

PLATTE COUNTY
PLANNING AND ZONING
JULY 9, 2014

Chairman Marty Shepard called the Platte County Planning and Zoning Commission regular meeting to order at 7:00 P.M. Commission members present were Bob Brockman, Bill Klein, and Bonnie Lockhart. Also present were Reed Elmquist, Planner, Cindy Kahler, Wheatland Town Clerk, and Larry Wester, Wheatland Town Engineer.

The Commission reviewed the minutes from the May 14, 2014 meeting. Commission member Lockhart made a motion to accept the minutes from that meeting. Commission member Brockman seconded the motion and it carried.

New Business

Item #1: Reed Elmquist, Planner, presented a request to construct a garbage transfer and recycling station in an Industrial district from the Town of Wheatland, applicant; and JB's Lumber Mill LLC, titleholder.

The landfill currently operated by the Town of Wheatland at the south end of Y-O Road is nearing capacity, with less than 2 years remaining. Due to the inherent difficulty of permitting and the high cost of developing and operating a new landfill elsewhere, the Town proposes to transport household waste to a landfill in Torrington. This location has been chosen for its proximity to the landfill and access to town. The building would be oriented so that loading and recycling occur on the east side, away from the wind. A fence on the east side would catch most of the loose litter being blown around.

In addition to typical household waste, things such as concrete, appliances, electronics, tires, and branches would also be accepted. No hazardous waste or animal carcasses will be accepted. This facility would continue to serve residents in Wheatland, Chugwater, and the surrounding area in addition to miscellaneous entities such as the power plant. Concrete, asphalt, metal, appliances, and tires would be stored on site. Batteries, used oil, plastics, paint, and other recyclables would either be stored within the transfer station or in an appropriate building before being transferred elsewhere. The household waste would be collected and dumped into storage units inside the building, and then the storage units would dump into trailers for compaction and transfer. Odor blocks containing citronella oil would be used to control odor and repel insects and flies.

Truck traffic would be limited to 2 garbage trucks per day delivering trash, plus about 3 semi-trailers transferring loads to Torrington per week.

The property abuts Industrial District on the north and south sides, Residential on the east, and Agricultural on the west.

ADVANTAGES: Municipal waste will be dumped into covered indoor storage units and animal carcasses will no longer be accepted, this facility should generate significantly less of an odor and attract drastically less vermin than the current landfill, and mitigate the amount of stray garbage littering the site. The amount of noise generated should not be significantly more than what is currently generated from the landfill. This proposal will result in a limited increase in traffic.

The property is accessed by a County maintained road, Y-O Ranch Road.

DISADVANTAGES: There appear to be none with the exception of one residence across the road.

AGENCY COMMENTS: Rebecca Dietrich, supervisor for DEQ Solid & Hazardous Waste District 1, stated that the department is currently reviewing the solid waste permit application and has no comments based on the information provided at this time.

Platte County Resource District comments include some suitability limitations involved with a soil type associated with sewage disposal. (Please call this office if you would like a copy of the Resource District report.)

The County Engineer requests that a detailed site plan be submitted prior to issuance of a Building Certificate, showing a drainage study, dimensions, height, and setbacks of proposed buildings, types of ground surfacing, existing and proposed contours, employee parking numbers and layout, fire suppression/location of nearest fire hydrant, storm water detention, proposed screening/fencing, sign details locations and dimensions.

OTHER COMMENTS: None received at the time of this report.

ANALYSIS: Although there is a residence in close proximity, this property is zoned for industrial development and the landfill is a long-established use. The Town will be taking the best possible measures to mitigate environmental impacts, especially noise and odors. The third filing of Y-O Ranch Subdivision is zoned residential, but it has never been developed and the landfill existed long before it was rezoned. It could be rezoned for an industrial or office park. Overall, this proposal should be a much cleaner operation than what presently exists at the landfill.

Environmental concerns are probably best left to the State to regulate, short of obvious violations of practical concern.

STAFF RECOMMENDATION: Staff recommends approval of this request to allow a garbage transfer station in an Industrial District with the following conditions, plus any others that might be deemed appropriate:

1. Stipulate that the County may review and consider revocation of this Special Permit approval if knowledgeable of any State or Federal violations on this property;
2. That this approval be conditional upon approval of required State permits, with the understanding that final approval is expressly not granted until issuance of required State permits;
3. That no derelict vehicles be stored on the site during the life of the operation;
4. That miscellaneous junk be stored in containers;
5. That no licensed operable vehicles be parked within 100 feet of Y-O Ranch Road;
6. That the Town submit a Building Certificate application prior to construction along with a site plan(s) detailing the following items: drainage study, dimension, height and setbacks of proposed buildings, types of ground surfacing, existing and proposed contours, employee parking numbers and layout, fire suppression, location of nearest fire hydrant, storm water detention, proposed screening/fencing, signing details, locations, and dimensions; and
7. That unlit, appropriate signage be allowed with an approved Building Certificate application.

Larry Wester, Wheatland Town Engineer, gave a detailed presentation on the proposal. He stated that owing to a change in management at the DEQ, this site now has a much greater chance of being approved by that agency. The Highline Ditch runs along the east side of the property and the south side of the un-built Frontier Road. The building would be approximately 5,600 square feet in size and the Town would attempt to maintain the level and quality of service that presently exists at the landfill as much as possible.

Chairman Shepard asked what would happen after animal carcasses would no longer be accepted. Cindy Kahler, Wheatland Town Clerk, answered that she didn't know but there haven't been all that many carcasses that have been disposed of at the landfill.

Chairman Shepard opened the floor to public comment.

Don Hale stated that he owns all of the third filing of Y-O Ranch Estates except for Lots 103-105, which he had sold to the Town in 1999 in order to create a buffer for the landfill. He had initially offered to lease Lots 100-102 to the Town for the transfer station. Mr. Wester had later shown him a proposal that would have put the transfer station on Lot 103, at the northwest corner of Frontier Road and Coyote Drive. With the compost pile on the east and the transfer station on

the west, his property would be located between two dumps under the plan as presented. He also expressed concern about trash being dumped along Frontier Road.

Chairman Shepard asked Mr. Hale if his main issue was monitoring of contents to be dumped versus recycled or composted. Mr. Hale answered that it was that, plus the fact that his property would be located between two dumps.

Mr. Wester stated that the Town had ultimately decided to purchase this property rather than lease from Mr. Hale and that the whole operation could be confined to the one property.

Chairman Shepard asked Mr. Hale whether that would satisfy his concerns. Mr. Hale answered that confining the whole operation to the one parcel would be much more favorable to him.

Chairman Shepard asked Town Clerk Kahler what would happen once the tire pile runs out of room. Town Clerk Kahler answered that there would be a maximum capacity of 1,000 tires and that the Town was looking into a hauler for when it reaches capacity.

Chairman Shepard asked who would be hauling the trash to Torrington. Mr. Wester answered that the Town would do their own hauling.

Commission member Brockman moved to recommend do pass for the request to construct a garbage transfer and recycling station in an Industrial District with the following conditions:

1. Stipulate that the County may review and consider revocation of this Special Permit approval if knowledgeable of any State or Federal violations on this property;
2. That this approval be conditional upon approval of required State permits, with the understanding that final approval is expressly not granted until issuance of required State permits;
3. That no derelict vehicles be stored on the site during the life of the operation;
4. That miscellaneous junk be stored in containers;
5. That no licensed operable vehicles be parked within 100 feet of Y-O Ranch Road;
6. That the Town submit a Building Certificate application prior to construction along with a site plan(s) detailing the following items: drainage study, dimension, height and setbacks of proposed buildings, types of ground surfacing, existing and proposed contours, employee parking numbers and layout, fire suppression, location of nearest fire hydrant, storm water detention, proposed screening/fencing, signing details, locations, and dimensions;
7. That unlit, appropriate signage be allowed with an approved Building Certificate application;
8. That the perimeter be fenced; and

9. That the compost and tire piles also be located on this property.

Commission member Klein seconded the motion.

Chairman Shepard called for discussion, there was none; he called for questions, there were none. Chairman Shepard called for the vote and the motion carried. The meeting closed at 7:58 P.M.

Respectfully Submitted, Reed Elmquist, County Planner