

Chapter 149

WATER - DRILLING, DIGGING OR TAPPING INTO SOURCES

[HISTORY: Adopted by the Board of Trustees of the Village of Saddle Rock 10-5-1994 by L.L. No. 4-1994. Amendments noted where applicable.]

GENERAL REFERENCES

Water — See Ch. 148.

§ 149-1. Legislative findings.

The State Legislature heretofore has found that the potable water for the northern portion of the Great Neck peninsula is derived from aquifers which are the sole source of water for all of Long Island and that the issues of contamination and conservation of the aquifers and the need to better manage the groundwater system on the Great Neck peninsula, which had been operated by a private utility in 1985, are of statewide concern. By reason thereof, the State Legislature heretofore created the Water Authority of Great Neck North ("Authority"), with the purposes of protecting, preserving and enhancing the quality and quantity of the water within the Authority's supply area and to serve as a model and leader for other water suppliers to better manage, conserve and protect the groundwaters within and outside their respective supply areas. After investigating water conservation, regulation and management programs, the Authority has recommended that all of the municipalities within, or partially within, the Water Authority of Great Neck North District adopt regulations prohibiting drilling, digging or tapping into any aquifers or other subsurface source of water in order to avoid the possibility of contamination to the aquifer systems, pumping which could adversely affect salt water intrusion into the public supply wells and unregulated overpumping which could adversely deplete supply facilities and affect the delicate balance of pumping from public supply wells. Upon review of such proposed water conservation measures, the Board of Trustees hereby finds and determines that it would be in the best interest of the health, safety and welfare of the inhabitants of the village to adopt the regulations contained in this chapter.

§ 149-2. Prohibition.

No person, firm or entity shall drill, dig or tap into any aquifer or other subsurface source of water within the village without having first obtained a permit from the Board of Trustees. Notwithstanding the foregoing, no permit for such activity shall be required where such activity is conducted by the Water Authority of Great Neck North or the New York State Department of Environmental Conservation.

§ 149-3. Permits.

- A. A permit may be granted by the Board of Trustees to authorize drilling, digging or tapping into an aquifer or other subsurface source of water within the village only upon written application demonstrating the need for such activity. Each such application shall be

accompanied by the written consent of the Water Authority of Great Neck North. Such application for permit may be granted only upon a finding that the proposed activity will not have a substantial adverse affect upon the water supply or the quality or quantity of water.

- B. Notwithstanding the foregoing, the Board of Trustees may grant such an application for permit in an appropriate case without the approval of the Water Authority of Great Neck North after a public hearing on the application for such permit. Notice of such hearing shall be given in the same manner as required for adoption of a local law, and written notice of which shall also be given to the Water Authority of Great Neck North at least 10 days prior to the date of said public hearing. Such application for permit may be granted without the approval of the Water Authority of Great Neck North only upon a finding that the proposed activity will not have a substantial adverse affect upon the water supply or the quality or quantity of water and upon a finding that failure to approve such permit will cause unusual hardship to the applicant.
- C. Any permit granted pursuant to this chapter may be made subject to reasonable conditions imposed thereon by the Board of Trustees, and may be suspended or revoked by the Board of Trustees in the event of noncompliance with any of said conditions.