

THIS IS AN ATTESTED TRUE COPY OF AN ORDINANCE WHICH WAS ACCEPTED
AT THE ANNUAL TOWN MEETING ON MARCH 17, 2001

Ann T. Chadwick Town Clerk

Town of Pittston

Wellhead
Protection
Ordinance

3/01

Town of Pittston Wellhead Protection Ordinance

Article I. General Provisions

SECTION 1. TITLE

This Ordinance shall be known and cited as the Wellhead Protection Ordinance of the Town of Pittston, Maine.

SECTION 2. AUTHORITY

This Ordinance is adopted pursuant to the enabling provisions of Article VIII-A of the Maine Constitution, Title 30-A MRSA Section 3001 (Home Rule), Title 30-A MRSA Section 4311 (Growth Management), and Title 22 MRSA 2642 (Protection of Drinking Water Supplies).

SECTION 3. PURPOSE

The purpose of the Wellhead Protection Ordinance is to protect the public water supply in East Pittston from land uses which pose a threat to the quality and/or quantity of the ground water being extracted from the wells which serve the public water system.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect upon its enactment by the Town. Enacted:
MARCH 17, 2001.

SECTION 5. APPLICABILITY

This ordinance applies to all land uses located or proposed within the area delineated as Wellhead Protection Zones on the official Town of Pittston Wellhead Protection Area Map titled '*Figure 5. Wellhead Protection Area Zones*' by Jacques Whitford Company, Inc., February, 1999, and included as Appendix I of this ordinance.

SECTION 6. RELATIONSHIP WITH OTHER ORDINANCES

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

SECTION 7. VALIDITY AND SEVERABILITY

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.

SECTION 8. AMENDMENTS

A. Initiation and Procedure

A proposal for an amendment to this ordinance may be initiated by:

- (1) The Planning Board, by favorable majority vote of the Planning Board;
- (2) The Selectmen, through a request to the Planning Board and subsequent favorable majority vote of the Planning Board;
- (3) An individual, through a request to the Planning Board and subsequent favorable majority vote of the Planning Board, or, lacking that, through the petition process for placing articles on the warrant for town meeting.

B. Enactment

A proposed amendment to this ordinance must be approved by a majority vote of the Town Meeting.

Article II. Administration, Enforcement, Appeals, and Penalties

SECTION 1. ADMINISTERING BODIES AND AGENTS

A. Code Enforcement Officer

The Code Enforcement Officer of the Town of Pittston shall administer and enforce this ordinance. In addition, the Code Enforcement Officer shall refer permit applications requiring Planning Board review to the Planning Board.

B. Planning Board

The Planning Board of the Town of Pittston shall be responsible for reviewing and acting upon permit applications under this ordinance.

C. Board of Appeals

The Board of Appeals of the Town of Pittston shall hear and act on appeals in accordance with the provisions of this ordinance and state law

SECTION 2. PERMITS REQUIRED

After the effective date of this ordinance, no person shall engage in or expand any structure or land use activity which requires a permit without first obtaining a permit for such structure or activity, or expansion thereof. The Wellhead Protection Area Land Use Table (Article III, Section 2) lists land uses which require a permit.

SECTION 3. PERMIT APPLICATION

Applicants for a permit under this ordinance shall submit an application in writing to the Planning Board. All applications shall be dated and signed by the owner(s) or lessee(s) of the property or another person with a letter of authorization from the owner(s) or lessee(s). Such signature(s) shall certify that the information in the application is complete and correct.

SECTION 4. PROCEDURE FOR ADMINISTERING PERMITS

Within forty-five (45) days of the date of receiving a written application, the Planning Board shall notify the applicant in writing, either that the application is a complete application or, if the application is incomplete, that specified additional material is needed to make the application complete.

Once a complete application has been received, the Planning Board shall approve or deny the application, in writing, within forty-five (45) days. However, if the Planning Board has a waiting list of applications, such approval or denial shall occur within forty-five (45) days of the first available opening on the Planning Board's agenda or, within forty-five (45) days of the public hearing, if one is held.

Permits shall be approved if the proposed use or structure is found to be in conformance with the purposes and provisions of this ordinance. Permits may be made subject to reasonable conditions to insure conformity with the purposes and provisions of this ordinance, and the permit applicant/holder shall comply with such conditions. If a permit is either denied or approved with conditions, the reasons shall be stated in writing.

No approval shall be granted for an application involving a use or structure, if it would be located in an unapproved subdivision, or would violate any other local ordinance or regulation, or any State law for which the Town has responsibility.

The burden of proof that a proposed land use activity is in conformity with the purposes and provisions of this ordinance lies with the applicant.

SECTION 5. APPLICATION FEE

An application fee of \$ 5.00 payable to the Town Clerk must be submitted with a permit application.

SECTION 6. INDEPENDENT REVIEW AND ADVICE

A. Professional Services

Applicants shall be responsible for the cost of professional services rendered to the Planning Board in reviewing the application. The Planning Board may require an attorney or consultant to review one or more aspects of an application for compliance or noncompliance with this ordinance and to advise the Planning Board. The attorney or consultant shall first estimate the cost of such review and the applicant shall deposit, with the Town, the full estimated cost, which the Town shall place in an escrow account. The Town shall pay the attorney or consultant from the escrow account and reimburse the applicant if funds remain after payment.

B. Additional Studies

The Planning Board may require the applicant to undertake any study which it deems reasonable and necessary to demonstrate and ensure that the requirements of the ordinance are met. The costs of such studies shall be borne by the applicant.

SECTION 7. PERFORMANCE GUARANTEES

The Planning Board may require the applicant to provide performance guarantees for an amount adequate to cover the total construction costs of all required improvements. Performance guarantees may be made by certified check, payable to the Town, or a savings account naming the Town as owner, for the establishment of an escrow account; by an irrevocable letter of credit from a financial institution establishing funding for the construction of the project, from which letter the Town may draw if construction is inadequate; or by a performance bond, payable to the Town, issued by a surety company and acceptable to the Town. The form, time periods, conditions, and amount of performance guarantees shall be determined by the Planning Board.

SECTION 8. EXPIRATION OF PERMIT

Following the issuance of a permit, if no substantial start is made in construction, or in use of the property for which such permit has been issued, within one year of the date of the permit, the permit shall lapse and become void. However, the permit may be renewed within six months of the date of expiration if no material change in the proposed use or requirements has occurred with no additional fee. Thereafter, any application shall be considered and handled as a new application.

SECTION 9. INSTALLATION OF PUBLIC UTILITY SERVICE

No public utility, water district, sanitary district or any other utility company may install, or connect services to, any new use or structure requiring a permit under this ordinance, unless written authorization attesting to the validity and currency of all permits required under this ordinance has been issued by the appropriate Town official(s). Following installation of service, the company or district shall forward a copy of the written authorization to the Town official(s) and indicate that installation has been completed.

SECTION 10. ENFORCEMENT AND PENALTIES

A. Inspections and Complaints

The CEO shall conduct on-site inspections to insure compliance with all applicable laws and conditions attached to permit approvals. The CEO shall also investigate all complaints of alleged violations of this Ordinance.

B. Violations

It shall be the duty of the Town of Pittston Code Enforcement Officer (CEO) to enforce this ordinance, in accordance with the provisions of this ordinance and state laws. If the CEO finds that any provision is being violated, he/she shall notify in writing the person responsible for such violation. The notice shall include the nature of the violation and the action necessary to correct the situation. A copy of the notice shall be provided to the Planning Board, Water District, and Selectmen.

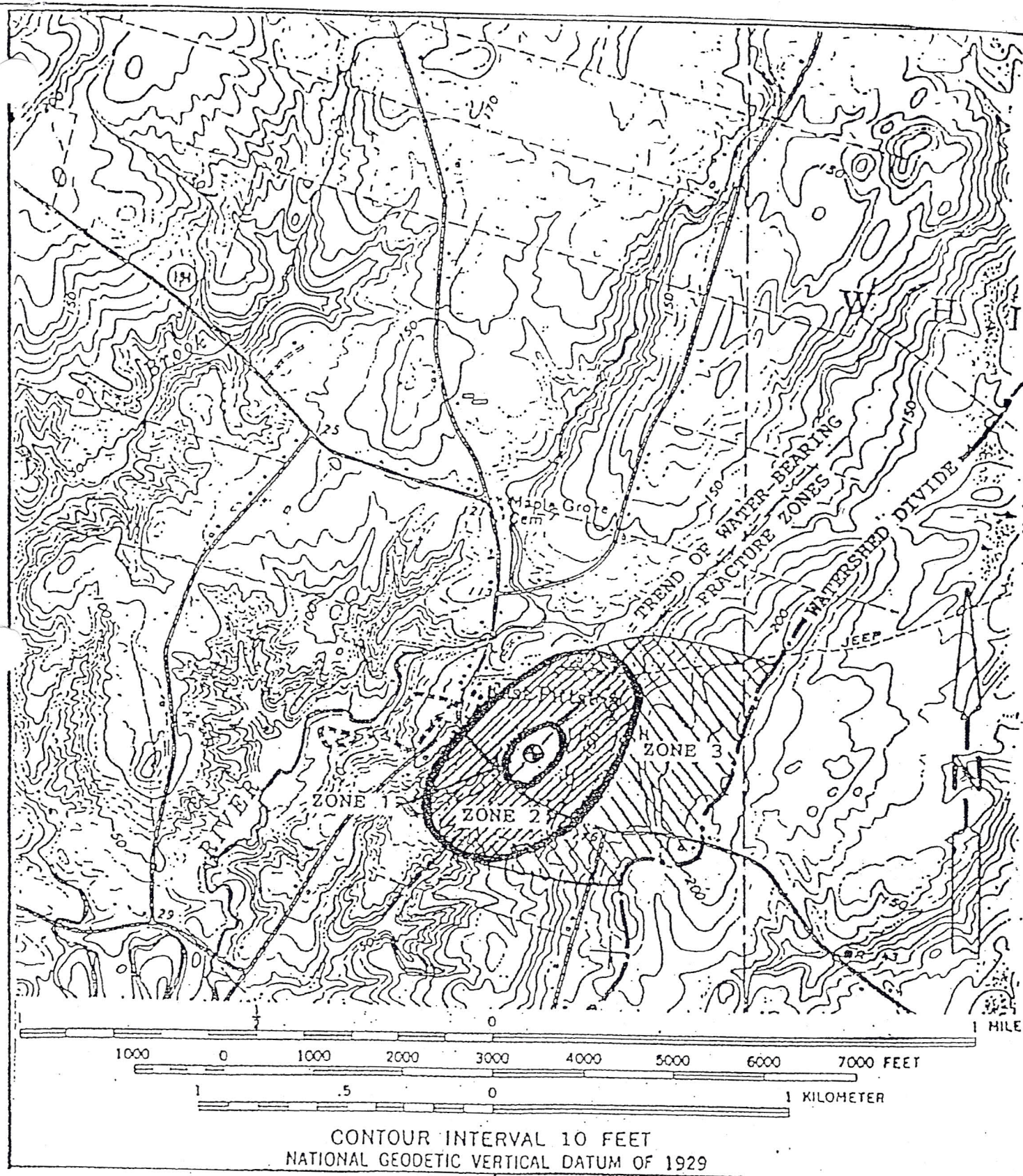


FIGURE 5: WELLHEAD PROTECTION AREA ZONES

C. Recordkeeping

The CEO shall keep a complete record of all transactions relating to the administration and enforcement of this ordinance, and shall maintain a permanent record of those transactions at the town office. Copies of all records and transactions shall be provided to the Planning Board and Water District.

D. Legal Action

When a person does not correct a violation after receiving notice to do so, the CEO shall notify the Selectmen and the Water District. The Selectmen, or their authorized agent, may institute all legal and equitable actions to correct the violation and recover fines and costs.

E. Penalties

Any person who continues to violate a provision of this ordinance or condition of a permit after receiving written notice to correct the situation shall be subject to penalties as outlined at 30-A MRSA Section 4452. Each day of violation constitutes a separate violation.

SECTION 11. APPEALS

An appeal of a decision of the CEO and/or the Planning Board shall be taken to the Town of Pittston Board of Appeals within thirty (30) days of the decision. An appeal of a decision of the Board of Appeals may be taken to Superior Court in accordance with Maine Law.

Article III. Land Use Requirements

SECTION 1. ESTABLISHMENT OF ZONES

The Wellhead Protection Area consists of two (2) zones which are listed below and are shown on the official Town of Pittston Wellhead Protection Area Map (Appendix I). The source for the Wellhead Protection Area delineation is the *East Pittston Wellhead Protection Review, prepared for Department of Environmental Protection, Augusta, Maine, by Jacques Whitford Company, Inc., Vermont Office, February 25, 1999.*

A. Zone 1: Immediate Recharge Area

Zone 1 includes the area between the wellhead and a 300' x 400' ellipsoid as shown on the Wellhead Protection Area Map.

B. Zone 2: Primary Recharge Area

Zone 2 includes the area within a 800' x 1,500' ellipsoid as shown on the Wellhead Protection Area Map.

SECTION 2. LAND USES

KEY: Y = permitted
 N = not permitted
 PB = permitted subject to Planning Board Review and use of
 Best Management Practices

Wellhead Protection Area Land Use Table

Uses	Zone 1	Zone 2
1. Commercial agriculture, horticulture, silviculture ¹	N	N
2. Construction or demolition	PB	PB
3. Use, storage, or manufacture of hazardous materials or waste	N	N
4. Intensive open space uses	N	PB
5. Overnight storage or parking, maintenance, and refueling of commercial vehicles and equipment	N	N
6. Use or storage of petroleum products over 500 gallons per parcel of land	N	N
7. Sand and gravel mining, other mining	N	PB
8. New subsurface wastewater disposal or sewage systems ²	N	PB
9. Replacement or expansion of subsurface wastewater disposal or sewage systems	PB	PB
10. Discharge of commercial or industrial wastewater or washwater to a septic system ²	N	N
11. Discharge and impoundment of wastewater and stormwater	N	N
12. Storage, handling, and processing of solid waste, including sludge and ash utilization	N	PB
13. Disposal of solid waste, sludge, and ash	N	N
14. Bulk storage of leachable material, including but not limited to concrete, asphalt, tar, coal, and salt	N	N
15. Timber harvesting	N	PB
16. Utility corridors	N	PB
17. Wells, abandoned, existing but not in use, or new	N	PB
18. Essential operations of the Water District or other official safety or utility entity.	Y	Y
19. Uses similar to uses requiring Planning Board review	PB	PB

¹ Non-commercial agriculture, horticulture, and silviculture are allowed subject to Best Management Practices.

² Includes any discharge which could enter the ground.

Note: All land uses and activities may be subject to requirements of other Town ordinances and State rules and regulations.

SECTION 3. LOT SPECIFICATIONS

A. Maximum Lot Coverage

The percentage of the lot that lies in the Wellhead Protection Area which can be covered by impermeable surfaces, including parking areas, shall be limited as presented in the following table.

<u>Zone</u>	<u>Maximum Lot Coverage</u>
1	30%
2	50%

SECTION 4. APPLICATION REQUIREMENTS

The Planning Board shall modify or waive any of the following submission requirements if it determines that, because of the size or nature of the project or circumstances of the site such requirement(s) would not be applicable or would be an unnecessary burden upon the applicant and would not affect or conflict with the purposes of this ordinance.

A. All Applications

All applications shall contain the following information.

1. Written information:

- Name of development; municipality; tax map and lot numbers
- Owner and applicant's names and addresses; name and addresses of person who prepared the application and/or plan
- Name and address to which correspondence should be sent
- If applicant is a corporation, state whether the corporation is licensed to do business in Maine, and attach a copy of Secretary of State's Registration.
- Copy of recorded deed for property; verification of ownership or legal interest
- Interest the applicant has in any property abutting the parcel to be developed
- State whether the development covers the entire or contiguous holdings of applicant
- On-site sewage disposal report from licensed site evaluator or information from local sewer district indicating capacity
- Special reports:
 - soils
 - engineering design
 - erosion and sediment control plan
 - stormwater management plan
 - long term maintenance provisions
 - traffic and parking assessment
- Hydrogeological assessment
- Necessary state and/or federal permits and date of application and approval (please list)
- List of construction items, cost estimates

- Construction schedules
- Proposed method of performance guarantee
- Restrictions, conditions, covenants and easements

2. Plan information:

- Existing and proposed streets
- Outline of development and remaining portion of property
- Scale; written and graphic; date; north point
- Perimeter survey (bearings and distances; surveyor's seal; number of acres; existing and proposed monuments; abutters names)
- Lot lines, numbers and sizes; building setback lines
- Existing water bodies, watercourses, wetlands, and other significant natural features
- Public and private rights-of-way and easements
- Zoning boundaries
- Location of test pits keyed to site evaluator's or soil scientist's report
- Base flood elevation, if applicable
- Written request for waivers or variances
- Contours of 5 feet or other interval; refer to USGS bench if within 500 feet
- Location and design of culverts, drains and other storm water control structures, existing and proposed
- Location and design of proposed sewers and water lines
- Typical engineering plan, profiles, and cross-sections
- Medium intensity or high intensity soils maps
- Location of parking, open space, conservation and/or recreation areas
- Landscaping plan and details
- Surface drainage plan
- Soil erosion and sedimentation control features
- Locations, dimensions and profiles of underground utilities
- Profile and typical cross-sections of streets and other public works
- Location/identification of buffers, lots or areas to be restricted or dedicated for common or public use

B. Additional Application Requirements for Planning Board Review for Certain Activities Within the Wellhead Protection Area

More than one of the categories listed below may apply to a particular use. Applicants should request assistance from the Planning Board should there be questions as to which categories apply.

1. Construction/Demolition

- Provisions for solid waste handling, storage and disposal
- Provisions for sanitary facility
- An engineering report which provides:
 - information concerning storage and disposal of waste materials

- provisions for fuel storage and refueling
- provisions for storage of any liquid chemicals used in the construction process
- provisions for storage of any bulk chemicals used in the construction process

2. Stormwater Management

Engineering calculations and plans which provide:

- Design and capacity of subsurface collection facilities
- Design of dry wells, storage, retention or detention facilities and other surface water impoundments
- Stormwater system outlets
- Delineation of post development drainage areas
- Plans for ice control, use of road salt, and snow removal

3. Other Impoundments

Engineering calculations and plans which provide:

- Design and capacity of subsurface collection facilities
- Design of dry wells, storage, retention or detention facilities and other surface water impoundments
- Stormwater system outlets
- Delineation of post development drainage areas
- Plans for ice control, use of road salt, and snow removal
- Description of source of water, use of water and final water quality (water quality parameters to be specified by applicant)
- Amount of consumptive water use

4. Hazardous Materials, Petroleum Products, and Other Chemicals:

Handling and Storage

- Type of volume of chemical compounds handled and/or stored.
- Site plan showing all storage, handling and use areas for raw materials and wastes
- For outside areas, details to contain spills including:
 - drainage and contour information to prevent the flow of runoff from entering the storage area and which keep leaks or spills from flowing off site
 - provisions to collect chemicals should they enter the drainage system
 - provisions to segregate underground systems to insure that there are no cross connections
 - statement of emergency measures which can be implemented for surface drainage systems
- For inside areas, details to contain spills including the:
 - design of dikes around rooms
 - the location of floor drains and floor drain outlets
 - the location of separators, holding tanks and/or drain outlets
 - the specific location and design of underground storage structures
 - the location and design of piping systems for wash waters and other wastes liquids to insure that inappropriate wastes are discharged and that wastes are discharged to appropriate sewers or treatment systems

- A spill prevention and control and countermeasure (SPCC) plan detailing:
 - materials and equipment to be available
 - a training plan and schedule
 - a list of contacts (EPA/DEP/local fire officials) with phone numbers
 - an inspection schedule
 - A report by an industrial engineer or other competent professional detailing:
 - steps which have been taken to reduce the use of hazardous materials
 - actions which have been taken to control the amount of wastes generated
 - any reports to provide information on the design theory or methodology for the above features
- 5. Subsurface Wastewater Disposal, Sewage Disposal and Subsurface Injection**
- Provisions for sewage disposal including:
 - soil evaluator's report and septic system design
 - For sites/uses producing more than 1,000 gallons of sewage, a hydrogeologic analysis of nitrate concentrations at the property line
 - Evaluation of public/private sewer system capacity and integrity of sewer lines serving the development by a Registered Engineer or the sewer system superintendent
 - Provisions and designs for all floor drains, grease traps, and holding tanks
- 6. Installation of Monitoring Wells**
- Location and construction specifications
 - Intended purpose
 - Sampling schedule
 - Provisions for informing appropriate Town body of sampling results

SECTION 5. CONTROL OF EXISTING THREATS

A. Inspection

The Code Enforcement Officer shall have the right to enter and inspect all premises which carry on the uses listed in the Wellhead Protection Area Land Use Table (Article III, Section 2) and/or described in the Best Management Practices Section of this ordinance (Article III, Section 6). Such inspections shall be conducted at reasonable times with the permission of the landowner and be based on a reasonable belief that a threat or potential threat to the water supply exists or be part of a comprehensive schedule of inspections. The Code Enforcement Officer may be accompanied by a representative of the Water District including a consultant employed by it.

B. Monitoring

When the Planning Board finds that a reasonable threat to the public water supply exists and that groundwater monitoring in the area will serve to protect the public water supply

from existing or potential threats as listed in the Wellhead Protection Area Land Use Table (Article III, Section 2), the applicant shall, as a condition of permit approval, either: (1) grant the municipality and the Water District the right to install groundwater monitoring wells and maintain the right to sample such wells on the applicant's property; or (2) install monitoring wells and implement a groundwater monitoring program approved by the Planning Board.

Further, the Code Enforcement Officer or the Water District representative shall have the right, upon reasonable advance notice, to conduct such testing as the municipality may deem appropriate to determine that Best Management Practices and groundwater pollution control devices are in good condition and are working properly. Such testing shall be at the municipality's or Water District's expense. If such testing indicates that the groundwater has been contaminated above the State Primary or Secondary Drinking Water Standards, then further testing shall be at the expense of the existing owner of the land in question, and the owner shall reimburse the municipality and/or department for expenses incurred in the initial well installation and testing.

C. Best Management Practices

Uses listed in the Wellhead Protection Area Land Use Table (Article III, Section 2) shall implement Best Management Practices required in Article III, Section 6 of this ordinance.

SECTION 6. BEST MANAGEMENT PRACTICES FOR WELLHEAD PROTECTION AREA

A. General Provisions

All development located within the Wellhead Protection Area shall comply with Best Management Practices to protect the quality and quantity of the public water supply. Best Management Practices, as applied in the State of Maine, are management practices which will mitigate the impacts of the activity on water quality. In some instances, there may be more than one management practice which would accomplish the same result. In other instances, depending on the site location and on-site conditions, more than one management practice may be needed to fully mitigate the problem. Therefore, discretion is needed in determining which management practices to apply. The Planning Board shall require all development located within the Wellhead Protection Area to comply with the Best Management Practices contained in this Section and may refer to additional applicable Best Management Practices which have been published by or in conjunction with the Maine Department of Environmental Protection or other technical experts.

B. Agriculture/Open Space/Utility Corridors

1. Soil tests shall be used to determine proper amount of nutrients and limestone applied (pH adjustment).
2. Nutrients and fertilizers shall be applied only at levels required.
3. A slow release form or organic fertilizer shall be used, where possible.
4. Nutrients and chemicals shall not be applied to very shallow soils or exposed bedrock.

5. Limit applications of nutrients and fertilizers to the active growing season.
6. All federal and state laws regulating pesticides and chemicals shall be followed.
7. Pesticides and chemicals shall be applied in accordance with label instructions or under the direction of a certified applicator.
8. Nutrients, chemicals, and fertilizers, including manure, shall be stored in properly located and constructed facilities.
9. Secure, safe storage shall be provided for used pesticide containers and disposal of containers shall be in accordance with federal and state law.

C. Chemicals, Hazardous Materials, Petroleum Products and Waste Handling on Construction Sites

1. The collection and disposal of petroleum products, chemicals and wastes used in construction shall conform to the following.
 - (a) Collect and store in closed, clearly marked water tight containers.
 - (b) Containers shall be removed regularly for disposal to prevent spills and leaks which can occur due to corrosion of containers. A schedule for removal shall be contained in the application and in any construction specifications for the project.
2. Landscaping chemicals such as fertilizers, herbicides and pesticides shall be applied following appropriate Best Management Practices developed by the Maine Department of Agriculture in conjunction with the Maine Department of Environmental Protection.

D. Chemical, Hazardous Material, and Petroleum Handling and Storage

1. Nonhazardous chemicals shall be substituted for hazardous varieties whenever possible.
2. Provisions shall be made to clean up all spills immediately with an absorbent material or other methods and to dispose of the materials properly.
3. Hazardous materials shall be stored in secure, corrosion resistant containers.
4. Bulk storage shall be in above-ground, corrosion resistant tanks.
 - (a) A diked area shall be provided around tanks to contain spills. The volume of diked area shall equal the volume of product stored.
 - (b) A roof shall be provided over containment areas to prevent collection of rain water.
 - (c) Drains shall not be installed in containment areas
5. All floors shall be concrete or an impermeable, hardened material.

6. Non-bulk storage of chemicals shall be indoors. Such storage areas shall comply with the following:
 - (a) floor drains shall not be used
 - (b) storage and handling areas shall have waterproof dikes around perimeter so as to contain spills.
7. Tanks shall be equipped with automatic shutoffs or high level alarms.
8. Spill and leak detection programs shall be maintained and reviewed annually and updated as necessary.
9. Oil and water separators shall not be used to remove dissolved compounds or oil and greases which had been subjected to detergents.
10. Concrete or other impermeable pads shall be provided under transfer and handling areas.
11. Exterior transfer and handling areas shall be graded and sloped so as to prevent runoff from other areas from entering the handling area.
12. Procedures shall be established to catch and store chemicals spilled at loading and other transfer areas.
13. The facility and equipment shall be designed to:
 - (a) prevent tank overflows; and
 - (b) prevent line breakage due to collision.
14. Provisions shall be made to have:
 - (a) emergency diking materials available;
 - (b) emergency spill cleanup materials available.
15. Residential storage tanks for home heating fuel shall be located in cellars or on a concrete slab above the ground if outside and provisions shall be made to periodically inspect and test tanks and lines for leaks.

E. Commercial Maintenance Operations

1. An inventory of chemicals used and stored and a plan detailing the reuse, recycling, or proper disposal of waste chemicals shall be maintained and updated as needed. The plan shall include provisions for implementing the plan.
2. Buildings, rooms and areas where chemical potential pollutants are used, handled or stored shall be designed to contain spills or leaks.
 - (a) Specifically, floor drains shall not be used except as required by fire regulations.
 - (b) A waterproof dike shall be placed around areas to contain accidental spills. The dike shall have an equivalent volume to the amount of material stored or used in the room.

3. Spill/leakage prevention and detection programs shall be maintained and updated.
 - (a) Plans shall insure the regular collection and transport of chemicals;
 - (b) Plans shall provide for inspection of containers and storage areas on a regular basis.
4. A spill clean-up plan shall be maintained and reviewed annually and updated as needed. The plan shall:
 - (a) Insure adequate materials and equipment are available;
 - (b) Insure that personnel are trained;
 - (c) Insure that the local fire department is knowledgeable of clean-up procedures.
5. Wash waters and other dilute wastes shall be adequately treated consistent with State law and the current pretreatment ordinances.
 - (a) Wastes shall be discharged to sewer systems or treatment plants where possible;
 - (b) Grease traps and oil separators shall be installed where necessary and shall be maintained on a regular basis.

F. Sand and Gravel Mining

1. Excavation shall be limited to 5 feet above the seasonal high water table.
2. If water supply wells are present within 500 feet of the proposed excavation, ground water level monitoring wells shall be installed and monitored.
3. Haul roads shall be watered to control dust. Salting and oiling of roads is prohibited.
4. Petroleum Storage
 - (a) Petroleum products shall not be stored in the pit.
 - (b) A spill prevention plan shall be maintained and updated.
5. A reclamation plan shall be provided, maintained and implemented.

G. Septic/Subsurface Wastewater/Sewage Disposal

1. Sewer/septic systems shall be designed by competent professionals using sound engineering practices. On-site sewage disposal shall be according to the State of Maine Subsurface Wastewater Disposal Rules.
2. Construction of sewers and septic systems shall be carefully inspected to assure proper installation.
3. Septic systems and related piping shall be tested for leakage and certified by the LPI that they are water tight prior to use. Sewer systems shall be tested for leakage, according to State standards or municipal ordinance/district regulations.

4. Provisions shall be made to maintain sewer and septic systems in good working order.
5. Sewers and drainage systems shall be designed to assure that stormwater does not enter sanitary sewers.
6. For cluster systems, 1,000 gallon septic tank capacity shall be provided for each 300 gallons of flow. Design flows for leachfields shall be less than 2,500 gallons per day.
7. Chemicals, hazardous materials, floor drains and stormwater drains (i.e. roof drains) shall not be discharged to septic systems.

H. Storm Water Runoff/Snow and Ice Control

1. Drainage systems, including detention basins, drainage ways, and storm sewer systems, shall be maintained in good working order.
2. Chemicals and wastes shall be stored in such a manner to prevent rainfall from contacting them.

I. Wells, Abandoned

1. Abandoned wells must be filled with inert, compact, natural soil material or as stipulated by the State of Maine Well Drillers and Pump Installers Rules, 144A CMR 232.
2. Wells must be abandoned according to the State of Maine Well Drillers and Pump Installers Rules, 144A CMR 232, and all piping must be removed.

J. Wells, Existing and New

1. Wells must be constructed and secured so that contamination cannot enter the groundwater via either the inside or the outside of the well.
2. Wells must be constructed according to the State of Maine Well Drillers and Pump Installers Rules, 144A CMR 232.

Article IV. Definitions

Agriculture

The cultivation of soil, producing or raising crops, including gardening, horticulture, and silviculture, as a commercial operation. The term shall also include greenhouses, orchards, nurseries, and versions thereof, but shall not include home gardens.

Aquifer

A permeable geologic formation, either rock or sediment, that when saturated with groundwater is capable of transporting water through the formation.

Best Management Practice

Procedures designed to minimize the impact of certain activities or land uses on groundwater quality and quantity.

Board

Refers to the Town of Pittston Planning Board.

Chemical Bulk Storage

Storage of a chemical or chemicals in a container or containers larger than those intended for normal homeowner or retailer purposes. Proper, non-commercial, homeowner use of chemicals is not included.

Code Enforcement Officer

A person appointed by the municipal officers to administer and enforce this Ordinance.

Commercial

Any activity carried out for pecuniary gain

Conforming

A building, structure, activity or land use which complies with the provisions of this ordinance.

Construction

Includes building, erecting, moving or any physical operations on the premises which are required for construction. Excavating, filling, paving and the like shall be considered part of construction.

Construction and Commercial Equipment & Vehicle Storage

Storage of construction equipment or other commercial vehicles in excess of thirty (30) consecutive days in which the equipment is not used.

Construction/Demolition

Construction or demolition of facilities, buildings, etc. associated with the land uses or activities.

Drinking Water Standards, Primary and Secondary

Standards for drinking water as stated in the 'State of Maine Rules Relating to Drinking Water', Maine Department of Human Services.

Dump (see landfill)

Excavation (see construction)

Fill (see construction)

Floor Drain

An opening in the floor that leads to the ground and/or is not permitted under other State, Federal, or local regulations. Work sinks which lead to such drains are included.

Fuel Oil Distributor, Fuel Oil Storage

The storage of fuel for distribution or sale. Storage of fuel oil not for domestic use, i.e., not in tanks directly connected to burners.

Gas Station, Service Station

Any place of business at which gasoline, other motor fuels or motor oil are sold to the public for use in a motor vehicle, regardless of any other business on the premises.

Ground water

The water contained within the interconnected pores, cracks or fractures located below the water table of a confined or unconfined aquifer.

Hazardous Material

Any gaseous, liquid or solid materials, or substances designated as hazardous by the Environmental Protection Agency and/or the Maine Department of Environmental Protection.

Hazardous Waste

Any substance identified under chapter 850, Identification of Hazardous Wastes, of the rules of the State of Maine, Department of Environmental Protection, effective date July 1, 1980, including revisions or amendments thereto, and any radioactive waste material which means any solid, liquid, or gas residue, including but not limited to spent fuel assemblies prior to processing, remaining after the primary usefulness of the radioactive material has been exhausted and containing nuclides that spontaneously disintegrate or exhibit ionizing radiations.

Horticulture (see agriculture)

Industrial

Any activity which includes the assembling, fabrication, servicing, manufacturing, storage, packaging, processing or shipping of goods, or the extraction of minerals.

Industrial Waste

Wastes resulting from the processes employed in industrial manufacturing, trade, or business establishments.

Inert Fill

Material placed on or into the ground as fill that will not react chemically with soil, geologic material, or groundwater.

Intensive Open Space Uses

Uses of open space which have the potential, because of their duration, frequency, or nature, to significantly impact the environment, particularly the groundwater quality and quantity.

Landfill

An area used for the placement of solid waste, liquid waste or other discarded material on or in the ground.

Mining or Mineral Extraction

The removal of geologic materials such as soil, topsoil, loam, sand, gravel, clay, metallic ores, rock, peat, or other like material from its natural location and transportation of the product removed away from the extraction site.

Nursery (see agriculture)**Open Space**

Land that is free of buildings and other permanent structures.

Park

Land area set aside for public recreation, conservation, wildlife, or other similar purpose.

Paving (see construction)**Pesticide, Herbicide Bulk Storage**

Storage of herbicides or pesticides intended for sale or intended for application on commercial premises or intended for application on cash crops. Homeowner storage or storage by non-commercial gardeners is not included.

Road

A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

Salt or Sand/Salt Piles (covered)

Storage of salt or sand/salt mix intended for municipal, commercial or other use beneath a roof or other structure capable of preventing precipitation from reaching the salt or sand/salt.

Salt or Sand/Sale Piles (uncovered)

Storage of any amount of salt or sand/salt mix, for any purpose, without a roof or other structure capable of preventing precipitation from reaching the salt or sand/salt.

Silviculture (see agriculture)**Sludge**

Residual material produced by water or sewer treatment processes, industrial processes, or domestic septic tanks.

Sludge Utilization

The spreading of sludge on the ground or other use of sludge which might expose surface or groundwater to the sludge.

Snow Dump

A location to which snow is transported and dumped by commercial, municipal, or State snow-plowing operations.

Solid Waste

Discarded solid material with insufficient liquid content to be free flowing. This includes but is not limited to rubbish, garbage, scrap materials, junk, refuse, inert fill materials and landscape refuse.

SPCC Plan

Spill Prevention Control and Countermeasure Plan as described in 40CFR, Part 112 of Federal Oil Pollution Prevention Regulations.

Stormwater Drainage

A sewer or other system for conveying surface runoff due to storm events and unpolluted ground or surface water, including that collected by cellar drains, but excluding sanitary sewage and industrial waste.

Stormwater Impoundment

Any structure designed and constructed to contain stormwater runoff.

Subdivision

A subdivision shall mean the division of a tract or parcel of land as defined in Title 30A, M.S.R.A., section 4401. The term subdivision shall also include such developments as mobile home parks, multiple-family dwelling(s), shopping centers, condominiums, and industrial parks where there are three or more units involved, and additional divisions and developments defined as subdivisions in the Pittston Land Use Ordinance.

Subsurface Injection (see subsurface wastewater disposal)

Subsurface Wastewater Disposal System

A collection of treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspool(s), well(s), surface ditch(es), alternative toilet(s), or other devices and associated piping designed to function as a unit for the purpose of disposing of wastes or wastewater on or beneath the surface of the earth. The term shall not include any wastewater discharge system licensed under 38 MRSA Section 414, any surface wastewater disposal system licensed under 38 MRSA section 413, Subsection 1-A, or any public sewer, sewerage system, or wastewater treatment plant.

Timber Harvesting

The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery.

Transfer Station; Recycling Facility

Facility designed for temporary storage of discarded material intended for transfer to another location for disposal, re-use, and/or processing.
re-use.

Utility Corridor

Right-of-way, easement, or other corridor for transmission wires, pipes or other facilities, for conveying energy, communication signals, fuel, water, wastewater, etc..

Underground Storage Tank

As defined by State of Maine regulations published by the Maine Department of Environmental Protection.

Waste Disposal, Industrial/Commercial -- see Industrial waste**Wastewater**

Any combination of water-carried wastes from institutional, commercial and industrial establishments, and residences, together with any storm, surface or groundwater as may be present.

Wastewater Treatment Plant

Any arrangement of devices and structures used for treating wastewater.

Watershed

Land lying adjacent to water courses and surface water bodies which creates the catchment or drainage area of such water courses and bodies; the watershed boundary is determined by connecting topographic high points surrounding such catchment or drainage areas.

Wellhead

The specific location of a well (a hole or shaft dug or drilled to obtain water) and/or any structure built over or extending from a well.

Wellhead Protection Area

A zone, consisting of 2 districts, delineated according to Article III, Section 1 of this Ordinance.

Well, Abandoned

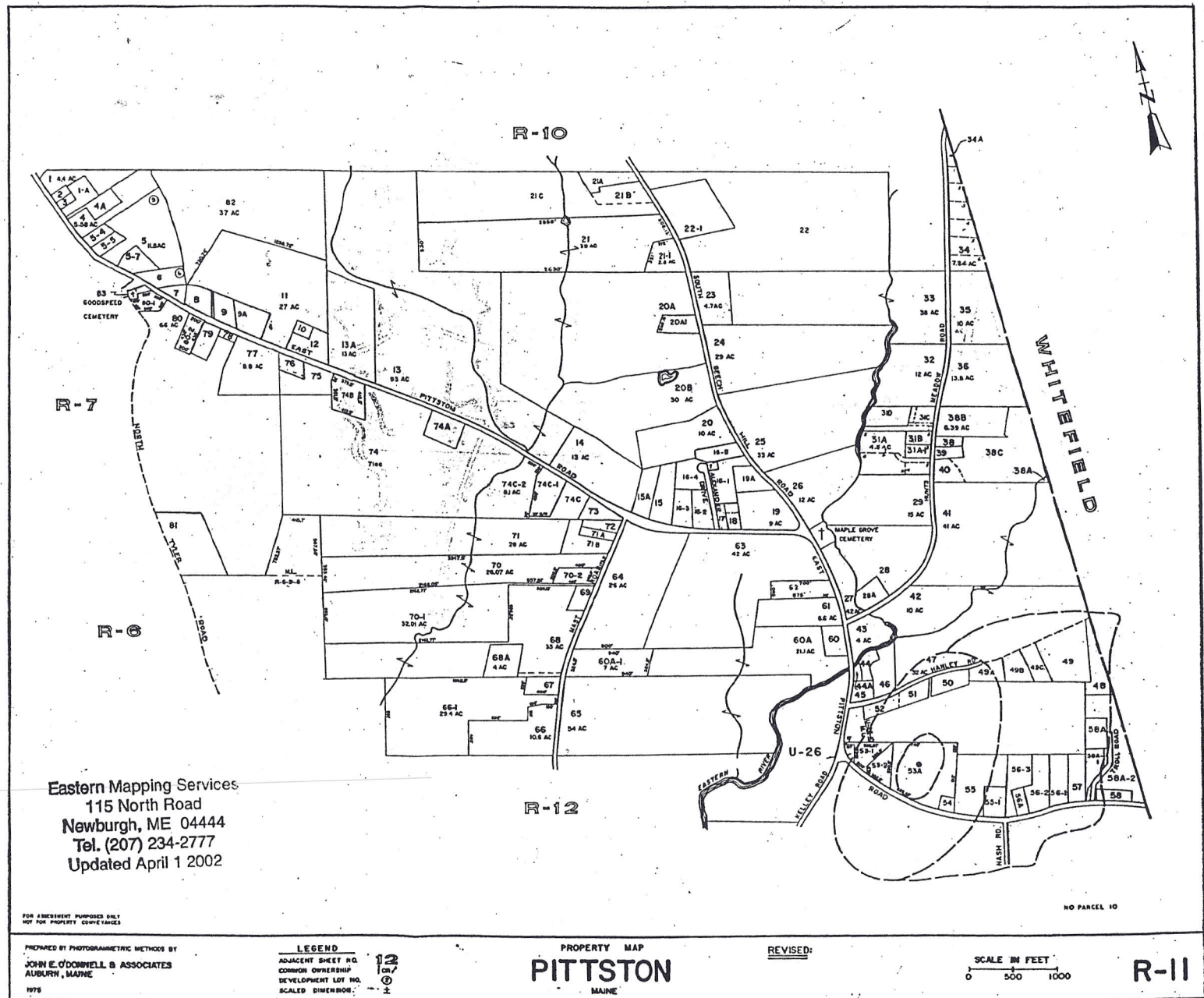
A shaft, casing, tile, hole, or pipe placed, drilled, or dug in the ground for the extraction or monitoring of groundwater that has not been used for a period of two consecutive years.

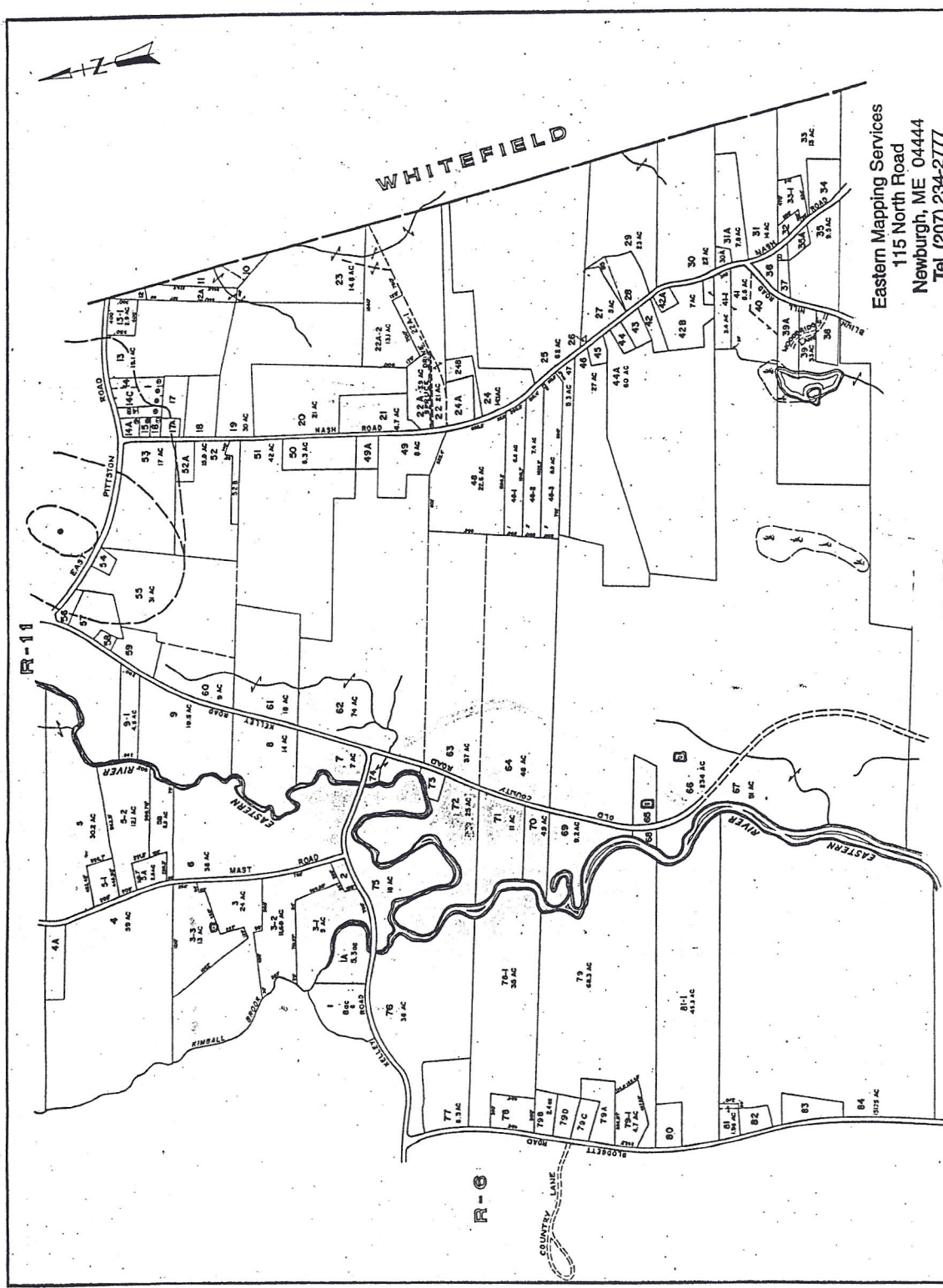
Well, Existing or New

A shaft, casing, tile, hole, or pipe placed, drilled, or dug in the ground for extraction or monitoring of groundwater.

Zone of Contribution

The area from which groundwater flows to a pumping well.





LEGEND

ADJACENT SHEET NO. 12

COMMON OWNERSHIP OR

DEVELOPMENT LOT NO. 1

SCALED DIMENSION 1

R-12

SCALE IN FEET

0 500 1000

FOR EXISTENCE, PLANNING, AND
NOT FOR PERMIT CONSTRUCTION

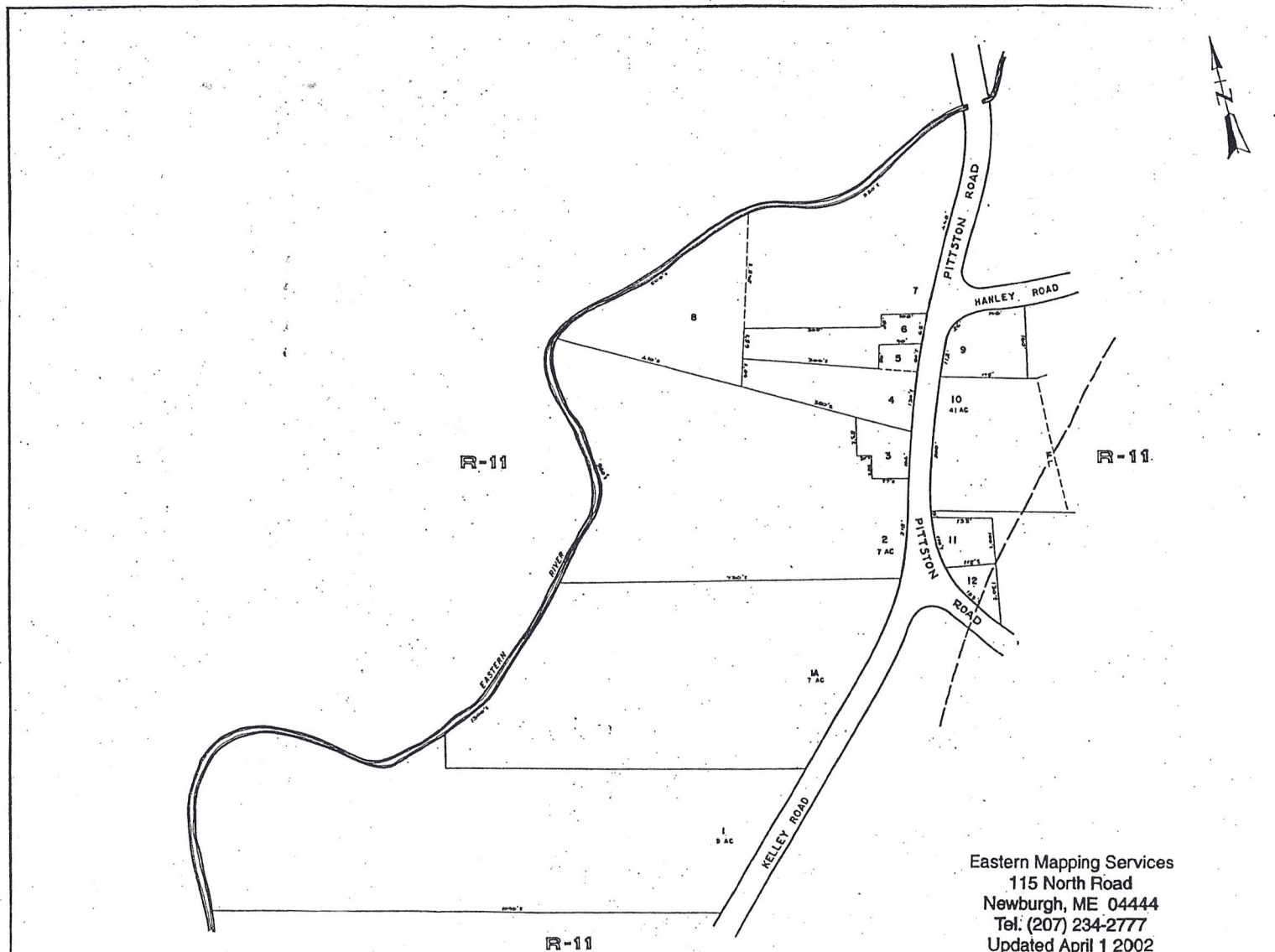
PREPARED BY PHOTOGRAPHIC METHODS BY
JOHN E. O'CONNELL & ASSOCIATES
AUBURN, MAINE

PROPERTY MAP

PITTSSTON

MAINE

Eastern Mapping Services
115 North Road
Newburgh, ME 04444
Tel. (207) 234-2777
Updated April 1 2002



Eastern Mapping Services
 115 North Road
 Newburgh, ME 04444
 Tel: (207) 234-2777
 Updated April 1 2002

FOR INFORMATION PURPOSES ONLY
 NOT FOR PROPERTY CONVEYANCE

PREPARED BY PHOTOGRAMMETRIC METHODS BY
 JOHN E. O'DONNELL & ASSOCIATES
 AUBURN, MAINE
 1075

LEGEND
 ADJACENT SHEET NO.
 COMMON OWNERSHIP
 DEVELOPMENT LOT NO.
 SCALED DIMENSION

12
 1/2" = 1'

PROPERTY MAP
PITSTON
 MAINE

REVISED:

SCALE IN FEET
 0 100 200

U-26