

2024-11-R requested by Dominick J. Fazio for Southern Recovery Management, Inc. for a change of zoning from W to M-2 on a property designated Lot 4286 and consisting of approximately 93 acres, approximately 450 ft. north of Highway 90 at the St. Charles/Jefferson Parish line, Luling. Council District 2.

Mr. Welker – the department recommends approval of this request by it meets two of the three zoning criteria to summarize those criteria the first one is whether or not it conforms to the future land use map and would be a spot zone, it does not meet this criteria the future land use destination here is wetlands the only zoning district that qualifies under designation is the W wetland zoning district which is highly restrictive as far as what can be permitted there, while it may not be considered a spot zone because it covers a large area because it doesn't conform to the comprehensive plan it doesn't meet that criteria. It meets the following two criteria on guideline two whether or not the land use pattern or character has changed to the extent the existing zoning no longer allows reasonable use, so the existing zoning is the W wetland zoning it's in an area that is mostly wetlands but as I mentioned earlier the W zoning is extremely restrictive uses have to be considered low intensity or coastal dependent and they need to be reviewed and approved by various agency's such as Louisiana Department of Natural Resources, Corp. of Engineers, and even the parish itself and then they got to go through a special exception or a special permit process you have to do a lot to get anything permitted in this district. So outside of wetlands the most significant feature in this area is the River Birch landfill that is primarily in the adjacent Jefferson Parish the subject site is connected to an accessible from the adjacent landfill site we found looking at the maps and everything that this particular piece of ground is not part of the larger actual wetlands that are in the area there is a distinct line that you can see on your aerial maps that shows there is a clear separation between what is a higher level of ground that is part of this larger landfill site and the actual wetlands and this is emphasized by the flood zone maps in the area which put this particular piece of ground in an X zone versus the wetlands which are in a lower zone so it's clearly not part of it and probably shouldn't be subject to the restrictions of the W zoning district and greatly limits use of site which like I said is connected to an adjacent use so we found it meets this criteria. And on three there's really not a distinct neighborhood character in the area this is a very undeveloped area of the parish probably the most undeveloped area of the parish potentially there's really limited services out in this area the closest residences are in Ama and that's over a mile away the primary use is the landfill that is in the adjacent property in Jefferson Parish so the M2 zoning district expanding into this area or being introduced into this area would fit with that use in the adjacent parish and really not conflict with anything that is immediately in this vicinity, so we found it meets the third guideline. So, meeting the second and the third the department recommends approval.

The applicant did not wish to speak.

The public hearing was open.

Matthew Jewell St. Charles Parish President 15045 River Road that's the parish courthouse address I feel like I live here so that's the address I'm giving you. I'm here to speak in favor of this. I had the opportunity to go out when this request was first brought to me, go out and tour River Birch's operations I was quite impressed with the operations that they are doing out there, there was no odor, no smells, nothing everything was kind of working in a very professional manor. What struck me most about what they doing out there is them recycling what we throw away and giving it back to us in a form of energy so every time you turn on your stove at home if you have a gas stove or your heater the energy that you are getting is coming from the trash that you throw away and I thought that was a pretty interesting concept that they doing out there. So I feel like their running a good operation and they actually going to be making improvements to the site they are rezoning both in the St. Charles Parish side and the Jefferson side and as Parish President I want to make sure that we can support your trash disposal for years to come and make sure that we always have a low cost option and a low cost option being a landfill that is on the border of our parish prevents us from having to truck waste up to Gonzales or somewhere else having to use transfer stations. We at the end of a 25 year contract with River Birch we just introduced at the last Council meeting this past Monday another 25 year contract so that we can continue utilizing that low cost option on the edge of our parish for our residents and so the future viability of that landfill has become a concern for me and this would help them stay viable into the future so I just want to go on record supporting them.

The public hearing was closed.

Commissioner Petit – I guess I have a few for the applicant. So it's mention that it was previously Greater New Orleans landfill so and I think at one point it was capped with don't disturb the soil so I was curious if you could talk a little bit about your plan for the site if it was gonna be excavated what will happen to that material, if you can give us an insight into what the plans are.

Dominick Fazio 711 Tchoupitoulas St. New Orleans Louisiana CFO for River Birch Landfill – correct we, the first step here is to get the rezoning of this piece along with the Jefferson Parish parcel which is part of the Greater New Orleans landfill which opened in 1969 and stayed opened until the late 90's, in the late 90's garbage was in fact placed on the St. Charles Parish part of the property 90 plus acres and prior to that it was all on the Jefferson Parish parcel so this is all one, we'll call it a garbage dump, not a landfill. So our plans are we need to rezone the property before we can even go back to DEQ to apply for a permit to actually use it as a landfill. Once we do that we will get with DEQ and they will be the ones instructing us as to how they will allow us to use the facility and if it calls for digging up the old garbage we'll go right back into our landfill, to our existing landfill if that were the plan. But at this point we don't know it's all gonna be down to DEQ.

Commissioner Petit – so that will be a DEQ, and then the cap that's there now was that a DEQ requirement.

Mr. Fazio – it was, but it’s really just a cover, it’s just some mud clay cover, it’s not a true closure of the site but we certainly will we believe will improve it if we able to incorporate it into the River Birch landfill.

Commissioner Petit – and it would be lined and go through the same subjected, the plan is to mitigate the wetlands and ultimately use it as an extension of the landfill.

Mr. Fazio – correct.

Commissioner Petit – thank you, any other questions.

Commissioner Keen – yea, the leached issue there with the water table so that was done, so y’all stop utilizing that mid 90’s. Was the use of a permeable or non-permeable layer utilized at that time or was that before it became standard.

Mr. Fazio – yes this before any EPA regulations were in place, so there is nothing on that Greater New Orleans landfill.

Commissioner Keen – ok

Mr. Fazio – they just put the garbage right into the wetlands.

Commissioner Keen – so no use of leaching mitigation with a permeable layer? So, what’s been there has been going for 40, 50 plus years. Ok thanks.

Mr. Fazio – yes.

Commissioner Price made a motion to approve, second by Commissioner Folse, Jr.

YEAS: KEEN, PRICE, FRANGELLA, KRAJECER, JR. FOLSE, PETIT, ROSS

NAYS: NONE

ABSENT: NONE

PASSED
