

Use Permit Application No.19-00007
Bay Disposal and Recycling
310 E Street, Hampton, VA 23661

1. Issuance of Permit

The Use Permit applies only to 310 E Street [LRSN 1000080] and is not transferable to another location.

2. Hours of Operation

- a) The hours of delivery and removal of material by truck shall be between the hours of 6:00AM and 11:00PM Monday through Friday and 6:00AM and 6:00PM Saturday and Sunday.
- b) The hours of operation within the building shall be between the hours of 5:00AM and midnight Monday through Sunday.
- c) Maintenance of equipment internal to the building may occur after standard operating hours Monday through Friday.

3. Licensure

The operator shall secure and maintain any required licensure with the Virginia Department of Environmental Quality (DEQ).

4. Use Establishment

Prior to establishment of operation as outlined in 5(b), applicant must be found compliant with all conditions listed herein by a Community Development Department Inspector in the City of Hampton.

5. Operation

- a) The operator will only process single stream recycling products, such as glass, plastic bottles, newspapers, and aluminum cans, and commercial recyclable dry waste, such as cardboard, office paper, and shrink wrap, and open container loads of construction debris to the facility. While construction debris may be sorted and transported to and from this facility, crushing, grinding, or altering the material other than is necessary to bail the material is expressly prohibited.
- b) Garbage, food waste and organic waste, meaning a type of solid waste consisting of organic materials including, but not limited to processed and unmanipulated manures, grass, clippings, leaves, brush, tree prunings, logs, tree stumps and other yard, landclearing or vegetative waste may be sorted and transported to and from this facility; however, altering the material other than is necessary to transfer the material is expressly prohibited. Aforementioned materials must be hauled to a permitted landfill or waste to energy facility.
- c) Hazardous waste, radioactive/nuclear waste, and/or biohazardous waste materials are prohibited on site.
- d) All sorting and processing of materials shall occur within the building.

- e) Outdoor storage, except for the parking of vehicles, empty containers, and loaded transfer trailers is prohibited.
 - I. Transfer trailers may only be stored in the location labeled "Trailer Storage" attached here as Exhibit A, and shall not be stored longer than 24 hours. Trailer Storage shall be striped to provide a uniform 10 feet between each trailer.
 - II. Transfer trailers shall be completely enclosed, and unattached to vehicle cabs.
- f) The operator shall keep the property outside the facility free and clear of transported materials and litter, and take measures to avoid stray materials or litter from escaping onto adjacent properties.
- g) An odor neutralizing system shall be installed to prevent any odor from escaping the facility.

6. Vehicle Parking and Container Storage

- a) The parking of vehicles used in the transport and delivery of material shall occur in the location labeled "Transport Vehicle Parking" attached here as Exhibit B.
- b) Containers shall be stored in the location labeled "Transport Vehicle Parking" attached here as Exhibit B.
- c) Containers shall not be stored any closer than five (5') from an adjacent property line.
- d) All stored containers must be clear of material, with the exception of loaded transfer trailers noted in condition 5(e).

7. Screening

- a) A short, continuous evergreen hedge row (2.5 to 4 feet in height) shall be established and maintained along the public rights-of-way (E Street and 58th Street) to screen operations at the sides and back of the building.
- b) Screening shall be provided in substantial conformance with the subsection of Site Design entitled "Screening" within the Copeland Industrial Park Design Guidelines dated June 20, 2017, and attached here as Exhibit C, including but not limited to:
 - I. Outdoor material and equipment storage such as trash dumpsters, generators, hvac, etc. shall be screened so not readily viewable from any existing or proposed public right-of-way and not overly visible from adjacent properties.
 - II. Outdoor storage should be consolidated into a single area and screened from streets and neighboring uses through use of landscaping and/or constructed materials.

8. Inspection

The facility will be available for inspection by the Zoning Administrator and/or designee during operational hours.

9. Nullification

The use permit shall automatically expire and become null and void under any of the following conditions:

- (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;
- (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

10. Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 14 of the zoning ordinance.