# TOWN OF WAWAYANDA
SLATE HILL, NEW YORK 10973

KATHRYN A. SHERLOCK, RMC
Town Clerk - Tax Collector
Town of Wawayanda
80 Ridgebury Hill Road
SLATE HILL, NEW YORK 10973

**MOTION** by **Supervisor Quinn,** seconded by **Councilman Cole,** to approve the operating hours for Marangi / Dom Mar Transfer and Recycling Facility to be 4 am – 7 pm Monday – Friday and 7am – 2 pm on Saturday.

**VOTE**

| | |
|---|---|
| Supervisor Quinn | - Aye |
| Councilman Cole | - Aye |
| Councilman Myruski | - Aye |
| Councilman LaSpina | - Aye |
| Councilman Penaluna | - Aye |

**MOTION CARRIED**

**STATE OF NEW YORK:**

ss.:

**COUNTY OF ORANGE:**

I, **Kathryn A. Sherlock**, the duly elected and serving Town Clerk of the Town of Wawayanda, do hereby certify that the foregoing is a true and exact copy a resolution that had been duly considered and adopted at a public meeting of the Town Board which was held on Thursday, August 5, 2021.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Town of Wawayanda this 2nd day of September, 2021.

**Kathryn A. Sherlock, Town Clerk**
**Town of Wawayanda**

# *Waiver Application*

## *Dom-Mar Transfer and Recycling Facility*

**DOM KAM LLC**
**366 Highland Avenue Ext.**
**Middletown, New York 10940**

**July 2021**

Prepared by

ENGINEERING +
ENVIRONMENTAL
661 Main Street
Niagara Falls, New York 14301

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**Attachments**

# 1. Introduction

## 1.1 Introduction

DOM KAM LLC (DM) of Middletown, New York is proposing to construct a solid waste transfer and recycling facility (Dom-Mar Transfer and Recycling Facility or Facility) in the Town of Wawayanda, Orange County, New York. The Transfer and Recycling Facility will process and transfer municipal solid waste (MSW), Construction and Demolition debris (C&D), and Industrial Waste (IW) for disposal, and package and transfer source separated Old Corrugated Containers (OCC) for further processing. Hardfill, brush, unadulterated wood, and metal from the C&D will be separated through simple floor sorting and transferred for further processing. The Transfer and Recycling Facility is Phase 1 of the planned site development. The planned full development of the site includes the construction of a Truck Maintenance and Storage Facility at least five years after construction of the Transfer and Recycling Facility.

DM is seeking a waiver from the Town Board from the operating hours criteria included in Section 152-17D. (7) of the Town Code. Additional operating hours are sought for the Facility to reduce transportation and waiting times for inbound and outbound waste loads and maintain service during community special events, holidays and severe weather when collection routes may be delayed, and public and municipal service demand is higher. The additional operating hours are also expected to reduce the traffic impact from the Facility as truck traffic will be further spread out to avoid peak traffic times.

In accordance with Section 152-23 of the Town Code this Waiver Application includes the owner/applicant information (Section 1.3), an overview of the proposed project (Section 3), the Full Environmental Assessment Form (Attachment 1) for the proposed project submitted to the Town Planning Board (SEQR Lead Agency), a Facility Site Plan and key map showing the facilities location (Sheet 3 and Sheet 1 of the Site Plan and Special Use Permit Application Drawings included in Attachment 2 respectively), and a substantive explanation of the need for the requested waiver (Section 3). A financial evaluation for the waiver request is included in Section 3.3 and an evaluation of the expected environmental impacts from the waiver request is included in Section 4.

## 1.2 Background

A Full Environmental Assessment Form with a Project Narrative prepared by The Chazen Companies and associated Phase 1 Site Plan and a Conceptual Full Build Out Site Plan prepared by EnSol Inc. were submitted to the Planning Board on February 24, 2021. The Town Planning Board issued a Lead Agency coordination letter on April 9, 2021. Technical Review comments were provided by the Planning Board at a regular meeting on March 10, 2021, and a work session on April 28, 2021. Responses to the Town Planning Board comments were included in the cover letter associated with the Site Plan and Special Use Permit Application dated May 2021. The Site Plan and Special Use Permit Application included a Project Narrative, the Site Plan and Special Use Permit Drawings, Stormwater Pollution Prevention Plan (SWPPP) associated with the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001), and the Facility Manual and Engineering Report prepared for the New York State Department of Environmental Conservation (NYSDEC) Part 360 Solid Waste Management Facility Permit Application for the Transfer and Recycling Facility. The Site Plan and Special Use Permit Application and a Revised Full Environmental Assessment Form and Narrative were submitted to the Town Planning Board on May 19, 2021. At the

June 9, 2021 Planning Board meeting the Planning Board requested that the Waiver Application be prepared and submitted to the Town Board for review.

## 1.3 Applicant Contact Information

Applicant: DOM KAM LLC (Michael Marangi)
Phone Number: 845-343-5566
Email: mike@marangidisposal.com
Address: 366 Highland Avenue Ext. Middletown, New York

## 1.4 Property Owner Information

The name and address of the property owners:

Parcel 6-1-3.31:
DOM KAM LLC
366 Highland Ave. Ext.
Middletown New York 10940

Parcel 6-1-3.32:
366 HIGHLAND DMI LLC
366 Highland Ave. Ext.
Middletown New York 10940

# 2. Site Description

The proposed project is located on two tax Parcels 6-1-3.31 and 6-1-3.32 zoned Mixed Commercial MC-1. The Parcels are located on the south side of Dolsontown Road approximately 0.6 miles east of the intersection of Dolson Avenue and Dolsontown Road. DM proposes to combine Parcels 6-1-3.31 and 6-1-3.32 through a lot line change plat to be submitted to the Town of Wawayanda Planning Board and the Orange County Clerk. Parcel 6-1-3.32 has an approximate area of 39.20 acres, and Parcel 6-1-3.31 has an area of 5.10 acres, combining the parcels provides a contiguous area of 44.3 acres.

Parcel 6-1-32 contains multiple vacant farm buildings and a silo, the property is classified as a dairy farm. Parcel 6-1-31 contains a residential house, and a commercial building, the property is classified as a one-use small building. The commercial storage building is proposed to remain in use on the consolidated parcel, while the single-family residence, barn, silo, and sheds shall be removed.

The parcels are within the Masonic Creek-Wallkill River Watershed (HUC-12: 020200070401). The ground surface generally slopes down from Dolsontown Road to the south on Parcel 6-1-3.32 to Monhagen Brook which flows west to east across the property. On Parcel 6-1-3.31 the ground surface generally slopes to the west to an unnamed tributary to Monhagen Brook which flows north to south across the property. The topography of the site is steeper in the northern portion with approximately 3 to 8% slopes and flatter in the southern portion with 0 to 3% slopes. The existing ground cover consists of predominately grassed areas with wooded and brush covered areas throughout the remainder of the site.

# 3. Project Overview

## 3.1 Project Summary

Main features of the Phase 1 development include the transfer station building with separate MSW/C&D/IW and OCC enclosed areas, a maintenance shop, administrative office building for the Marangi Waste Management Group, landscaped gated entrances and buffers, inbound and outbound truck scales, a full trailer parking area, outside storage bunkers for separated hardfill, brush, unadulterated wood, and metal recovered from the C&D, and diesel fueling station for the Transfer and Recycling Facility equipment. The Phase 1 Site Plan is shown on Sheet 3 included in Attachment 2. The Transfer and Recycling Facility operation and design are described in the Facility Manual and Engineering Report prepared for the NYSDEC Part 360 Solid Waste Management Facility Permit Application, respectively. The Engineering Report and the Facility Manual review is being conducted concurrently by the NYSDEC.

Phase 2 development is expected to occur at least five years after construction of the Transfer and Recycling Facility. Main features of the Phase 2 development of the site include the Truck Maintenance and Storage Facility for storage of 40 waste collection trucks, a fabrication shop, a 0.5 acre roll off container storage area, and a diesel fueling station for the collection trucks. The Conceptual Full Build Site Plan is shown on Sheet 4 included in Attachment 2. The Full Environmental Assessment Form included in Attachment 1 was prepared for the Conceptual Full Build Site Plan.

The Transfer and Recycling Facility, the Truck Maintenance and Storage Facility, and the pre-existing commercial storage building shall be located entirely on one parcel, which will consist of combining Parcels 6-1-3.31 and 6-1-3.32 through a lot line change plat to be submitted to the Town of Wawayanda Planning Board and the Orange County Clerk upon the project approval. The existing lot lines are shown on Sheet 1 Cover Sheet, and proposed lot lines are shown on Sheet 3 and Sheet 4.

## 3.2 Requested Waiver

Per Section 152-17D. (7) of the Town of Wawayanda Code a solid waste management facility shall only receive solid waste from the hours of 7:00 AM to 5:00 PM, Monday through Friday, and from 7:00 AM until 2:00 PM on Saturday. The Transfer and Recycling Facility is proposed to have the ability to accept waste from 4:00 AM until 7:00 PM, Monday through Friday, and from 5:00 am until 4:00 pm on Saturday with NYSDEC approval and a waiver from the Town Board from Section 152-17D. (7) of the Town Code. The additional operating hours are requested to reduce travel and waiting time for waste collection and transfer trucks, and to maintain service during community special events, holidays, and natural and manmade disasters.

Additional Facility operating hours would allow more collection and transfer trucks to avoid peak traffic times and the associated traffic delays while traveling. Wait times at the facility would also be reduced as collection and transfer trucks are spread out over a longer time frame reducing the number of trucks on the site at a given time. Special community events require relatively quick cleanup and restoration activities to be undertaken at their location. The additional operating hours would allow waste to be removed from the sites and cleanup and restoration activities to be completed sooner. During holidays, inclement weather, and natural and manmade disasters collection routes may run at a delay and there is increased public and municipal demand. The additional operating hours would allow service to be maintained and allow clean up and emergency response operations to be completed sooner.

The proposed Facility is well suited to assist municipalities after severe storm events with debris clearing efforts to help maintain public safety during restoration services. The Facility's conservative design features that provide for on-site waste identification, handling, storage, containment, monitoring, and control can provide a valuable destination for collected debris even during severe weather. The Facility's proposed maximum average waste processing rate allows for upsets in waste stream generation due natural disasters which are reported to generate debris volumes equivalent to five to 15 times the normal generation rates. Having the capability to accept, consolidate, contain, and store storm debris 24/7/365 will assist local governments and emergency response agencies with recovery efforts that will restore power and other critical services as quickly as can be done.

## 3.3 Financial Evaluation

The financial impact from the additional operating hours was determined by estimating the transportation cost savings. The average roundtrip transportation time for outbound transfer trailer trucks to a disposal facility is approximately four hours. Inbound waste collection truck wait times can reach more than an hour during peak hours at Transfer Station Facilities. The average transportation and wait time saved per waste load from the additional operating hours was estimated at approximately 15 minutes. The waste transportation cost is estimated at approximately $100 per hour. Assuming the proposed design capacity waste acceptance rate of 950 tons per day, the number of incoming loads at 12 tons per load is estimated at 80 per day. The amount of out bound loads at 22 tons per load is estimated at 44 per day. The transportation cost savings per waste load is estimated at approximately $3,100 per day, and $886,600 per year. In addition to the financial benefits the additional operating hours are expected to lessen the Facility traffic impacts as discussed in Section 4.1

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# 4. Waiver Impact Evaluation

Based on the design and layout of the facility in accordance with the NYSDEC Part 360 Regulations and Town of Wawayanda Code requirements, and the environmental impact evaluations conducted for the State Environmental Quality Review (SEQR) Act process, the additional operating hours are not expected to significantly impact the health, safety and welfare of the public and the environment. During this application process the project related impacts have been minimized through design changes and physical features such as screening, lighting, and stormwater management infrastructure. The additional operating hours may potentially impact the following environmental concerns evaluated for the Facility:

- Traffic
- Noise
- Lighting
- Odor

The following sections evaluate the effect of additional operating hours on the select environmental concerns. The Facility's complaint plan is described in Section 4.5, any issues that may arise from the additional operating hours shall be addressed and documented.

## 4.1 Traffic

The Facility's impact on traffic was evaluated in a Traffic Study prepared by the Chazen Companies dated April 7, 2021 and submitted to the Town Planning Board. The combined traffic impact from this project and additional nearby projects is currently being coordinated and evaluated by the Town Planning Board. The traffic study assumed all traffic generated by the Transfer Station facility occurred between 7:00 AM to 5:00 PM in accordance with Section 152-17D. (7) of the Town Code. The additional operation hours would not increase the traffic generated by the Facility as the proposed design waste capacity will not change. The additional operation hours are expected to lessen the Facility's impact on peak hourly traffic as the waste transfer truck traffic would be spread out over a longer time frame. The additional operational hours are outside of the peak hours evaluated in the Traffic Study which included 8:00 AM to 9:00 AM, and 4:00 PM to 5:00 PM. Increasing traffic outside of the peak hours will lessen the impact on the Traffic study evaluation location (Intersection of Route 17M and Dolsontown Road).

## 4.2 Noise

Per Section 195-23D. of the Town Code noise shall not exceed an intensity of 65 decibels as measured 100 feet from the boundaries of the lot where an industrial use is situated. The Town Code noise requirement does not differ based on the time of day. Per Section 360.19(j) of the NYSDEC Part 360 Regulations for a Suburban Community the energy equivalent sound levels shall not exceed 52dB(A) during the night (operating hours of 4:00 AM-7:00 AM) and 62dB(A) during the day (operating hours of 7:00 AM -7:00 PM) beyond the property line owned or controlled by the owner or operator of the facility at locations authorized for residential purposes.

The predicted noise levels across the site were modeled and compared to the Town of Wawayanda code requirements and NYSDEC Part 360 requirements in separate Noise Evaluations included in the respective NYSDEC Part 360 and Town Site Plan and Special Use Permit Applications. A detailed model was developed to predict noise levels generated by the Phase 1 and full buildout operations shown on Sheet 3 and Sheet 4 respectively. All sound modeling was completed using the SoundPlan Essential software provided by Navcon Engineering Network. The model considers the 3-D effects of existing buildings, topography, vegetation, distance attenuation, atmospheric absorption, and the ground. Noise generated from the facility operational equipment and the truck and personal vehicle traffic was modeled. The model assumed operation of the heavy equipment at locations just outside the south/inbound doors of

the Transfer and Recycling Facility as a conservative scenario representing operation of the machinery just at the door openings while opened.

Noise levels were modeled for anticipated peak day time traffic (occurring between 7:00 AM -7:00 PM) and peak nighttime traffic (occurring between 4:00 AM-7:00 AM). Operation of heavy equipment within the Transfer and Recycling Facility was assumed to be the same during the night as during the day. For the NYSDEC Part 360 permit application evaluation, noise was evaluated for three nearby residential receptors. Based upon the modeling effort, predicted noise levels at all residential property line receivers were lower than the respective Part 360-night and day suburban standards of 52dB(A) and 62dB(A) respectively. For the Town Site Plan and Special Use Permit Application evaluation noise was evaluated at six points around the full build out Facility, located 100 feet from the property line. Based on the model results, predicted noise levels met the Town of Wawayanda requirements during the daytime and nighttime hours.

Noise impacts will be minimized by conducting all material handling operations inside the building with the Transfer Trailer outbound doors closed. Internal combustion engine equipment used at the Facility will be equipped with mufflers. Additionally, per Section 152-18D. of the Town Code no vehicles associated with the Facility shall park or idle on public roads. Based on the design of the Facility the additional operation hours are not expected to have a significant impact on noise.

## 4.3 Lighting

The Lighting Plan which contains the proposed lighting for the Facility building, the parking area, loading, and access ways was included in the Town Site Plan and Special Use Permit Application package. Per Section 195-23F. (1) through (3) of the Town Code all lighting shall be designed so as to avoid unnecessary or unsafe spillover of light and glare onto operators of motor vehicles, pedestrians and land uses in proximity to the light source. The maximum illumination permitted at a property line shall be 0.5 footcandle, there shall be a general maximum limit of five-foot candles of light at any location on the site. Per Section 195-24F. (4) no direct or sky-reflected glare whether from floodlights or from high temperature processes such as combustion or welding or other sources, so as to be visible at the property line on a regular or continuing basis, shall be permitted.

The maximum perpendicular illumination level at the Facility property line is 0.5-foot candle or less, the Facility maximum perpendicular illumination level is five-foot candles. All of the Facilities perimeter lighting will have shielding installed to prevent off-site light pollution. Operation of the Facility lights will be automated, relying on decreases in ambient light to trigger the lights to turn on and increases in ambient light for them to turn off. Based on the design of the Facility lighting plan the additional operation hours are not expected to have a significant impact on lighting.

## 4.4 Odor

Control of Facility odors includes cleaning indoor material handling areas on a regular basis. Odor neutralizers and deodorizers will be used if needed to control any short-term problems. Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines for periods no longer than five minutes. Burning of materials is not permitted at the Facility. An odor control system shall be installed as a contingency if persistent odors become any issue. The additional operating hours are expected to decease wait times at the Facility which will minimize idling engines, reducing odor impacts. Based on the operation of the facility odor is not expected to be significantly impacted by the additional operational hours.

## 4.5 Complaint Plan

As required by Section 152D. (20) of the Town Code a community complaint plan shall be implemented by the Facility Owner. Any complaints received by the Facility about its operation will be documented with a description of the action taken to alleviate the concern and the results of the action. Determination will be available for review by the NYSDEC and the Town of Wawayanda. A complaint phone number shall be posted on the Facility entrance sign, and on waste transport vehicles. At least once a year, at least 30 calendar days prior to the anniversary date of the issuance of the Town of Wawayanda site plan approval and special use permit, the permittee shall submit to the Town Clerk a certified report that shall summarize community complaints. Any complaints related to the additional operating hours shall documented as such.

# *Attachment 1*

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

# *Full Environmental Assessment Form*

## Instructions for Completing Part 1

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

| | | |
|---|---|---|
| Name of Action or Project:<br>Dom-Mar Transfer and Recycling Facility | | |
| Project Location (describe, and attach a general location map):<br>Dolsontown Road, Town of Wawayanda, Orange County, New York (Tax Parcels: 6-1-3.31 and 6-1-3.32) | | |
| Brief Description of Proposed Action (include purpose or need):<br>DOM KAM LLC of Middletown, New York is seeking site plan and special use permit approval from the Planning Board to construct and operate a solid waste management facility, which will include a transfer station and recycling facility (Dom-Mar Transfer and Recycling Facility or Facility) on Dolsontown Road in the Town of Wawayanda, Orange County, New York. The project is located in an MC-1 Zone on a 44.3-acre property, comprised of two tax parcels (6-1-3.31 and 6-1-3.32) owned by the Applicant. The two lots will be consolidated as part of the proposed action. The project area will encompass 18.39 ac. The proposed Facility will process and transfer municipal solid waste (MSW), construction and demolition debris (C&D), and industrial waste (IW) for disposal, sorting and packaging of Old Corrugated Containers (OCC), and simple floor sorting for hardfill, brush, clean wood, and picked metal from the C&D for further processing and recovery. The facility's proposed design capacity is 950 tons per day (tpd). The new Facility (comprising 11 ac.) will be comprised of the following: 25,200 SF Transfer area/collection truck drop-off lanes, 6,080 SF Administration building, with separate exterior entrance, 4,800 SF Shop, scales and scale house, 36,000 SF truck maintenance shop with truck washing area and overnight truck parking, 12,000 SF fabrication shop, fueling station, rolloff storage, C&D recycling storage bins, residential drop off area, 85 vehicle parking spaces, and 6 trailer parking sp. | | |
| Name of Applicant/Sponsor:<br>DomKam, LLC (Michael Marangi) | Telephone: 845-343-5566<br>E-Mail: mike@marangidisposal.com | |
| Address: 366 Highland Avenue Ext. | | |
| City/PO: Middletown | State: NY | Zip Code: 10940 |
| Project Contact (if not same as sponsor; give name and title/role): | Telephone:<br>E-Mail: | |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | Telephone:<br>E-Mail: | |
| Address: | | |
| City/PO: | State: | Zip Code: |

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|---|---|---|
| a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No | Wawayanda Town Board - Waiver of hours of operation per local law 152-17 G | Summer 2021 |
| b. City, Town or Village Planning Board or Commission ☑Yes ☐No | Wawayanda Planning Board - Site Plan, Special Use Permit, Lot Consolidation | Summer 2021 |
| c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No | | |
| d. Other local agencies ☑Yes ☐No | Town of Wawayanda Building Permit; Sewer and Water Connections | Fall 2021 |
| e. County agencies ☑Yes ☐No | Orange County Department of Health - water/sewer connections; GML 239 M | Fall 2021 |
| f. Regional agencies ☐Yes ☑No | | |
| g. State agencies ☑Yes ☐No | DECPart 360 Permit, Part 360 Reg. (C&D, Recyc), SPDES GP 0-20-001;Multi-Sector GP Ind. Act. | Fall 2021 |
| h. Federal agencies ☐Yes ☑No | | |

i. Coastal Resources.

*i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

*ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

*iii.* Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

Orange County Greenway - Site is located within a priority growth area. Wallkill River Watershed Management Plan - project will implement stormwater pollution prevention plan (SWPPP) and will obtain permits, as needed, prior to construction and any alteration of aquatic resources. Therefore, no significant adverse impacts to the watershed will occur.

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

The site is not identified as temporary or permanently protected open space in the Orange County Open Space Plan.

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
MC-1 Mixed Commercial 1

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
*i.* What is the proposed new zoning for the site?

**C.4. Existing community services.**

a. In what school district is the project site located? Middletown School District

b. What police or other public protection forces serve the project site?
Orange County Sheriff Office, New York State Troop F

c. Which fire protection and emergency medical services serve the project site?
New Hampton Fire District

d. What parks serve the project site?
Shannen Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial - Waste Transfer Station and Recycling Center

b. a. Total acreage of the site of the proposed action? 44.3 acres
b. Total acreage to be physically disturbed? 11 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 44.3 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
*i.* If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
*i.* Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
*ii.* Is a cluster/conservation layout proposed? ☐ Yes ☐ No
*iii.* Number of lots proposed? _____
*iv.* Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
*i.* If No, anticipated period of construction: _____ months
*ii.* If Yes:
- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year 1st Phase - First quarter of 2022 for 6 - 8 months
- Anticipated completion date of final phase _____ month _____ year 2nd Phase - Complete 2026
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
The proposed sanitary pump station will be designed for a phased expansion. Stormwater management will be constructed per phase.

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

| | One Family | Two Family | Three Family | Multiple Family (four or more) |
|---|---|---|---|---|
| Initial Phase | | | | |
| At completion of all phases | | | | |

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

*i.* Total number of structures 2

*ii.* Dimensions (in feet) of largest proposed structure: 42 height; 300 width; and 120 length

*iii.* Approximate extent of building space to be heated or cooled: 3,040 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑Yes ☐No

If Yes,

*i.* Purpose of the impoundment: stormwater pond

*ii.* If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑Other specify: stormwater

*iii.* If other than water, identify the type of impounded/contained liquids and their source.

N/A

*iv.* Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres

*v.* Dimensions of the proposed dam or impounding structure: TBD height; TBD length

*vi.* Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

TBD

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

*i* .What is the purpose of the excavation or dredging?

*ii.* How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

*iii.* Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

*iv.* Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe.

*v.* What is the total area to be dredged or excavated? acres

*vi.* What is the maximum area to be worked at any one time? acres

*vii.* What would be the maximum depth of excavation or dredging? feet

*viii.* Will the excavation require blasting? ☐Yes ☐No

*ix.* Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑Yes ☐No

If Yes:

*i.* Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): No NYSDEC wetlands on site. Proposed disturbance to 0.60 ac. of non-jurisdictional wetlands (wet meadow). No impacts to jurisdictional wetlands.

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
The wetlands identified will be filled during the grading activities on site and redeveloped with pavement and buildings. Further information will be provided during future submissions.

*iii.* Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☑No
If Yes, describe:

*iv.* Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☑No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

*v.* Describe any proposed reclamation/mitigation following disturbance:
None. Wetlands impacted are non-jurisdictional.

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No
If Yes:

*i.* Total anticipated water usage/demand per day: 2,476 gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No
If Yes:

- Name of district or service area: Town Water District 1
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No
- Do existing lines serve the project site? ☑Yes ☐No

*iii.* Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

*v.* If a public water supply will not be used, describe plans to provide water supply for the project:

*vi.* If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:

*i.* Total anticipated liquid waste generation per day: 2,476 gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary wastewater and Leachate will be directed to sewer.

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: City of Middletown Waste Water Treatment Plant
- Name of district: Town Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No

- Do existing sewer lines serve the project site? ☐Yes ☑No
- Will a line extension within an existing district be necessary to serve the project? ☑Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

Sanitary sewer pump station will collect onsite wastewater and discharge it via a PVC force main to an existing sanitary sewer manhole located along Dolsontown Road.

*iv.* Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- What is the receiving water for the wastewater discharge?

*v.* If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

*vi.* Describe any plans or designs to capture, recycle or reuse liquid waste:

None.

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

*i.* How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 7.92 acres (impervious surface)

_____ Square feet or 44.3 acres (parcel size)

*ii.* Describe types of new point sources. None.

*iii.* Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater management facilities and discharged to an on-site stream, then to Monhagen Brook

- If to surface waters, identify receiving water bodies or wetlands:
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

*iv.* Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☑No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

*i.* Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Trucks associated with transfer station operations

*ii.* Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Temporary sources during construction.

*iii.* Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Paint shop

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

*i.* Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

*ii.* In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide ($CO_2$)
- _____Tons/year (short tons) of Nitrous Oxide ($N_2O$)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride ($SF_6$)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

*i.* Estimate methane generation in tons/year (metric): _____

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

A Traffic Impact Study will be provided as part of a future submission.

If Yes:

*i.* When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

*ii.* For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

*iii.* Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

*iv.* Does the proposed action include any shared use parking? ☐Yes ☐No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

None

*vi.* Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

*vii* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action:

No more than 1,000,000 kW/h per U.S. Energy Information Administration Commercial Buildings Energy Consumption Survey data.

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

Orange and Rockland

*iii.* Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

*i.* During Construction:

- Monday - Friday: Per Town Code
- Saturday: Per Town Code
- Sunday: Per Town Code
- Holidays: Per Town Code

*ii.* During Operations:

- Monday - Friday: 4:00 AM - 7:00 PM
- Saturday: 5:00 AM - 4:00 PM
- Sunday: None
- Holidays: None

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

*i.* Provide details including sources, time of day and duration:

The facility will operate in compliance with Town Code Section 152, with exception for waiver sought for 152-G. Most work will occur inside buildings. Internal combustion engine equipment used at the Facility will be equipped with mufflers, noise is aimed away from receptors.

*ii.* Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: The site was previously developed as a dairy farm, residence and commercial use

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

*i.* Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Lighting design and information will be provided as part of a future submission.

*ii.* Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: The site was previously developed as a dairy farm, residence and commercial use

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☑ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

Facility doors will be kept closed except when vehicles are entering or existing buildings. Engines will idle no longer than five minutes. Burning of materials is not permitted at the Facility. Tipping areas will be swept daily. Facility will comply with Town Code Section 152 as applicable to odors.

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☑ Yes ☐ No

If Yes:

*i.* Product(s) to be stored one (1) 10,000 gallon diesel above ground tank; Two (2) 5,000 gallon diesel above ground tanks

*ii.* Volume(s) _____ per unit time _____year (e.g., month, year)

*iii.* Generally, describe the proposed storage facilities:

10,000 gallon diesel aboveground tank for Truck Maintenance and Storage Facility, and two 5,000 gallon diesel aboveground tanks for the Transfer Station

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☑ Yes ☐ No

If Yes:

*i.* Describe proposed treatment(s):

Pest control application would be applied by licensed applicators using minimal levels of application required.

*ii.* Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☑ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

*i.* Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per TBD (unit of time)
- Operation : 0.06 tons per day (unit of time)

*ii.* Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: TBD
- Operation: According to Environmental Engineering by Joseph A. Salvat, 4th Edition, 1992, solid waste generation is estimated at 1.5 lbs per worker in an office. The project will result in 80 total employees (all phases) = 120 lbs or 0.06 tons per day.

*iii.* Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: TBD
- Operation: Per Tranfer Station operations

s. Does the proposed action include construction or modification of a solid waste management facility? ☑ Yes ☐ No

If Yes:

*i.* Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): transfer station and recycling center

*ii.* Anticipated rate of disposal/processing:

- 29,450 Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

*iii.* If landfill, anticipated site life: _____ years

municipal solid waste (MSW), industrial waste (IW) and construction and demolition debris (C&D), old corrugated containers

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

*i.* Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

*ii.* Generally describe processes or activities involving hazardous wastes or constituents: _____

*iii.* Specify amount to be handled or generated _____ tons/month

*iv.* Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

*v.* Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

a. Existing land uses.

*i.* Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☑ Agriculture ☐ Aquatic ☑ Other (specify): public services, community services religious use), undeveloped

*ii.* If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|---|---|---|---|
| • Roads, buildings, and other paved or impervious surfaces | 0.64 | 8.56 | +7.92 |
| • Forested | 0.67 | 0.39 | -0.28 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 14.38 | 5.48 | -8.90 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0.00 | 0.00 | 0.00 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0.00 | 1.86 | +1.86 |
| • Wetlands (freshwater or tidal) | 2.70 | 2.10 | -0.60 |
| • Non-vegetated (bare rock, earth or fill) | 0.00 | 0.00 | 0.00 |
| • Other Describe: _____ | 0.00 | 0.00 | |

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

*i.* If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

*i.* Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

*i.* Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

*ii.* Dam's existing hazard classification: _____

*iii.* Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

*i.* Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

*ii.* Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

*iii.* Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

*i.* Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

*i.* Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☑ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

*ii.* If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

*iii.* Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): V00289. 336029

*iv.* If yes to (i), (ii) or (iii) above, describe current status of site(s):

Off site, 0.3 miles from site: V00289 and 336029: Middletown Landfill/Dump; Voluntary Cleanup Program/State Superfund. Potential for groundwater, soil, and surface water contamination due to leaching of material from the landfill. Limited soil sampling does not indicate any significant contamination. Testing of nearby residential drinking water supply wells in May 2000 indicates no impacts from the nearby landfill. Additional subsurface investigation is planned.

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? > 25 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:
RbA, HoB _____ %
MdB, ErB _____ %
Wd _____ %
ErB = 2% HoB = 2% MdB = 37% Wd = 56% RbA = 3%. Site disturbance will affect MdB and RbA

d. What is the average depth to the water table on the project site? Average: 0 - 6.6 feet

e. Drainage status of project site soils:
☑ Well Drained: 2 % of site
☑ Moderately Well Drained: 37 % of site
☑ Poorly Drained 61 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

*i.* Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

*ii.* Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

*iii.* Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

*iv.* For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 855.5-180 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 2.7 ac.
- Wetland No. (if regulated by DEC) _____

*v.* Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired:
Name - Pollutants - Uses:Monhagen Brook and tribs – Nutrients;Unknown Toxicity – Recreation;Aquatic Life

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:
*i.* Name of aquifer: Principal Aquifer
No
Based on available data from the United States Geological Survey, the project site is not located over an aquifer.

m. Identify the predominant wildlife species that occupy or use the project site:
Common Orange County species

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
*i.* Describe the habitat/community (composition, function, and basis for designation):
*ii.* Source(s) of description or evaluation:
*iii.* Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No
If Yes:
*i.* Species and listing (endangered or threatened):
Indiana Bat NYSDEC; Indiana Bat and Northern Long-eared Bat, Small Whorled Pogonia - USFWS

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No
If Yes:
*i.* Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use:

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No
If Yes, provide county plus district name/number: ORAN002

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
*i.* If Yes: acreage(s) on project site? Site has not be in agricultural use in the last 5 years or more.
*ii.* Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
*i.* Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
*ii.* Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
*i.* CEA name:
*ii.* Basis for designation:
*iii.* Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

*i.* Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

*ii.* Name: _____

*iii.* Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

*i.* Describe possible resource(s): _____

*ii.* Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

*i.* Identify resource: See Figure 8

*ii.* Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): state and national register listed; municipal recreation; state recreation; state parks and historic sites

*iii.* Distance between project and resource: varies, see Figure 8 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

*i.* Identify the name of the river and its designation: _____

*ii.* Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

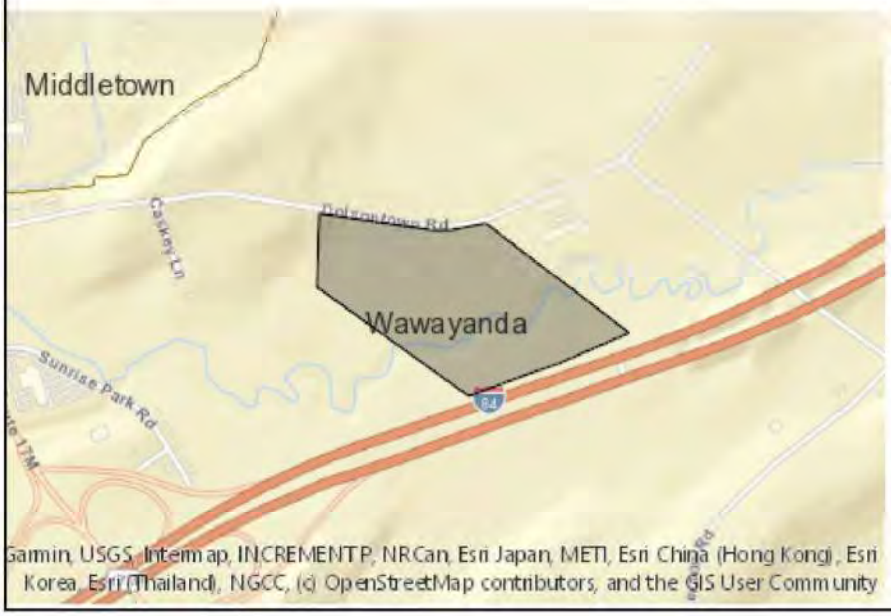
Applicant/Sponsor Name DOM KAM LLC (Michael Marangi) Date May 11, 2021

Signature [signature] P.E. Title Manager, Civil Eng (Agent for Applicant, Chazen Co.)

PRINT FORM

# EAF Mapper Summary Report

Tuesday, January 19, 2021 4:58 PM




**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.


| | |
|---|---|
| B.i.i [Coastal or Waterfront Area] | No |
| B.i.ii [Local Waterfront Revitalization Area] | No |
| C.2.b. [Special Planning District] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | Yes |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] | V00289, 336029 |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | Yes |
| E.2.h.ii [Surface Water Features] | Yes |
| E.2.h.iii [Surface Water Features] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| E.2.h.iv [Surface Water Features - Stream Name] | 855.5-180 |
| E.2.h.iv [Surface Water Features - Stream Classification] | C |
| E.2.h.iv [Surface Water Features - Wetlands Name] | Federal Waters |
| E.2.h.v [Impaired Water Bodies] | Yes |
| E.2.h.v [Impaired Water Bodies - Name and Basis for Listing] | Name - Pollutants - Uses:Monhagen Brook and tribs – Nutrients;Unknown Toxicity – Recreation;Aquatic Life |

| | |
|---|---|
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | Yes |
| E.2.l. [Aquifer Names] | Principal Aquifer |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | Yes |
| E.2.o. [Endangered or Threatened Species - Name] | Indiana Bat |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | Yes |
| E.3.a. [Agricultural District] | ORAN002 |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | Yes |
| E.3.i. [Designated River Corridor] | No |

# *Attachment 2*

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

## *Sheet 1 Cover Sheet*

## *Sheet 3 Phase 1 Site Plan*

## *Sheet 4 Conceptual Full Build Site Plan*

# DOM KAM LLC

# SITE PLAN AND SPECIAL USE PERMIT APPLICATION DRAWINGS

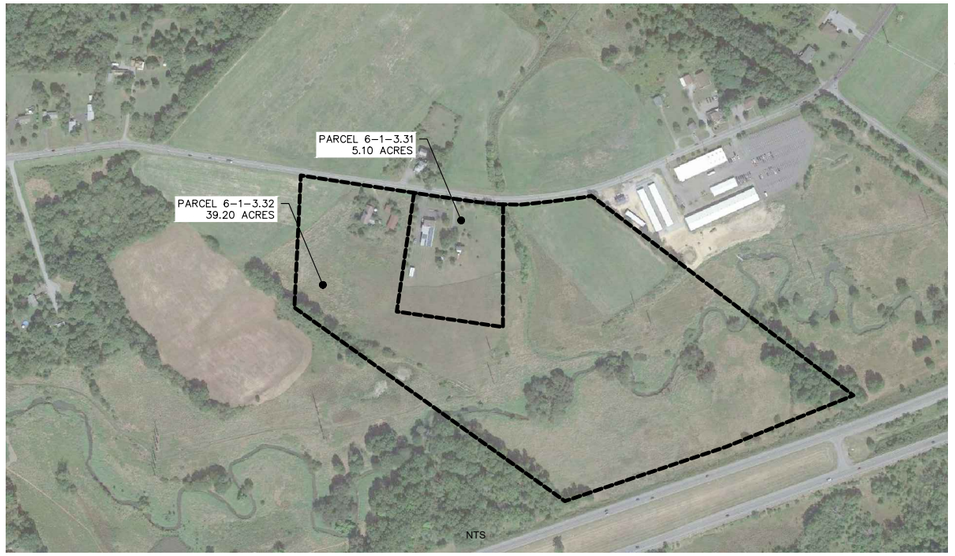
# DOM-MAR TRANSFER AND RECYCLING FACILITY

## DOLSONTOWN ROAD

## TOWN OF WAWAYANDA, ORANGE COUNTY, NEW YORK

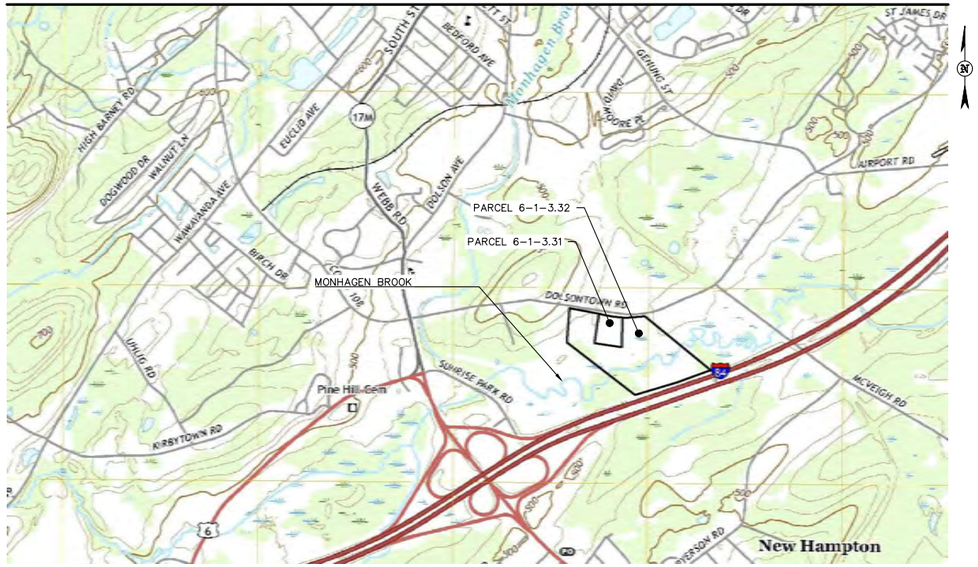
MAY 2021

REVISED JULY 2021




AERIAL MAP

| SHEET NO. | TITLE |
|---|---|
| 1 | COVER SHEET |
| 2 | EXISTING CONDITIONS AND DEMOLITION PLAN |
| 3 | PHASE 1 SITE PLAN |
| 4 | CONCEPTUAL FULL BUILD SITE PLAN |
| 5 | LANDSCAPING PLAN |
| 6 | LANDSCAPING DETAILS |
| 7 | MISCELLANEOUS DETAILS |
| 8 | LIGHTING PLAN |
| 9 | FLOOR PLAN |
| 10 | TRAFFIC CIRCULATION PLAN |




VICINITY MAP

NTS

## PARKING AND LOADING AREA TABLE (PHASE 1 CONDITIONS)

| Off Street Parking | | |
|---|---|---|
| Zoning District | MC-1 (Mixed Commercial 1) | |
| Bulk Requirements | Required | Proposed |
| Min. number of Parking Spaces[1] | As necessary in connection with use and number of employees (20 administrative employees, 10 transfer facility workers, and 2 visitors | 32 (+2 accessible) |
| Min. Parking Dimensions[2] | 9 ft by 19 ft | 9 ft by 19 ft |
| Min. Loading Space Dimension[3] | 12 ft by 60 ft, 14 ft overhead clearance | 50 ft by 200 ft, 20 ft by 28 ft overhead doors |

Notes:
1. Per Town Code Section 195-19A(3)
2. Per Town Code Section 195-19(B)
3. Per Town Code Section 195-19(E)

## ZONING TABLES (CONCEPTUAL FULL BUILD OUT CONDITIONS)

| Yard, Lot, and Area Requirements | | |
|---|---|---|
| Zoning District[2] | MC-1 (Mixed Commercial 1) | |
| Bulk Requirements | Required | Proposed |
| Decks, porches, steps[2] | 6 FT projected into setback area | N/A |
| Min. Lot Area[3] | 2 AC | 44.3 |
| Min. Lot Width[3] | 100 FT | 1,263 FT |
| Max. Building Height[3] | 65 FT | 45 FT |
| Min. Front Yard[3] | 50 FT | 105 FT |
| Min. Side Yard[3] | 15 FT | 116 FT |
| Min. Both Sides[3] | 35 FT | 855 FT |
| Min. Rear Yard[3] | 30 FT | 30 FT |
| Max. Lot Coverage[3] | 70% | 18% |
| Max. Building Coverage[3] | 50% | 5% |

Notes:
1. An exception for municipal transfer stations per Town Code Section 195-12 (C)(1).
2. Per Town Code Section 195-15
3. Per Schedule A Zoning District Regulations Mixed Commercial District

PROPERTY OWNERS: **PARCEL 6-1-3.31**
**DOM KAM LLC**
**366 HIGHLAND AVE. EXT.**
**MIDDLETOWN, NEW YORK 10940**

**PARCEL 6-1-3.32**
**366 HIGHLAND DMI LLC**
**366 HIGHLAND AVE. EXT.**
**MIDDLETOWN, NEW YORK 10940**

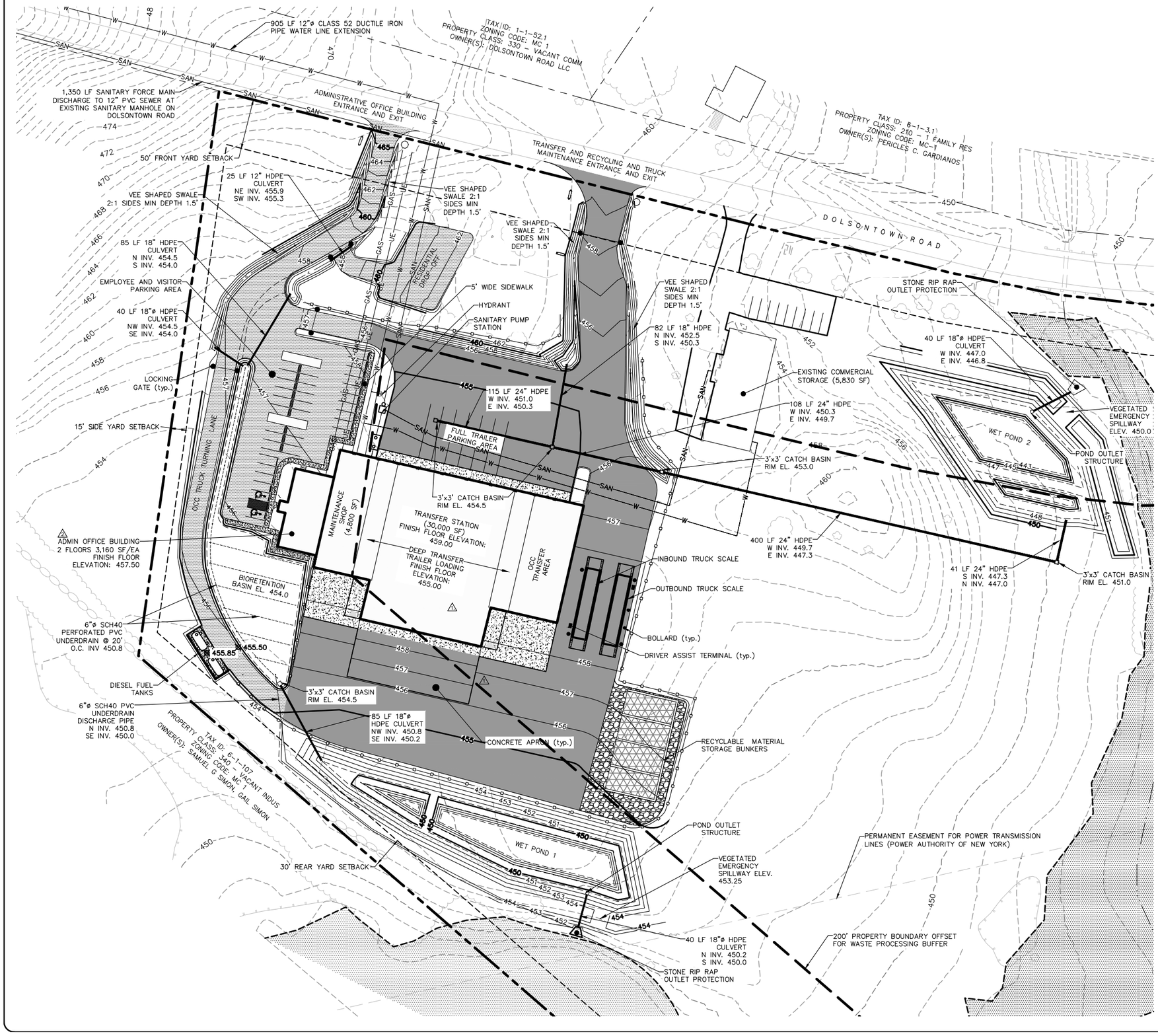
PREPARED FOR APPLICANT/FACILITY OWNER:
**DOM KAM LLC**
366 HIGHLAND AVE EXT.
MIDDLETOWN, NEW YORK 10940

PREPARED BY:
EnSol
661 Main St.
Niagara Falls, NY 14301
716.285.3920

PROJ. NO.: 029-A0001

| REVISION NO: | DWG: | CHECKED BY: | |
|---|---|---|---|
| 1 | Sheet 1 - Cover SheetREV1.dwg | | |

DAVID A. LENOX, P.E.
NYSPE LICENSE NO. 093384




LEGEND:

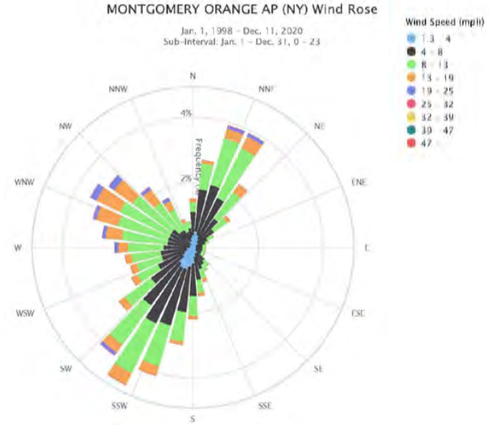
- EXISTING GROUND MAJOR CONTOUR
- EXISTING GROUND MINOR CONTOUR
- PROPOSED GRADING MAJOR CONTOUR
- PROPOSED GRADING MINOR CONTOUR
- PROPERTY BOUNDARY
- PROPERTY BOUNDARY SETBACK
- EXISTING BUILDING
- APPARENT JURISDICTIONAL FEDERAL WETLAND
- OUTDOOR SIGNAGE
- STANDARD DUTY PAVEMENT
- HEAVY DUTY PAVEMENT
- CONCRETE
- GRAVEL
- LITTER FENCE
- SANITARY FORCEMAIN
- WATER LINE
- UNDERGROUND ELECTRIC
- NATURAL GAS LINE
- PROPOSED SWALE
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN
- LOCKING GATE

NOTES: ⚠

1. EXISTING PROPERTY LINE, BUILDINGS AND TOPOGRAPHY FROM A SURVEY PREPARED FOR MIKE MARANGI, DATED NOVEMBER 16, 2020, BY LANC & TULLY ENGINEERING AND SURVEYING, P.C.
2. ELEVATIONS BASED ON NAVD88 DATUM, HORIZONTAL DATUM IS NEW YORK STATE PLANE EAST.
3. WETLAND BOUNDARY AND APPARENT JURISDICTION FROM DOLSONTOWN ROAD WETLAND DELINEATION REPORT PREPARED BY ENSOL, INC. DATED DECEMBER 2020. WETLAND BOUNDARY SURVEY LOCATIONS ARE FROM THE SURVEY PREPARED FOR MIKE MARANGI, DATED NOVEMBER 16, 2020, BY LANC & TULLY ENGINEERING AND SURVEYING, P.C.
4. EACH RESIDENTIAL, INDUSTRIAL, COMMERCIAL SUBDIVISION OR SITE PLANS SHALL CONTRIBUTE RECREATIONAL FEES CALCULATED ON THE BASIS OF GROSS FLOOR AREA FOR ALL NEW CONSTRUCTION.
5. THE TRANSFER AND RECYCLING FACILITY IS PROPOSED TO OPERATE FROM 4:00AM TO 7:00PM MONDAY THROUGH FRIDAY, AND FROM 5:00AM TO 4:00PM ON SATURDAY. THE PROPOSED OPERATION HOURS REQUIRE A WAIVER FROM THE TOWN BOARD FROM SECTION 152-17D.(7) OF THE TOWN CODE.
6. THE EXISTING COMMERCIAL STORAGE BUILDING WATER LINE SHALL BE DISCONNECTED FROM THE EXISTING WATER WELL AND CONNECTED TO THE EXTENDED WATER LINE ALONG DOLSONTOWN ROAD. THE SANITARY LINE SHALL BE DISCONNECTED FROM THE EXISTING SEPTIC SYSTEM AND DRAIN TO THE SANITARY PUMP STATION TO BE DISCHARGED TO THE EXISTING SEWER LINE ON DOLSONTOWN ROAD VIA A FORCE MAIN.
7. BASED ON THE NEW YORK STATE HISTORIC PRESERVATION OFFICE (SHPO) LETTER DATED JUNE 15TH 2021 AND THE PHASE 1 ARCHAEOLOGICAL INVESTIGATION FOR THE DOM-MAR TRANSFER AND RECYCLING CENTER, TOWN OF WAWAYANDA, ORANGE COUNTY, NEW YORK, PERFORMED BY TRACKER ARCHAEOLOGY OF MONROE, NEW YORK, NO EVIDENCE OF ARCHEOLOGICAL SITES WERE FOUND WITHIN THE PROJECT'S AREA OF POTENTIAL EFFECTS. THE APPROXIMATE LOCATION OF A NEW YORK STATE MUSEUM-RECORDED ARCHAEOLOGICAL SITE NYSM 6169 DESCRIBED AS "CEMETERY" IS MAPPED IN THE PROJECT AREA. THE SHPO HUMAN REMAINS DISCOVERY PROTOCOL DATED JANUARY 2021 SHALL BE IMPLEMENTED SHOULD ANY EVIDENCE OF HUMAN REMAINS OR POSSIBLE BURIAL GROUNDS BE ENCOUNTERED DURING CONSTRUCTION.

MONTGOMERY ORANGE AP (NY) Wind Rose

Jan. 1, 1998 - Dec. 11, 2020
Sub-Interval: Jan. 1 - Dec. 31, 0 - 23






| NO. | REVISION | BY | DATE |
|---|---|---|---|
| 1 | ADDED NOTE 7 REGARDING ARCHEOLOGICAL INVESTIGATION | SJD | 7/8/21 |
| 2 | EXPANDED ADMINISTRATION BUILDING, REVISED GRADING | SJD | 7/8/21 |
| 3 | EXPANDED TRANSFER STATION BUILDING AND CONCRETE APRON, UPDATED FLOOR ELEVATION OF TIRE DEEP LOADING PIT, REVISED GRADING | SJD | 7/8/21 |

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COUNTY OF ORANGE
STATE OF NEW YORK

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SITE PLAN AND SPECIAL USE PERMIT APPLICATION

TITLE:
PHASE 1 SITE PLAN

ISSUE:
REVIEW

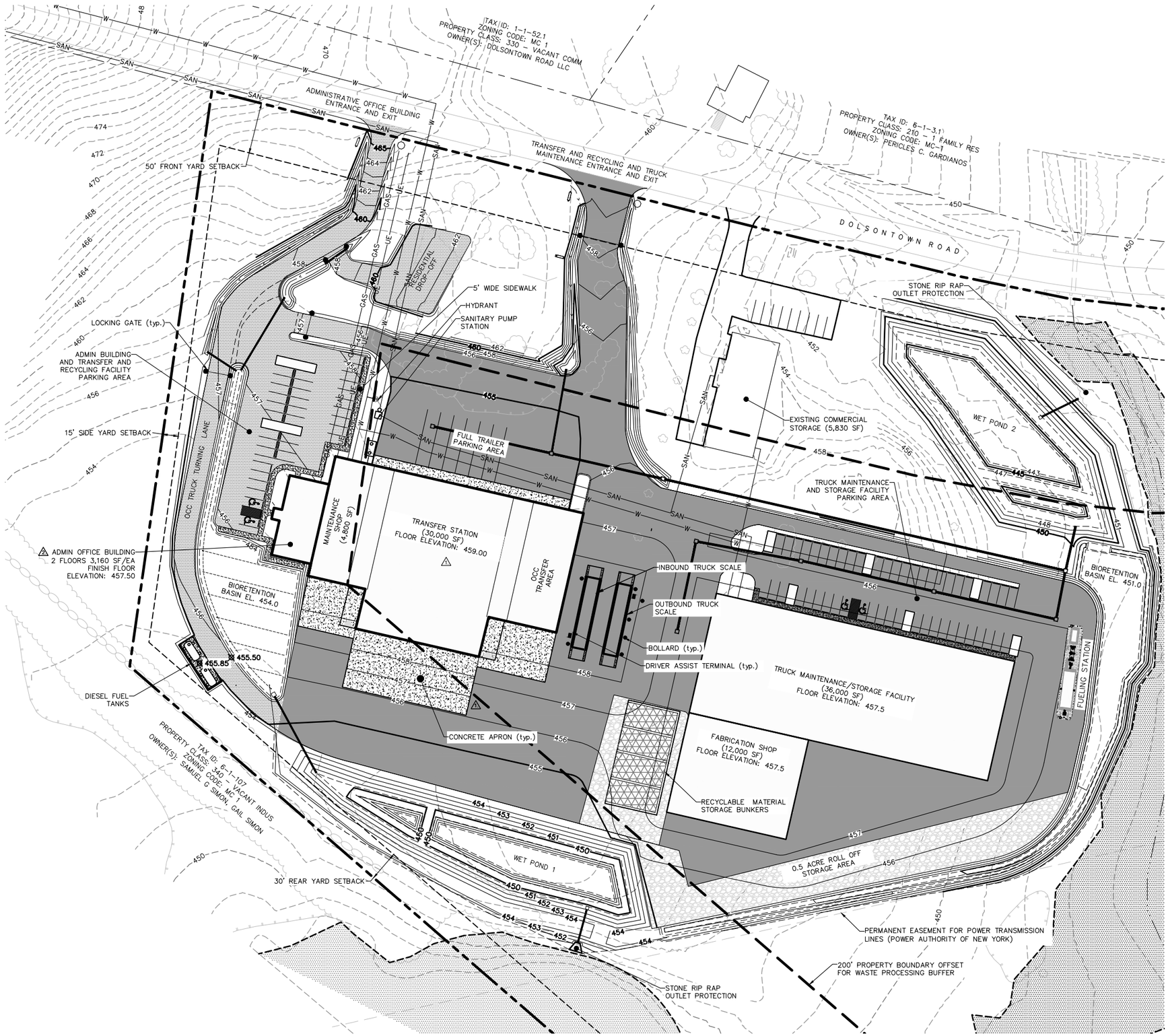
| DES: | DRN: | CHK: |
|---|---|---|
| DL | SJD | DL |

PROJECT NO: 029-A0001
DATE: JULY 2021

GRAPHIC SCALE: 0' 50' 100'

FILE: Sheet 3 - Phase 1 Site Plan_finalREV1.dwg

REV NO: 1
SHEET NO: 3

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FILE:
Sheet 4 - Conceptual Full Build Site PlanREV1.dwg

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|---|---|
| 1 | 4 |

# *Attachment 3*

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

# *Financial Analysis*

| WASTE/TRUCK TRAFFIC | | |
|---|---|---|
| Daily Waste Volume (tons) | | 950 |
| **In-bound waste/truck traffic summary** | | |
| In-bound vehicle types | Roll-off container transfer trucks<br>Front & rear packers<br>Pickup trucks & trailers | |
| In-bound average tons per load | | 12 |
| In-bound loads per day | | 80 |
| **Out-bound waste/truck traffic summary** | | |
| Out-bound vehicle types | Tractor Trailers | |
| Out-bound average tons per load | | 22 |
| Out-bound loads per day | | 44 |
| **TOTAL WASTE LOADS PER DAY** | | **124** |

Estimated Average Travel and Wait Time Saved per Load:

15 Minutes

Time Saved Per Day:

1,860 Minutes

31 Hours

Load Transport Cost Per Hour:

$100.00

Estimated Transportation Cost Savings Per Day:

$3,100.00

Days Per Year (5 full operating days and one half day per week):

286

Estimated Transportation Cost Savings Per Year:

$886,600.00