

Town of Erie
Planning Commission Regular Meeting
Wednesday, April 15, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present
Commissioner Burgard – Excused
Commissioner Campbell - Present
Commissioner Kemp - Present

Commissioner Fraser - Present
Commissioner Gippe - Present
Commissioner Harrison - Present

Staff Present: R. Martin Ostholthoff, Community Development Director;
Mark Shapiro, Town Attorney;
Gary Behlen, Public Works Director; and
Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Kemp moved to approve the April 15, 2015, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Fraser, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the April 1, 2015, Regular Meeting.

Commissioner Fraser moved to approve the April 1, 2015, Minutes as submitted. The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

V. PUBLIC COMMENTS (This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

None.

VI. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

1. Public Hearing – Front Range Landfill PD Amendment

Purpose: Amend PD to allow a Liquid Waste Bulking Facility

Project File #: PDA-14-00024

Request: Consideration of Resolution P15-11, A Resolution Recommending Approval Of The Front Range Landfill Planned Development Amendment, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Development Amendment.

Location: 1801 CR 5

Zoning: PD – Planned Development

Applicants: Waste Connections

(Staff Planner: Marty Ostholthoff)

Chairman Bottenhorn opened the public hearing at 6:32 p.m. Mr. Ostholthoff presented the application for the Front Range Landfill Planned Development Amendment to allow a liquid waste solidification facility, reviewed the background of the request and entered the documents into evidence.

Dan Gudel, District Manager of Front Range Landfill, and Matt Crockett, Engineer for Front Range Landfill represented the applicant and presented an overview of current activities and practices at the landfill, including the request to solidify liquids on site.

Commissioner questions covered: volume predictions; maximum volume capacity; chain of custody documentation; clarification of oil & gas drill cuttings and drill lubricants; location of other landfills that have solidification facilities; how much of current in-coming waste is solidified; recommendation that bathtub basin liners extend aggregates 25% higher; what components are considered hazardous; what components are tested for radiation; leak remediation and how would that area be handled; clarification of proposed traffic numbers; what if more trucks than those proposed come in each day; was truck noise assessed; does Waste Management have other solidification facilities in Colorado; how is the site selected for the process; will operating hours be changed or altered to accommodate this process; plans for lighting and noise abatement; stink test; what would happen if two loads were combined and produced noxious odors; number of landfills and the number of leaks throughout the United States; will on site solidification be safer; are fracking materials being accepted currently; what is fly ash; difference in oil and gas waste disposal and landfill disposal practices; are waste generators with an expiration date regularly checked and monitored; how does this promote the general health, safety and welfare of Erie; current date for capping landfill; what will happen to the solidification facility when the landfill is closed; what percentage of material will be from oil and gas rigs; where in Weld County is your alternative site; where in the process is the relocation of the entrance; what is being done to prevent dirt being tracked onto Road 5; and why was solidification not accepted in 2005.

Public comment was taken from Joe Zintel, 1761 Crestview Lane; Kyle Roth, 2829 Prince Circle; Liz Fisher, 635 Moffat; Scott Laurent, 1827 Primrose Place; Pat Reed, 722 Reliance Drive; Ed Taylor, 167 Baker Lane; Trista Rucks, 554 Holbrook; Aron Arnold, 554 Holbrook; Molly Orlando, 239 Dogwood Circle; Sheri Danz, 2431 Azalea Way, and Steve Strater, 2689 Forsythia Place.

Public comments covered: consideration of the health safety and welfare of the residents; bad idea; all waste streams need to be reviewed; don't deal with the devil – the oil and gas industry is the Lance Armstrong of landfills; did not know how much monitoring goes on; landfill has been an acceptable neighbor; why wasn't solidification approved in 2005; how close are landfills to residential areas in other locations; Erie does not need any additional heavy industrial businesses; Erie is already an industrial community – we don't want more; discussion of how Erie is viewed by outsiders; high rate of children's health issues in Erie – study should be done as to why; more data and information is needed; moving to Erie was a big mistake.

Additional Commissioner questions covered: is accepting fracking fluids too expensive or are you bowing to the concerns of people by refusing to add them; is there more data available on drill cuttings and fluids; why did you come to Erie first instead of just using your Weld County property; will you be accepting out of state materials; how close is the proposed facility to the town water tanks and will the Weld County site be even closer to the water tanks; will the automobile fluff be transported from the landfill to the Weld County solidification site; if the site moves to Weld County, what oversight will Erie have; and if solids are safe to bury, why are they buried like toxic waste.

Chairman Bottenhorn closed the public hearing at 9:06 p.m.

Commissioner comments covered the larger picture of our community; marketing to other users; no net benefit; the challenge is control – the solid materials wind up here anyway, so we are considering control versus no control or oversight – which is better; oversight is better than not; concern over the big picture; this is a slippery slope; appreciation for Waste Connections neighborhood outreach, good neighbor policy and their being good stewards; general agreement that approval criteria b) Health Safety and Welfare; e) impact on town roads and f) impact on the environment were not being met.

Commissioner Kemp moved to deny the application citing approval criteria b) Health Safety and Welfare not being met; e) the adverse impact on town roads; and f) the negative impact on the environment. The motion, seconded by Commissioner Harrison, carried 4-2 with Commissioners Campbell and Gippe voting against.

VII. STAFF REPORTS (This agenda items is reserved for specific items from Staff requiring Commission direction or just relaying important information.)
None.

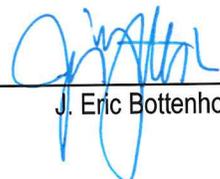
VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)
None.

IX. ADJOURNMENT
There being no further business to come before the Commission, Chairman Bottenhorn adjourned the April 15, 2015, Regular Meeting of the Planning Commission at 9:19 p.m.

Respectfully Submitted,

Town of Erie Planning Commission

By: 
Hallie S. Sawyer, Secretary

By: 
J. Eric Bottenhorn, Chair