

**WATER CONSERVATION DISTRICT  
OVERLAY ORDINANCE**

**ANTHONY TOWNSHIP**

**MONTOUR COUNTY, PA**

FOR USE IN CONJUNCTION WITH  
THE MONTOUR COUNTY ZONING ORDINANCE OF 1972

ADOPTED MARCH 23, 2010

**RESOLUTION NO. 3-23-10**

**Creating a Water Conservation Overlay District Ordinance  
In Anthony Township, Montour County**

WHEREAS, a significant and naturally occurring groundwater availability issue exists in northern Anthony Township; and

WHEREAS, the groundwater availability issue affects the public health, safety and welfare of the citizens of Anthony Township; and

WHEREAS, an Anthony Township Water Conservation Overlay District Ordinance has been created to strengthen water resource conservation, reduce future impacts on existing wells, establish standards for minimum well output and groundwater storage and retain the rural character and qualities in Anthony Township; and

WHEREAS, Montour County adhered to or exceeded the public participation, review and public hearing requirements of the Pennsylvania Municipalities Planning Code in finalizing the overlay district; and

WHEREAS the proposed overlay district was submitted to Anthony Township Supervisors for review, comment and concurrence.

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Montour County hereby adopt the Anthony Township Water Conservation Overlay District and incorporate it into the Montour County Zoning Ordinance this 23<sup>rd</sup> day of March, 2010.

Montour County Commissioners



By: Trevor S. Finn  
Trevor S. Finn, Chairman

By: John J. Gerst  
John J. Gerst

By: J. R. Ward  
Jerry R. Ward

Attest:

Holly A. Bandon  
Holly A. Bandon, Chief Clerk

**WATER CONSERVATION DISTRICT OVERLAY ORDINANCE  
ANTHONY TOWNSHIP  
MONTOUR COUNTY, PA**

**ARTICLE 6C: ANTHONY TOWNSHIP WATER CONSERVATION DISTRICT  
OVERLAY ORDINANCE**

**BACKGROUND**

Based on the evidence of well water data and well water user experience in northern Anthony Township, in the area more generally known as the Muncy Hills, it has been determined that a significant and naturally occurring groundwater availability issue exists which affects public health, safety and welfare.

The area affected by this condition shall be subject to the provisions of the *Anthony Township Water Conservation District Overlay Ordinance* as stipulated herein. The area subject to the additional requirements of this overlay district ordinance includes select areas in northern Anthony Township situated at and above the 1000' elevation as delineated on the *Anthony Township Water Conservation District Map* which establishes supplemental guidance for reference and use in administering the provisions of this ordinance.

The above referenced conditions which establish the need for this ordinance are noted within the *Montour County Comprehensive Plan*, adopted June 23, 2009 in Montour County Resolution No. R-6-24-09, wherein specific reference is made regarding the physical limitations affecting future development in northern Anthony Township and the establishment of an aquifer protection overlay district is recommended.

The *Montour County Comprehensive Plan* and *Development Constraints Map* defines limitations to development within the entirety of the Anthony Township Water Conservation District, including steep to very steep slopes, potential groundwater recharge and critical natural areas. The *Montour County Comprehensive Plan* establishes a conceptual framework for future land use within the County and recommends that the area regulated by this ordinance be managed for Resource Protection.

## **SECTION 600: DISTRICT PURPOSE**

The purpose of the *Anthony Township Water Conservation Overlay District* is to minimize future impacts on public safety, health and welfare through the conservation of scarce groundwater resources within the area referenced on the *Anthony Township Water Conservation District Map*. The intent of this overlay district includes, but is not limited to the following:

- A. Strengthen water resource conservation through the application of lower density development standards and corresponding water resource conservation measures.
- B. Reduce future impacts on existing wells and conserve naturally available quantities of groundwater.
- C. Establish standards for minimum well output and groundwater storage within the *Anthony Township Water Conservation Overlay District* prior to issuing building permits.
- D. Retain the rural character and qualities within Anthony Township while providing reasonable requirements for development when sustainable.

## **SECTION 601: BASIC USE REGULATIONS**

Within the *Anthony Township Water Conservation District*, buildings, structures and lots shall be subject to the following basic use regulations. Any use or activity not specifically authorized or addressed within this section shall be subject to the underlying provisions of ARTICLE VI-B, A – C AGRICULTURAL – CONSERVATION DISTRICT, of the *Montour County Zoning Ordinance*.

### **A. Permitted Uses**

1. Agriculture, including soil tillage, non-irrigated crop and forage production, and traditional small-scale livestock and poultry farming. Farm operations requiring substantial groundwater usage such as large scale dairying, poultry and hog production shall be treated as conditional uses and shall be further subject to the relevant provisions of the *Montour County Zoning Ordinance*.
2. Forestry and horticulture, including producing flowers and other ornamental plants.
3. Preservation and conservation activities including, but not limited to, game lands, game farms, wildlife preserves, man-made ponds and reservoirs.
4. Single-family detached dwellings and individual mobile home dwellings.
5. Sales of agricultural and horticultural products raised or produced on the premises.
6. Signs as permitted by and subject to the regulations of ARTICLE II, SIGNS, of the *Montour County Zoning Ordinance*.
7. Accessory structures and uses associated with but incidental to the above uses, which may include home occupations, subject to the related regulations of ARTICLE I, GENERAL REGULATIONS, of the *Montour County Zoning Ordinance*.

## B. Supplemental Uses

The following supplemental uses may be permitted within the *Anthony Township Water Conservation Overlay District* subject to the underlying provisions of the *Montour County Zoning Ordinance* and when approved as a Special Exception by the Zoning Hearing Board.

1. Sales of agricultural and horticultural related products, including equipment not produced on the premises.
2. Agricultural, horticultural and forestry related product processing.
3. Migrant worker camps subject further to the related regulations of ARTICLE I, GENERAL REGULATIONS, of the *Montour County Zoning Ordinance*.
4. Public facilities and utilities with additional approval by the authorized regulatory agency for the Commonwealth of Pennsylvania where required.
5. Natural production uses subject further to the related regulations of ARTICLE I, GENERAL REGULATIONS, of the *Montour County Zoning Ordinance*.
6. Accessory structures and uses associated with but incidental to the above uses.

## **SECTION 602: BASIC SPATIAL REGULATIONS**

All buildings, structures and lots within the *Anthony Township Water Conservation Overlay District* shall be subject to the following spatial regulations which shall be considered as a minimum standard:

### A. Lot Requirements

1. Area  
The lot area and lot area per single family dwelling unit shall be not less than five (5) acres.
2. Width  
The lot width at the building line shall be not less than one hundred fifty (150) feet.
3. Existing lots of record less than 5 acres in size, prior to the enactment of this Ordinance, shall comply with the minimum setbacks stated in SECTION 413 of the *Montour County Zoning Ordinance*. All other requirements for the *Anthony Township Water Conservation Overlay District* apply to non-conforming lots of record.

B. Yard Requirements

1. Minimum front yard depth: thirty (30) feet.
2. Minimum side yard width: fifteen (15) feet.
3. Minimum rear yard depth: thirty (30) feet.
4. Special Buffering

In addition to such buffering and screening as may be required under ARTICLE I, GENERAL REGULATIONS, of the *Montour County Zoning Ordinance*, all activities involving the raising and keeping of animals shall be set back a distance of at least one hundred (100) feet from any non-farm dwelling and all uses of an industrial nature shall be set back a distance of at least one hundred fifty (150) feet from any adjoining residential lot or zone district. In the case of an industrial user, the required buffer yard shall be planted with a row of coniferous or other screening trees spaced not more than twenty (20) feet on center.

C. Lot Coverage

1. The lot coverage by all buildings and structures shall not be greater than fifteen (15) percent of the total lot area.
2. Except in the case of agricultural and related uses, at least fifty (50) percent of the total lot area shall be wooded or permanently planted with trees, shrubs, grass, or other suitable vegetative groundcover.

D. Building Height

No limit.

E. Off-Street Parking and Loading

Off-street parking, loading and unloading areas shall be provided in accordance with the regulations of ARTICLE III of the *Montour County Zoning Ordinance*.

F. Residential Well Requirements

The building site developer shall drill wells in accordance with the following minimum standards for single family residential homes:

1. A test well shall be drilled for each proposed lot. More than one test well may be drilled, however, for purposes of administering this ordinance the results of one test well only shall apply.
2. The selected test well must produce a minimum 5 gallons per minute (GPM) for single family residential use as a condition for obtaining a building permit. Where this cannot be achieved, a building permit may be issued conditioned upon meeting the well yield and water storage tank requirements stipulated in F.5.
3. Where water storage is required as stipulated in F.5 a code-approved well flow restrictor valve and water storage tank shall be installed.
4. All wells regulated by this ordinance shall have 50' of cased in-well water storage. In-well cased water storage capacity shall not alter the minimum storage tank size requirements of this ordinance.
5. Where groundwater storage is required as a condition for obtaining a building permit, the following storage requirements shall apply:

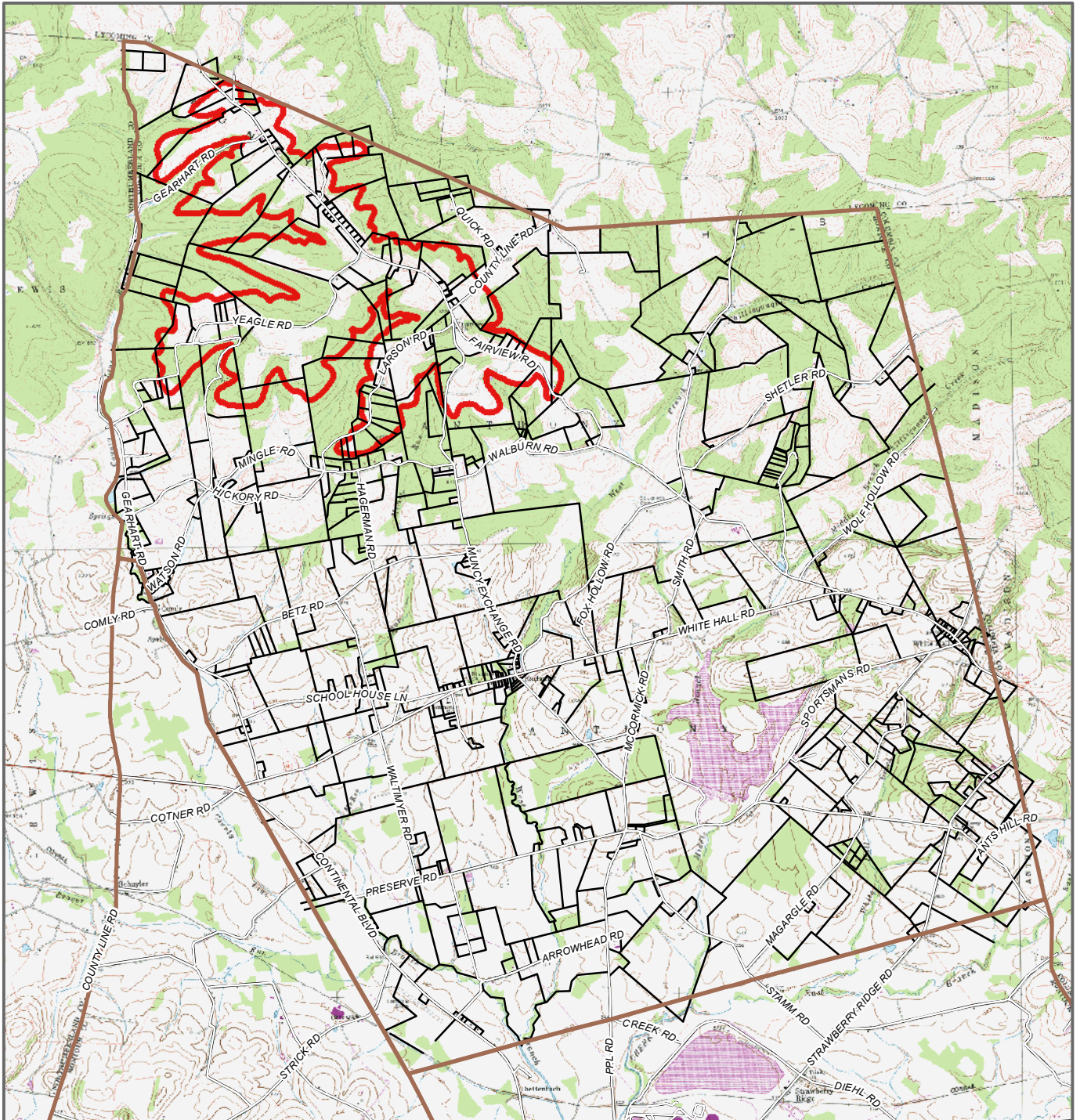
WELL YIELD (GPM)	STORAGE TANK REQUIREMENT
More than 5 GPM	Permitted—Storage Not Required
0.5 GPM to 5 GPM	400 Gallons Minimum Storage Required
Less than 0.5 GPM	Not Permitted

6. Well yields must be verified from the well driller's report before a building permit is issued.





# Water Conservation District (WCD) Map

## Anthony Township

### Montour County, PA



Elevation Data Source: U.S. Geological Survey  
 Background: USGS Topographic Map  
 WCD Ordinance adopted March 23, 2010

-  Municipal Boundary
-  Road Centerline
-  Tax Parcel Boundary
-  WCD

