

Wellhead Protection

STAFFORD TOWNSHIP (1996)

Disclaimer. This ordinance is an example of an approach that has worked in one municipality. It should be modified to reflect local environmental conditions, current regulations, and state-of-the-art knowledge in the environmental field.

A. The WPO Zone is an overlay zone whereby, in addition to the requirements of the underlying zoning district, the following requirements shall apply. In the event of a conflict with the requirements of the underlying zone, the provisions of the WPO Zone shall supersede.

B. The following uses and activities shall be prohibited in the WPO Zone:

(1) Permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills.

(2) Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials.

(3) Any use or activity requiring the underground storage of hazardous material or waste in excess of an aggregate total of 300 gallons.

C. The following activities involved or conducted as part of an otherwise permitted or accessory use in the underlying zone shall be permitted only upon the finding of the Planning Board, as part of any required site plan or subdivision approval, that best management practices, or other procedures or measures, set forth in § 211-25.1E below, are in place such that a minimal threat posed by the activity to groundwater quality in the wellhead protection area in which the activity is to be conducted:

(1) On-site storage (above or below ground), use or disposal of hazardous materials or wastes in excess of an aggregate total of 50 gallons or 100 pounds.

(2) Individual ground disposal systems.

(3) Auto body and auto repair activities.

(4) New and used truck and auto sales activities.

(5) Contractor yards.

(6) Commercial car washes.

D. The following activities or uses are exempted from the requirements of § 211-25.1E and C:

(1) Retail sales establishments that store and handle hazardous materials for resale in their original unopened containers.

(2) Police, fire and emergency medical service facilities.

(3) Municipal, county and state government facilities.

(4) The use of any hazardous material solely as fuel in a vehicle fuel tank or as a lubricant in a Vehicle.

(5) The transportation of a hazardous material through the WPO Zone, provided that the transporting vehicle is in transit and meets all state and federal requirements for the transportation of such hazardous material.

E. All activities regulated pursuant to § 211?25.1B and all site plan and major subdivision applications shall submit an environmental impact assessment addressing the requirements of § 130?94b and demonstrating to the satisfaction of the approving authority that the proposed use and/or activity employs, to the maximum extent practicable, best management practices, as set forth in § 130?83, to protect groundwater quality in the WPO Zone and minimize the potential groundwater contamination. Nothing in this subsection shall relieve an applicant from the requirements of § 130?94A, B and C where applicable. Any waiver that may be granted by the approving authority from the requirements of § 130?94A, B and C shall not include waiver of the requirements of § 130?94D.