notification thereof shall constitute a separate offense.
- L. Existing and future activities of the Mexico Water District are exempt from regulation under this ordinance. Refer to Section 11, Part D of this Ordinance. This exemption is necessary to allow the District to carry out its purpose of supplying high quality water to the residents of Mexico.

Section 7. Submission Requirements

- A. Applications for permission to carry out any activity in the Wellhead Protection District requiring Planning Board review shall be accompanied by the following information.
 - 1. Site Plan drawn to a scale no smaller than 1 inch equals 100 feet showing:
 - a. Wellhead Protection District boundaries if they cross the parcel.
 - b. Boundaries of the property and abutting streets.
 - c. Outlines of all buildings.
 - d. Layout and location of access drives, parking areas and vehicular maneuvering areas.
 - e. Location of all petroleum storage tanks.

- f. Location of buffers, landscaping, and existing vegetation, which may be retained.
- g. Location and description of storage areas and types of materials to be stored.
- h. Location of wastewater disposal systems or public sewer facilities.
- i. Location of all public and private water supplies on the property and abutting properties.

B. A description of the manner in which the applicant shall meet all applicable Performance Standards.

C. Where Applicable

- 1. A complete list of all chemicals, pesticides, fuels and other potentially toxic or hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use, and a description of measures to provide for control of spills.
- 2. For animal husbandry operations, a Conservation Plan, approved by the local Soil and Water Conservation District.
- 3. For dwellings with subsurface waste disposal systems, a complete site evaluation form (HHE-200).

D. If required by the Planning Board

- 1. A map showing groundwater contours of the seasonal high water table.
- 2. A hydrogeological study of the proposed use's impact on groundwater quality.
- 3. Water quality data from on-site monitoring wells.
- 4. Any other information needed to prove that the use will not adversely affect groundwater quality.

Section 8. Performance Standards

All site plan and subdivision proposals and other proposals for structures, uses and activities within the Wellhead Protection District shall conform to use standards contained in the Ordinance and the following minimum levels of performance.

A. General Standards

1. All such proposals shall be consistent with the need to protect the quality and quantity of Mexico's groundwater supply.
2. In cases where proposed uses are not listed as permitted or prohibited uses above, the Planning Board shall make a finding on whether the use is permitted or prohibited based on its similarity or dissimilarity with listed permitted and prohibited uses.
3. Whenever possible, streets, roads and parking areas shall be designed and constructed so that reduced application of road salt can occur without creating winter safety problems and so that runoff from such uses is channeled to avoid or minimize groundwater contamination.

B. Erosion and Sedimentation Control

1. Erosion and sedimentation shall be minimized by adherence to erosion control management practices contained in the Maine Erosion and Sedimentation Control Handbook for Construction, Best Management Practices, March, 1991.
2. For residential subdivisions, commercial and industrial developments and other major subdivisions, a sedimentation and erosion plan prepared according to the specifications of the Oxford County Soil and Water Conservation District shall be submitted by the applicant.

C. Manure Storage

Agricultural operations must provide manure containment facilities for manure storage. Facilities must have the storage capacity to contain one year's production and must be covered.

D. Preservation of Landscape

The landscape shall be preserved in its natural site, insofar as is practicable, by minimizing tree, vegetation and soil removal, retaining existing vegetation wherever possible, and keeping grade changes consistent with neighboring areas.

E. Runoff

1. For residential subdivisions, commercial and industrial developments and other major subdivisions, the developer shall submit a stormwater runoff plan, showing calculations for pre-development and post-development runoff for the site for a 25-year, 24-hour frequency storm, and planned runoff control measures to accommodate this storm event.

2. Unless it can be shown that an increase in runoff will have no off-site impact, peak runoff from the site in the developed state shall not be increased beyond that in the undeveloped state.

F. Subsurface Waste Disposal Systems

1. On-site waste disposal systems shall be designed and located so as to avoid or minimize groundwater contamination.

2. Disposal of hazardous or toxic materials to subsurface waste disposal systems including organic solvents designed for cleaning septic systems is prohibited.

3. Engineered Systems in Zone 2 shall be reviewed and approved by the Department of Human Services, Health Engineering Division. In addition, the applicant shall submit to the Planning Board a full hydrogeological study of the proposed engineered system.

The study shall demonstrate that the development will not increase any contaminant concentration in the groundwater to more than one-half of the Primary Drinking Water Standards adopted by the State of Maine, Department of Human Services.

The Study shall also demonstrate that the project will not increase any contaminant concentration in the groundwater to more than 1/2 of the Secondary Drinking Water Standards adopted by the State of Maine, Department of Human Services.

G. Sand and Gravel Extraction

1. Pits shall not be excavated lower than five (5) feet above the average seasonal high water table.

2. Petroleum products shall not be stored in sand and gravel pits. Refueling and oil changes that must be conducted in the pit shall take place over containment areas constructed to contain the maximum possible spill from entering the ground.

3. Absorbent pads shall be kept on-site to be used immediately should any petroleum products be spilled on the soil.

4. No hazardous materials shall be used, stored or deposited within the excavation area.
5. Access roads into and around the pit shall not be oiled, salted, or paved.
6. No ditches, trenches, pumping or other methods shall be used to lower the water table to permit more gravel extraction than could occur under natural conditions.
7. Access to the pit shall be strictly controlled at all times with locking gates, and when the operation is finished, all vehicular entrances shall be made impassable.
8. Structures and subsurface waste disposal systems shall be sited a minimum 75 feet from the gravel pit slopes in excess of 40%.
9. Reclamation projects shall, in addition to loaming and seeding for stabilization, include revegetation of exposed areas with trees.

H. Forestry Management

Timber harvesting shall be conducted in strict accordance with guidelines contained in the Maine Forest Service reference "Best Management Practices for Forestry: Protecting Maine Water Quality, latest edition and in accordance with all other applicable State or local regulations.

Section 9. Non-conformance

- A. Structures, uses and lots which were legally existing as of 6/12/06 (the effective date of this ordinance) but which do not conform to the requirements of the ordinance shall be treated as nonconforming and may continue and be maintained, repaired and improved.
- B. All expansions of structures (outside the Shoreland Zone) shall be permitted as long as they meet the other standards of this ordinance.
- C. Expansions of nonresidential structures/facilities that are nonconforming because the use carried out within the structure or facility is prohibited by this Ordinance, shall not be permitted. In cases of undue hardship, the Board of Appeals may issue a variance for a one-time increase of no more than 15% of the gross floor area of the existing structure, as long as this expansion meets the other standards of this ordinance. Nonconforming uses that are discontinued for more than one-year duration after the effective date of this ordinance, shall be treated as new uses.

Section 10. Appeals

A. Administrative Appeals

1. If the Planning Board or Code Enforcement Officer disapproves an application for a building permit, septic or subsurface sanitary disposal system permit, or any other use permit issued under the authority of this ordinance, or grants any of these permits subject to conditions that are objectionable to the applicant or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of the ordinance do not apply, or that the true intent of the ordinance has been misconstrued or wrongfully interpreted, the applicant, an abutting landowner, town officials, or other parties aggrieved may appeal the decision of the Planning Board or C.E.O. in writing to the Board of Appeals, within 30 days of the Planning Board's or the C.E.O.'s decision. The Board of Appeals may reverse the Planning Board's or the C.E.O.'s decision after holding a public hearing if a finding is made that the decision was clearly contrary to the provisions of the ordinance or was unsupported by substantial evidence. Public hearings shall be held in accordance with the provisions of Title 30-A M.R.S.A. Section 2691 as amended. Administrative appeals shall be administered according to the provisions of the Mexico Shoreland Zoning Ordinance.

2. If the Planning Board disapproves an application for subdivision approval which is subject to the provisions of this ordinance, or approves an application for subdivision approval subject to conditions that are objectionable to the applicant or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of the ordinance do not apply, or that the true intent of the ordinance has been misconstrued or wrongfully interpreted, an appeal from the order of decision of the Planning Board may be taken by the applicant, an abutting landowner, town officials, or any aggrieved party to Maine Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

B. Variances

1. In certain instances where a literal application of the standards of this ordinance would cause the imposition of an undue hardship, as defined in M.R.S.A. Title 30-A Section 4353 as amended, upon an applicant, the Board of Appeals may grant a variance to these standards. A variance shall not be granted by the Board of Appeals unless and until a written application for a variance has been filed and reviewed by the Board of Appeals in accordance with the provisions of the Mexico Shoreland Zoning Ordinance.

Section 11. Legal Provisions

A. Authority

This ordinance has been prepared in accordance with the provisions of Revised Statutes of Maine, as amended.

B. Title

This ordinance shall be known and cited as the Wellhead Protection Ordinance for the Mexico Water District Aquifer.

C. Interpretation

Interpretation of what may not be clear in this Ordinance shall be according to the intent of the Ordinance and the Comprehensive Plan.

D. Conflict within this Ordinance or with other Ordinances

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

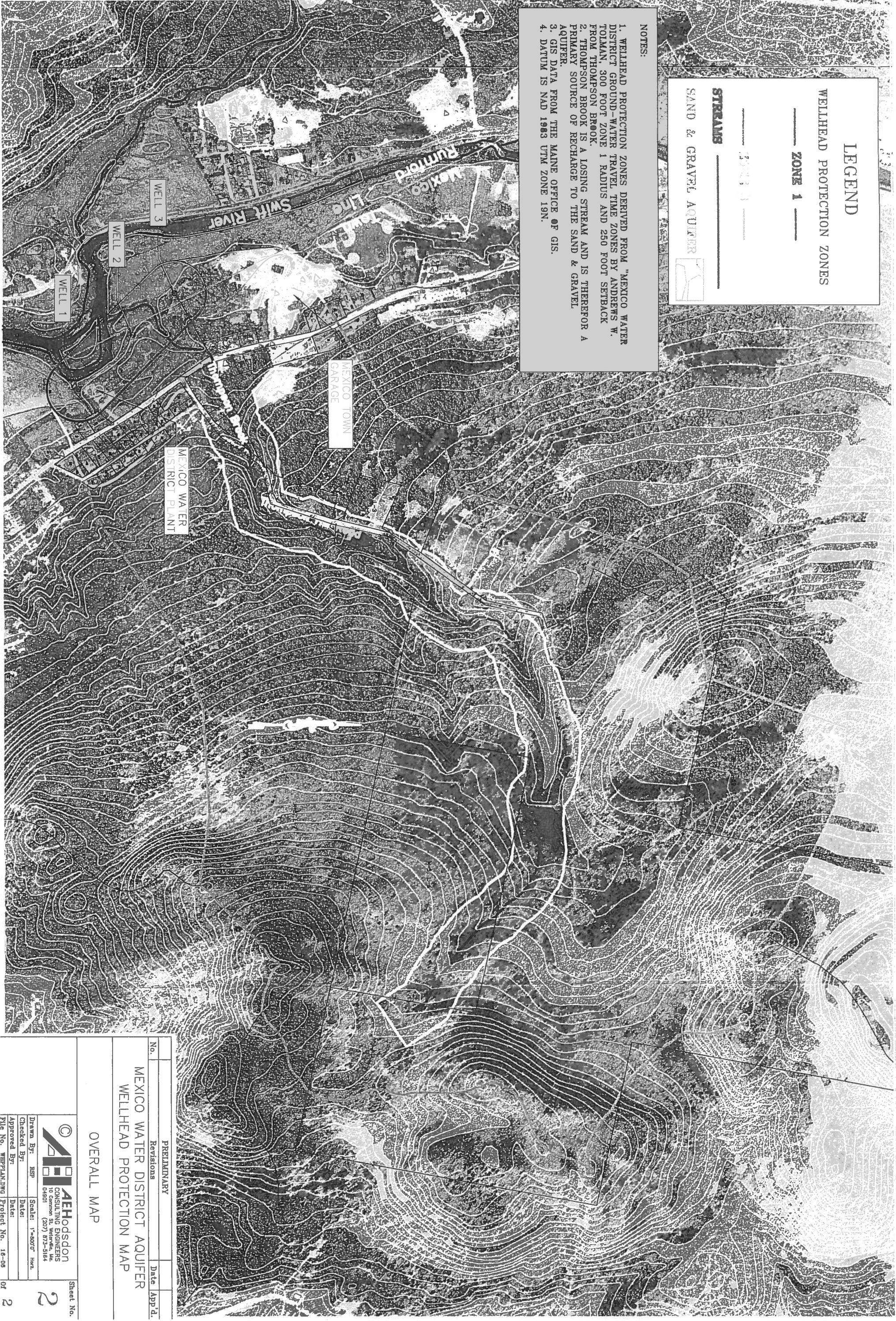
E. Separability

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

F. Effective Date

The effective date of this ordinance is 6/12/2006.





LEGEND

WELLHEAD PROTECTION ZONES

— ZONE 1 —

— 300 FT —

STREAMS

SAND & GRAVEL AQUIFER




NOTES:

1. WELLHEAD PROTECTION ZONES DERIVED FROM "MEXICO WATER DISTRICT GROUND-WATER TRAVEL TIME ZONES BY ANDREWS W. TOIMAN, 300 FOOT ZONE 1 RADIUS AND 250 FOOT SETBACK FROM THOMPSON BROOK.
2. THOMPSON BROOK IS A LOSING STREAM AND IS THEREFOR A PRIMARY SOURCE OF RECHARGE TO THE SAND & GRAVEL AQUIFER.
3. GIS DATA FROM THE MAINE OFFICE OF GIS.
4. DATUM IS NAD 1983 UTM ZONE 19N.

No.	PRELIMINARY	Date	App'd.
	Revisions		

MEXICO WATER DISTRICT AQUIFER
WELLHEAD PROTECTION MAP

OVERALL MAP



AEHodsdon
CONSULTING ENGINEERS
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(207) 873-5164

Drawn By: RSP	Scale: 1"=500' Horiz
Checked By:	Date:
Approved By:	Date:

File No. WEPPLAN.DWG | Project No. 16-06

Sheet No.

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