

August 11, 2008

To: Nolan Glantz (Landlocked Parcel Committee)

From: Larry Cohen (Conservation Commission)

Subject: **Uses Allowed in Aquifer and Water Resources District**

At the July 21, 2008 meeting of the Landlocked Parcel Committee, the Committee requested a summary of the uses allowed in our Aquifer Resource District (Zone 2) and Water Resources District (Zone 3).

The Landlocked Parcel is about 70 percent in the Water Resources Overlay District. No portion is currently in our Aquifer District. The Water Resource District encompasses all properties or portions of properties whose ground and surface waters drain into the watershed contributing to our Vine Brook aquifer, including all areas designated as "Zone III" by the DEP. Under the State's hazardous waste regulations, the Water Resource District is considered a potential drinking water source for contaminant cleanup purposes.

Attached is a table of uses from our Zone Bylaws.

To read this table of uses, you do the following:

First look to the allowed uses in the IG district, if they are prohibited they are also prohibited in the A and WR overlay zones. If a use is allowed either by right = YES or by Special Permit = SP under the IG district then scroll over to the A and WR overlay district to see if they are either by right = YES, by Special Permit = SP or prohibited = NO.

In 2003, the State Department of Environmental Protection performed a source water assessment on our drinking water supply. This report inventoried land uses within the recharge area (Zone II) of our public water supply sources and assessed the susceptibility of our drinking water source to contamination from these land uses.

DEP ranked the susceptibility to contamination for our drinking water wells as "HIGH" based on the presence of high threat land uses within our water supply protection area. Many large and small businesses in our watershed area use hazardous materials, produce hazardous waste products, and/or store large quantities of hazardous materials in Underground Storage Tanks (USTs)/Aboveground Storage Tanks (ASTs). Although many facilities within the watershed use best management practices (BMPs), hazardous materials and waste can be unexpectedly released through spills, leaks or improper handling or storage, and become potential sources of contamination. The table below shows that Burlington has numerous potential high risk sources (partial list) of contamination in our Zone II:

Type Facilities	No. Facilities	Type Facilities	No. Facilities
Gas stations	3	Photo Processors	4
Service stations	8	Printer Shops	7
Cemetery	1	Research Labs	3
Dry Cleaners	1	Electronics Manuf	4
Medical Facilities	3	Electroplaters	1
Paint Shops	1	Metal Working Shop	1
Stormwater Drains	100+	U-ground Stor Tanks	15

Even though Burlington has protective zoning such as a Water Resources District, this analysis shows that our water supply is not fully protected from high risk sources of contamination. I remind the Committee that we should not have a false sense of security about protecting our water supply with zoning protection.