

Commissioner Booth: Next item on the agenda is PZSPU-2017-04 requested by KV Enterprises, LLC for expansion of a Type III landfill (construction and demolition debris) at 5900 LA 3127, Killona. Zoning District M-2. Council District 1. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. KV Enterprises, LLC, is requesting a special permit, they wish to expand KV Landfill, a Type III Construction & Demolition Debris Landfill, onto parcel H2 of Killona Investments Subdivision, approximately 70 acres. Each parcel exceeds the width and area for the M2 zoning district, but the parcels should be resubdivided into one to accommodate an expansion of an existing use.

Killona Ventures L.L.C. obtained the local permit for the existing landfill in 2001 (PZSPU 2001-04/reso4916), and permits from the Louisiana Department of Environmental Quality in 2002 (LDEQ Standard Permit P-0355; LPDES LAG780000). The KV Landfill has operated continuously on Parcel L-2, approximately 75 acres, since 2002; the Planning Department has no record of complaints.

Killona Ventures applied to LDEQ for a major permit modification to expand the landfill sometime in 2006 or 2007. That modification required a modification to the Special Permit Use, which was denied. The Planning and Zoning Department and the Planning Commission both recommended approval, but the Council denied the required supporting resolution (PZSPU 2007-04). Killona Ventures was dissolved into KV Enterprises in 2009.

KV Landfill's LDEQ permit/order to commence, dated June 11, 2012, describes the facility as able to operate 24 hours per day, 7 days per week able to accept up to 22 loads or 8,000 cubic yards per day of waste including, but not limited to, that generated by land clearing operations, municipal, commercial, and residential demolition sites, and uncontaminated debris from oil well drilling sites located within fifty miles. The active area of the landfill is limited to five (5) acres at a time and waste comes through one gated entrance. A certified operator is on site during hours of operation. The land can reach a height of 125 feet. It is surrounded by a seven (7) foot high berm and a 50 foot wide buffer. The permit describes fire suppression and procedures for storing and removing waste that inadvertently enters the site. The applicant has submitted a statement regarding operations as required by the special provisions for landfills listed in the M2 zoning district.

The Planning Department generally recommends approval of a Special Permit when it meets a majority of the six evaluation criteria. ***This application meets a majority of the criteria.***

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* A landfill **complies** with the Heavy Industrial land use designation. **The application meets this criterion.**

2. *Compatibility with existing uses on abutting sites in terms of site development, hours, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* This M2 zoning district in Killona is developed with large tracts with frontage on LA 3127. With Killona Ventures landfill operating on Parcel L2 for 15 years and other tracts in the vicinity in a natural state, **the application meets this criterion.**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* With a 50 foot wide buffer and gated entrance, **the application meets this criterion.**

4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* Because surrounding land is in a natural state and zoned M2 or OL, **the application meets this criterion.**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* With a seven (70 foot high berm surrounding the

active landfill, a 50 foot wide buffer around the entire site and a gated entrance, **the application meets this criterion.**

6. *A site development plan shall be required as part of the application process.*
- a. *Required yards and open space.* The site plan shows the required yard areas and 2000 foot buffer to the M2 zoning district as well as the special provisions for landfills. **Complies.**
 - b. *Ingress and egress to property; and,*
 - c. *Parking and loading areas.* The site plan shows convenient circulation for vehicles entering, maneuvering through, and leaving the site. **Complies.**
 - d. *Location of garbage facilities.* The LDEQ permit contains a detailed plan for segregating, storing, and removing unacceptable waste that may inadvertently be deposited on site. **Complies.**
 - e. *Landscaping, buffering, and screening.* The site plan shows the required yard areas as well as the required 2000 foot buffer for the M2 zoning district and also the special provisions for landfills. **Complies.**
 - f. *Signage.* The location and size of signage meets the Parish's sign regulations. **Complies.**
 - g. *Height and bulk of structures.* Existing structures meet height and bulk restrictions; the height and bulk of the mound are regulated by LDEQ. **Complies.**
 - h. *Location and direction of site lighting.* Site lighting will be required to be directed into the site and avoid any impact on neighboring properties. **Complies.**

We recommend approval as presented. The request must also be approved by ordinance of the Parish Council.

Commissioner Booth: Thank you Ms. Stein. This is a public hearing for PZSPU-2017-04 KV Enterprises, Type III Landfill in Killona. Anyone here to speak for or against this particular issue? Is the applicant here or a representative? Step forward please. State your name and address for the record.

Wade Scott, 96 Tranquility Dr., Mandeville, La.

Commissioner Booth: Anyone has any questions or concerns for Mr. Scott?

Commissioner Frangella: Right now in here it says that it can go up to 120 ft. high, is that the normal that it's limited now or is that an increase?

Mr. Scott: That's the normal limit that all C & D sites that DEQ, it's very common height, but it's 125 ft. with a 3:1 slope, we have to keep it sodded and grassed and maintained with bonds in place for us to make sure there are adequate funds for maintenance after for post closure and stuff like that.

Commissioner Booth: Any other questions? Thank you Mr. Scott. Anyone else here to speak for or against this issue for the landfill? Seeing none, cast your vote.

YEAS: Gordon, Petit, Granier, Booth, Frangella, Galliano
NAYS: None
ABSENT: None
ABSTAIN: Richard

Commissioner Booth: That passes with Mr. Richard abstaining. Mr. Scott on October 2nd in this room there will be a council meeting where they will here this particular issue so you or someone will need to be here to talk to the Council about it.

Ms. Stein: We did want to mention that there is a town hall meeting scheduled to discuss this application with residents of the area on September 27th at 6 pm at the Killona Fire Station.
