

Topic: Aquifer Protection; Natural Resource Protection & Conservation; Zoning Regulations
Resource Type: Regulations
State: New York
Jurisdiction Type: Municipal
Municipality: Town of Chenango
Year (adopted, written, etc.): 1983-1991
Community Type - applicable to: Suburban; Rural
Title: Town of Chenango Aquifer District
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Abstract

§ 73-11 of the Town Code for the Town of Chenango contains several definitions of terms that are important to aquifer protection such as; aquifer recharge zone, watercourse, cone of depression, and toxic or hazardous material. The purpose behind this statute is to minimize the potential for contamination of the aquifer which currently supplies water to the town. This statute divides the Town of Chenango into the following types of aquifer district zones: [1] Wellhead Protection Area, [2] Aquifer Recharge Area, and [3] Watershed Area. These zones are depicted on the official aquifer map of the Town of Chenango, which was adopted with this statute.

Resource

Town of Chenango NY Aquifer District
Code of the Town of Chenango NY
Chapter 73 Zoning
General Code
See also: Zoning Attachment 14 (1991)
Schedule of Regulations Watershed Area pdf
Chapter 73 Zoning

73-11 Special District Standards

B. Aquifer District [Added 7-18-1983; amended 8-19-1991]

. Aquifer District. **[Added 7-18-1983; amended 8-19-1991]**

- (1) The purpose and intent of establishing the wellhead aquifer recharge and watershed protection areas described in this subsection is to minimize the potential for contamination of the aquifer which currently supplies or in the future may supply water to users in the Town of Chenango and thereby to protect and maintain

groundwater quality in the protection zones tributary to the Chenango Water District well fields and to protect the general health and safety of the residents of the Town of Chenango. The Aquifer District shall include those areas set forth on an aquifer map established by enactment of the Town Board of the Town of Chenango and incorporated as part and parcel of this chapter.

- (2) Nonapplicability. The Aquifer District regulations contained herein in their entirety, and including §§ 73-12C(12); 73-55, Attachment XII; 73-56, Attachment XIII; and 73-57, Attachment XIV; and all schedules, designations and regulations thereunder shall not apply to any activity or development regulated by the Environmental Conservation Law, Article 23, Title 27, entitled the "New York State Mined Land Reclamation Law." **[Added 12-16-1991 Editor's Note: This legislation also renumbered former Subsection B(2) and (3) as B(3) and (4).]**
- (3) Definitions. As used in this subsection, the following terms shall have the meanings indicated, except where the context clearly indicates a different meaning:

AQUIFER — A saturate permeable subsurface geologic unit that can transmit a significant quality of water under ordinary hydraulic gradients.

AQUIFER RECHARGE ZONE — Those land areas outside the Wellhead Protection Zone (Zone I) through which a large volume of precipitation or surface runoff flows directly into the aquifer. This area is designated on the Wellhead Protection Map as "Zone II."

CONE OF DEPRESSION — The depression, roughly circular in shape, produced in a water table or other piezometric surface by the extraction of water from a well at a given rate. The volume and extent of the cone varies with the rate and duration of withdrawal of water.

CONSTRUCTION AND DEMOLITION DEBRIS — Solid wastes resulting from land clearing, road building or the construction, demolition and repair of structures. Such wastes include, but are not limited to, bricks, concrete, rock, lumber, paving materials, tree stumps and brush.

DEVELOPMENT — Any man-made change to improved or unimproved real estate that includes, but is not limited to, the construction of buildings, tanks or other material storage facilities, the renovation of structures, dredging, filling, grading, landfilling, commercial excavation or the installation of pipelines and waste treatment facilities.

DISCHARGE — Discharge denotes the release of a material by any means onto the

surface of the ground, below the surface of the ground, into surface waters or into groundwaters.

GROUNDWATER — The subsurface water found in soils and geologic formations that are fully saturated.

PERSON — A single individual, a group of individuals, an association, a company or a corporation.

REFUSE — All putrescible and nonputrescible solid waste that includes, but is not limited to, garbage, rubbish, ashes, incinerator residue, junk cars, dead animals, commercial wastes, medical wastes and industrial wastes.

TOXIC OR HAZARDOUS MATERIAL — Any substance, whether in solid, liquid or gaseous state, that because of its characteristics may present a potential hazard to human health or the drinking water supply if discharged to the surface of the land or the aquifer in the Town of Chenango. This includes, but is not limited to, hazardous substances listed in Part II of Title 40 of the Code of Federal Regulations, as amended; substances that meet the hazardous waste characteristics tests as defined by the Federal Resource Conservation and Recovery Act of 1976, as amended; and the regulations adopted pursuant thereto; acids or bases beyond a pH range of 6.5 to 8.5; petroleum products; metal plating solutions; solvents or degreasers. This definition shall not include natural gas subject to regulation by state or federal authorities.

VIOLATION — A failure to comply with or conform to the provisions of this section.

WATERCOURSE — A stream channel with either intermittent or continuous water flow.

WATERSHED ZONE — The land surface that is hydraulically tributary to the Aquifer Recharge Zone as so designated on the official map of the Aquifer District.

WELLHEAD PROTECTION ZONE — The land area that is so designated on the official Aquifer District Map.

(4) Designation of districts; Zoning Map.

- (a) For the purpose of this chapter, the Town of Chenango is hereby divided into the following types of aquifer district zones, all of which are depicted on the Official Map of the Town of Chenango adopted herewith and made part of this chapter:

[1] Zone I (Wellhead Protection Area).

[2] Zone II (Aquifer Recharge Area).

[3] Zone III (Watershed Area).

(b) The specific uses permitted in each zone are set forth in detail in § 73-55, attachment number XII, entitled "Schedule of Regulations Aquifer District -- Zone I, Wellhead Protection Area;" § 73-56, attachment number XIII, entitled "Schedule of Regulations Aquifer District -- Aquifer Recharge Zone;" and § 73-57, attachment number XIV, entitled "Schedule of Regulations Aquifer District - - Watershed Area," all of which are incorporated herein and made a part and parcel of this chapter.