

TOWN OF VERSHIRE
APPLICATION FOR CERTIFICATE OF APPROVAL FOR THE LOCATION
OF A SALVAGE YARD (JUNKYARD)
FORM V-01

Pursuant to No. 56, VT S.47 (An Act relating to salvage yards), 24 V.S.A. Section § 2242:

(a) A person shall not operate, establish, or maintain a salvage yard until he or she:

(1) holds a certificate of approval for the location of the salvage yard; and

(2) holds a certificate of registration issued by the secretary of the Vermont Agency of Natural Resources to operate, establish, or maintain a salvage yard.

(b) The issuance of a certificate of registration shall not relieve a salvage yard from the obligation to comply with existing state and federal environmental laws and to obtain all permits required under state or federal environmental law.

Application for a certificate of approved location shall be made in writing to the Vershire Selectboard (the legislative body of the municipality where the salvage yard is located or where it is proposed to be located) with a copy provided at the same time to the Vershire Planning Commission. The application shall contain a description of the land to be included within the salvage yard, which description shall be by reference to so-called permanent boundary markers. Public Hearings will be held by the Vershire Select board together with a thorough facility inspection by one or more members of the Vershire Selectboard (on all complete applications submitted for the establishment of a salvage yard. –A hearing on the application shall be held within the municipality not less than two or more than four weeks from the date of the receipt of the application by the legislative body. Abutters will be invited to the Public Hearing to address the facility application; all other persons wishing to participate may also attend. Within 30 days after the Public Hearing the Town shall notify the applicant of their findings. The Vershire Planning Commission must also approve the site location as being consistent with the adopted Town Plan.

The term “salvage yard” means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility. Salvage yard also means any place of outdoor storage or deposit, not in connection with a business which is maintained or used for storing or keeping four or more junk motor vehicles which are visible from any portion of a public highway or navigable water, as that term is defined in section 1422 of Title 10. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

INSTRUCTIONS:

1. The applicant must complete Part A and attach a newspaper clipping as evidence of Advance Public Notice having been provided to this application.
2. The Vershire Approving Authority must complete Part B.

PART A - APPLICANT INFORMATION

PART B - CERTIFICATE OF APPROVAL FOR PROPOSED LOCATION

PART A - APPLICANT INFORMATION

Facility Name under which business of applicant is to be conducted:	Street Location of where the salvage yard is located or where it is proposed to be located:
Tax Map & Lot #:	Name and Mailing address of applicant:
Telephone # (802) -	
Applicant Date of Birth: ____/____/____	
<input type="checkbox"/> New Facility <input type="checkbox"/> Existing Unlicensed Facility	Name and Mailing address of landowner (s):
Beginning year of operation (former and current owners):	Days and hours of operation:
List all abutters of the operation together with their current mailing addresses:	
Explain the proximity to neighboring residences (show on attachment 1):	
Required setback: Is the location of the operation in the proximity of churches, schools, hospitals public buildings or other places of public gatherings? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain in more detail:	
Required setback: Is the location of the operation within 1,000 feet of the nearest edge of the right-of-way of the interstate and primary highway system or within 100 feet (set-back) of the nearest edge of the right-of way of a state or town road? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Explain the proximity of groundwater resources and drinking water supplies (wells) surface water bodies (e.g. brooks, ponds), and wetlands using distance measurements. Distances from streams should be taken from top of bank and from lakes and ponds from seasonal high water mark.	
Is the location of the operation approved for industrial activities by the United States Secretary of Transportation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the location of the operation within a current or prospective well-head protection zone/area? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the location visible from a Town Highway (class 2, 3 or 4)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the location fully protected from public view by a natural or artificial barrier (screening {8 feet} or fencing that complies with the rules of the secretary of the state of Vermont)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, is the fence or screen neat and in good repair? <input type="checkbox"/> Yes <input type="checkbox"/> No	

I am familiar with the Best Management Practice guidelines established for Auto Salvage established by The Vermont Department of Environmental Conservation. Yes No
 If no, would the applicant like a copy of the guidelines?
 I certify hereby that the facility is designed and shall be operated in compliance with these guidelines Yes No _____/_____/_____ Signature: _____

List all items to be stored at the facility such as waste, junk, junk motor vehicles and motor vehicle parts, waste fluids, appliances, other scrap metal, metallic and non metallic waste and equipment, tanks, fuel tanks, campers, mobile homes, and demolition debris.

FACILITY SIZE / CAPACITY

Number of end of life vehicles (ELVs) received annually on average:	Number of ELVs processed annually on average:	ELV storage capacity (# of vehicles and/or size of storage area):
Length of time ELVs are stored before removal	Number of ELVs currently stored on site:	Tire storage capacity (#of tires and/or size of tire storage area):
Number of tires currently stored:	Battery storage capacity (# of batteries and/or size of storage area):	Fluid storage capacity (gallons by fluid type):
Storage capacity for other waste types:	Storage capacity for storing all other key waste items named in Facility Operations above:	

DESCRIPTION OF THE LAND

A written description of the land together with a facility site map must be included with all applications showing and identifying the following:

1. Property boundaries with reference to permanent boundary markers
2. Boundary limits of the facility within the larger land parcel together with the location of fencing and screening
3. Rights-of-way and easements
4. Map or drawing of location of the surrounding land use abutters
5. Access road(s) leading to the facility

6. Access points
7. On-site access roads
8. Above and below ground utilities
9. Septic systems
10. Fences, gates, signs and other access control features
11. Buildings and other structures
12. Drinking water wells and/or surface water intakes within 400 feet
13. Storm water control features, including ditches, drains, swales, culverts, detention basins and other storm water collection and discharge points.
14. Storage areas and devices for each type of waste the facility handles
15. Designated footprints for all on the ground stockpiles, with surrounding fire lanes, as needed
16. The location and size limit of stockpiled waste tires together with a description of how waste tires are to be managed and disposed. Tire stockpiles must be managed so that on-site accumulation does not exceed one container load or no more than 1,000 tires.
17. Map or drawing illustrating (see attachment 1) facility boundaries and proximity of sensitive receptors such as streams, lakes, water supplies, wetlands, residential dwellings, schools, daycares, adult care facilities, etc. within 2,500 feet of the facility boundaries.
18. For a motor vehicle salvage yard, or where the facility will or may collect vessels containing fluids such as transformers, fuel storage tanks, etc, please check if the facility incorporates any of the following operational components:
 - Storage area for incoming / unprocessed vehicles
 - Vehicle dismantling / draining / processing area, including impervious spill control and containment pad to keep spills and leaks off the ground
 - Storage area for processed vehicles
 - Vehicle crushing area, including provisions for protecting ground surface around the crusher as needed to keep spills and leaks off the ground
 - Storage area for greasy, oily, and fluid containing parts, including provisions to keep parts off the ground on an impervious spill containment surface, sheltered from rain and snow
 - Storage area for other used parts
 - Fluid storage area (gasoline, used oil, antifreeze, etc.), including roofed secondary containment devices if the storage area is outdoors

Conduct degreasing of tanks? Yes or No. If so list the solvents that are used.

- Tire storage area
- Other impervious spill control / containment surfaces

19. Critical distances: The application must establish that the facility meets the required setback distances to certain critical features, including but not limited to:
- Property boundaries
 - Wells and groundwater protection areas: No hazardous fluid storage areas shall be located within 250 feet topographically up- gradient or side-gradient of a potable water supply or 75 feet down-gradient of a potable water supply or within the protective radius [typically 400 feet] of public water supply wells.
 - New facilities are prohibited from being site within wellhead protection areas.
 - Surface waters: (hazardous fluids must be stored in appropriately labeled, water-tight, sealed drums or containers with tightened bungs and lids at least 50 feet from surface waters)
 - Wetlands: intrusion into wetlands and established wetland buffers is prohibited. If the facility is within 100 feet of a wetland the application may require VT ANR Wetland Program approval.
 - Flood zone: if located in a flood zone, the application must show how all waste and stored hazardous fluids will be protected from flood impacts. No new facility or new facility component shall be located within the floodway of the 100 year floodplain established on the FEMA floodplain map.
 - Rivers: new facilities must be setback at least 100 feet of navigable waters; existing facilities may not expand closer to any designated river.
 - Storm drains / catch basins: fluids must be stored at least 50 feet from storm drains / catch basins.
 - 100 feet of the nearest edge of the right-of-way of a state or town road, unless under authority of the state law for industrial activities.

CERTIFICATIONS AND OTHER SUPPORTING DOCUMENTATION

No application will be considered complete without the following documentation:

1. Proof of legal ownership or the legal right to such use of the property by the applicant for the purposes described in the application;
2. Copy of approved facility inspection through Vershire Planning Commission;
3. Copy of other permits/approvals/supporting documentation and **where applicable**:

- Mercury switch reporting documentation Wastewater Storm water permit
- VT ANR Air Pollution Control Permit for smelting or any burning Hazardous waste ID
- Hazardous Waste Storage Facility Certification Solid Waste Facility Certification
- DMV Auto Dealer license

DISCLOSURES / OTHER INQUIRIES

Have you ever been convicted of larceny or receiving stolen goods? If so, provide the relevant details.

Are you or have you or the facility the subject of an administrative or judicial enforcement action for a violation of environmental statutes and/or rules? If so, provide the relevant details.

Is the facility sited on property that is undergoing remedial action under the direction of the Vermont Agency of Natural Resources to clean up contamination? If yes, identify the nature of the problem, the name and telephone number of the project manager and contractor, and provide the current status of the project.

I certify that the information included with this application is accurate and complete to the best of my knowledge and belief. That any license issued based on inaccurate information is subject to immediate withdrawal. That the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and we agree to conform to all applicable laws of this jurisdiction. I further certify that I am aware of and will comply with, any deed restrictions or covenants, and any regulations or conditions imposed by the Vershire Selectboard, or Planning Commission as it relates to this property and the proposed use. The approval of location is personal to the applicant and cannot be re-assigned.

_____/_____/_____
Signature of Applicant Print Name of Applicant Date

_____/_____/_____
Signature of Owner of Record Print Name of Owner Date

PART B - CERTIFICATE OF APPROVAL FOR PROPOSED LOCATION

The firm or individual named above is granted approval for proposed location to conduct a salvage yard business as provided under 24 V.S.A. Chapter 61, Subchapter 10. A public hearing on this application has been held in conformance with the requirements with 24 V.S.A. Chapter 61, Subchapter 10. It is hereby certified that the proposed location is deemed suitable for the salvage yard facility activities described in the approved application.

In issuing this Certificate of Approved Location, and at the time of hearing referred to below, the following requirements were considered and no basis or sufficient reason was found for

disapproval of this application. The Vershire Selectboard has taken into consideration and conditioned this certificate based upon:

1. Proof of legal ownership or the right to use of the property by the applicant.
2. That the location is not within a district restricted against such uses or otherwise contrary to the prohibitions of the Vershire Town Plan.
3. The nature and development of surrounding property, such as proximity of highways and state and town roads and the feasibility of screening the proposed salvage yard from such highways and state and town roads.
4. That the facility is located and screened such that it is invisible from the main traveled way thereof at any season of the year;
5. The proximity of churches, schools, hospitals, public buildings or other places of public gatherings;
6. Whether or not the proposed location can be reasonably protected from affecting the public health, safety, environment, or from a nuisance condition.
7. Aesthetics.
8. That the placement of the salvage yard meets all setback requirements.
9. The opinions of, and facts and information provided by all witnesses during the Public Hearing.

Certificate Conditions

1. **This Certificate is issued to _____ (owners) for the operation of the _____ (facility name). The facility shall be operated in full accordance with the complete facility application, dated ____/____/____ and approved by the Vershire Selectboard on ____/____/____.**
2. **The effective term of this certification is ____ (3 /4/ 5) years from date of Vershire Selectboard signature. (statute requires that a certificate of approved location have a term of not less than 3 and not more than 5 years. This is entirely up to the selectboard)**
3. **Certificate holder shall abide fully by the terms of this certificate, the representations in the Selectboard Approved Application, including any additional terms of operation listed in attachment Appendix A. (attach an appendix listing any additional terms born out of the public hearing process and developed by the selectboard)**

HEARING DATA	
Date of Hearing: ____/____/____	Location of Hearing: _____

Certifying Authority (Chair of Vershire Selectboard)

Signature: _____ **Title:** _____

Date: _____

FOR OFFICE USE ONLY

Application No. _____ Fee Paid: \$ _____ (\$25.00)

Date Application Received ____/____/____

Proof of Ownership or right to use the property Planning Commission Approval
 Description of Land - plot plan

Date Certificate of Location Approval ____/____/____

Renewal Date(s):

Date Application Denied ____/____/____

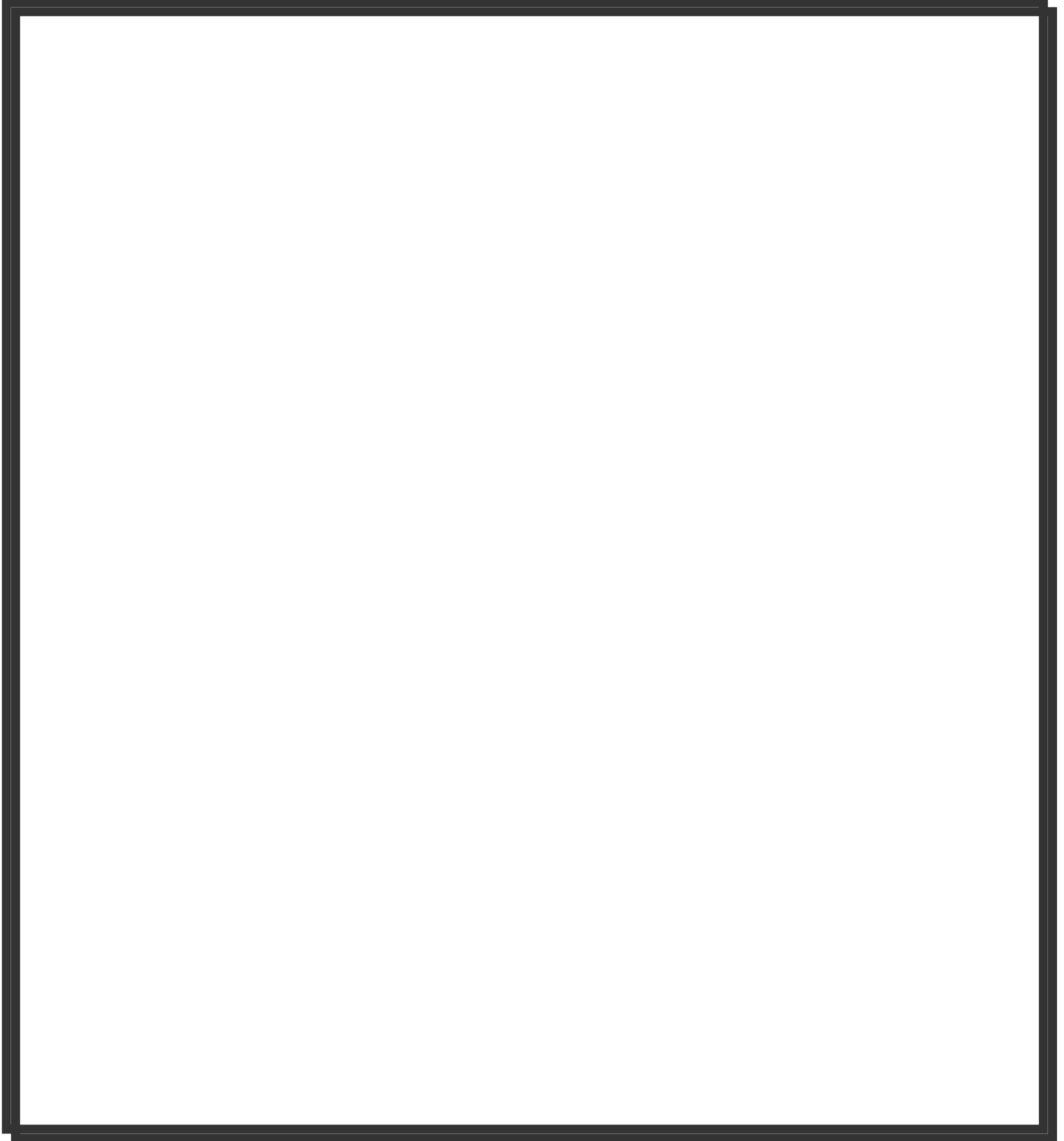
Reason for Denial:

Date(s) of Enforcement action(s) and fine amount (\$100.00 for each violation, and each day a violation continues shall constitute a separate offense) :

Next steps:

Attachment 1.
Optional
Vershire Salvage Yard Land/Plot Plan

Show location of salvage yard, roads and all buildings on the lot with setback measurements from lot lines and right of way access. Denote well or water supply locations and abutters.



Town of Vershire
Certificate of Approved Location - Appendix A.

Salvage Yard Name: _____

Terms and Conditions of Operation

1. The Certificate holder shall abide with all conditions of applicable state licenses, certifications, permits and court orders as a condition of this Certificate.
2. The Certificate holder shall allow access to the facility during normal facility operation hours (as established in Appendix A) by the Vershire Planning Commission and the Selectboard or its designees for purposes of determining compliance with the conditions of this Certificate and governing Vermont law.
3. That the facility be operated strictly in compliance with the application to the Vershire Selectboard.
4. The Certificate holder shall immediately report, and no later than 24 hours after, any reportable release of hazardous materials to the Vermont Agency of Natural Resources Hazardous Materials Management Program and to the Town of Vershire.
5. That the facility is located and screened such that it is invisible from the main traveled way thereof at any season of the year.