



## TOWN OF PERINTON

1350 TURK HILL ROAD ■ FAIRPORT, NEW YORK 14450-8796  
(585) 223-0770 ■ Fax: (585) 223-3629 ■ www.perinton.org

### CODE ENFORCEMENT & DEVELOPMENT

## COMPLIANCE ORDER

March 8, 2018

Waste Management of N.Y., Inc.  
Waste Management  
P.O Box 1450  
Chicago, IL, 60690

Mr. Jeffrey Richardson – District Manager  
Waste Management of New York LLC  
425 Perinton Parkway  
Fairport, New York 14450

Re: High Aces Landfill & Recycling Center odors, 425 Perinton Parkway

Dear Waste Management of N.Y./Mr. Jeffrey Richardson:

The Town of Perinton continues to receive concerns and complaints regarding the odors and smells emanating from your solid waste facility at 425 Perinton Parkway, tax acct. # 167.01-1-2.2 in the Town of Perinton. The Code Enforcement and Development Department has investigated the claims and believes they have merit.

On July 25, 2016, the Town of Perinton Zoning Board of Appeals issued a Special Use Permit to allow Waste Management of N.Y. to continue operating a solid waste facility. That permit expires on August 22, 2021. As part of this approval, there were several conditions imposed by the Zoning Board, one of which states: “WMNY to continue to inform the Town of Perinton of citizen odor notifications and WMNY’s response, in a timely manner, and if applicable, including remedial mitigation measures.”

In my determination, Waste Management has not complied with that condition of approval.



Additionally, Town Code Section 208-21D(b) states, "Adequate plans have been presented to show that the solid waste facility does not create a public hazard; that the solid waste facility does not unduly interfere with the quiet enjoyment of adjacent properties; and that sufficient precautions are to be taken to prevent fires, or the creation and spread of smoke, odor, dust, fumes or noises liable to become a nuisance."

In my determination, Waste Management is unduly interfering with the quiet enjoyment of adjacent properties, and has not sufficiently guarded against the creation of odor, fumes or noises, resulting in an ongoing nuisance to the community.

Last, Town Code Section 208-14J(1) (Prohibited Uses) states: "No use shall be permitted, the operation of which normally results in any dissemination of noise, vibration, excessive light, dust, smoke fumes, odor or other measurable atmospheric pollutants beyond the line of the property in which such use is located."

In my determination, Waste Management has operated in such a way that there continues to be dissemination of noise, vibration and odor beyond the line of the property in which the use is located.

This notice is to advise you of our determinations, and compel you to comply under the conditions of the Special Use Permit and the Perinton Town Code. You must resolve the issues with your facility at once. Failure to correct this matter in a timely manner may result in further action by the Town of Perinton.

Respectfully,



John J. Beck  
Deputy Director of Code Enforcement and Development/Zoning Officer

cc: Michael G. Barker, Town Supervisor  
Robert M. Place, Town Attorney  
Eric M. Williams, Commissioner of Public Works  
Michael S. Doser, MPA, Director of Code Enforcement and Development  
Town Board Members  
Zoning Board Members  
Zoning Board File  
Conservation Board Members