

Section 10.11 Well Overlay Zone^[1]

A. DESCRIPTION AND PURPOSE

The Well Overlay Zone encompasses properties having bedrock drinking water wells which have been demonstrated by the Maine Department of Environmental Protection to be impacted by hazardous substances. The intent of this overlay zone is to restrict bedrock ground water use and land use per the July 10, 2009, Portland-Bangor Waste Oil Company Site agreement between the City of Ellsworth and the Maine Department of Environmental Protection. The Well Overlay Zone consists of two separate and distinct areas referred to as *Well Area A: Bedrock Well Restricted Area* and *Well Area B: Bedrock Well Treatment Area*.

B. USES IN WELL AREA A: Bedrock Well Restricted Area shall be regulated as follows:

1. Bedrock water users are required to connect to the Ellsworth public water system.
2. Drilling for, or use of, bedrock ground water for any means, including residential wells is prohibited.
3. Commercial blasting as part of any quarrying or mining operation is prohibited
4. Bedrock ground water may be withdrawn for sampling to assess water quality by scientific analysis only from wells still in existence prior to July 10, 2009.
5. Bedrock ground water may be withdrawn from wells installed on or after July 10, 2009, as part of a Maine Department of Environmental Protection hydrogeologic study or a City of Ellsworth approved hydrogeologic study.

C. USES IN AREA B: Bedrock Well Treatment Area shall be regulated as follows:

1. Drilling for, or use of, bedrock groundwater for any means including residential wells is allowed but:
 - i. *All bedrock wells, both commercial and residential, must install a Point-of-Entry Treatment Systems(POETS) such as an activated carbon filter to ensure water-born, site-related contaminants are not ingested, discharged to a septic system, or otherwise discharged to the ground.*

^[1] Section 10.11 is effective upon completion of a) the waterline extension to the Hancock County Vocational School and b) the waterline extension to 318 Bangor Road, as determined by the City Manager.

- ii. The City of Ellsworth shall provide on a “first come, first serve basis” one (1) POETS per lot in existence as of April 1, 2009 unless such lot is required by another Ordinance of the City of Ellsworth to connect to the Ellsworth public water system. Any additional POETS shall be the responsibility of the property owner(s).
- iii. Water extracted from any bedrock wells on any one parcel shall be limited to a maximum usage rate of 500 gallons per day.
- iv. Water extraction from any bedrock well on any one parcel with a usage to exceed 500 gallons per day requires review by the Planning Board. The Planning Board shall determine whether the applicant has adequately demonstrated that the increased usage will not cause contaminated ground water to spread beyond Well Areas A and B.
- v. Commercial blasting as part of any quarrying or mining operation is prohibited.