

GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO. 2026088

RE: LOCAL LAW NO. ____ OF 2026 AMENDING LOCAL LAW NO. 2 OF
2024 REGULATING HAZARDOUS POLLUTION SOURCES IN
PROXIMITY TO PUBLIC WATER SUPPLY SOURCES, AQUIFERS
AND WETLANDS

Legislators MUNN and POLASEK offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopted Local Law No. ____
of 2026, which has been submitted this date for consideration by said Legislature.

CA-050-26

CRC/rjw

G-1910

04/07/2026

Fiscal Impact: See Attached.

APPROVED
Susan J. Serino
SUSAN J. SERINO
COUNTY EXECUTIVE
Date May 28, 2026

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11 day of May, 2026, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12 day of May, 2026.



[Signature]
JULIE SHROISH, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ OF 2026

AMENDING LOCAL LAW NO. 2 OF 2024 REGULATING HAZARDOUS
POLLUTION SOURCES IN PROXIMITY TO PUBLIC WATER SUPPLY
SOURCES, AQUIFERS AND WETLANDS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF DUTCHESS,
STATE OF NEW YORK AS FOLLOWS:

SECTION 1. Local Law No. 2 of 2024 Section 3: Prohibited Conduct, Subsection A. Dutchess
County Local Separation Requirements, page 4, 4th listed item which currently reads as follows:

“Commercial car wash unless all waste waters from such activity
are lawfully disposed through a connection to a publicly owned
treatment works facility”

Shall be amended to read as follows:

“Commercial car wash unless all waste waters from such activity
are lawfully disposed through a connection to a publicly owned
treatment works facility or unless all waters from such activity are
recycled through a closed loop water reclaim system with zero
discharge to surface or ground waters”

SECTION 2. SEQRA DETERMINATION

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 8-0101 et seq., and its implementing regulations, 6 NYCRR Section 617, that the adoption of this local law is an Unlisted Action within the meaning of 6 NYCRR Section 617.2(al). Attached hereto and made a part hereof is a Full Environmental Assessment Form developed by the New York State Department of Environmental Conservation and completed by the County of Dutchess, which assesses the potential for adverse environmental impact which may be posed by the adoption of this local law. As documented in its Full Environmental Assessment Form, it is hereby determined that the adoption of this local law poses no significant adverse environmental impacts.

SECTION 3. EFFECTIVE DATE.

This Local Law shall take effect upon filing in the Office of the Secretary of State.

COORDINATION

Initialing indicates information only:

 County Executive

 County Attorney (as to form)

 Health Department

 Budget

SUE SERINO
COUNTY EXECUTIVE



22 Market Street
Poughkeepsie, NY 12601
Phone: 845-486-2000

DUTCHESS COUNTY GOVERNMENT

April 28, 2026

Honorable Yvette Valdés Smith, Chair
Dutchess County Legislature
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Chair Valdés Smith:

I write to request your assistance with two matters concerning Local Law No. 2 of 2024. This request is made in light of the Dutchess County Department of Health's promulgation of applicable rules and regulations, the development of its associated implementation policy, and the completion of a one-year retrospective review evaluating the law's practical effects.

First, I request your consideration of a targeted amendment to address an omission that was not reasonably anticipated during the drafting and legislative deliberation process. Second, I request your collaboration in undertaking a comprehensive review of the local law to ensure that it effectuates the Legislature's intent, conforms with applicable land use principles, state regulatory standards, and affords appropriate procedural due process in both its administration and enforcement.

As you are aware, the County Legislature adopted Local Law No. 2 of 2024 (the "Aquifer Law"), entitled "Regulating Hazardous Pollution Sources in Proximity to Public Water Supply Sources, Aquifers, and Wetlands." The stated purpose of the Aquifer Law is to protect public water supply resources through the establishment of separation distances prohibiting specified contaminant sources in proximity to public water supply wells, wetlands, and aquifers, as defined therein. The law further restricts the siting of new public water supply wells within prescribed distances of identified contaminant sources.

Pursuant to the Aquifer Law, the Dutchess County Department of Health ("DOH") was directed to promulgate rules and regulations, including the issuance of a draft implementation policy subject to public comment. During this process, substantive concerns and interpretive questions were raised by DOH and Dutchess County Department of Planning & Development ("Planning") staff, as well as by external counsel who represent private parties impacted by the Local Law, including representatives of Cuddy & Feder and of Keane & Beane.

My first request arises from an issue identified during that process by counsel from Keane & Beane, P.C., on behalf of CarMax Auto Superstores, Inc. (see Attachment 1). Counsel asserted that, as currently written and applied, the Aquifer Law imposes an undue and unintended burden on CarMax's proposed closed-loop, zero-discharge vehicle washing system, which is designed to eliminate any risk of aquifer contamination. Counsel further noted that the law provides no mechanism for waiver or variance in circumstances where such risk is demonstrably absent.

Additionally, it was represented that the proposed project incorporates state-of-the-art environmental safeguards, while advancing the redevelopment of a long-vacant property and contributing to local economic activity. The project received approval from the Town of Wappinger Planning Board in 2023; however, it was subsequently delayed during DOH permitting review and ultimately rendered nonviable following the enactment of the Aquifer Law on September 9, 2024.

On October 10, 2025, following discussions with Majority Caucus leadership and the sponsors of the Aquifer Law, I responded in writing to Keane & Beane (see Attachment 2). In that correspondence, I acknowledged both the specific impact on the CarMax project and broader concerns that had emerged since the law's adoption. I further indicated that, while additional analysis would be required to address other issues, the matter affecting CarMax could be appropriately resolved through a legislative amendment, and that leadership intended to advance such an amendment in the near term.

Consistent with that commitment, I hereby submit for consideration a proposed resolution to amend the Aquifer Law to address the omission of closed-loop, zero-discharge systems (see Attachment 3).

My second request pertains to a broader, comprehensive review of the Aquifer Law, informed by concerns raised by DOH and Planning staff, correspondence from Cuddy & Feder (see Attachment 4), and findings from the retrospective review.

Based on subsequent discussions, the Commissioners of DOH and Planning concur that the law warranted a more rigorous review at the outset. Accordingly, I propose we work together and initiate a comprehensive reevaluation of Local Law No. 2 of 2024. This process should include consultation with the Legislature's Environmental Management Council and other relevant stakeholders including interested County Departments.

The objective of this review would be to determine whether repeal and replacement of the current law is warranted, and, if so, to develop revised legislation that preserves the Legislature's protective intent while ensuring consistency with established state standards, sound land use practices, and fundamental principles of due process.

Sincerely,

A handwritten signature in black ink that reads "Sue Serino". The signature is fluid and cursive, with the first name "Sue" and last name "Serino" clearly distinguishable.

Sue Serino
County Executive

Attachments (4)

cc: Julie Shiroishi, Clerk of the Legislature

Attachment 1

October 8, 2025

VIA EMAIL countyexec@dutchessny.gov
AND FIRST-CLASS MAIL

RICHARD L. O'ROURKE
Senior Counsel
ro'rourke@kblaw.com

Hon. Sue Serino
County Executive
Dutchess County Office Building
22 Market Street
Poughkeepsie, New York 12601

Re: CarMax – Aquifer Law

Dear County Executive Serino:

Keane & Beane, P.C. represents CarMax Auto Superstores, Inc. (“CarMax”) in connection with its development of a motor vehicle sales establishment in the Town of Wappinger. On behalf of CarMax, we are writing to express concern for the unintended consequences of Local Law No 2 of 2024 adopted by the Dutchess County Legislature on September 9, 2024 (“Aquifer Law”). On its face, the Aquifer Law is a forward-thinking legislation to protect and preserve the water quality of the aquifers that serve as drinking water for much of Dutchess County. However, as applied, the Aquifer Law has resulted in a significant hinderance to the development of a state-of-the-art facility by a national company seeking to invest in and bring jobs to Dutchess County. Specifically, despite the inclusion of a state-of-the-art, meticulously designed, closed-loop, zero discharge car wash at the proposed CarMax dealership approved by the Town of Wappinger Planning Board in 2023, the Aquifer Law has threatened to prevent the construction of the CarMax facility because the Aquifer Law provides no flexibility for systems of this kind. Thus, we are advocating for an amendment to the Aquifer Law to provide flexibility that will achieve a balance between continued economic development and the protection of Dutchess County’s aquifers.

The Aquifer Law

The stated purpose of the Aquifer Law is to protect water supply resources in Dutchess County from the introduction of potential contamination. To achieve this goal, the Aquifer Law establishes separation requirements between “contaminant sources” and public water supply wells, wetlands and aquifers. Several “contaminant sources” are included within the scope of the Aquifer Law, including a “commercial car wash unless all waste waters from such activity are lawfully disposed through a connection to a

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publicly owned treatment works facility.” This “contamination source” must be located no less than 1,500 feet from an existing public water supply well, wetland or aquifer.

As it relates to car washes, the Dutchess County Legislature states in Section 1 of the Aquifer Law that “Water run-off from commercial car washes also contain numerous hazardous substances that can contaminate groundwater. Dirty water containing soap, detergents, residue from vehicles containing gasoline, and motor oils can wash off cars and can enter the ground water by way of a subsurface absorption bed or flow to storm drains and end up in neighboring wetlands and aquifers.”

Without any discredit to the important goals of the Aquifer Law, the breadth of the regulatory ambit cast by the Law and the lack of any waiver or variance procedure established to reduce or eliminate the separation requirement has posed a significant (and we believe, unintended) hardship on at least one project – the CarMax motor vehicle sales establishment in the Town of Wappinger. Significantly, the car wash designed for CarMax does not result in any of the contamination risks that the Dutchess County Legislature spoke of in Section 1 of the Aquifer Law. As described below, the CarMax car wash is a closed loop system which means there is zero discharge. Therefore, there is no water running off vehicles and entering the ground water “by way of a subsurface absorption bed or flow to storm drains” or any other means of discharge proposed at the CarMax car wash. Thus, to account for the fact that there are designs and technology to allow car washes to exist without risks of contamination to the aquifers or groundwater, we respectfully submit that amendments to the Aquifer Law are warranted to allow some flexibility in the implementation so that good, economic drivers which pose no risk of contamination to the aquifers are not caught in this web.

CarMax – 1105-1115 Route 9, Town of Wappinger

In March 2022, CarMax submitted applications to the Town of Wappinger Planning Board seeking approvals for the construction of an auto sales establishment on a 7.5-acre property located at 1105-1115 Route 9 in the Town’s HB Highway Business Zoning District (the “Property”). The applications were approved by the Planning Board in August 2023. After receiving the approvals, CarMax closed on its acquisition of the Property for approximately \$4 Million. This Property is the site of the former Plant Depot and had been abandoned for several years prior to CarMax’s acquisition. At the same time, CarMax also set out to complete all conditions of approval set forth in the Planning Board’s resolution, including receipt of “outside agency” approvals such as NYS Department of Transportation, NYS Department of Environmental

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Conservation, and Dutchess County Department of Health (“DOH”). DOH approval was needed for the installation of a septic system and re-establishment of a public water supply on the Property. The septic system was required to go through a two-phase approval procedure that involved installation of a fill pad followed by design approval by DOH. DOH issued approval for the installation of the fill pad in May 2024 (4 months prior to the adoption of the Aquifer Law). However, CarMax could not receive the necessary demolition and grading permits from the Town since CarMax had not yet received final sign off from DOH. That final sign off could not occur until after the installation of the fill pad. Since CarMax was caught in a Catch 22, we returned to the Planning Board in August 2024 to seek a modification of its resolution to allow the demolition and grading permits to issue prior to CarMax securing final project approval from DOH. That modification was granted in September 2024. By February 2025, the Town of Wappinger was ready to issue the necessary permits to CarMax to allow for the installation of the fill pad. Since that time, the fill pad has been installed and approved by DOH. However, in April 2025 CarMax’s professional engineering team was notified by DOH of the Aquifer Law which would have an impact on DOH’s ability to issue final project approval. It was at this time that we learned of the Aquifer Law’s adoption and its impact on the CarMax project.

CarMax will include a car wash and the re-establishment of a public water supply. There is no municipal water or sewer system available in this location in the Town of Wappinger. The public water supply well will be located less than 1,500 feet from an existing contaminant source (the car wash at the Volvo/VW dealership on Route 9), but the Aquifer Law provides an opportunity to seek a waiver to allow this new public water supply.

The CarMax car wash is a different story. There are no opportunities to seek a waiver or variance to reduce the separation distance required for a new “contaminant source.” CarMax cannot operate an auto sales establishment without a car wash, so without the ability to construct the proposed car wash, the CarMax facility will not be viable.

CarMax Car Wash – Smithtown Case Study

The CarMax car wash is a fully recycled, closed loop system. What this means is, as it operates, it treats and reuses wastewater from the carwash. The treated water, although non-potable, is clean enough for use in the carwash. A copy of a letter dated May 15, 2025, prepared by CarMax’s Senior Environmental Manager, is enclosed with this letter as **Exhibit A**. This memorandum provides a full description of the proposed closed-loop car wash and demonstrates that there will be no discharge or water run-off from

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the car wash on the Property and therefore, no contamination of the aquifer. This includes the proposed underground reclaim tanks that will hold the recycled water for the car wash. We note that the Aquifer Law identifies “underground chemical or petroleum storage tanks used in commercial applications” as another contaminant source but does not define “chemical” or “commercial applications.” Certainly, a tank holding recycled water should not be classified as a contaminant source under this category. What is clear is that this cannot be the type of car wash envisioned by Dutchess County Legislature when it included commercial car washes as a regulated contaminant source.

CarMax designed and constructed a car wash facility in full compliance with all permitting and approvals required by the County of Suffolk and Town of Smithtown, New York. As commonly known, the drinking water supply for millions of residents of Long Island is freshwater aquifers. This sole source of drinking water is carefully protected by rigorously enforced regulations by Suffolk County and its Municipalities.

The CarMax facility approved by the Town of Wappinger Planning Board is no less protective of the aquifer beneath Dutchess County than the legislative enactments of Suffolk County. In fact, the wash system’s use, design, components, and operation are the same for Wappinger as approved in Smithtown, Suffolk County. The CarMax washing facility approved, built, and operating in Suffolk has a fully closed-loop water Reclaim System that eliminates potential contaminants from the car wash. Importantly, the car washes in Smithtown and that proposed for Wappinger have the same use restriction: they are limited to internal use only (non-customer) as part of its standard process.

The wash system recycles non-hazardous wastewater involving no discharges—there is NO discharge of wash water or rinse water to the ground in any way. There are no leaching pools, storm drains, dry wells, cesspools, or discharge onto the surface or into the ground.

The Legislative Intentions of the Counties of Suffolk and Dutchess are identical: to protect groundwater in aquifer and wetlands that serve as a sole source of drinking water for its residents. The state-of-the-art facility of CarMax meets and satisfies the legislative intentions of Suffolk and Dutchess.

It is respectfully urged that Dutchess align its legislation and regulatory implementation with that of Suffolk County. The Car Max facility allows for quality, robust economic development on a property long fallow because of no municipal utility infrastructure

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being available. 1105–1115 Route 9, Wappinger, NY has limited alternatives, as evidenced by the long period of no development. The CarMax facility has already undergone several years of environmental review and meets the legislative intention of the County of Dutchess Aquifer Law. It should be allowed to proceed.

The details and plans of the Car Max facility and the approvals by the Suffolk County Department of Health are annexed as **Exhibit B**.

We respectfully urge that Dutchess County amend the Aquifer Law and its implementing regulations to allow CarMax to proceed.

Thank you for your consideration.

Very truly yours,



Richard L. O'Rourke

Enclosures

cc: Anthony J. Ruggiero, Assistant Commissioner, DOH (*via email*)
Ron Hicks, Assistant County Executive (*via email*)
Steve Hudak, CarMax (*via email*)
Abigail Bartalo, CenterPoint (*via email*)
Caryn Mlodzianowski, Bohler Engineering (*via email*)

EXHIBIT A



May 15, 2025

Dutchess County
Department of Health
85 Civic Center Plaza, Suite 106
Poughkeepsie, NY 12601

RE: Proposed closed-loop carwash
CarMax 6093, Wappinger, New York

To Whom it May Concern:

CarMax intends to operate a carwash for internal use (non-customer) as part of our standard vehicle reconditioning process at the proposed CarMax 6093 at 1105-1115 Route 9, Wappinger, New York 12524. According to Local Law 2 of 2024 entitled "Regulating Hazardous Pollution Sources in Proximity to Public Water Supply Sources, Aquifers, and Wetlands" ("Aquifer Law"), commercial carwashes are not permitted within 1,500 feet of a water supply well, unless all wastewater from such activity are lawfully disposed of through a connection to a publicly owned treatment works (POTW) facility. One water supply well is located on the subject property, approximately 280 feet northwest of the proposed carwash. There are no locations on the property which would allow for the carwash to be at least 1,500 feet away from the water supply well, and a connection to a POTW facility is not available. Therefore, CarMax proposes to use a fully closed-loop water reclaim system to eliminate potential contamination from the carwash to the aquifer. Details of the proposed system are provided herein.

The closed-loop water reclaim system is initially supplied with domestic water from the water supply well, but as it operates, it treats and reuses wastewater from the carwash, as well as two catch basins and a trench drain in the Sales/Service Building. The treated water is non-potable, but clean enough for use in the carwash and in the pressure washer/hose reel in the Wet Bay within the Service area of the main building on site. Domestic water is used to replace water lost to evaporation, when needed.

Wastewater passes through three 1,500-gallon, two chamber concrete reclaim tanks to settle out any solids. A fourth 5,000-gallon tank downstream of the three 1,500-gallon tanks acts as an overflow tank. Any solids that accumulate in the tanks are pumped out by a vendor and transported to an industrial waste facility. Based on operations of this system at other CarMax locations, we anticipate a pumping frequency of once every 4 to 6 months. The four concrete tanks are installed below grade and are coated externally to prevent wastewater from seeping into the ground. In addition, the three 1,500-gallon tanks are monolithic concrete with all seams above the groundwater table and are also coated internally to protect against potential contact with gasoline, oil or solvents.

As this is a closed-loop system, no wastewater is discharged into public systems or into the septic system planned for the site. If the wastewater needed to be removed from the system, it would be pumped out by a vendor and transported off-site for disposal at an industrial waste facility.

As an example of one of CarMax's operational closed-loop carwash systems, please see the attached photographs from our retail facility located at 441 Middle Country Road, St. James, New York 11780 in Suffolk County. This store opened in February of 2024.

Should you have any questions about the information herein, please contact me at 804-837-2898 or at environmental@carmax.com.

Sincerely,
CarMax Auto Superstores, Inc.

c. McClelland

Christina McClelland
Senior Environmental Manager
environmental@carmax.com

EXHIBIT B

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

GREGSON PIGOTT,
MD, MPH, COMMISSIONER

BUREAU OF ENVIRONMENTAL ENGINEERING APPROVAL NOTICE

August 04, 2023

Bohler Engineering NY, PLLC
275 Broadhollow Road – Suite 100
Melville, NY, 11747

ATTN: Dale E. Koch, P.E.

Re:	SCDHS Job No:	T-HM-22-00235
	SCDHS File Reference No:	02599
	SCDHS Site No:	SITE-02599-OPC

Dear Dale Koch,

The Office of Pollution Control has reviewed the application for a permit to construct a Zero Discharge System at **CarMax Auto Superstore No. 6105**, located at **441 Middle Country Road, St. James, NY, 11787**. The application was reviewed for compliance with the regulations outlined in Article 12 of the Suffolk County Sanitary Code, and has been approved for construction.

Enclosed, you will find the following:

- I. Approved Plans
- II. OPC Permit to Construct (with Addendum)

This permit, along with the approved plans, must be posted at the construction site during the installation work. **Read the Special Conditions on Page 2 of this permit document carefully.** You may contact the local building department and any fire safety enforcement office for additional requirements that may apply to your project.

Should you need assistance or have any questions regarding the review process, you may contact this office at (631) 854-2532.

Kind Regards,

Akin Oloafe

Assistant Public Health Engineer Trainee
Bureau of Environmental Engineering
Division of Environmental Quality



Public Health
Prevent. Promote. Protect.

CC: Ben Plumb, P.E., Bohler Engineering NY, PLLC
Josh Abig, CarMax Auto Superstores Inc.

Division of Environmental Quality ~ Office of Pollution Control ~ 15 Horseblock Place ~ Farmingville, NY 11738-1220
Phone (631) 854-2528

Fax (631) 854-2505

PERMIT TO CONSTRUCT

Zero Discharge Waste Water Facility

Suffolk County Department of Health Services
Gregson Pigott, MD, MPH, Commissioner

SCDHS REFERENCE #
SCDHS SITE #
SCDHS PLAN #

02599
SITE-02599-OPC
T-HM-22-00235

Date of Issuance: August 04, 2023
Permit Expires One Year from
the Date of Issuance *

FACILITY NAME & ADDRESS

CarMax Auto Superstores No. 6105
441 Middle Country Road
St. James, NY, 11787

Your Application for a Permit to Construct a Zero Discharge Facility for the above referenced site has been reviewed for compliance with Article 12 of the Suffolk County Sanitary Code and the Zero Discharge Wastewater System Permit Guidelines. The application has been approved. The items listed below and on the back of this Permit are conditions of this Permit and have to be observed during construction:

- I. A copy of the approved plan must be kept at the construction site. A copy of this permit must be kept on display at the facility during construction. Safe construction practices must be followed during the installation of the Zero Discharge System.
- II. The Zero Discharge facility must be constructed in accordance with the approved plan. Any changes in design, materials or use require prior written consent of both the design professional and the Office of Pollution Control. The changes must be submitted in a form that is acceptable to the Office of Pollution Control. The contractor and/or design professional are required to inform the owner that the changes are being made.
- III. The Office of Pollution Control has the right to inspect this installation at any time to verify it is being constructed in compliance with this permit.
- IV. The Zero Discharge facility must be used in the service specified in the Application for a Permit to Construct, as approved by this Office.

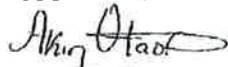
The Office of Pollution Control must be contacted at (631) 854-2532 at least **2 business days** prior to commencement of any work to arrange for the required construction inspections.

Contact the local building department and/or fire safety enforcement office for any additional requirements that may apply to your project.

The Zero Discharge facility cannot be placed into service until the Office of Pollution Control performs all required installation inspections and issues a Permit to Operate.

The Office of Pollution Control reserves the right to revoke this permit as allowable by law.

ISSUED BY:



Akin Olaofe
Bureau of Environmental Engineering
Office of Pollution Control
Division of Environmental Quality

* See the back for exceptions

THIS PERMIT IS VALID FOR THE FOLLOWING STORAGE FACILITIES ONLY

SCDHS TANK #	LOCATION	VOLUME	CONTENTS	NOTE
17	Under/Out	5,000 Gallon	Waste Water (ZD)	Overflow Tank
18	Under/Out	1,500 Gallon	Waste Water (ZD)	Reclaim Tank
19	Under/Out	1,500 Gallon	Waste Water (ZD)	Reclaim Tank
20	Under/Out	1,500 Gallon	Waste Water (ZD)	Reclaim Tank
23	Above/In	750 Gallon	Waste Water (ZD)	Hyper-Filtered Water Tank
24	Above/In	750 Gallon	Waste Water (ZD)	Fresh Water Tank

For up to **90 days** after the Permit to Construct expires, the permit is renewable. The job file will remain open for that period. If the Office of Pollution Control does not receive a renewal application with the appropriate fees within the 90 days, the file will be closed and a new application for a Permit to Construct will have to be filed if the job is to be re-opened. All applicable filing fees will once again become due and payable.

Issuance of this permit does not supersede any existing agreements with, or mandates by, the Office of Pollution Control or any other government agency. The construction period does not supersede any existing compliance dates agreed to, or mandated by, the Office of Pollution Control or any other government agency. Issuance of this permit does not authorize the use of the storage facility(s) that are in violation of the Suffolk County Sanitary Code or any other government code.

SPECIAL CONDITIONS

- ✦ The floors of all areas of the facility with drains and/or catch basins, which are connected to the Zero Discharge System or are in contact with Zero Discharge reclaim water, shall be epoxy-coated.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
Commissioner

Guidelines for Obtaining a Zero Discharge Wastewater System Permit

Wash systems that recycle and/or hold *non-hazardous* wastewater involving *no discharges* such as vehicle wash and rental equipment wash systems must be permitted by the Suffolk County Department of Health Services. The following must be submitted to this office to apply for a zero discharge wastewater system permit:

1. An application for a *Permit to Construct for Wastewater Facility*. A check for \$1,250 made payable to "Suffolk County Department of Health Services" must accompany the application. Fees are not required for federal, state, town, village, fire district, and Suffolk County Water Authority facilities.
2. A site plan including the wash facility and all treatment and/or holding facilities along with nearby wells (within 200'), catch basins and sanitary systems. All grading and sloping in the vicinity of the wash system must be shown. Berms or other devices may be required to ensure that all wastewater is captured by the reclamation system.
3. An elevation view, flow schematic and hydraulic of all tanks, piping and equipment (must include recycle/reclaim system equipment). Make-up water lines with associated backflow prevention devices must be clearly indicated.
4. A plan view, which is site specific, showing the location of interior system equipment, chemical storage and process tanks, piping and plumbing, troughs, sumps, doorways and other entrances, alarm panels, and other appurtenances.
5. Appropriate details for all storage tanks including partial plan, sections, elevations and all other relevant details. **All wastewater tanks must be placed underground and outdoors.** Underground tanks must be traffic load bearing and to grade. Underground tanks must be set back 10 feet from foundations and 25 feet from property lines. Under extraordinary circumstances, indoor tanks may be considered if vented outdoors and placed in a cutoff room on the perimeter on the building. The design professional is responsible for showing that the cutoff room is properly vented to prevent the buildup of methane gas and odorous compounds.
6. A water balance showing all liquid movement within the system (i.e. wash water used, fresh rinse water added, wastewater reclaimed /recycled, carryout losses, evaporation losses, make-up water added, water to overflow tank, etc.). These flows must be superimposed upon a piping diagram of the wash system. The amount of wastewater anticipated to be generated per week, month, etc., must be indicated.



DIVISION OF ENVIRONMENTAL QUALITY
• OFFICE OF POLLUTION CONTROL • 15 HORSEBLOCK PLACE • FARMINGVILLE, NY 11738 •
Phone (631) 854-2501 Fax (631) 854-2505

7. An overflow tank is required which will hold an adequate amount of wastewater (e.g. 30 to 60 day capacity). The tank shall have a SCDHS approved overfill alarm that is rigidly mounted in order to provide overfill warning at a level corresponding to 90% capacity and must lockout the wash equipment at 95% capacity until the alarm condition is satisfied. The sensor must be connected to an alarm panel that is equipped with audible and visual warning devices. The panel must be in a readily visible location.
8. Tanks designed to separate or hold toxic or hazardous materials, such as oil water separators or oil holding tanks, must meet the new construction standards of Article 12 of the Suffolk County Sanitary Code.
9. A treatment system operation and maintenance (O&M) manual for the recycle/wash system, where applicable.
10. All plans must be stamped by an engineer or architect licensed in the State of New York. A Certificate of Authorization to Provide Engineer Services in New York State or the enclosed Non-Applicability Statement must be included with all plan submittals.

All underground tanks must be tightness tested prior to use. The professional Engineer or Architect of record must certify that the tanks pass the leakage test. Tanks will not be considered tight if the level drops more than 1/4" in eight hours.

The system may not be placed into service until the Department of Health Services has performed completed works inspections, and has issued final approval. The department must be notified at least 2 business days prior to the desired inspection dates. The following completed works inspections are required:

- After all underground tanks and piping have been installed, and prior to any backfilling.
- After construction has been completed, and before the facility has been placed into operation.

Please be advised that there can be no discharge of wash water or rinse water to the ground in any way. This includes leaching pools, storm drains, dry wells, cesspools, and the surface of the ground. In order to discharge to the ground or to subsurface pools, a SPDES Permit must be obtained from the New York State Department of Environmental Conservation (see below).

If you have any questions, please call (631) 854-2528.

For information on obtaining a SPDES permit to discharge wastewater to a subsurface leaching system or to the surface of the ground, contact the New York State Department of Environmental Conservation at (631) 444-0365

For information on obtaining a permit to discharge to a Suffolk County Department of Public Works operated sewer system, call (631) 854-4184.

Tanks that hold toxic or hazardous materials as defined by Article 12 of the Suffolk County Sanitary Code must be permitted as toxic or hazardous material storage facilities. Call (631) 854-2540 for more information.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

GREGSON PIGOTT,
MD, MPH, COMMISSIONER

Addendum I

Zero Discharge Facility Construction Approval Completed Works Inspections

- I. The construction of the facility shall be under the supervision of an individual or firm qualified to practice Professional Engineering within the State of New York under the Education Law of the State of New York, whenever engineering services are required by such law for such purposes.
- II. Where such facilities are under the supervision of a Professional Engineer, they shall certify to the Department that the constructed facilities have been under their supervision and that the works have been completed in accordance with the approved engineering reports, plans, specifications, and permits.
- III. A minimum of **five (5) working days' notice**, in writing, of intention to begin construction must be submitted to the Department together with a construction schedule.
- IV. If construction is temporarily suspended, a revised schedule must be submitted and notice on recommencement given, in writing, a maximum of **three (3) working days** prior to construction.
- V. The owner is responsible for submitting accurate as-built drawings at the completion of the project. These drawings shall indicate exact locations and elevations of treatment equipment, piping, leaching pools, and appurtenances. All such data is to be in U.S.C. and G.S. datum. Field information is to be compiled and certified by a qualified licensed Professional Land Surveyor and/or Engineer.
- VI. An Operation and Maintenance Manual must be submitted to the Department.
- VII. All underground tanks must be tested for tightness prior to use. The Professional Engineer or Architect of Record must certify that the tanks pass the leakage test. Tanks will not be considered tight if the level drops more than **1/4" in eight (8) hours**.
- VIII. The 'High' Level Alarm shall give warning; the hose/car wash can still remain operational. However, when the 'High-High' Level Alarm is triggered, the Zero Discharge system must shut down entirely; the fresh water system shall be disabled.

[illegible]

TOWNS OF EDINTOWN AND F

- [illegible]

TABLE 1. *Estimated and observed probabilities of infection*

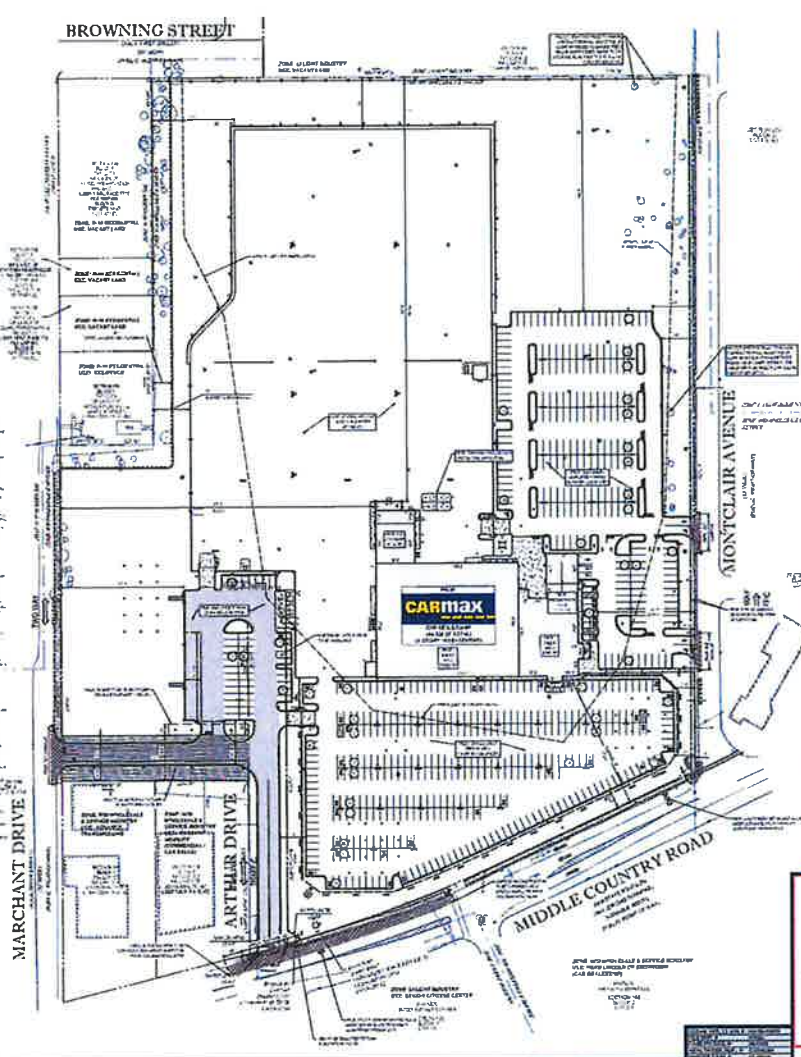
- [illegible]

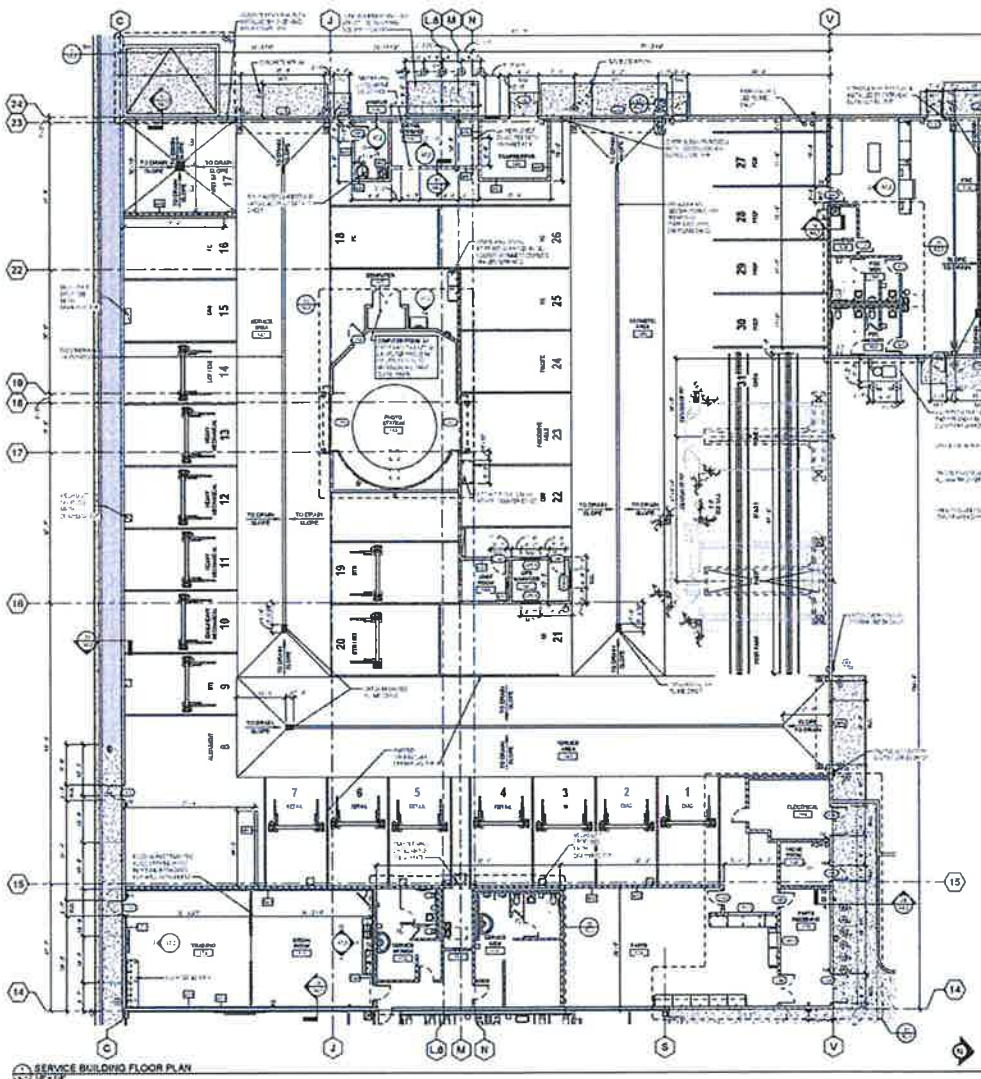
REMARKS:

- [illegible]

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY

See Introduction; also see Study background information at
Threats to Validity; Methods; and Data Collection; and see
Conclusions; Statistical Analysis; Reporting Results; and
References; and see Appendixes; and see Glossary; and see
Index.

[illegible][illegible][illegible]



SERVICE BUILDING FLOOR PLAN

CHARLES J O'BRIEN ARCHITECT

1000 WEST 10TH AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112
WWW.CJOA.COM

M SALES / A-SERVICE



REVISIONS FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
1	08/04/2021	ISSUED FOR CONSTRUCTION

- NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. ALL UTILITIES SHALL BE PROTECTED AND NOT TO BE MOVED OR DAMAGED.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
 7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 9. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 12. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 13. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 15. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 16. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 17. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 19. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 20. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 21. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
 22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 23. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 24. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 25. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
 26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 27. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

Submit Complete Set of Plans to the County Engineer for Review and Approval.

FOR INFORMATIONAL PURPOSES

08/04/2021

CARIMAX
THE AUTO SUPPLY STORE

STORE #6105
COUNTRY RD.
SMITHTOWN, NY 11767

PROJECT NO. 20100002
DATE 08/04/2021
SHEET NO. 1
FLOOR PLAN - SERVICE AND FOG
A2.1

**DUTCHESS COUNTY DEPARTMENT OF LAW
CAROLINE E. BLACKBURN, COUNTY ATTORNEY
County Office Building
22 Market Street
Poughkeepsie, New York 12601
Tel. (845) 486-2110 • Fax (845) 486-2002**

MEMORANDUM:

TO: AnneMarie Andrews, Executive Secretary, County Executive's Office

FROM: Caroline E. Blackburn, County Attorney 

DATE: May 27, 2026

SUBJECT: Public Hearing for a Local Law Amending Local Law No. 2 of 2024 Regulating
Hazardous Pollution Sources in Proximity to Public Water Supply Sources,
Aquifers and Wetlands
Resolution No. 2026088
Our File No. G-1910

The following original documents are attached: sign in sheet, opening statement, and notes on public hearing.

CEB/rjw
Enc.

NOTES ON PUBLIC HEARING
Resolution No. 2026088
May 27, 2026

The public hearing was declared open at 10:31 a.m. by the presiding officer, Caroline E. Blackburn, County Attorney, the designated hearing officer for County Executive Susan J. Serino.

The Legal Notice invited interested parties to be heard concerning:

A Local Law Amending Local Law No. 2 of 2024 Regulating Hazardous Pollution Sources in Proximity to Public Water Supply Sources, Aquifers and Wetlands.

Please note the appearances on the sign in sheet. There were no statements made, submissions or requests to send in written statements.

The Public Hearing was declared closed at 10:40 a.m.



Caroline E. Blackburn, County Attorney
Designated Hearing Officer for:
Susan J. Serino, Dutchess County Executive

5/28/26
Date

**OPENING STATEMENT
BY CAROLINE E. BLACKBURN
May 27, 2026 at 10:30 a.m.**

Good morning. I am Caroline E. Blackburn, County Attorney. As County Attorney I have been assigned to conduct this hearing on behalf of the County Executive. A summary of all oral testimony and the original documentation of any written testimony presented shall be provided to the County Executive for her review and consideration.

The purpose of this public hearing is to receive comments from the public regarding a local law enacted by the Dutchess County Legislature on May 11, 2026. This local law amends Local Law No. 2 of 2024 Regulating Hazardous Pollution Sources in Proximity to Public Water Supply Sources, Aquifers and Wetlands.

All those who wish to speak will be allowed 3 minutes each. You may also submit a written statement today if you wish.

All comments must be confined to the local law. I am here today to listen to you; accordingly, there will be no discussion or question and answer period.

Please note that these proceedings will be audio taped.

Please state your name and address before making a statement. If you have not already done so, please enter your name and address on our “sign-in” sheet. You will be called in the order you signed in. In order to move things along, note the names called before yours. Elected officials will be last.

Before we begin public comment, let the record show that notice of this hearing was published once in the Poughkeepsie Journal on or before May 20, 2026 and once in the Southern Dutchess News on or before May 20, 2026.

We will now open the hearing for comment.

SIGN IN SHEET # 1 OF 1

Local Law Amending Local Law No. 2 of 2024 Regulating Hazardous Pollution Sources
In Proximity to Public Water Supply Sources, Aquifers and Wetlands.

located at 22 Market Street, Poughkeepsie, New York 12601

PUBLIC HEARING, May 27, 2026 at 10:30 a.m.

PLEASE PRINT CLEARLY

[illegible]

SOUTHERN DUTCHESS NEWS
NORTHERN DUTCHESS NEWS
84 EAST MAIN STREET
WAPPINGERS FALLS, NY 12590

Affidavit of Publication

TO: DUTCHESS COUNTY EXECUTIVE'S OFFICE
22 MARKET STREET
POUGHKEEPSIE, NY 12601

Re: Legal Notice # 62477 PUBLIC HEARING 5/27/26 LOCAL LAW NO. 2 RESOLUTION
2026088

State of NEW YORK)
) SS:
County of DUTCHESS)

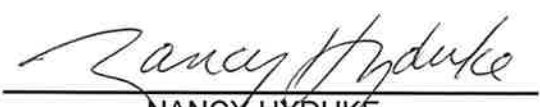
The undersigned is the publisher of Southern Dutchess News, a weekly newspaper published in WAPPINGERS FALLS, NEW YORK. A notice regarding PUBLIC HEARING 5/27/26 LOCAL LAW NO. RESOLUTION 2026088 was published in said newspaper once on 5/20/26. The text of the notice as published in said newspaper is as set forth below.

Legal Notice
Resolution 2026088
May 15, 2026
NOTICE IS HEREBY
GIVEN that a public
hearing will be held by
the County Attorney of
Dutchess County in
the County Office
Building, County At-
torney's Conference
Room, 5th Floor, 22
Market Street, Pough-
keepsie, New York, on
the 27th day of May
2026 at 10:30 a.m. on
the following Local
Law:
A LOCAL LAW
AMENDING LOCAL
LAW NO. 2 OF 2024
REGULATING HAZ-
ARDOUS POLLU-
TION SOURCES IN
PROXIMITY TO PUB-
LIC WATER SUPPLY
S O U R C E S ,
AQUIFERS AND
WETLANDS.
At said time and place,
all parties interested
will be heard.
Dated: May 13, 2026
Poughkeepsie, NY
Susan Serino
Dutchess County
Executive

ALBERT M. OSTEN, Publisher

By: 
AUDREY SNIDER
Authorized Designee of the Publisher

Sworn to before me this 20th day of May, 2026.


NANCY HYDUKE
Notary Public, State of NEW YORK
No. 01HY6221990
Qualified in DUTCHESS County
My commission expires on September 26, 2026

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess

A. Kolott being duly sworn, deposes and says she is the Principal Clerk of **The Poughkeepsie Journal**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper and published in the County of Dutchess and the State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

05/20/2026

Subscribed and sworn to before me this 20 day of May, 2026

Notary Public
State of Wisconsin, County of Brown

Amy Kolott
Vicki Felty

VICKY FELTY
Notary Public
State of Wisconsin

grazem

**Legal Notice
Resolution 2026088
May 15, 2026**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the County Attorney of Dutchess County in the County Office Building, County Attorney's Conference Room, 5th Floor, 22 Market Street, Poughkeepsie, New York, on the 27th day of May 2026 at 10:30 a.m. on the following Local Law:

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2024 REGULATING HAZARDOUS POLLUTION SOURCES IN PROXIMITY TO PUBLIC WATER SUPPLY SOURCES, AQUIFERS AND WETLANDS.

At said time and place, all parties interested will be heard.

**Dated: May 13, 2026
Poughkeepsie, NY
12340506**

**Susan Serino
Dutchess County Executive**

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 16 - Fishkill and Beacon	Valdés Smith*	X	
District 9 - City of Poughkeepsie	Atkins*	X	
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn*	X	
District 3 - LaGrange	Polasek*	X	
District 12 - East Fishkill	Metzger*	X	
District 1 - Town of Poughkeepsie	Redl	X	
District 4 - Hyde Park and Town of Poughkeepsie	Lawler	X	
District 5 - Town of Poughkeepsie	Shah (VC)	X	
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney (C)		ABSENT
District 13 - East Fishkill and Wappinger	Giles	X	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago	X	
District 22 - Beekman and Union Vale	Tresca	X	
Present: <u>11</u>	Resolution: <u> </u>	Total : <u>11</u>	<u> </u>
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u> </u>		Abstentions: <u> </u>	

2026088 LOCAL LAW NO. ____ OF 2026 AMENDING LOCAL LAW NO. 2 OF 2024
 REGULATING HAZARDOUS POLLUTION SOURCES IN PROXIMITY TO PUBLIC WATER
 SUPPLY SOURCES, AQUIFERS AND WETLANDS

Roll Call Sheets

District	Last Name	YES	NO
District 16 - Fishkill and Beacon	Valdés Smith	X	
District 9 - City of Poughkeepsie	Atkins	X	
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn	X	
District 3 - LaGrange	Polasek	X	
District 12 - East Fishkill	Metzger	X	
District 1 - Town of Poughkeepsie	Redl	X	
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Arnoff	X	
District 4 - Hyde Park and Town of Poughkeepsie	Lawler	X	
District 5 - Town of Poughkeepsie	Shah	X	
District 6 - Town of Poughkeepsie	Kaul	X	
District 7 - Hyde Park and Pleasant Valley	Darrow	X	
District 8 - City and Town of Poughkeepsie	Brendli	X	
District 10 - City of Poughkeepsie	Johnson		ABSENT
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney	X	
District 13 - East Fishkill and Wappinger	Giles	X	
District 14 - Wappinger and Town of Poughkeepsie	Winsby	X	
District 15 - Wappinger	Faust	X	
District 17 - Town and Village of Fishkill	McHoul	X	
District 18 - City of Beacon and Fishkill	Rhodes	X	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago	X	
District 21 - East Fishkill	Caswell	X	
District 22 - Beekman and Union Vale	Tresca	X	
District 23 - Pawling, Beekman and East Fishkill	Rolison	X	
District 24 - Dover and Pawling	House	X	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Alexander	X	
Present: <u>24</u>	Resolution: ____	Total : <u>24</u>	____
Absent: <u>1</u>	Motion: ____	Yes	No
Vacant: ____		Abstentions: ____	

CONSENT AGENDA: RESOLUTIONS 054, 064, 065, 066, 067, 068, 069, 070, 071, 072, 074, 075, 078, 079, 080, 081, 083, 084, 086, 087, 088 OF THE YEAR 2026