

(GW)

Consolidated H-10

## Attachment I

### TOWN OF WINTHROP GROUND WATER PROTECTION ORDINANCE

#### Article I. Purpose

The purpose of this Ordinance, made as part of the comprehensive plan for the Town of Winthrop, and for the promotion of the health, safety and general welfare of its residents, is to protect the groundwater resources of the Town from adverse development of land-use practices that might reduce the quality and quantity of water.

#### Article II. Scope and Authority

- A. Within the boundaries of the Water Protection Areas, comprising aquifers, recharge areas, and certain adjacent protective strips, as set forth in this Ordinance, no land shall be used except in conformity with the provisions of this Ordinance. This Ordinance shall apply to such areas notwithstanding the provisions of any other Town Ordinance previously adopted.
- B. This Ordinance is adopted pursuant to Article VIII - A of the Maine State Constitution and Title 30 M.R.S.A. Sections 1917, 2151(6), and 4962.

#### Article III. Definitions

Aquifer:	Geologic formation composed of rock or sand and gravel that contains significant amounts of potentially producible potable water.
Groundwater:	All the water found beneath the surface of the ground. In this Ordinance the term refers to the slowly moving subsurface water present in aquifers and recharge areas.
Leachable Wastes:	Waste materials including solid wastes, sludge, and agricultural wastes that are capable of releasing water-borne contaminants to the surrounding environment.
Mining of Land:	The removal of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock to be crushed or used as building stone.
Recharge Area:	Areas composed of porous sand and gravel, or other areas, that collect precipitation or surface water and carry it to aquifers.
Solid Wastes:	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, refuse, inert fill materials and landscape refuse.

#### Article IV. Regulations

- A. Establishments and Delineation of Water Protection Areas: For the purposes of this Ordinance, there are hereby established within the Town certain Water Protection Areas, consisting of aquifers and/or aquifer recharge areas, which are delineated on a map entitled "Water Protection Areas: Town of Winthrop". This map shall be deemed an integral part of this Ordinance and shall be filed at the Town Office and at the County Registry of Deeds as required by Title 33, M.R.S.A. Section 622-A. Aquifers and aquifer recharge areas are defined by standard geologic and hydrologic investigations which may include drilling observation wells, performing pumping tests, water sampling and geologic mapping. New areas identified by any of these methods may be added to the Ordinance by amendment. As delineated on the Map, Water Protection Areas comprise the following elements:

1. Aquifers, together with:
  - a. the surface of the land lying above them, and
  - b. a surrounding protective strip, approximately 250 feet in width, so drawn that its bounds can be definitely established upon the site.
2. Recharge areas, defined by the extent of the sand and gravel deposits and wetlands within them that drain into the aquifer, together with:
  - a. a surrounding protective strip, approximately 100 feet in width so drawn that its bounds can be definitely established upon the site.
  - b. the shorelands, to a constant depth, of any stream that flows into the recharge area.

The delineation of the Water Protection Areas on the Map may be revised by the Town Council as the extent of the aquifers or recharge areas is more accurately defined. Initially, the map shall identify and define a Water protection Area which has the following boundaries:

West by Annabessacook Road  
North by Hoyt Brook  
East by Annabessacook Lake  
South by a line which begins at the intersection of Annabessacook Road and the northerly boundary line of Lot 47 of Map 2 of the Town Tax maps and then extends in a straight line to the south-east corner of Lot 39 of Map 13.

The referenced property maps are on file at the Town Office and are those bearing the following identification:

"Property Maps, Town of Winthrop, Kennebec County, Maine,  
Prepared by James W. Sewall Company, Oldtown, Maine  
April 1, 1985"

B. Use Regulations: Within the Water Protection Areas, these regulations shall apply:

1. The following uses are prohibited:

- a. Disposal of solid wastes, other than brush and stumps;
- b. The disposal of liquid or leachable wastes except for residential sub-surface waste disposal systems;
- c. The removal of ground water by any means, including residential wells, except in cases where a public waterline is not located within 800 feet of the proposed site;
- d. The mining or excavation of land except that which is solely for residential purposes.

C. Code Enforcement Officer: It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance and to see that its requirements and restrictions are duly complied with. He shall adopt such reasonable procedures as, with the approval of the Planning Board, and within the scope of this Ordinance, shall facilitate the handling of all matters and questions arising hereunder.

D. Violations: It shall be the duty of the Code Enforcement Officer to warn any person, firm or corporation of violations of this Ordinance by them and to inform them of their right to seek a variance or other relief.

Either the Code Enforcement Officer or the Municipal Officers shall institute or cause to be instituted, in the name of the Town, any and all actions, legal and equitable, that shall be appropriate or necessary for the enforcement of the provisions of this Ordinance.

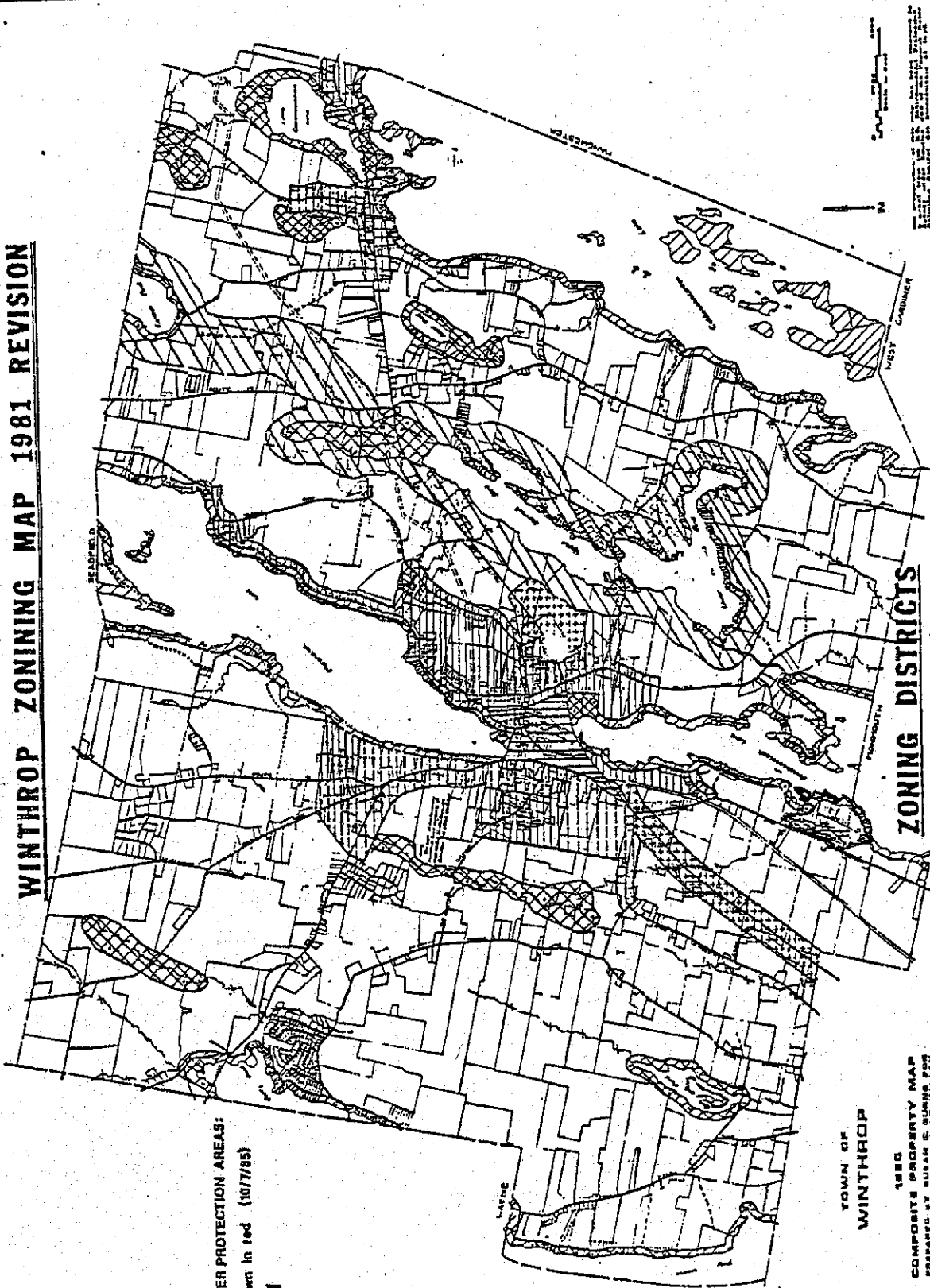
Any person, firm or corporation, being the owner or occupant of, or having control or the use of, or being engaged in the construction or moving of, any structure or land or part thereof, found to violate any provision of this Ordinance, shall be guilty of a civil violation and upon conviction thereof, shall be punished by a fine of not less than \$100.00, and no more than \$250.00. Each day such violation is permitted to exist after notification thereof by the Code Enforcement Officer shall constitute a separate offense. Such persons shall be liable for any court costs and incurs reasonable attorney fees.

#### Article V. Appeals

Appeal Procedure: In all cases, a person aggrieved by a decision or determination of the Planning Board or Code Enforcement Officer shall commence his appeal within 30 days after receipt or notification of a decision or determination. The appeal shall be filed with the Board of Appeals in writing and shall state specifically the grounds for said appeal.

← Heading will change

# WINTHROP ZONING MAP 1981 REVISION



WATER PROTECTION AREAS:  
shown in red (10/7/85)

10/7/85

TOWN OF  
WINTHROP

1980  
COMPOSITE PROPERTY MAP  
FOR THE TOWN OF WINTHROP  
MAINE  
THE TOWN ENGINEER HAS  
REVIEWED THIS MAP FOR  
ACCURACY AND COMPLETION  
DATE: 10/7/85

## ZONING DISTRICTS

- GENERAL RESIDENTIAL
- RESOURCE PROTECTION
- SHORELAND
- WATERSHED
- VILLAGE
- BUSINESS
- RURAL



## TOWN OFFICE

WINTHROP, MAINE 04364  
TELEPHONE 207 377-2286  
ASSESSOR - TEL. 207 377-8856

### INTERPRETATION OF BOUNDARIES:

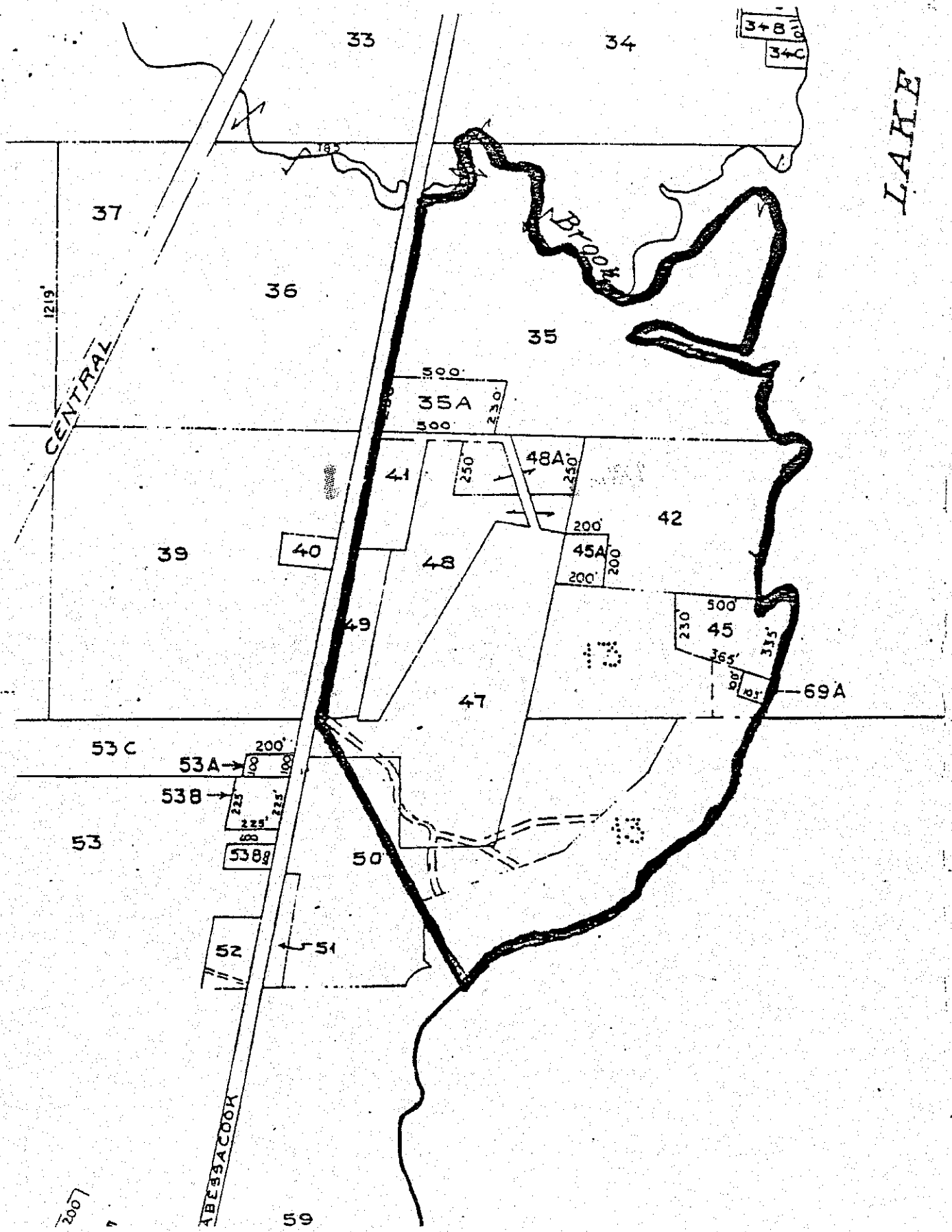
#### GROUND WATER PROTECTION AREAS

On October 7, 1985, the Winthrop Town Council adopted a Ground Water Protection Ordinance. A revised copy of the Winthrop Zoning Map, attached to the Ordinance, delineates required Water Protection Areas at a scale of approximately 1 inch = 3750 feet.

To facilitate interpretation of this Ordinance, the Codes Enforcement Office has delineated the required Water Protection Areas on Winthrop Property Map 2 at a scale of 1 inch = 500 feet. This map is attached and will be used by the Codes Enforcement Officer in interpretation of the Ordinance.

Challenges to the Code Enforcement Officer's delineations on Property Map 2 or further interpretation of boundaries for Water Protection Areas may be directed to the Winthrop Zoning Board of Appeals in accordance with section 2.3.7. of the Winthrop Zoning Ordinance.

Thomas U. Gordon  
Codes Enforcement Officer  
October 9, 1985



LAKE

CENTRAL

MOONSHACAB

2007