

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON APRIL 17, 2024 AT 6:00 P.M.

RESOLUTION #9-147/2024

To adopt the SEQR Determination, issue a Negative Declaration, and approve Special Use Permit Application No. 2024-005 for Impact Earth to operate a new commercial composting facility located at 520 Middle Road.

On Motion of
Supervisor Schultz

Seconded by
Councilmember Barley

WHEREAS, Impact Earth (R.M. Putney & Associates, Inc.) has applied for a Special Use Permit to operate a commercial composting facility (the "Application") to be located in a newly rezoned Industrial Zoned District at 520 Middle Road, Henrietta, New York 14467, Tax Account No. 175.04-1-10.12, (the "Property"), or as more particularly described in plans on file in the Town Clerk's Office; and

WHEREAS, public hearings were duly advertised and held relative to the same.

THEREFORE, BE IT RESOLVED, that pursuant to the State Environmental Quality Review Act, in accordance with the EAFs Parts 1, 2, and 3, attached hereto and accepted and approved, the Application will not have any significant adverse environmental impacts, and the Town Board issues a Negative Declaration relative to the Application.

BE IT FURTHER RESOLVED, that the Town Board has considered the Special Use Permit factors, and, based upon the record, including all materials submitted related to such Application, and based upon those reasons discussed at the public meetings related to the same, and so long as compliant with the conditions set forth herein, finds that said Special Use Permit factors favor approval of the application.

BE IT FURTHER RESOLVED, that the Town Board thus approves the Application such that a Special Use Permit for a Commercial Composting Facility by Impact Earth is approved, as follows:

1. Site Plan Review is required, either administratively or from the Henrietta Planning Board;
2. A landscaped berm shall be provided along the southern edge of the site; and
3. Systems and operations to reduce odor suppression must be maintained; and
4. Recommendations from the DEC and CET on how to mitigate potential adverse impacts on wetlands, neighboring properties, pest control, and neighborhood impact shall be adopted – see attached "Schedule B: Additional SEQR and SUP Considerations for Town Compost Facility with Impact Earth operations".

Duly put to a vote:

Councilmember Page	Aye
Councilmember Bellanca	Aye
Councilmember Barley	Aye
Councilmember Stafford	Aye
Supervisor Schultz	Aye

RESOLUTION ADOPTED

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Composting Site			
Project Location (describe, and attach a location map): 520 Middle Road Henrietta, NY 14623			
Brief Description of Proposed Action: SSO Composting site			
Name of Applicant or Sponsor: Impact Earth		Telephone: 	
Address: 55 Dartford Rd		E-Mail: robert@impactearthrec.com	
City/PO: Rochester		State: NY	Zip Code: 14618
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYS DEC Composting Registration		NO	YES
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		94.3 acres 2.0 acres 94.3 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Town Fill Site and School Office and Bus Garage. <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input checked="" type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: effluent and gray water will be collected on site in tanks		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: The current site is being used as a Town Fill Site for concrete, brush, leaves, pavement, and other fill material.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Impact Earth - Robert M. Potney, Jr.</u> Date: <u>2/23/24</u>		
Signature: <u>Robert M. Potney, Jr.</u> Title: <u>Co-owner & CEO</u>		

Project: Impact Earth

Date: April 10, 2024

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Impact Earth

Date: April 10, 2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

For the support documentation for Part 2, see the attached "EAF Part 3 for Impact Earth - 520 Middle Road" Special Permit supplement dated April 10, 2024.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.


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.

Henrietta Town Board
Name of Lead Agency

4/17/2024
Date

Stephen L. Schultz
Print or Type Name of Responsible Officer in Lead Agency

Town Supervisor
Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from Responsible Officer)

**EAF Part 3 for Impact Earth – 520 Middle Road
Part of Tax Account No. 175.04-1-10.12.**

April 10, 2024

In addition to the narrative below, this EAF Part 2 hereby incorporates the following, which is made a part of this Part 3 reasoned elaboration;

- a. Town Board Special Use Permit Application SP-2024-005 for a Commercial Composting Facility by Impact Earth, prepared by Robert Putney of Impact Earth, dated February 23, 2024;
- b. Short Environmental Assessment Form, Part 1, prepared by Impact Earth, dated February 23, 2024;
- c. Conceptual Site Plan for Proposed Commercial Composting Facility, prepared by Compact Earth, dated February, 2024;
- d. Monroe County Department of Planning & Development Review Comments for Impact Earth, 520 Middle Road, dated, April, 2024.

1. Material Conflict with Adopted Land Use Plan or Zoning

The property is in the process of being zoned from Residential, R-1-15 to Industrial, and a commercial composting facility is a permitted use in this district as long as a special use permit is obtained from the Henrietta Town Board.

2. Change in Use or Intensity of the Use of Land

The parcel is currently being used as an active Town fill site and the proposal to add a commercial composting facility is not expected to have a significant adverse impact. Also, the hours of operation for the commercial composting facility are from 7:00 a.m. to 5:00 p.m. from Monday through Friday which is similar to the times utilized by the Town's Department of Public Works.

3. Impairment of the Character or Quality of the Existing Community

Moderate Impact. As stated above, the northern portion of the site is currently being utilized as an active fill site for construction debris and milling from various Town Department of Public Works projects. Also, the area is surrounded by other industrial and commercial users, such as the Rush Henrietta Central School District Transportation Facility.

Also, a landscaped berm will be required along a portion of the southern property line of the compost facility in order to provide privacy and to buffer some of the noise from the residence located at 556 Middle Road, which is the closest residence.

Therefore, the proposal to add a commercial composting facility is not expected to have a significant adverse impact.

4. Impact on Critical Environmental Areas

No impact; there are no CEA's located within or adjacent to the site.

5. Impact on Transportation

Small impact. The site is currently being used as an active Town fill site with Town trucks utilizing the site on a daily basis Monday thru Friday. To accommodate the proposed commercial composting facility, the Town had to relocate the storage of items such as pipes, precast concrete catch basins, traffic safety devices, and other items to another Town owned facility located further south on Middle Road. With the removal of the storage items, less Town truck traffic will be using the 520 Middle Road site which can certainly accommodate the trucks dropping off and picking up the organic waste and composting material.

6. Impacts on Energy

No impact; there is ample energy capacity present in the area to handle any energy needs from the proposed commercial composting facility.

7. Impact on Existing Water Supplies and Wastewater Treatment Facilities

No impact; with the addition of a new sanitary sewer system and water main along Middle Road, there is an adequate supply of water and sanitary sewer capacity present in the area. Also, the majority of the leachate, effluent and gray water will be collected on site and stored in tanks; the remainder will be discharged via a private pump station to the sanitary sewer system.

8. Impact on Historic And Archeological Resources

The proposed commercial composting facility is located within a designated archeologically sensitive area, but the area where the facility is to be located is in a current Town fill site so the area has already been previously disturbed.

9. Impact on Natural Resources

No impact; there are no scenic or aesthetic resources in the vicinity of the site.

10. Impact on Erosion, Flooding or Drainage

Small impact. The proposed project is located within the Town's fill site on an area composed of construction debris and roadway millings. The potential for erosion is minimum due to the project being located on the roadway millings, but erosion control should be provided to prevent any sediment from entering the adjacent Federal and NYSDEC wetland. A grading plan will have to be prepared in accordance with Town of Henrietta and New York State Department of Environmental Conservation standards. If required, the grading plan shall use sedimentation basins, stabilized construction entrances, silt fence, concrete wash out areas, and other erosion control devices to control site erosion. Also, site inspections will be performed by the Town until the site is stabilized to ensure that erosion is not leaving the site.

The proposed commercial composting facility is not located in a floodplain, but there is a floodplain located to the east of the project.

11. Impact on Human Health

Small impact. One of the main concerns with this type of composting facility is odor. The applicant will be required to use some type of odor suppression system and if the odor does become an issue, then the Town can revoke the special use permit since the Town has control and ownership of the property.

Also, the composting will overall be beneficial to the community by diverting organic material from landfills and providing free composting services to Town of Henrietta residents.

So therefore, with the proper odor control suppression system and with organic material being diverted from landfills and the byproduct being used as a sustainable material, the proposed action should not have an environmental condition that could result in an impact to human health.

SCHEDULE "A"

Town Code Section 295-54 sets forth the criteria to be considered by the board in determining whether to grant a Special Use Permit. The Town Board makes the following findings with respect to each of these criteria, based upon its own knowledge and investigation or from testimony or other information submitted to it:

- A. Whether the proposed use is substantially consistent in its scale and character with those uses permitted and the existing built permitted uses in the subject zoning district and neighborhood or will otherwise impair such uses due to inconsistency?**

The project consists of installing a commercial composting facility on a current Town of Henrietta fill site at 520 Middle Road, so it fits in with the current use of the property. The closest single family residence is located directly south of the composting facility but a landscaped berm will be used for privacy and to buffer some of the noise.

- B. Whether the proposed use aligns with the vision, goals and recommendations of the Comprehensive Plan and other applicable plans and studies conducted by or on behalf of the Town.**

The majority of the land located along both sides of Middle Road between Calkins Road and the New York State Thruway, I-90 is zoned Commercial, B-1, Commercial B-2, and Industrial. The section of Middle Road near the proposed commercial compost facility is mostly owned by the Town for its fill site, but the Rush Henrietta Central School District has its transportation facility located to the north and there are a few other businesses located within the Middle Road corridor; several single family homes also reside along Middle Road. So, even though the commercial composting facility is not part of the Town's Comprehensive Plan, it certainly fits into the uses located along the Middle Road corridor.

- C. Whether the proposed use aligns with the purpose, intent, and applicable design and development standards of the zoning district(s) in which the use is proposed to be located.**

The property is in the process of being rezoned from Residential, R-1-15 to Industrial, and a commercial composting facility is a permitted use in this district with the approval of this special use permit.

- D. Whether the proposed use will be a nuisance in law or in fact due to its being materially noxious, offensive or injurious by reason of the production of or emission of dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness or similar conditions, or will contaminate waters.**

One of the main concerns with this type of composting facility is odor, if the facility is not managed properly. As part of this approval, the applicant will be required to provide some type of odor suppression system. If odor does become a problem, however, the Town does have the right to revoke the special use permit since it will have control and ownership of the property.

- E. Whether the proposed use will create material hazards or dangers to the public or to persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of vehicles, or other causes.**

As stated in paragraph D above the main concern from a composting facility is odor, but that can be controlled by managing the site properly and providing an odor suppression system. There are no dangers of fire, explosion, radiation, traffic congestion, crowds, vehicle parking or other hazards associated with this project

F. Whether the proposed use will create materially adverse impacts that cannot be adequately mitigated, such as to adversely impact natural resources or the environment, agriculture, community services or other areas required to be addressed by the State Environmental Quality Review Act (SEQRA).

The proposed use will not create materially adverse impacts that cannot be adequately mitigated. The only moderate impact created is odor, which can be maintained by an odor suppression system and the "Impairment of the Character or Quality of the Existing Community". The northern portion of the Town fill site is currently being utilized as an active fill site for construction debris and millings from various Town Department of Public Works projects, so the installation of a composting facility fits in with this type of environment. A potential concern is with the existing residence located directly south of the fill site at 556 Middle Road, but a landscaped berm will be installed in order to provide privacy and to buffer some of the noise.

G. Whether the physical conditions and characteristics of the site are suitable for the proposed use considering site size, configuration, location, access, topography, vegetation, soils, and hydrology for effective stormwater management and, if necessary, the ability to be screened from neighboring properties and public roads.

The site is located along Middle Road and the area surrounding the proposed project consists of a Town fill site, a transportation facility for the Rush Henrietta Central School District, a tree service company and multiple residential homes. The location of the composting facility will be on the Town's fill site where the material storage area was located. There is an existing residence located directly south of the project at 556 Middle Road so a landscaped berm will be provided along a portion of the southern property line to provide some privacy and to buffer some of the noise. Also, since the area where the proposed facility will be located is in an already impervious area, there will not be any increase in stormwater generated from the project.

H. Whether there are adequate public infrastructure, utilities, community facilities and emergency services, either existing or to be provided by the applicant or others, to effectively serve the proposed use. A proposed use shall not create or contribute to an existing inadequacy.

With the addition of a new sanitary sewer system and water main along Middle Road, there is an adequate supply of water and sanitary sewer service in the area to handle the proposed commercial composting facility as well as to provide fire protection. Also, the proposed facility will not require any increase in emergency services, but will provide a benefit to the Henrietta community by providing a place for residents to drop off organic waste and pick up composting material.

- I. **Whether the proposed use will provide, maintain, or enhance, as necessary, safe and efficient vehicular traffic patterns, nonmotorized travel, and pedestrian circulation as well as, where feasible, access to public spaces, parks, recreation, and open space resources.**

The site is currently being used as an active Town fill site with Town trucks utilizing the 520 Middle Road site on a daily basis Monday through Friday. To accommodate the proposed commercial composting facility, the Town had to relocate its storage area of pipes, precast concrete catch basins, traffic safety devices, etc. from the fill site to another Town owned area of land located further south on Middle Road. With the removal of the storage items, less Town truck traffic will be using the 520 Middle Road site so the site can easily accommodate the trucks dropping off and picking up the organic waste and composting material.

Middle Road currently does not have sidewalks and no sidewalks are proposed with this application; so, the pedestrian access remains unchanged.

February 23rd, 2024

RE: Letter of Intent
520 Middle Road
Henrietta, NY 14623

Dear Town of Henrietta,

Impact Earth is a privately held S-Corp founded in 2014 and headquartered in Rochester, New York. We graduated from the RIT incubator in 2017 and currently employ 22 staff. Eleven (11) of which work a portion of their day as drivers or on-site personnel at the current 1335 Erie Station road composting location.

We also operate a zero waste consumer goods store on Monroe Avenue in Brighton and are Makers as part of the USA Faire Trade wholesale network.

Our environmental education team provides services and sustainability training for local businesses, K-12 schools, municipalities, colleges and restaurants.

Our customers include local residents and other entities such as RIT, Brighton Central School District, Cooper Vision, the City of Rochester, L3Harris and Lori's Natural Foods.

Impact Earth's intended use of a portion of the 520 Middle Road property is to process organic materials into finished compost. Our hours of operation are M-F 7am-5pm with some seasonal variance. Organic feedstocks include:

- Food waste (both pre and post consumer) - 95% is generated in Monroe County
- SMS (spent mushroom substrate) - Leep Foods in Henrietta
- Coffee chaffe - Tim Horton's Coffee Roasters in Henrietta
- Wood chips - High Falls Tree Service in Henrietta
- Corrugated (mostly pizza boxes) - from our Curbside customers

80% of the finished compost goes back to our customers as part of their membership. The balance is donated to local community gardens or sold to local landscaping companies.

We maintain the composting piles 7 days per week utilizing tractors and a combination of ASP and static pile systems that blows air through the piles and are then turned over on a regular schedule. We are a science-driven organization that collects & analyzes a variety of data such as moisture content, temperature and PH levels then adjust pile maintenance based on this information relative to the weather and other on-site conditions like smell.

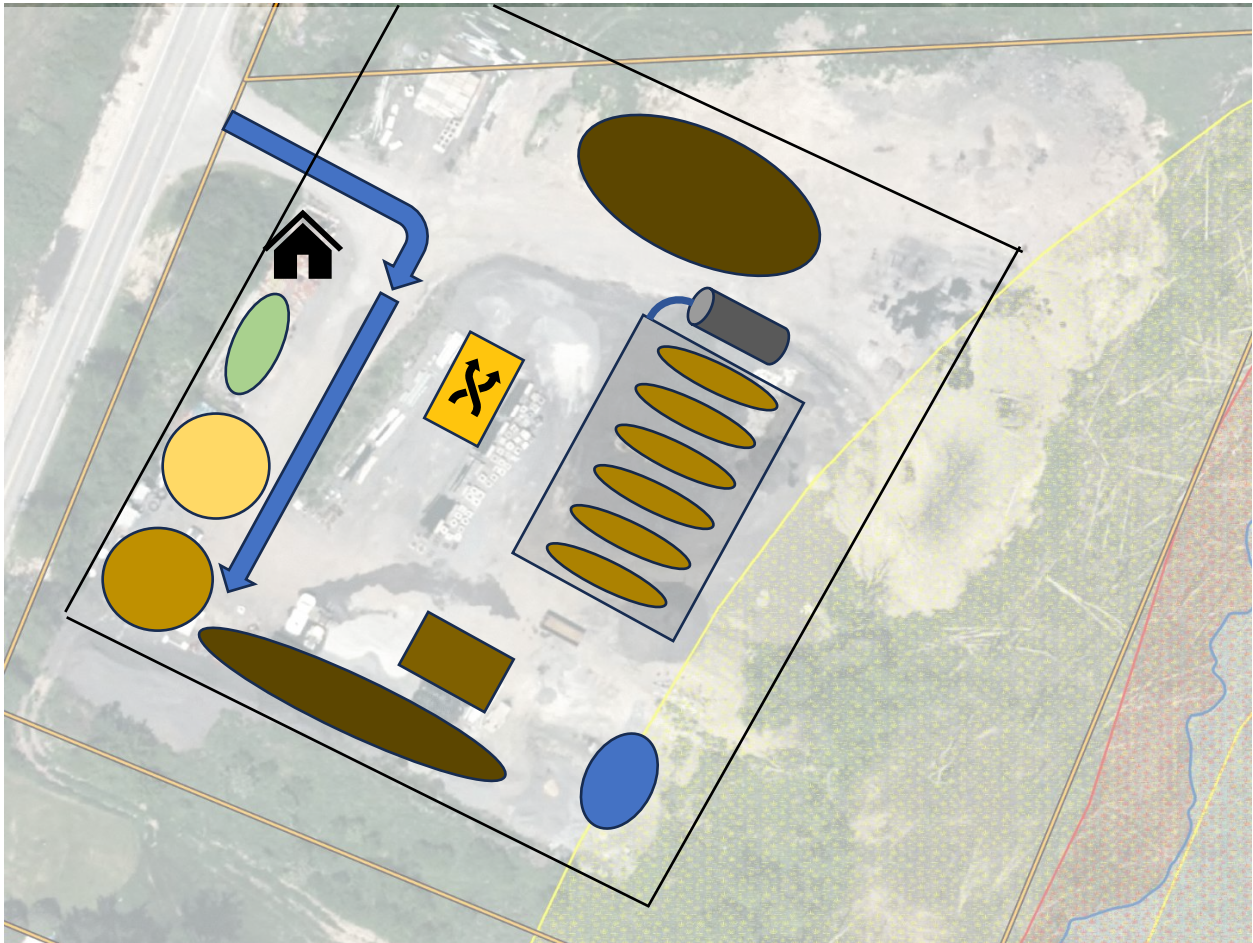
We appreciate the opportunity to work with the Town of Henrietta and its residents to build a healthier and more sustainable future.

Sincerely,
















Robert M. Putney Jr.,
Co-founder/owner of Impact Earth

Site Map:



Key:

- | | |
|---|--|
|  Weigh Station/Washing House/Attendant |  Outside Traffic |
|  Food Waste Drop Off Area |  Mixing Pad Carbon/Foodwaste |
|  Wood Chip/Brush Drop Off | |
|  Leaf Drop Off | |
|  Fence | |
|  Leachate Containment Tank |  Decontamination/Sifting site of |
|  Rainwater Runoff Retainment Pond |  Processed Material |
|  Processed Material | |
|  ASP (Aerated Static Piles) System | |

Schedule B

Additional SEQR and SUP Considerations for Town Compost Facility

Potential impacts of composting operations near protected wetlands.

Questions posed to James McSweeney of Compost Technical Services and the 131° School of Composting, in coordination with the New York State Department of Environmental Conservation.

What, if any, are there negative impacts of compost leachate flowing into a wetland?

Wetlands are sensitive ecosystems systems that serve the important function of slowing, infiltrating and cleaning water from the surrounding landscape. They protect more sensitive freshwater ecosystem such as rivers and lakes and provide critical habitat for a diversity of plants and animals. While wetlands can help filter many of the nutrients that human activities create, there is a limit to what these living systems can handle and they are not adapted to high levels of sustained and concentrated nutrients. Farming, composting, sewer systems, even lawn fertilization can all contribute to an overloading of nutrients in wetlands if nutrient inputs are unmitigated. Excess nutrients cause an excess of plant and microbial growth, which changes the system's chemistry eventually killing the system. Compost leachate, which is liquid released during the managed active decomposition of human generated organic matter, is one such concentrated nutrient source, and it should not be discharged into any surface water. It should be noted that compost use is an important tool for reducing nutrient runoff from soils. Compost produces slow release nutrients, and when used properly, reduces both the need for fertilizer application and the loss of nutrients from soils. It also builds soil organic carbon, which both prevents and mitigates the impacts of our earth's climate crisis.

How can those negative impacts be mitigated?

Preventing nutrient loss from compost happens through a variety of controls, involving both process management and preventative infrastructure. These mitigation methods are particularly critical when wetlands are directly adjacent to a compost site, as is the case with the proposed site.

Process management controls prevent and minimize leachate generation by creating and maintaining the moisture content in the compost itself. Moisture content (MC) is the percentage of a compost mix that is water. The target range is between 50 and 60%, with 60% being ideal in the early stages of composting when leachate generation is the most likely. At around 70%, liquid water (leachate) is lost from the compost pile. Managing for around 60% moisture involves diluting materials with >60% MC with dryer matter and thoroughly blending these materials together. As wet materials decompose and release moisture there is dry matter there to absorb it. Another strategy is to minimize precipitation entering the piles, by covering them. This can be achieved by using compost tarps, roofs, and a technique called "capping", which involves covering freshly made piles with a porous material such as aged compost. The cap prevents moisture from infiltrating into the core of the pile, where wetter leachate is likely to be generated. Any moisture that does escape the pile should be collected using absorbent compost material, then reintroduced into a fresh pile.

While these management strategies are very effective at preventing leachate from escaping the pile, the site itself needs to be designed to properly manage water. Infrastructure controls should collect, transport, and effectively treat any leachate that may escape the compost. The site should first and foremost keep clean water clean, by preventing precipitation and run-off from coming into contact with the compost. As noted previously, this can be accomplished by covering the compost and diverting any upslope water from entering the site. Secondly, the site should be organized to keep fresh material with higher nutrient and leachate potential separate from older material, that is dryer and a low potential for nutrient loss. For the proposed site, fresh material would include food scraps being delivered and blended, freshly formed piles, and material as it's managed through the active phase of the composting process. Generally, the active phase lasts 2-3 months and water lost during this period should be prevented and carefully managed. For the proposed site, a combination of three options are being considered. The first is to cover the active piles. The second is to grade the receiving and active composting areas (called the primary and secondary aerated static pile system) towards a gutter, which would trap sediment, then move the water to a tank with an overflow to the sewer. The water collected in the tank can be recycled into the compost. A third option is to use green infrastructure to filter leachate. The options two and three would be designed by town engineers to ensure zero discharge to the adjacent wetlands.

Compost that is finishing (generally months 2-3 through 6-9 depending upon the rate of decomposition) has entered into a more stable condition, where the process is slowing and moisture loss due to cellular breakdown is at a minimum. While it is still good to minimize the precipitation that comes into contact with finishing compost, any water that does contact it is generally absorbed and held in the compost. Water from this area is mostly from the areas around the compost. In the case of the proposed site, town engineers will design a system to move and spread this water across existing vegetation.

What, if any, are there negative impacts of stormwater flowing through finished output compost and into a wetland?

Finished compost is quite nutrient stable and is stored in large piles that can absorb and retain significant moisture. While runoff from this material poses much less pollution risk than leachate from active piles, allowing this water to flow directly to wetlands should be prevented.

How can those negative impacts be mitigated?

Like the finishing compost discussed above, water from this area is mostly from the areas around the compost, rather than seeping in large quantities out of the compost itself. The site should be graded to divert upslope water from running into the compost. In the case of the proposed site, it is recommended that the Town Engineering Department design a system to move and spread this water across existing or newly constructed vegetation.

What, if any, are there negative impacts of stormwater flowing through dead leaf and brush matter and into a wetland?

While the risk to wetlands from the runoff of stored leaf and yard waste is similar to natural sources, best practice is to prevent any direct runoff from a compost site into wetlands.

How can those negative impacts be mitigated?

The site should be graded to divert upslope water from running into the stored leaf and yard waste. In the case of the proposed site, it is recommended that the Town Engineering Department design a system to move and spread this water across existing or newly constructed vegetation.

Potential impacts of composting operations with regards to vermin or pests.

Questions posed to James McSweeney of Compost Technical Services and the 131° School of Composting, in coordination with the New York State Department of Environmental Conservation.

What, if any, are the risks for rodent infestations in the compost piles?

Rodents are scavengers and will be attracted to food sources if accessible, so there is certainly a risk of rodent infestations at the compost site if food sources are not contained. It should be noted that there are food sources in dumpsters and trash bags everywhere. Separating food scraps by businesses and residents for well managed composting contains these materials and reduces rodents at the points of generation.

How can those negative impacts be mitigated?

Mitigating rodent infestations requires a combination of diligent management and design. The materials that are of interest to rodents are raw food scraps. These materials are exposed for a short period during tipping and mixing, then formed into a pile that is covered with a thick layer of organic material called a biofilter. This pile heats up rapidly, making it inhospitable to rodents and other animals. It is critical that the operation keep the site and piles clean from exposed food scraps.

The design of the site mainly plays into rodent mitigation by making it hard for them to nest. The piles are rotated every 2-4 weeks, which means that they cannot be set up in the piles themselves. The pad material is compacted asphalt, which would be very hard for rodents to dig into and nest in. The area around the main composting pad is surrounded by roads. Roads and other wide-open expanses are exposed to predators, which is a major deterrent to rodents.

Observing for signs of rodents is critical so that the operation can take additional measures should rodents be noticed. The operation should take immediate steps such as setting traps, using dry ice in nests, and consulting with experts if needed.

What, if any, are the risks for scavenging in the compost piles from coyote, crows, or other wildlife?

Similarly to with rodents, any scavengers will be attracted to food sources if accessible, so there is certainly a risk of birds, coyotes, and other scavengers being attracted to the compost site if food sources are not

contained. Aside from the nuisance risk these animals pose to the surrounding area, as scavengers they play an important ecological role cleaning up naturally occurring detritus and decay. It is not good to attract these animals away from their natural role in the ecosystem.

How can those negative impacts be mitigated?

It is critical that the operation keep the site and piles clean from exposed food scraps. These materials are exposed for a short period during tipping and mixing, then formed into a pile that is covered with a thick layer of organic material called a biofilter. This pile heats up rapidly, making it inhospitable to animals. The site is likely to cover active compost piles with compost tarps, which create an added barrier.

Furthermore, the goal will be to cover the mixing area with a roof, which will deter birds from that area. If needed the site can create a grid of nylon cord (heavy duty fishing line) to cover the mixing and active composting areas. Birds cannot see the grid and will quickly learn there are obstructions in the area.

Observing for signs of scavengers is critical so that the operation can take additional measures should a problem be noticed. The operation should take immediate steps such as cleaning and covering piles more effectively and consulting with experts if needed. Scavengers are creatures of habit, so it is critical to stop any animal activity before patterns of habituation form.

What, if any, are the risks from flies or other insect infestations growing in the compost piles?

Insects are attracted to the nutrient sources in compost and nitrogen in particular, which is limiting in the environment. Therefore, they're will inevitably be an increase in some insects in the immediate vicinity of the compost. With the wetlands so close, which are also a huge sink for nutrients and a natural breeding ground for all manner of insects. With good management, pests associated with the compost site would be miniscule in comparison to those from the wetland.

How can those negative impacts be mitigated?

Insects that are generally considered nuisances, such as large flies, are attracted to putrescent materials like rotting food and standing leachate. These materials attract and can act as breeding grounds for flies if left accessible. As described previously, these materials will be captured/cleaned and contained. Keeping the site free from these materials minimizes insects on the site and prevents nuisance insects from becoming established. The compost piles will be covered with non-putrescent organic matter and likely tarped. The heat kills any insect eggs or larvae present. The composting process degrades putrescent materials and stabilizes their nutrients into forms that are no longer of interest to nuisance insect populations.

Potential impacts to neighbors from composting operations.

Questions posed to James McSweeney of Compost Technical Services and the 131° School of Composting, in coordination with the New York State Department of Environmental Conservation.

What, if any, are the risks of offensive odors traveling more than 200' from the compost pile with a significant impact on neighboring properties?

Food scrap and other composting sites pose a risk of releasing odors and concern around this should not be minimized. In the case of the proposed site the risk to the nearest neighbors is relatively low for a number of reasons. The main reason is that odors tend to become a problem only when the air from the compost site is not mixing with the surrounding air, and this happens when cool air is trapped in a low spot. The lowest spot in the area is the wetlands, which are directly downhill from the compost site and also downhill from the neighbors, which protects the neighbors. The wetlands are also to the east, which is the direction of the prevailing wind. So the most likely scenario for nuisance odors is to the east, under conditions where the odors settle in the wetlands and then wind pushes them further to the east. The nearest residence is over 2,000 feet away however and this is a very open area where there is lots of room dilution before reaching a receptor. Because this is a relatively small operation, the risks to both immediate neighbors to the north and south and those to the east is quite low. That said, they are not zero, which is why prevention of odor generation and release is critical.

How can those negative impacts be mitigated?

Odors are physical compounds that become volatile and detectable by smell. Nuisance odors require the odorous compounds to first be generated, then released, then for them to migrate to a receptor (i.e. a neighbor). As mentioned above, the location of the site is very conducive to odor dispersal, so migration to a receptor prior to natural dilution to below detectable levels is low. That said, certain weather conditions could inhibit dispersal and the wetlands are a possible point of settling and concentration. Therefore, preventing both generation and release is critical.

The site is managing odorous materials, so the presence of some odors is inevitable at points of tipping, mixing and washing. These odors can be minimized by rapidly incorporating odorous materials with other materials and cleaning the area afterwards. By blending odorous compounds with non-odorous material (such as leaves and woodchips), the odors are diluted. The site should follow a recipe that will balance the nitrogen and carbon content of the mix, target a moisture content of between 50 and 60%, and prevent overly dense conditions. Managing for a targeted recipe creates the conditions for effective breakdown of odors within the pile. When the blended mix is formed it will be covered with a compost layer called a "cap" or "biofilter" that will both contain and filter the odors before they can escape. The site will also employ a forced aeration composting method called an aerated static pile (ASP) system. ASP systems blow air into the pile, supplying oxygen to microbes, which increases the rate of decomposition and minimizes anaerobic decomposition associated with increased odor formation. Through the techniques of recipe, capping, and forced aeration, odors are degraded in the pile as they are formed, preventing their release. Maintaining this balance prevents the buildup of odors to the point where they can migrate to a receptor.

These methods are tried and true and will prevent nuisance issues at the proposed site if used properly and diligently. To achieve this the site will have trained operators, operations plans that spell out both preventative management practices, and odor response in the event that abnormal odors are detected either on or off-site. In addition, the site will have consultants available to assist should an issue arise that is not easily identified or remedied.

What, if any, are the risks for mold, mildew, fungi, or other such organisms or contaminants traveling more than 200' from the compost piles with a significant impact on neighboring properties?

There are biological risks associated with microbes and dust on compost sites. Elevated levels from compost sites are generally limited to less than 100 feet in the downwind direction of activity areas. In this case, the nearest downwind neighbor to the east is over 2,000 feet, and the nearest neighbors to the north and south are at least 200 feet.

How can those negative impacts be mitigated?

Preventing dust as is explained in the next section is the means of preventing negative impacts.

What, if any, are the risks for dust, dirt, or other such nuisances traveling more than 200' from the compost piles with a significant impact on neighboring properties?

Elevated levels of dust from compost sites are generally limited to less than 100 feet in the downwind direction of activity areas. In this case the nearest downwind neighbor to the east is over 2000 feet. The site is also almost entirely on asphalt, so the roadways themselves are unlikely to generate significant dust if kept clear from organic matter. Given these factors, and the relatively small scale of the operation it would be very unlikely that any small amount of dust that is created would travel the 200' to the nearest residence.

How can those negative impacts be mitigated?

Given that the site is on asphalt, it will be easy to keep the roadways clean from the organic debris that could generate dust. Preventing organic materials on the pad is best practice all around. This can be achieved moving materials carefully around the site to minimize spills and by blowing or sweeping the roadways off occasionally. Given that dust is created by overly dry conditions, should dust be a problem at any time, the site will have water and can wet down the site.

Operational impacts to neighborhood from composting operations.

Questions posed to Robert Putney of Impact Earth, who was selected to operate the Town's composting facility.

What is the expected traffic into and out of the site for compost operations (including delivery or collection of input organic matter, not including leaf and brush drop off)?

Employees: 7-10 vehicles per day

Vendor drop offs: 4-6 vehicles per day

Roughly how many of those trips into or out of (in total) would occur during either the morning peak traffic or the evening peak traffic times?

Employees arrive and leave about 15 minutes before/after their shift.

Vendor drop offs vary daily. Deliveries are between 9am-3pm.

What are the hours of operation of the compost activity?

Operational hours vary seasonally as follows:

Monday - Friday

April 1st - October 31st 7am - 4pm

Nov 1st - March 31st 8am - 5pm

Saturday - 8am - 12 noon

Sunday – Closed

When would the first vehicles be arriving or operated?

Either 7am or 8 am depending on the season. See answers above.

When would the last vehicles be leaving or operated?

Between 3-4pm or 4-5pm depending on the season.

If those are significantly noisy, how can the negative impact from the noise of the operations be mitigated?

We believe that the noise we generate will be fairly minimal as compared to the current state. Our goal is to not make continuous negative noise so designing and maintaining systems that keep noise to a minimum is our goal.

What steps will be taken to reduce the visual impact of the operations on surrounding properties?

We want to keep the basic character of the site so that we do not stick out compared to the current use. Adding trees and other vegetation/flowers in specific areas will be included with our site plan.