

**TOWN OF DEERPARK
ORANGE COUNTY, NEW YORK**

JUNKYARD LICENSE APPLICATION

The undersigned hereby applies to the Town Clerk of the Town of Deerpark for a Junkyard License and answers this questionnaire as follows in relation to the business to be licensed:

NAME OF BUSINESS _____

ADDRESS OF BUSINESS _____

BUSINESS TELEPHONE NUMBER _____

NAME OF OWNER _____

HOME ADDRESS OF OWNER _____

HOME TELEPHONE NUMBER _____

JUNKYARD LOCATION:

Tax Map No. S B L Zoning Designation _____

How is Junkyard storage space screened: _____

No. of Vehicles used in Business: _____ No. of Employees: _____

*Attach a site plan or a list of all approved uses and description of the area allocated to junkyard operation

Also to be submitted with this application:

1. NYS Dept. of Motor Vehicle MC907A Form (Salvage)
2. SEQR, Short Form Environmental Assessment Form
3. NYS Dept. of Motor Vehicles MV61U Form (Dismantler)
4. EPA form 8700-12A (Hazardous Waste Activity)
5. Certificate of Insurance, Naming Town of Deerpark as Co-Insured
6. NYS DEC waste tire storage permit for over 1000 tires
7. NYS DEC annual report for waste automotive fluid disposal
8. Application Fee (\$300.00 Three Hundred Dollars)

*All information and documents must be submitted with this application prior to issuance of license

State of New York,
County of Orange

I, _____, Be duly sworn, deposes and says that he (she) has read the foregoing application, which shall be deemed the basis for the right to possess a Town of Deerpark Junkyard Dealers License and that the answers thereto are true to the best of his (her) knowledge, information and belief.

Signature of owner

Sworn to me this _____ Day of _____, 20____

Notary Public

PROJECT I.D. NUMBER

617.21

Appendix C

SEQR

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

- A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? ☐ Yes ☐ No If yes, coordinate the review process and use the FULL EAF.
- B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? ☐ Yes ☐ No If No, a negative declaration may be superseded by another involved agency.
- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
- C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
- C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
- D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? ☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency:

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

TOWN OF DEERPARK, ORANGE COUNTY, NEW YORK

LOCAL LAW NO. 1 OF 1993

A LOCAL LAW FOR THE REGULATION OF AUTOMOBILE
JUNKYARDS IN THE TOWN OF DEERPARK

1. Legislative intent. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants and the safeguarding of their material rights against unwarrantable invasion and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the State and the general welfare of its citizens. It is further declared that the unrestrained accumulation of junk motor vehicles is a hazard to such health, safety and welfare of citizens of the State necessitating the regulation, restraint, and elimination thereof. At the same time, it is recognized that the maintenance of junkyards as hereinafter defined, is a useful and necessary business and ought to be encouraged when not in conflict with the express purposes of this local law.

2. Definitions. For the purposes of this local law, "junkyard" shall mean any place of storage or deposit, whether in connection with another business or not, where two or more unregistered, old, or secondhand motor vehicles, no longer intended or in condition for legal use on the public highways, are held, whether for the purpose of resale of used parts therefrom, for the purpose of reclaiming for use some or all of the materials therein, whether metal, glass, fabric or otherwise for the purpose of disposing of the same or for any other purpose: such term shall include any place of storage or deposit for any such purposes of used parts or waste materials from motor vehicles which taken together, equal in bulk two or more such vehicles provided, however, the term junkyard shall not be construed to mean an establishment having facilities for processing iron, steel or nonferrous scrap and whose principal produce is scrap iron, steel or nonferrous scrap for sale for remelting purposes only.

"Municipality" as used in this section shall mean the Town of Deerpark.

"Motor Vehicle" shall mean all vehicles propelled or drawn by power other than muscular power originally intended for use on public highways.

3. Requirement for operation or maintenance. No persons shall operate, establish or maintain a junkyard until he (1) has obtained a license to operate a junkyard business and (2) has obtained a certificate of approval for the location of such junkyard.

4. Application for license and certificate of approval. Application for the license and the certificate of approved location shall be made in writing to the Town Board of the municipality where it is

proposed to locate the junkyard, the application will be accompanied by a certificate from the Zoning Board of Appeals that the proposed location is not within an established district restricted against such uses or otherwise contrary to the prohibitions of such Zoning Ordinance or local law. The application shall contain a description of the land to be included within the junkyard..

5. Hearing. A hearing on the application shall be held within the municipality not less than two nor more than four weeks from the date of the receipt of the application by the Town Board. Notice of the hearing shall be given to the applicant by mail, postage prepaid, to the address given in the application and shall be published once in a newspaper having a circulation within the municipality, which publication shall be not less than seven days before the date of the hearing.

6. License requirements. At the time and place set for hearing, the Town Board shall hear the applicant and all other persons wishing to be heard on the application for a license to operate, establish or maintain the junkyard. In considering such application, it shall take into account the suitability of the applicant with reference to his ability to comply with the fencing requirements or other reasonable regulations concerning the proposed junkyard, to any record of convictions for any type of larceny or receiving of stolen goods and to any other matter within the purposes of this local law.

7. Location requirements. At the time and place set for hearing, the Town Board shall hear the applicant and all other persons wishing to be heard on the application for certificate of approval for the location of the junkyard. In passing upon same, it shall take into account, after proof of legal ownership or right to such use of property for the license period by the applicant, the nature and development of surrounding property, such as the proximity of churches, schools, hospitals, public buildings or other places of public gathering; and whether or not the proposed location can be reasonably protected from affecting the public health and safety by reason of offensive or unhealthy odors or smoke, or of other causes.

8. Aesthetic considerations. At the hearing regarding location of the junkyard, the governing board may also take into account the clean, wholesome and attractive environment which has been declared to be of vital importance to the continued general welfare of its citizens by considering whether or not the proposed location can be reasonably protected from having an unfavorable effect thereon. In this connection the governing board may consider collectively the type of road servicing the junkyard or from which the junkyard may be seen, the natural or artificial barriers protecting the junkyard from view, the proximity of the proposed junkyard to established residential and recreational areas or main access routes thereto, as well as the reasonable availability of other suitable sites for the junkyard.

9. Grant or denial of application; appeal. After hearing the Town Board shall, within two weeks, make a finding as to whether or not the application should be granted, giving notice of their finding to the applicant by mail, postage prepaid, to the address given on the application. If approved, the license, including the certificate of approved location, shall be forthwith issued to remain in effect until the following April first. Approval shall be personal to the applicant and not assignable. Licenses shall be renewed thereafter upon payment of the annual license fee without hearing, provided all provisions of this chapter are complied with during the license period, the junkyard does not become a public nuisance under the common law and the applicant is not convicted of any type of larceny or the receiving of stolen goods. The determination of the governing board may be reviewed under Article Seventy-eight of the Civil Practice Law and Rules.

10. License fees. The annual license fee shall be **Three Hundred Dollars** (\$300.00) to be paid at the time, which is non-refundable, the application is made and annually thereafter in the event of renewal. A municipality, in addition to the license fee, may assess the applicant with the costs of advertising such application and such other reasonable costs incident to the hearing as are clearly attributable thereto and may make the license conditional upon payment of same.

11. Fencing. Before use, a new junkyard shall be completely surrounded with a fence at least eight feet in height which substantially screens the junkyard from view of the surrounding properties. A suitable gate shall be provided which shall be closed and locked except during the working hours of such junkyard or when the applicant or his agent shall be within. Such fence shall be erected not nearer than fifty feet from a public highway. All motor vehicles and parts thereof stored or deposited by the applicant shall be kept within the enclosure of the junkyard except as removal shall be necessary for the transportation of same in the reasonable course of the business. All wrecking or other work on such motor vehicles and parts within the vicinity of the junkyard shall be accomplished within the enclosure.

Where the topography, natural growth of timber or other considerations accomplish the purposes of this chapter in whole or in part, the fencing requirements hereunder may be reduced by the legislative body upon granting the license, provided, however, that such natural barrier conforms with the purposes of this chapter.

12. Effect of local ordinances or local laws. This section shall not be construed to affect or supersede Zoning Ordinances.

13. Established junkyards. For the purposes of this local law the location of junkyards already established shall be considered approved by the Town Board of the municipality where located and the owner thereof deemed suitable for the issuance of a license. Within sixty days from the passage of this "local law", however, the owner shall furnish the Town Board the information as to location which is

required in an application, together with the license fee, and the Town Board shall issue him a license valid until the next April first, at which time such owner may apply for renewal as herein provided. Such owner shall comply with all other provisions of this local law including the fencing requirements set forth in subdivision 11 of this local law and the following:

The owner/applicant must provide:

- a. State of New York Department of Motor Vehicles MV-907A form.
 - b. SEQR, short form Environmental Assessment form.
 - c. State of New York Department of Motor Vehicles MV61U form (Dismantler).
 - d. EPA form 8700-12A (Hazardous Waste Activity).
 - e. Certificate of Insurance.
 - f. N.Y.S. permit for handling waste gas, oil, anti-freeze and other fluids.
 - g. D.E.C. waste tire storage permit for over 1000 tires.
 - h. At license renewal time, if the applicant is in violation of any Town, State or Federal Laws, the license will not be granted.
14. Notwithstanding any of the foregoing provisions of this local law, no junkyard or any part thereof, hereafter established, shall be licensed to operate if junkyard or any part thereof shall be within five hundred feet of a church, school, hospital, public building or place of public assembly.
15. Said violators of any of the portions of this local law shall be guilty of an offense punishable by a fine not exceeding five hundred dollars for the first week that such violation occurs and two hundred fifty dollars for each successive week that such violation is carried on or continues. Each week or any portion thereof in which a violation continues shall constitute a separate violation.
16. Upon adoption of this local law by the Town Board, Local Law #2 of the year 1990 shall be and hereby is repealed.
17. This local law shall take effect upon its adoption and filing of copies with the Department of State pursuant to the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 1 _____ of 19__9__ of the ~~(County)(City)(Town)(Village)~~ of Deerpark ~~Town Board~~ was duly passed by the _____ on March 15, 19__93__ in accordance with the applicable provisions of law
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__ , and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__ , in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__ , and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__ . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19__ , in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__ , and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__ . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__ , in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the elector at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 1_____, above.

Shirley Zeller

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

SHIRLEY ZELLER, Town Clerk

Date: 3-15-93

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

William D. Savoso
Signature

WILLIAM D. SAVOSO, ESQ.

TOWN ATTORNEY

Title

~~County~~

~~City~~

Town of Deerpark

~~Village~~

Date: _____

TOWN OF DEERPARK FEE SCHEDULE
FEES ADOPTED BY TOWN BOARD

RACETRACK APPLICATION/RENEWAL	\$350.00
MOBILE HOME PARK RENEWAL	\$350.00
JUNKYARD APPLICATION/RENEWAL	\$300.00
SCRAP PROCESSING FACILITY PERMIT	\$ 75.00
CAMPGROUND APPLICATION/RENEWAL	\$300.00
GARBAGE/REFUSE APPLICATION/RENEWAL	\$300.00
ZONE CHANGE APPLICATION	\$175.00
ZONING VARIANCE APPLICATION	\$175.00
DRIVEWAY APPLICATIONS	\$ 50.00
COMPREHENSIVE (MASTER) PLAN	\$ 40.00
MARRIAGE LICENSES	\$ 40.00
BUILDING INSPECTOR SEARCHES	\$ 75.00
ZONING LAW MANUAL	\$ 40.00
ZONING MAP	\$ 8.00 (approved 5/18/09)
SUBDIVISION REGULATIONS	\$ 20.00
ROAD/STREET SPECIFICATION MANUAL	\$ 10.00
TOWN PARK/FACILITY PERMITS	\$ 50.00 +\$100.00 Security Deposit
MOTOR VEHICLE REPORTS	\$ 2.00
DISPOSITION OF COURT RECORDS	\$ 5.00
CERTIFIED COPIES OF MARRIAGE/BIRTH/DEATH CERTIFICATES	\$ 10.00
GENEALOGICAL COPIES OF RECORDS (\$5.00 PER HR. FOR SHORT SEARCHES, \$10.00 PER HR. FOR LONG)	\$ 11.00
COPIES OF TOWN RECORDS	\$.25/page
COPY OF VIDEO TAPES	\$ 15.00
COPY OF CASSETTE TAPES	\$ 5.00/tape

FEES SUBJECT TO CHANGE BY TOWN BOARD APPROVAL
ADOPTED 1/05/2009