

**GARDINER AQUIFER OVERLAY DISTRICT DRAFT**

**§220-15 AQUIFER OVERLAY DISTRICT (AQO)**

**A. Legislative Findings, Intent, and Purpose**

The purpose of the Aquifer Overlay (AQO) District is to protect the health, safety, and welfare of residents of the Town of Gardiner by safeguarding the Town's groundwater aquifer system and managing development to minimize the potential for the Town's groundwater supplies to be depleted or degraded. Section 220-15 provides the most protective standards to those areas of the aquifer at greatest risk of contamination and depletion.

The Town of Gardiner contains an aquifer system that covers the entire Town and, for purposes of this Section, has been divided into two areas described in Subsection B. This aquifer system provides drinking water to private wells as well as groundwater and surface water that is essential to the maintenance of healthy aquatic and terrestrial ecosystems. The Town has determined that a limiting factor on the carrying capacity of the land is its capability to provide water in sufficient quality and quantity so that water use by some users does not adversely affect other users. Another limiting factor on the carrying capacity of the land is its ability to absorb wastewater without adversely affecting the quality or quantity of groundwater and surface water necessary for water supplies and other needs of the natural and human environment.

Section 220-15 addresses threats to both groundwater quality (limiting use and storage of hazardous materials) and threats to groundwater quantity (requiring new commercial and major subdivision projects to compare the projected use of water with the natural site recharge, and attempt to balance the two, or conduct a pumping test for well yield). Nothing in this §220-15 law shall prevent building a single-family residence on an otherwise existing, buildable lot. With the exception of the prohibition on underground fuel tanks in §220-15E(1), this §220-15 does not create prohibitions for single-family, two-family, or multi-family residential use of land on a single lot containing five or fewer dwelling units, to any residential subdivision creating four or fewer new lots, or to any home occupation unless such residential use or home occupation includes one of the activities listed in Subsection E below. Section 220-15 does apply to all other subdivisions of land.

**B. Delineation, Effect, and Applicability of District**

1. The Aquifer Overlay (AQO) District encompasses the entire Town of Gardiner, which is fully dependent on groundwater as a source of water supply. The AQO has one subdistrict as follows:
  - a. The Community Core Aquifer (CCA) subdistrict, which is extensively developed
2. The AQO and the CCA subdistrict are delineated on the Aquifer Overlay District Map adopted as part of this Chapter.
3. The official AQO District Map is located at the Town offices with the other official Zoning Maps. A reduction of this map is attached to this Chapter for reference purposes only. The Aquifer Overlay (AQO) District map and any amendments to it must be reviewed and approved by a hydrogeologist working for the Town prior to adoption by the Town Board.
4. The official AQO District Map shall be used to determine the boundaries of the CCA within the AQO District. In case of a question or dispute as to the exact location of a boundary on a specific parcel of land, the Town may make such a determination based on the best hydrological information available. Such information may include the report of a qualified hydrogeologist hired by the Town at an applicant's expense. An applicant may challenge the Town's determination by retaining a qualified hydrogeologist to make an independent determination. In the event of a challenge, the Town shall review the report of the applicant's hydrogeologist at the applicant's expense and shall make the final

determination as to the location of the specific boundary. Any such boundary delineation shall not, by itself, effect a change in the AQO District Map. The AQO District Map may only be changed by action of the Town Board as provided in Subsection 220-15H.

5. Within the AQO District, all of the underlying land use district rules shall remain in effect except as specifically modified by this §220-15. In case of a conflict between this §220-15 and the underlying use regulations, the more restrictive shall control. Nothing in this §220-15 shall be construed to allow uses that are not permitted by the underlying land use district.
6. With the exception of the prohibition on underground fuel tanks in §220-15E(1), this §220-15 does not create prohibitions for any single-family, two-family, or multi-family residential use of land on a single lot containing five or fewer dwelling units, to any residential subdivision creating four or fewer new lots, or to any home occupation unless such residential use or home occupation includes one of the activities listed in Subsection E below. This Section does apply to all other subdivisions of land.
7. This §220-15 shall not apply to farm operations covered by the agricultural zoning exemptions in §220-37C.

### **C. Definitions**

For purposes of this §220-15, the following definitions shall apply:

**Action:** A project or physical activity as defined in the SEQR Regulations of the NYS Department of Environmental Conservation, 6NYCRR Part 617, including all actions subject to SEQR that are covered by this Chapter, as well as subdivision applications and other actions requiring local government approval under SEQR.

**Aquifer:** A consolidated or unconsolidated geologic formation, group of formations or part of a formation capable of yielding a significant or economically useful amount of groundwater to wells, springs or infiltration galleries.

**Aquifer Overlay (AQO) District Map:** The Town's overlay map showing the Aquifer Overlay District and subdistrict.

**Community Core Aquifer (CCA) Subdistrict:** The area delineated as the Community Core Aquifer subdistrict on the Aquifer Overlay AQO District Map.

**Community Water System:** A public water system regulated by the New York State Department of Health that serves at least five service connections used by year-round residents or regularly serves at least 25 year-round residents.

**Conditionally Exempt Small Quantity Generators:** As defined by the Resource Conservation and Recovery Act and amendments thereto, sites which generate less than 100 kilograms per month of listed and /or characteristic wastes, which store less than 1000 kilograms of listed and /or characteristic wastes, and which generate less than 1 kilogram per month of acutely hazardous waste and store less than 1 kilogram of acutely hazardous waste.

**Consumption of Water:** The net loss of water from a watershed through evaporation and transpiration processes caused by any human activities and associated land uses, including evaporative losses from septic system leaching lines. The definition of Consumption of Water includes the use of water in diluting wastewater discharges so that groundwater quality at the property line downgradient from the discharge will be 50% or less of the New York State Department of Environmental Conservation's Title 10 Part 703 Groundwater (GA) Water Standards, i.e. the DEC's groundwater contamination standards.

**Discharge:** Any intentional or unintentional action or omission resulting in substances or materials entering the waters of the State either directly or by passing through other land, or in any other way resulting in damage to the lands, waters, or natural resources of the State.

**Generator of Hazardous Waste:** Any person or site whose act or process produces hazardous waste.

**Groundwater:** Water contained in interconnected pores and fractures in the saturated zone in an aquifer.

**Hazardous Substance:** Any substance, including any petroleum by-product, which may cause harm to humans or the environment when improperly managed. A complete list of all hazardous substances except for petroleum by-products can be found in 6 NYCRR Part 597.2(b) Tables 1 and 2 and amendments thereto.

**Hazardous Waste:** See 6 NYCRR Part 371 and amendments thereto for the identification and listing of hazardous wastes.

**Herbicide:** Any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any weed, including those substances defined as herbicides pursuant to Environmental Conservation Law § 33-0101, and amendments thereto.

**Large Quantity Generator:** As defined by the Resource Conservation and Recovery Act and amendments thereto, sites either (1) generating more than 1000 kilograms per month of listed and/or characteristic hazardous wastes, or (2) generating or storing more than 1 kilogram per month of acutely hazardous waste.

**Major Oil Storage Facilities:** Facilities with a storage capacity of 400,000 gallons or more of petroleum.

**Mini-well:** also known as a piezometer, a small-diameter observation well used to measure the hydraulic head of groundwater in aquifers and test for water depletion rates.

**Natural Recharge:** The normal rate at which precipitation replenishes groundwater, without interruption or augmentation by human intervention.

**Non-point Discharge:** Discharges of pollutants not subject to SPDES (State Pollutant Discharge Elimination System) permit requirements.

**Pesticide:** Any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any pest, including any substances defined as pesticides pursuant to Environmental Conservation Law § 33-0101 et seq. and amendments thereto.

**Petroleum:** Oil or petroleum of any kind and in any form including but not limited to oil, petroleum fuel oil, oil sludge, oil refuse, oil mixed with other waste, crude oil, gasoline, and kerosene, as defined in 6 NYCRR Part 597.1(7) and amendments thereto.

**Point Source Discharge:** Pollutants discharged from a point source as defined in Environmental Conservation Law §17-0105 and amendments thereto.

**Pollutant:** Any material or byproduct determined or suspected to be hazardous to human health or the environment.

**Radioactive Material:** Any material that emits radiation.

**Small Quantity Generator:** As defined by the Resource Conservation and Recovery Act and amendments thereto, sites that do not qualify as Conditionally Exempt Small Quantity Generators and that generate less than 1000 kilograms per month of listed and /or characteristic wastes and store less than 6000 kilograms of listed and /or characteristic wastes, and that generate or store less than 1 kilogram per month of acutely hazardous waste.

**Solid Waste:** Generally refers to all putrescible and non-putrescible materials or substances, except domestic sewage, sewage treated through a publicly owned treatment works, or irrigation return flows, that is discarded or rejected as being spent or otherwise worthless, including but not limited to garbage, refuse, industrial and commercial waste, sludges from air or water treatment facilities, rubbish, tires, ashes, contained gaseous material, incinerator residue, construction and demolition debris, and discarded automobiles, as defined in 6 NYCRR Part 360-1.2(a) and amendments thereto.

**State Pollutant Discharge Elimination System (“SPDES”):** The system established pursuant to Article 17 Title 8 of Environmental Conservation Law for issuance of permits authorizing discharges to the waters of the state of New York.

**Wastewater:** Aqueous-carried solid or hazardous waste.

**Watershed:** That land area that includes the entire drainage area contributing water to the Town

water supply and which includes the Aquifer Protection Overlay District.

**Water Supply:** The groundwater resources of the Town of Gardiner, or the groundwater resources used for a particular well or community water system.

**Well:** Any present or future artificial excavation used as a source of public or private water supply which derives water from the interstices of the rocks or soils which it penetrates including bored wells, drilled wells, driven wells, infiltration galleries, and trenches with perforated piping, but excluding ditches or tunnels, used to convey groundwater to the surface.

**D. General Provisions of the Aquifer Overlay District Applicable to all of Gardiner**

1. Non-Degradation Standard: No use shall degrade the quality of the groundwater in a manner that poses a potential danger to public health or safety and no permits or approvals shall be issued for any use that violates this standard. Compliance with applicable standards, requirements, and permit conditions imposed by federal, state, or county agencies shall be deemed to constitute compliance with this standard.
2. The manufacture, use, storage, or discharge of any products, materials, or by-products subject to these regulations, such as wastewater, solid waste, hazardous substances, or any pollutant, must conform to the requirements of these regulations.
3. Usage of water for proposed actions within the AQO District shall be examined pursuant to SEQRA in accordance with the methodology in Subsections F and G of this §220-15.
4. In addition to the list of Statewide Type I Actions contained in §617.4(b) of 6 NYCRR, all proposed actions resulting in discharges exceeding standards provided in 6 NYCRR Part 703.6(e) and amendments thereto (groundwater contamination standards), and all proposed actions where Water Consumption exceeds Natural Recharge, as defined in Subsections F and G herein, shall be designated as Type I Actions under the Implementing Regulations of the State Environmental Quality Review Act (6 NYCRR Part 617), unless the action is listed as a Type II action under such regulations.
5. Design requirements for stormwater control measures:
  - a. Infiltration practices shall be used such that there will be no increase in stormwater runoff volume from a storm up to and including a ten-year-frequency/twenty-four-hour duration storm event development over the site condition (*e.g.* native soil with modest vegetation), in zoning districts excluding the Hamlet Commercial (“HC”) and Hamlet Mixed (“HM”) districts. For sites in the HC and HMU zoning districts, all reasonable opportunities to use infiltration practices must be explored, regardless of soil type or design storm thresholds, before meeting the balance of stormwater management obligations using other practices.
  - b. To alleviate flooding during storms exceeding the ten-year design storm, stormwater control measures shall function in all zoning districts to attenuate peak runoff flow rates to be equal to or less than flow rates under undeveloped site conditions.
6. Testing for New Wells: In addition to any testing requirements of the NYS Department of Health and/or NYS Department of Environmental Conservation, the following specific requirements pertain when applying for a new water source permit in the Town of Gardiner:
  - a. for new Community Water System wells, the following shall be required:
    - i. installation of staff gauges in surface waters and wetlands on or abutting the site and mini-wells at locations acceptable to the reviewing engineer;
    - ii. monitoring and an impact analysis of staff gauges and mini-wells;
    - iii. monitoring and an impact analysis of water levels of all volunteered existing wells in reasonable physical condition on abutting parcels;
    - iv. the test flow rate shall be increased proportionally above the design peak

demand rate whenever precipitation during the 4 months prior to the test exceeds one third of the Town's long-term average precipitation of 40 inches/year (*i.e.* greater than 13.3 inches during the preceding four months); and

- v. the water supply report should include a calculated site water budget using the methodology outlined in Subsections F and G herein.
- b. for Major Subdivisions with individual domestic wells, a site-wide pumping test is required if i) either offsite wastewater treatment service or onsite community wastewater treatment with a surface water discharge is proposed and average parcel sizes are less than those listed below, or ii) if parcels, otherwise allowed by zoning density regulations, using individual septic systems average less than one quarter the following sizes:
  - i. 1.3 acres over Hydrologic Soil Group A soils;
  - ii. 1.8 acres over Hydrologic Soil Group B soils;
  - iii. 3.8 acres over Hydrologic Soil Group C soils; and,
  - iv. 5.0 acres over Hydrologic Soil Group D, A/D, and C/D soils.

This site-wide pumping test must be conducted simultaneously using wells on 10% (rounded up) of proposed parcels, with each test well discharging at a minimum rate of 5 gallons per minute. All monitoring and reporting requirements in §D(6)(a) apply except for proportional pumping test increases during wet periods. The simultaneous flow test must last a minimum of 24 hours and must be extended as necessary until stabilization is observed in test wells, wetland, streams and any off-site wells.

- c. for any projects other than single family dwellings requiring average withdrawals of more than 1,500 gallons of water daily from wells or surface water sources, and where onsite recharge as defined in Subsection F herein is less than the proposed water withdrawal, the following apply:
  - i. If the proposed water source is a well, a minimum 24-hour flow test of the proposed well is required and an impact analysis that includes water level monitoring in wells on abutting parcels.
  - ii. If the proposed water source comes from surface water, an evaluation of potential impacts on connected or adjacent streams, ponds or wetlands is required.
  - iii. Testing shall be conducted by a qualified hydrogeologist or engineer. If testing demonstrates significant impact, a Special Permit shall be required for the project, as described herein in Sections E(4)(c) and E(6)(e).
- 7. When developing clustered subdivisions with individual domestic wells and septic systems on parcels averaging less than values in D(6)(b), the following approaches should be considered as guidance.
  - a. Reduce the likelihood of well water contamination from septic system discharges by limiting the degree to which parcels are under the sizes listed in § D(6)(b); .
  - b. Clustered parcels should be arranged along a hillside rather than up and down a hillside so septic discharges below ground level do not flow downhill toward adjacent parcels.
  - c. When parcels are clustered near ponds, streams or perennial wetlands, well casings should extend at least 50 feet deeper than the water table to tap groundwater below shallow flows that receive and transport septic discharges to the adjacent water bodies.
  - d. The following should be considered when clusters are situated on hillsides or upland areas (*i.e.* not in proximity to ponds, streams or perennial wetlands):

- i. use of enhanced treatment units in individual septic systems to discharge cleaner wastewater to the subsurface, or;
  - ii. use of community wells from a groundwater source distant from the cluster and/or use of collective wastewater treatment with either an aboveground discharge or with collective enhanced pre-treatment prior to subsurface disposal.
- e. On large cluster subdivision projects, several sub-clusters may ensure reliable well water quality better than one large cluster.

**E. Prohibitions, Restrictions, and Permit Requirements in the Aquifer Overlay District**

In accordance with Article IX of this Chapter, “Special Permits and Site Plan Review,” the Planning Board shall review and act upon Special Permit applications within the AQO District. If the uses listed below are regulated by any state or federal agency, the definitions and regulations of such uses contained in applicable state or federal laws and regulations shall apply.

1. Prohibited Uses Throughout the Town
  - a. Installation of an underground fuel tank or tanks, whose combined capacity is less than 1,100 gallons. This applies to all uses throughout the Town, including single-family, two-family, and multi-family dwellings.
  - b. Land application of septage, sludge, or human excreta, including land application facilities defined in 6 NYCRR Part 360-4. This prohibition shall not apply to land application of treated wastewater for irrigation when duly approved by county, state, or federal agencies with regulatory jurisdiction.
  - c. Junkyards and junk car lots.
2. Prohibited uses within the CCA subdistrict only:
  - a. Municipal, private, and construction and demolition landfills as defined in 6 NYCRR Part 360-2 and 6 NYCRR Part 360-7.
  - b. Disposal, by burial, of any hazardous waste, as defined in 6 NYCRR Part 371
  - c. Large Quantity Generators of Hazardous Waste.
  - d. Gas stations and Major Oil Storage Facilities.
  - e. On-site dry-cleaning.
3. Special Permits within the CCA subdistrict. The following uses, if permitted in the underlying land use district, shall require the issuance of a Special Permit within the CCA subdistrict:
  - a. Photo labs;
  - b. Auto repair facilities and truck terminals, including engine repair and machine shops
  - c. Furniture stripper/painter, metal works, wood preservers
  - d. Printers and the use of printing presses
  - e. Small Quantity Generators and Conditionally Exempt Small Quantity Generators
  - f. Solid waste management facilities not involving burial, including incinerators, composting facilities, liquid storage, regulated medical waste, transfer stations, recyclables handling & recovery facilities, waste tire storage facilities, used oil, C&D processing facilities, each as defined in 6 NYCRR Part 360.
  - g. Salt storage facilities
  - h. Uses and land subdivisions where Consumption of Water exceeds Natural Recharge as described in Subsections F and G.
  - i. Cemeteries, including pet cemeteries
  - j. Veterinary hospitals and offices
  - k. Funeral parlors
  - l. Storage or disposal of manure, fertilizers, pesticides/herbicides. No Special Permit shall be required for storage of less than 500 pounds or where such storage or

disposal is conducted in connection with a farm operation that is covered by the exemptions in Section 220-37C.

- m. Slaughterhouses
4. For proposed Uses within the CCA subdistrict that require a Special Permit, the following Special Conditions shall apply:
- a. Storage of chloride salts is prohibited except in structures designed to minimize contact with precipitation and constructed on low permeability pads designed to control seepage and runoff.
  - b. Generators of Hazardous Waste shall provide the Town with copies of all applicable permits provided by State and/or Federal regulators and copies of all annual, incident, and remediation-related reports.
  - c. Any projects where Consumption of Water exceeds Natural Recharge, as defined in Subsections F and G herein, shall demonstrate how such impact will be mitigated, or balanced with other community goals, such as increased density of development and preservation of open space. Mitigation measures may include identifying compensatory recharge to permanently prevent adverse impacts to water supply on adjoining and downgradient land. Such compensatory recharge may be located either upgradient or downgradient of the project. Where the project is located adjacent to a wetland, watercourse, parkland, or other land that is permanently protected from development, the recharge or dilution capacity of such adjacent protected land may be counted toward the required mitigation of the impact of the project, provided that such recharge capacity is not claimed in connection with another project.
  - c. Within the CCA, any projects allowed hereunder, other than single-family homes, where Consumption of Water exceeds Natural Recharge, as defined in Subsections F and G herein, shall demonstrate how such impact on water resources will be mitigated or balanced with community goals that include increased density of development and preservation of open space. Mitigation measures may include design elements to provide recharge and identifying compensatory recharge to permanently prevent adverse impacts to water supply on adjoining and downgradient land. Such compensatory recharge may be located either upgradient or downgradient of the project. Where the project is located adjacent to a wetland, watercourse, parkland, or other land that is permanently protected from development, the recharge or dilution capacity of such adjacent protected land may be counted toward the required mitigation of the impact of the project, provided that such recharge capacity is not claimed in connection with another project.
5. Special Permits within the AQO. The following uses, if permitted in the underlying land use district, shall require the issuance of a Special Permit:
- a. Gasoline service stations
  - b. Major Oil Storage Facilities
  - c. Salt storage facilities
  - d. Small Quantity Generators and Conditionally Exempt Small Quantity Generators
  - e. Large Quantity Generators
  - f. Disposal of any hazardous waste, as defined in 6 NYCRR Part 371, by burial.
  - g. Cemeteries, including pet cemeteries
  - h. Veterinary hospitals and offices
  - i. Funeral parlors
  - j. Storage or disposal of manure, fertilizers, pesticides/herbicides. No Special Permit shall be required for storage of less than 500 pounds or where such storage or disposal is conducted in connection with a farm operation that is covered by the exemptions in §220-37C.
  - k. Slaughterhouses

- h. Uses and land subdivisions where Consumption of Water exceeds Natural Recharge as described in Subsections F and G.
6. For proposed Uses within the AQO that require a Special Permit, the following Special Conditions shall apply:
    - a. Gasoline service station operators shall provide the Town with copies of all applicable permits provided by State and/or Federal regulators and copies of all annual, incident, and remediation-related reports.
    - b. Junkyard operators shall drain fuels, lubricants, and coolants from all cars stored on site to properly permitted above-ground holding tanks, provide to the Town copies of all applicable permits provided by State and/or Federal regulators and copies of all annual and incident reports, provide the Town with an annual summary of numbers of vehicles on site and total gallons of various classes of fluids drained from vehicles and disposal manifests or other documentation of disposition of such fluids.
    - c. Storage of chloride salts, coal, and/or cinders is prohibited except in structures designed to minimize contact with precipitation and constructed on low permeability pads designed to control seepage and runoff.
    - d. Generators of Hazardous Waste shall provide the Town with copies of all applicable permits provided by State and Federal regulators and copies of all annual, incident, and remediation-related reports.
    - e. Within the AQO, any projects allowed hereunder, other than single-family homes, where Consumption of Water exceeds Natural Recharge, as defined in Subsections F and G herein, shall demonstrate how such impact on water resources will be mitigated or balanced with community goals that include increased density of development and preservation of open space. Mitigation measures may include design elements to provide recharge and identifying compensatory recharge to permanently prevent adverse impacts to water supply on adjoining and downgradient land. Such compensatory recharge may be located either upgradient or downgradient of the project. Where the project is located adjacent to a wetland, watercourse, parkland, or other land that is permanently protected from development, the recharge or dilution capacity of such adjacent protected land may be counted toward the required mitigation of the impact of the project, provided that such recharge capacity is not claimed in connection with another project.
  7. Application Requirements for Special Permits: In addition to the Special Permit application requirements set forth in Article IX, applicants proposing actions listed in Subsections (3) and (5) above shall identify the following as part of their applications:
    - a. The source of water to be used
    - b. The quantity of water required
    - c. Water use minimization measures to be implemented
    - d. Water recycling measures to be implemented
    - e. Wastewater discharge measures
    - f. Grading and/or storm water control measures to enhance on-site recharge of surface water;
    - g. Point Source or Non-Point Discharges;
    - h. A complete list of any Hazardous Substances to be used on site along with quantity to be used and stored on site; and
    - i. A description of Hazardous Substance storage or handling facilities and procedures.

**F. Determination of a Parcel's Natural Recharge**

The natural recharge rate for a parcel shall be determined by identifying the soil types on the property, classifying them by hydrologic soil groups designated in the Ulster County Soil Survey (A

through D, A/D and C/D), and applying a recharge rate of 18.2 inches/year for A soils, 13.3 inches/year for B soils, 6.8inches/year for C soils, and 3.8 inches/year for D,A/D, and C/D soils, and multiplying the recharge rate(s) by the number of acres in the parcel for each soil group.

**G. Consumption of Water**

The following table establishes the method to calculate projected consumption of water, as defined in §220-15C:

<u>Use</u>	<u>Gallons per day</u>	<u>Multiplied by</u>	<u>Dilution factor</u>	<u>Consumption/day</u>
Irrigated Lands (non-agricultural)	Irrigated Acres x 4,000 <sup>(1)</sup>	x 1		= _____
Uses with Surface Water Discharge	Site activity use x 0.2	x 1		= _____
Residential Uses with Subsurface Water Discharge <sup>(2)</sup>	70 gpd/capita	x 6		= _____
Nonresidential Uses with Subsurface Water Discharge <sup>(2)</sup>	Daily Use	x 6		= _____

(1) Applicable for vegetation requiring 1 inch/week irrigation. May be adjusted for vegetation with other water requirements.

(2) Calculate use per NYSDEC intermediate wastewater disposal guide. Discharge must not exceed NYSDEC Title 10, Part 703 effluent limits.

**H. Map Changes**

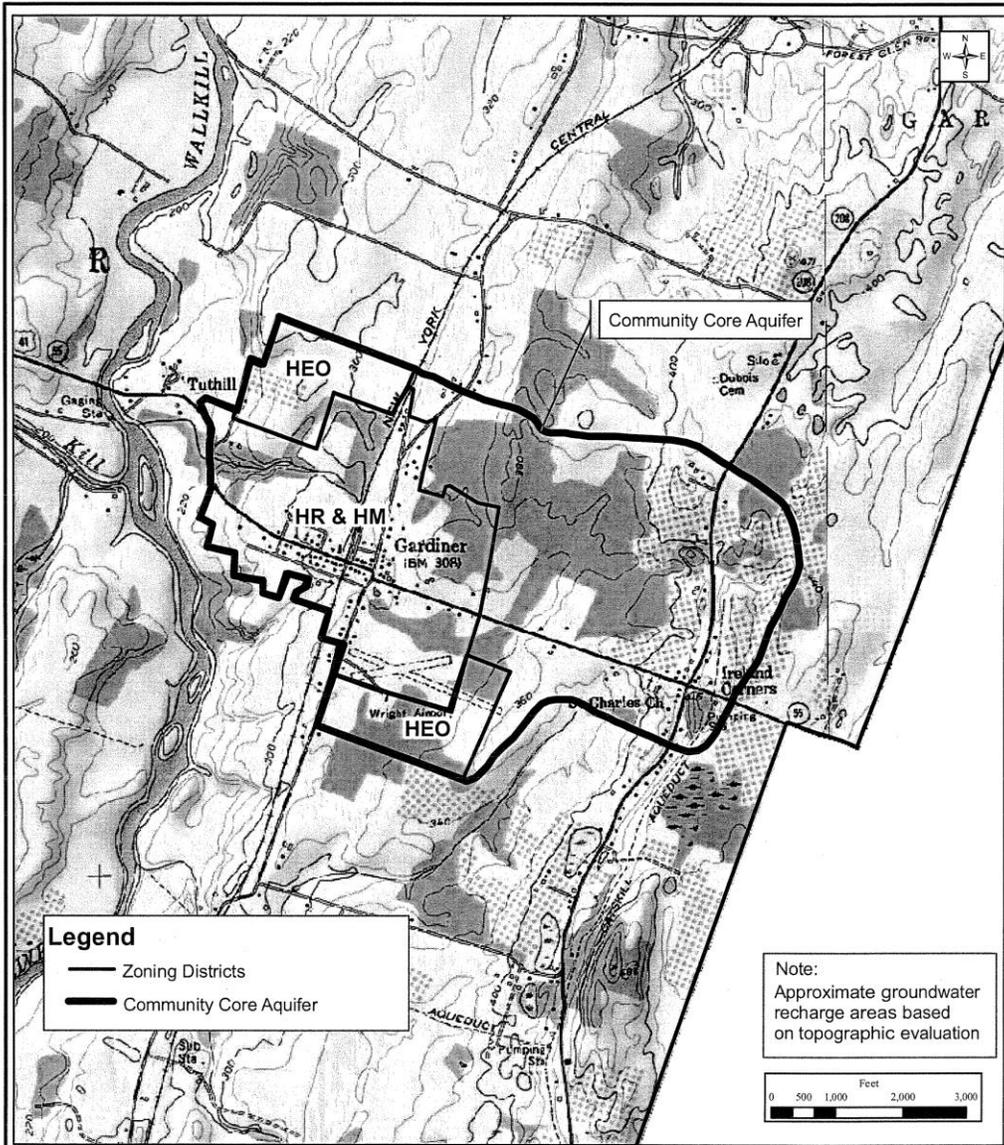
1. The Aquifer Overlay District Map may be modified by the Town Board to reflect changed circumstances, such as the installation of a community water system or a public water supply well, or to take account of new or more accurate geological or hydrological information, provided that the Town’s hydrogeologist reviews and approves any map modification.
2. Any new areas or revisions of boundaries made pursuant to this Subsection H shall be placed on the Aquifer Overlay District Map pursuant to the Zoning Map amendment process in Article X.

**I. Reporting of Discharges**

Any person or organization responsible for any discharge of a Hazardous Substance, Solid Waste, Hazardous Waste, petroleum product, or radioactive material shall notify the Town Clerk of such discharge within 24 hours of the time of discovery of the discharge. This notification does not alter other applicable reporting requirements under existing law and applies to all uses, whether conforming or non-conforming in any respect.

**J. Non-conforming Uses, Structures, and Lots**

See Article VI of this Chapter. For any non-conformity that requires a Special Permit to expand or change, all requirements of this §220-15 shall apply to such expansion or change.



**THE Chazen COMPANIES**  
 ENGINEERS/SURVEYORS  
 PLANNERS  
 ENVIRONMENTAL SCIENTISTS  
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 Phone: (845) 567-1133

**Capital District Office:**  
 347 River Street, Troy, NY 12180  
 Phone: (518) 275-0055

**Glens Falls Office:**  
 100 Glen Street, Glens Falls, NY 12801  
 Phone: (518) 812-0313

*Gardiner*

**FIGURE 1 - COMMUNITY CORE AQUIFER PROTECTION AREA**

Ulster County, New York

Drawn:	CMW / RUM
Date:	May, 2008
Scale:	1 in equals 2,000 ft
Project:	40721.00
Figure:	1