

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit (CUP) in District LI (Light Industrial) for a period of twenty years to operate a solid waste and commingled recyclables processing facility, also known as a transfer station, subject to specified conditions, as to a 6.36± acre tract.

ORDINANCE #4316, June 6, 2011

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit is hereby granted for a period of twenty years to operate a solid waste and commingled recyclables processing facility, also known as a transfer station, as to an approximate 6.36± acre tract of land specifically described as follows:

Description: The 6.36 acres are near the intersection of 23rd Street and I-435 Highway in the Blue Summit area and are legally described as all of lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri, aka 2211 Television Place.

Section 2. The conditional use permit granted by this Ordinance is subject to the following conditions:

1. Prior to approval of construction plans and building permits, the applicant shall replat lots 22 and 23 in the corrected subdivision plat for Blue Summit Industrial Park into one subdivision lot.
2. Prior to approval of construction plans and building permits, a drainage study and erosion control plan that addresses water quality as well as storm water controls shall be completed and approved by the Director of Public Works.
3. Prior to approval of construction plans and building permits, the applicant shall provide copies of permits and/or approvals from the City of Independence for

water service and Kansas City Water Services Department for sewer services.

4. The transfer building will be a metal building with metal panels having a depth of more than one inch or a thickness of more than U.S. Standard 26 gauge. The wall facing the public street shall have a decorative façade with either face brick, "Cherokee" block, stone or similar material that will be approved by Planning and Environmental Health Division during the building permit plan review process.

5. The interior site roads shall be paved with either asphalt or concrete having a minimum pavement thickness of six inches for asphalt or four inches for concrete. The parking and storage area shown in the northeast corner of the property on the site plan may be gravel provided necessary measures are taken to minimize dust.

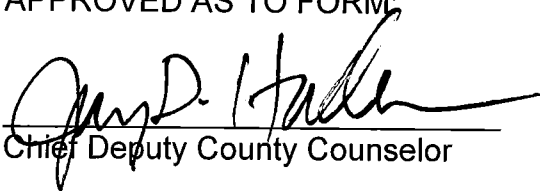
6. The applicant shall provide a copy of all necessary Missouri Department of Natural Resources approvals to the Planning and Environmental Health Division prior to applying for any permits that allow the applicant to move forward with site development.

7. The proposed solid waste processing facility must be consistent with the District E - MARC Solid Waste Management District's Solid Waste Management Plan.

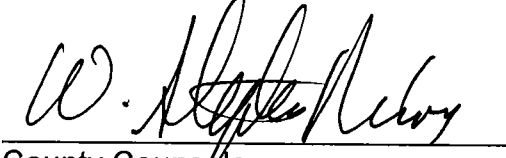
Section 3. The Legislature, pursuant to the application of Deffenbaugh Industries, Inc. (CU-2011-207), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted unanimously to recommend DISAPPROVAL of this application in a public hearing on May 19, 2011, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance, Ordinance #4316 introduced on June 6, 2011, was duly ~~passed~~ on WITHDRAWN JUN 13 2011 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4316.

Date

Michael D. Sanders, County Executive

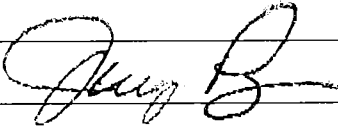
REQUEST FOR LEGISLATIVE ACTION

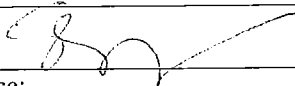
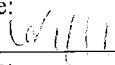
Completed by County Counselor's Office:

~~Res~~/Ord No.: 4316

Sponsor(s): XXXX

Date: June 6, 2011

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Conditional Use Permit (Deffenbaugh Industries, Inc. – CU-2011-207)</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="331 495 1206 793"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:	\$											
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): N.A. Prior resolutions and (date): N.A.											
CONTACT INFORMATION	RLA drafted by: Mark Trosen, Planning and Environmental Health Administrator, 881-4645											
REQUEST SUMMARY	Requesting a conditional use permit for a period of 20 years to operate a proposed solid waste and commingled recyclables processing facility (transfer station) in District LI (Light Industrial) on 6.36± acres, subject to conditions. Description: The 6.36 acres are near the intersection of 23 rd Street and I-435 Highway in the Blue Summit area and are legally described as all of lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri, aka 2211 Television Place. The Jackson County Plan Commission on May 19, 2011 held a public hearing and accepted testimony pertaining to the Conditional Use Permit requested by Deffenbaugh Industries, Inc. There were several individuals identified as surrounding property owners present in opposition to the conditional use permit. Staff found the proposed use of a solid waste and commingled recyclables processing facility (transfer station) is consistent with the general purpose and intent of the Light Industrial zoning district regulations and recommends approval subject to seven conditions. After hearing testimony and receiving the information presented, the Plan Commission determined that this application for a conditional use permit is incompatible with surrounding uses and inappropriate for this location. The Plan Commission voted 9 to 0 to recommend <u>DISAPPROVAL</u> to the County Legislature on the conditional use permit application for a period of 20 years to operate a proposed solid waste and commingled recyclables processing facility (transfer station) subject to the following conditions. (Attachment to RLA-1)											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Jerry A. Page, P.E.  Finance (Budget Approval):	Date: 5/25/11 Date:										

<i>If applicable</i>		
Division Manager:		Date: 
County Counselor's Office:		Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-1:

Conditions:

- 1) Prior to approval of construction plans and building permits, the applicant shall replat lots 22 and 23 in the corrected subdivision plat for Blue Summit Industrial Park into one subdivision lot.
- 2) Prior to approval of construction plans and building permits, a drainage study and erosion control plan that addresses water quality as well as storm water controls will need to be approved by the Director Public Works.
- 3) Prior to approval of construction plans and building permits, the applicant must provide copies of permits and/or approvals from the City of Independence for water service and Kansas City Water Services Department for sewer services.
- 4) The transfer building will be a metal building with metal panels having a depth of more than one (1) inch or a thickness of more than U.S. Standard 26 gauge. The wall facing the public street shall have a decorative façade with either face brick, "Cherokee" block, stone or similar material that will be approved by Planning and Environmental Health Division during the building permit plan review process.
- 5) The interior site roads shall be paved with either asphalt or concrete having a minimum pavement thickness of 6 inches for asphalt or 4 inches for concrete. The parking and storage area shown in the northeast corner of the property on the site plan may be gravel provided necessary measures are taken to minimize dust.
- 6) The applicant shall provide a copy of all necessary Missouri Department of Natural Resources approvals to the Planning and Environmental Health Division prior to applying for any permits that allow the applicant to move forward with site development.
- 7) The proposed solid waste processing facility must be consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from May 19, 2011
Staff report
Names/Addresses of Surrounding Property Owners
Copy of letter sent to said property owners
Map showing current zoning districts in area
Application
Applicant's Informational Booklet
Applicant's Preliminary Land Title Survey
Site Plan
Building Elevation Views
Blue Summit Industrial Park – Corrected Plat
Covenants and Restrictions – Blue Summit Industrial Park
Fact Sheet – MoDNR – Solid Waste Transfer Stations
Letter dated 5/18/1022 from Lisa Danbury with MARC

2. CU-2011-207 – Deffenbaugh Industries, Inc.

Requesting a conditional use permit for a period of 50 years to operate a proposed solid waste and commingled recyclables processing facility (transfer station) in District LI (Light Industrial) on 6.36± acres. The 6.36± acres are near the intersection of 23rd Street and I-435 highway at 2211 Television Place in the Blue Summit area and is legally described as all of lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri, aka 2211 Television Place.

Mr. Trosen introduced CU-2011-207 and entered 16 exhibits into the record. Mr. Trosen gave the staff report with comments and recommendation as follows: the property is near the intersection of 23rd Street and I-435 in the Blue Summit area and is legally described as all of Lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri and is 6.36 acres in size. The request is for a conditional use permit for a period of 50 years to operate a solid waste and commingled recyclables processing facility (transfer station) and the zoning is District LI (Light Industrial). The property is currently undeveloped but used periodically to store vehicle hauler trailers.

The land use in the area is predominantly office, warehouse and industrial buildings as well as a school bus facility and a mobile home park nearby. The zoning to the west and generally north is District LI (Light Industrial) with the exception of the property adjacent to the north is zoned District GB-p (General Business – Planned Development). The zoning to the east is District GB (General Business). The property to the south is within the corporate limits of Kansas City. Section 24003.21 of the Unified Development Code (UDC) defines the purpose and intent of a CUP as follows: Conditional uses are those uses which generally are compatible with the permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

Approval of a Conditional Use Permit shall be deemed to authorize only the particular use for which the permit is issued. No use authorized by a conditional use permit shall be enlarged, extended, increased in intensity or relocated unless an application is made for a new conditional use permit in accordance with the procedures in the UDC. Development of the use can not be carried out until the applicant has secured all the permits and approvals required by these regulations, other appropriate provisions of the Jackson County Code, or any permits required by regional, state or federal agencies.

It is the responsibility of the Plan Commission and County Legislature to determine if the proposed land use meets the "purpose and intent" of a Conditional Use. The County Legislature, which may include recommendation by the Plan Commission, can impose conditions and set out regulations, restrictions, limitations and termination date within the permit so that reasonable control may be exercised over the use. If the appropriateness of the use cannot be assumed at the location, the application for conditional use permit shall be denied as being incompatible with existing uses or uses permitted by right in the zoning district.

The proposed land use is a solid waste processing facility. The proposed processing facility will include an enclosed municipal solid waste and recyclable materials transfer station. The

Missouri Department of Natural Resources (MoDNR) fact sheet states that waste transfer stations are facilities where solid waste is unloaded from collection vehicles and briefly held while it is reloaded onto large long-distance transport vehicles for shipment to landfills or other treatment or disposal facilities. To save energy and transportation costs, the solid waste disposal industry often directs trash collection vehicles, known as packer trucks, to transfer stations.

A solid waste disposal transfer station can be a land use that is difficult to assimilate into surrounding land uses. It involves having large numbers of garbage trucks of all sizes traversing the local roadway network. It also involves significant numbers of local residents hauling their waste and recyclables to the station. However, typically associated with this type of traffic one can expect there to be accelerated roadway deterioration, accidental trash spillage resulting in the potential for litter along the streets and neighboring properties, an increase in noise and potentially odors. The applicant's information booklet includes environmental mitigation measures to diminish these issues. Those measures will be discussed further in this report.

The proposed facility will be developed and constructed in general compliance with the requirements, covenants, and restrictions for the Blue Summit Industrial Park. The proposed solid waste processing facility consists of an enclosed transfer building (municipal solid waste and recyclables), truck/scale and scale house/office, truck and trailer parking area, and dumpster/roll-off storage area. The proposed transfer building will be an approximately 11,600 square foot pre-engineered metal building with a decorative façade on the wall facing the public street, Television Place.

Waste collection trucks and transfer trailers will enter and exit the site through the existing driveway on the south end of the property. The existing driveway on the north end of property will not be used. Vehicles entering the site to dispose of solid waste will cross the scale, proceed around the east side of the transfer building, and enter the building through large bay doors located on the northeast side of the transfer building. Vehicles entering the site to transfer recyclable materials will cross the scale, proceed to the southeast side of the transfer building and enter the building through a larger bay door. The waste and recyclables will be visually screened as they are unloaded onto a concrete tipping floor. Once on the tipping floor, acceptable waste and acceptable recyclables will be loaded into separate transport trailers with a front-end loader or other suitable piece of equipment. Solid waste unloaded onto the transfer building tipping floor will generally be loaded into a transfer trailer by the end of each business day. Each transfer trailer will be removed from the transfer station within 48 hours after being filled to capacity. The transfer building tipping floor area will be cleaned (scraped or swept) on a daily basis at the end of operating hours.

The facility hours of operation will be from 7:00 AM to 7:00 PM, Monday through Friday and from 7:00 AM to 5:00 PM on Saturdays. The transfer station will be open to accept waste from 7:00 AM to 6:00 PM, Monday through Friday and from 7:00 AM to 4:00 PM on Saturdays. The facility will be closed on Sunday and for various holidays.

The proposed facility is located on the east side of Television Place. Television Place intersects with 23rd Street near Interstate 435. Television Place is an asphalt road that is in good condition. The width of Television Place is approximately 32 feet (16 foot lanes). The facility is anticipated

to receive and transfer approximately 500-700 tons per day of solid waste, construction and demolition waste, and commingled recyclables. The proposed facility will increase traffic by approximately 15 to 25 transfer trailers and approximately 50 to 80 solid waste collection trucks (packers) per day. Although there will be an increase in truck traffic on Television Place, the highway traffic on I-435 and I-70 from eastern Jackson County, through downtown, and to Johnson County will decrease as solid waste is consolidated into transfer trailers. The solid waste and construction and demolition waste will be transported to the Johnson County Landfill, owned and operated by Deffenbaugh located at I-435 and Holliday Drive in Shawnee, Kansas. The commingled recyclables will be transported to Deffenbaugh's Recycling Materials Recovery Facility located in Kansas City, Kansas.

In reference to the site plan the existing driveway on the south side of the property is the only driveway that will be used. The interior site roads will be constructed of asphalt or concrete pavement on a gravel base. The site roads create a loop around the transfer building. In accordance to the UDC, the minimum pavement thickness for interior site roads must be either 6 inches of asphalt or 4 inches of concrete. The on-site parking areas and storage areas will be constructed of gravel. The gravel parking and storage areas will be periodically treated with calcium chloride or other methods of dust control as needed.

A drainage study and erosion control plan that addresses water quality as well as storm water controls, prepared and sealed by a professional engineer, is required prior to approval of construction plans and issuance of a building permit. The applicant indicates that storm water on the site will be controlled by directing surface water runoff towards the proposed drainage channels and detention ponds by sheet flow and storm water control structures such as culverts. The routing of post-development storm water through the detention ponds will cause the storm water for the facility to be equivalent to pre-development storm water flow.

The facility will require electrical service, sewer service, and water service. These services are available to the site and according to each utility the services are adequate to accommodate the proposed use. Electric service will be provided by Kansas City Power and Light. Sanitary sewer service will be provided by the Kansas City Water Services Department. Water service will be provided by the Independence Water Department. Service connections will be in accordance with requirements for each utility.

Noise – Noise associated with the proposed facility operation will include truck traffic and operating equipment, including backup alarms. Three sides of the facility are buffered with wooded areas and much of the operation will be contained inside the transfer building thereby reducing the effects of noise.

Odors – Odors emanating from the proposed facility will be minimal. Waste unloading and loading operations will be conducted inside the transfer building. The transfer building tipping floor will be cleaned (scraped or swept) on a daily basis near the end of operating hours. The tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors and to provide a safe working environment.

Vectors – The proposed facility is designed and will be operated to reduce the potential for harboring, feeding, and breeding of vectors. The tipping floor area will be cleaned daily and washed down as necessary to reduce the potential effects of odor, dust, and vectors.

Blowing Litter Control – The transfer building is designed with the large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the south-west. Solid waste handling will occur within interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. A fence will be constructed around the facility which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed.

Air Pollutants – The proposed facility will produce minimal air pollutants from trucks, equipment, and dust. However, as a whole, operation of the facility should reduce the overall air emissions by reducing the number of trucks traveling from eastern Jackson County to the landfill in Shawnee, Kansas. Dust from the facility should not be significant because on-site roads and traffic areas will be paved with concrete or asphalt.

If conditional use permit is approved, then Deffenbaugh will need to prepare and submit an application for the proposed solid waste processing facility to the Missouri Department of Natural Resources, Solid Waste Management Program in accordance with the Missouri Solid Waste Regulations. The proposed facility must also be consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

The applicant is requesting approval of the CUP for a period of 50 years. However, staff contends that this time period is too long given the changing conditions of this type of use and the amount of tonnage hauled in and out of this facility. Therefore, staff will be recommending that the length of the permit should be effective for 20 years at which time it may be renewed in accordance with procedures at that time.

Staff finds that the proposed use of a solid waste and commingled recyclables processing facility (transfer station) is consistent with the general purpose and intent of the Light Industrial zoning district regulations and complies with the requirements of the Unified Development Code. Staff recommends APPROVAL of CU-2011-207 for a period of twenty (20) years subject to the following conditions:

- 1) Prior to approval of construction plans and building permits, the applicant shall replat lots 22 and 23 in the corrected subdivision plat for Blue Summit Industrial Park into one subdivision lot.
- 2) Prior to approval of construction plans and building permits, a drainage study and erosion control plan that addresses water quality as well as storm water controls will need to be approved by the Director Public Works.
- 3) Prior to approval of construction plans and building permits, the applicant must provide copies of permits and/or approvals from the City of Independence for water service and Kansas City Water Services Department for sewer services.
- 4) The transfer building will be a metal building with metal panels having a depth of more than one (1) inch or a thickness of more than U.S. Standard 26 gauge. The wall facing the public street shall have a decorative façade with either face brick, "Cherokee" block,

stone or similar material that will be approved by Planning and Environmental Health Division during the building permit plan review process.

- 5) The interior site roads shall be paved with either asphalt or concrete having a minimum pavement thickness of 6 inches for asphalt or 4 inches for concrete. The parking and storage area shown in the northeast corner of the property on the site plan may be gravel provided necessary measures are taken to minimize dust.
- 6) The applicant shall provide a copy of all necessary Missouri Department of Natural Resources approvals to the Planning and Environmental Health Division prior to applying for any permits that allow the applicant to move forward with site development.
- 7) The proposed solid waste processing facility must be consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

Mr. Pointer wanted to know if a conditional use permit had ever been issued for 20 years.

Mr. Trosen said that a 20-year permit was issued when there was significant investment in building on the property. He said the time limit was at the discretion of the plan commission and the legislature.

Mr. Tarpley asked how close the residential area was to the property.

Mr. Trosen said the mobile home park was 400 – 500 feet away.

Mr. Tarpley wanted to know the size of the storm sewer.

Mr. Trosen said a 42 inch pipe bisected the property.

Mr. Pointer said there would be a lot of run-off from the trucks and asked if it would enter the storm or sanitary sewer.

Mr. Trosen said the run-off from the washing down of the tipping floor in the interior of the building would enter the sanitary sewer.

Mr. Crawford asked if the county maintained the access road to the property.

Mr. Trosen said the county did maintain Television Place, the access road.

Mr. Crawford asked if there were heavy trucks currently using the road.

Mr. Trosen said he didn't know the gross weight but school buses used the road daily as well as vehicle haulers.

Mr. Pointer said the trucks using the facility would be much heavier than school buses because MoDOT did not limit their weight

Mr. Tarpley asked if only Jackson County trash would be hauled.

Mr. Trosen said his understanding was that the trash would only be from the Jackson County.

Mr. Crawford said school buses were much lighter than tractor trailer trucks which could weigh in excess of 100,000 pounds. He asked if Television Place could handle these loads.

Mr. Trosen said he had asked Earl Newill, the county engineer who was a professional engineer, to review the application and Mr. Newill was of the opinion that Television Place could handle the vehicles.

Chris Jenkins of the county engineering division said that when designing a roadway, the equivalent single axle load of the roadway must be known to determine pavement thickness. Until this information was evaluated, the question would be difficult to answer. Mr. Jenkins said a professional engineer would need to determine the thickness of bridge approaches and determine the average daily travel and size of the trucks.

Mr. Crawford said if there was a possibility of the road failing, it would be an expense to the county.

Mr. Trosen restated that Earl Newill, county engineer, had reviewed the plans and believed that Television Place could accommodate the additional traffic.

Chairman Antey said he didn't think the requirement of 6 inches of asphalt or 4 inches of concrete was adequate for the interior roads.

Mr. Trosen said those figures were the minimum standards. He said the plan commission could require more. Mr. Trosen stated that the driveway approach within the road right-of-way would need more depth.

Mr. Crawford asked about litter control.

Mr. Trosen said the application states that the applicant would have personnel on site to pick up blowing trash.

Chairman Antey wondered if this would be adequate on windy days when plastic bags get caught up in trees at other facilities.

Mr. Crawford asked if there were any provision for trees to shield the property from the roadway.

Mr. Trosen said no trees were proposed, only a fence. He said that because of the difference in elevations, the property sits lower than Television Place.

Mr. Crawford asked if pine trees would work.

Mr. Trosen said the pine trees would need to be very mature trees.

There were no further questions for Mr. Trosen.

Pete Heaven of Lathrop & Gage and agent for applicant appeared to give testimony. Mr. Heaven said the applicant was trying to be both economically and environmentally sensitive in proposing the transfer station. He said the transfer station would eliminate 2/3 of the truck traffic traveling between neighborhoods and the landfill. He said there would be 50 – 80 trucks per a 12-hour day; breaking these trips down to in and out trips would average 3 trucks per hour; there would be no peak time. He said the hauling trucks would average about 15 per day or 1 per hour. Mr. Heaven said a landfill is an open area with a daily cover added late in day. He said there would be no outdoor storage at the facility so wind and blowing would not be a factor; loading and unloading is done in an enclosed area. He said that landfill smells are from methane gas that develops as trash deteriorates; at this facility trash would be removed constantly and would not remain long enough to create odor. Water used to clean the floor would enter the sanitary sewer the same as household waste. Mr. Heaven said there would be no emissions from combustion or fumes and they would need to satisfy rigorous tests for MDNR approval. He said the site would be available for neighborhood trash drop off and recycling. He said only the south entrance to the property would be used and this entrance was close to 23rd Street so trucks coming to the property would only use Television Place for a short distance. He said the trucks would only pass a service station; the developed area further up on Television Place was screened by trees.

Chairman Antey said he knew that trash trucks smell and the smell would come from the building when the doors were open.

Mr. Heaven said the doors would be closed during the unloading process and the odor was not concentrated enough to be a concern.

Chairman Antey wanted to know where Deffenbaugh's other facilities were located.

Mr. Heaven said there were 3 sites in Kansas.

Mr. Pointer wanted to know why a transfer station was being built here when there was one located within 8 miles and outside the urban area.

Mr. Heaven said the facility was being constructed primarily for Deffenbaugh's use.

Mr. Pointer said rumor had it that there was a plan to put small operators out of business; because of price increases, some small operators must take their trash to Sedalia.

Mr. Heaven said the plan was not designed to put others out of business but to accommodate Deffenbaugh.

Mr. Tarpley said it was good business to cut truck trips. He asked for clarification of the stormwater plan.

Floyd Cotter, AquaTerra, pointed out the location of 2 retention ponds that would be on the property and said that all stormwater would be directed to the storm sewer. He said there would not be an increase in the amount of stormwater leaving the property.

Mr. Crawford wanted to know where the trucks were tarped.

Mr. Heaven said that was done inside the building.

Mr. Cotter said load limits of the trucks leaving the facility would be monitored and would be no more than 80,000 pounds.

Jim Murray, Deffenbaugh, said that 80,000 pounds was the load limit for the state of Kansas and would need to be followed as the loads were going to Kansas.

Mrs. Mershon wanted to know why the facility wasn't being constructed in Johnson County, Kansas if that was where the trash was being taken.

Mr. Murray said this location was chosen because of the local routes in Jackson County and this location would reduce the number of trucks on the roadways.

Mr. Crawford wanted to know the lifespan of the landfill.

Mr. Murray said the permit for the landfill expired in 2043.

Mr. Heaven said they had no problem with a 20-year time period for the conditional use permit.

Mrs. Mershon asked if there would be a charge for recycling and trash drop-off.

Mr. Murray said no decision had yet been made regarding charges.

Mr. Pointer said residential pick-up had a 5-year contract.

Mr. Murray said Deffenbaugh had many different contracts.

Mr. Haley asked where the trucks would be stored.

Mr. Heaven said only hauling trucks would be on the property as the other trucks would return to Johnson County, Kansas every day with the last load of trash.

Mr. Pointer wanted to know how many times a truck was filled each day.

Mr. Murray said they were filled an average of twice per day.

Mr. Pointer said if they only have 2 loads daily and 1 load is taken to Kansas, he didn't see the need for this facility.

Chairman Antey said a round trip from eastern Jackson County to the landfill would take approximately 1.5 hours.

Mr. Cotter said 7 trucks fill a transfer truck so trips would be saved.

Mr. Crawford asked how many transfer trucks left per day.

Mr. Murray s said 8 – 10.

Mr. Crawford said that would be 80 trips saved.

Mr. Tarpley asked if there were any way to treat the odor before it left the building.

Mr. Cotter said the odor outside the building is not viewed as significant by regulatory agencies. He said as long as the trash keeps moving the odor will be less.

Mrs. Mershon wanted to know what economic benefit the county would have if the application were approved.

Mr. Trosen said a building valued at approximately 1.5 million dollars would be constructed on a vacant lot that was undeveloped. He said he wasn't sure what revenue would be received.

Mrs. Mershon said taxes would be the only revenue.

Mr. Trosen said there would be fees generated from trash leaving the state.

Mr. Tarpley wanted to know how many employees would be at the facility.

Mr. Heaven said there would be 6 – 9 employees. He also said the building would be valued at 2 – 2.5 million dollars.

There were no further questions for the applicant and no one else to appear in favor of the application.

Tammy Smith, employee of Sun Life located on Television Place, appeared with comments regarding traffic on the street. Ms. Smith said she had worked in the area for 10 years and contended with traffic problems on a daily basis. She said the school buses and vehicle haulers and trucks coming to various businesses caused traffic to back up and she often had to wait through 3 light cycles before getting through the intersection of 23rd Street and Television Place.

Mr. Crawford pointed out that the trash trucks would be spread out over a 12-hour period.

Mr. Tarpley wanted to know how many buses there were and where they were going.

Ms. Smith said there was a lot where the buses parked and they left in the morning and afternoon to pick up students.

Chairman Antey said the traffic to the applicant's property shouldn't affect other businesses as the property was close to 23rd Street.

Ms. Smith said there was a lot of traffic entering Television Place all day. She wanted to know how large the building would be on the site.

Chairman Antey said the applicant had stated the building would be 11,600 square feet on a 6-acre lot.

Ms. Smith said she disagreed about trees being a barrier to the residential area because of the elevation of the property. She said her main concern was the amount of traffic during the morning and evening rush hours.

Mr. Tarpley asked if the traffic light was on a sensor.

Ms. Smith said it was on a timer.

Lou Saldino, owner of plumbing company across the street from applicant's property appeared with additional comments regarding the traffic on Television Place. Mr. Saldino said that when traffic backs up, a lot of drivers will leave via the Truman Road exit from the area which entails traveling through the residential area on narrow streets. He said excess traffic on these streets will destroy the streets and the narrowness of the streets will make it difficult for trucks to maneuver. He said this happens now when the wait at the light is 15 minutes or more. Mr. Saldino wanted to know if trash would be picked up from private property or just from the road right-of-way. He said the site was already being used as a dumping grounds.

Mr. Tarpley asked where the exit onto Truman Road was located and Mr. Saldino pointed it out on the map.

Mr. Gibler said the traffic discussion had been very subjective. He said a traffic study should be considered for an accurate picture of the problem.

Tom Oots of American Steelworks appeared in opposition to the application. Mr. Oots said his business was located at the top of the hill on Television Place and since the street was a hill, it was very hazardous in inclement weather. He said that only 5 or 6 cars could exit during a light cycle and turning both left and right onto 23rd Street was dangerous. Mr. Oots said approximately 3 delivery trucks came to his business each day. He said he was opposed to the conditional use application.

John Carnes, 103 N. Main, appeared as a representative for Sam LeVota, the property owner to the north whose property looks down on the site for the transfer station. Mr. Carnes said the presence of a transfer station would decrease the value of Mr. LeVota's property. Mr. Carnes said he was a former county legislator and was involved with the development of the industrial park in the 1970s. He said the intention of the industrial park was for small businesses and not trash transfer stations. Mr. Carnes said the residents of Blue Summit were like step-children belonging to neither Kansas City nor Independence. He said in the past adult book stores, smelters and landfills have occupied the area. He said the county was giving up on Blue Summit if it was thought that a transfer station was the best that could be done for the area. Mr. Carnes said there were 2 transfer stations in the vicinity that were located in blighted areas with no future. He said the Blue Summit area had a future. He suggested that Deffenbaugh have a public meeting with all of the residents to explain what was planned.

Richard Powell of Brunson Instruments appeared in opposition to the application. Mr. Powell said he had concerns about the safety issue of the intersection of Television Place and I-435. He said to reach their business from the west, you turn left off 23rd Street and keep turning. He said when traffic was backed up, tractor trailer trucks attempting the left turn have no place to go

as well as traffic coming down the hill. He said there have been numerous accidents at the intersection and it is already difficult for delivery vehicles to access their premises.

Debbie Jones, manager of the school bus facility, appeared in opposition to the application. Ms. Jones said there were 102 buses at the facility and 89 buses left in the morning between 5:30 AM – 7:00 AM returning several hours later. She said the routine was repeated in the afternoon with buses returning to the facility between 5:00 PM and 7:00 PM. She said the buses constantly block traffic; the buses can't turn right on the red light at Television Place and I-435 and are unable to use the exit to Truman Road due to the narrowness of the streets.

Mr. Crawford wanted to know if Ms. Jones would be opposed to the application if the infrastructure were able to handle the traffic.

Ms. Jones said she and her 135 employees would object to the application.

Kevin Delaney, manager of Manchester Transfer & Recycle, appeared in opposition to the application. Mr. Delaney said his business was located at I-435 and Truman Road only 1 – 2 miles from the applicant's site. He said his company handled construction and demolition debris. Mr. Delaney said Material Retrieval Transfer was located approximately 4 miles away and Pink Hill Landfill was nearby. He said he worried that Deffenbaugh's ability to handle 1000 tons on a daily basis would put small businesses out of business.

Mrs. Mershon wanted to know if the transfer stations would be handling the same kind of trash.

Mr. Delaney said his business handled construction/demolition debris. Deffenbaugh would be handling construction and MSW debris.

Mr. Tarpley asked for clarification of construction debris handled by Mr. Delaney's business.

Mr. Delaney said his business would take debris from kitchen re-models to large construction jobs. He said they had a program for asphalt shingle re-cycling.

Jim Whisman of Structural Metals, 1911 Television Place, appeared in opposition to the application. Mr. Whisman said his business had been at this location for 15 years and during this time the area had been a dumping ground for tires and construction waste. He said if people brought trash to this facility outside of normal business hours, the trash most likely would be left on the street. He said that wherever there were trash trucks, there was litter on the streets.

Eric Wassman, 25108 Milton Thompson Road, appeared to offer comments regarding the application. Mr. Wassman said he was a consultant on environmental and economic issues for Superior Bowen Asphalt, owner of Pink Hill Acres C & D Recycling facility. He said MDNR's requirements for a transfer station were much more lenient than the requirements for an environmentally safe landfill. He said water in the storm sewers ended up in streams in an untreated state. Mr. Wassman said not only garbage disposal waste would end up in the sanitary sewer but there was also the possibility of plastic bags and other undesirable items. Mr. Wassman said existing facilities should be considered and what was in the best interest for Missouri and Jackson County. He said trash collection and processing and the source of the

economic benefit from these services should be considered as well as whether the dollars are shipped out of Missouri to Kansas or are being retained in Missouri for sustainability on a long term basis.

Lisa Danbury, planner with MARC Solid Waste Management District, appeared to offer comments regarding the application. Ms. Danbury said the executive board of the Solid Waste Management District wanted the following statement entered for informational purposes:

The proposed infrastructure to manage solid waste is consistent with the MARC SWMD's Integrated Solid Waste Management Plan adopted by its members in 1994. The commingled recyclables processing component will provide a consolidation point for single-stream collection of curbside recyclables consistent with the district's vision of 80 percent waste diversion by 2023. The District Plan section on final disposal, however, recommends local governments consider the regional impact of long-term disposal facility permit decisions, including long-haul transfer stations.

Ms. Danbury offered two areas of consideration the first being the impact to solid waste processing and disposal infrastructure in Jackson County, especially those within close proximity of the proposed facility; 7 facilities are within close proximity. The second area consists of the fiscal and economic concerns of district member cities in Jackson County, including a loss of revenues and impacts to local facilities and haulers. Ms. Danbury stated that the management district would receive a portion of state tonnage fee (\$2.11/ton) paid to the state of Missouri on solid waste transferred to any out-of-state landfill as a result of this proposed facility. She said the funds are used by the district for planning, grants and activities.

Mrs. Mershon wanted to know if Jackson County received any portion of this fee.

Ms. Danbury answered no.

Mrs. Mershon wanted to know who controlled the light at the intersection of Television Place and 23rd Street.

Mr. Trosen Said MoDOT.

Mrs. Mershon wanted to know if Deffenbaugh could be required to provide extra turning lanes.

Mr. Trosen said that would be a discussion for MoDOT. He said any traffic study would also have to determine how traffic at other intersections would be affected.

Pete Heaven offered further testimony for the Deffenbaugh. Mr. Heaven said the location was picked because of close access to I-435. He said a successful recycling facility cannot be run 20 miles from town as people will not drive that distance to recycle. Mr. Heaven said the facility's trucks do not travel on local streets except for trash pick-ups. He said they would be agreeable in looking for a solution to the traffic problem but it appeared that most of the current problems were due to the school buses and he didn't think it appropriate that the entire cost of solving the traffic problem be the Deffenbaugh's responsibility.

Mr. Crawford asked if the 3 trucks per hour was an actual figure or an average.

Mr. Heaven said it was an average; he said there were no peak times.

Mr. Crawford said if the evening loads were taken to Kansas, it would seem that the busiest time would be the middle of the day.

Mr. Heaven said the middle of the day wouldn't necessarily be the busiest. He said residential and commercial pick-ups were done all day with the trucks returning to Kansas between 5:00 – 6:00 PM. He agreed that truck traffic might be lighter in the afternoon.

There were no further questions or anyone to give additional information either for or against the application.

Mr. Scarborough moved to take CU-2011-207 under advisement. Mr. Haley seconded the motion.

Mr. Pointer said he thought it was poor planning to consider this location for the transfer station. He said it was a service that mainly benefited the applicant and would damage existing transfer stations. He said he thought Deffenbaugh should enter into agreements with the existing transfer stations to use their services.

Chairman Antey said traffic was an obvious problem. He said that 2 round trips daily for 90 buses and 135 drivers would equal around 900 trips per day. He said the trash trucks would add to this problem.

Mr. Tarpley said there was a steep incline on westbound 23rd Street so the light at the intersection was a dangerous traffic concern. He said he was in favor of consolidation of trash and reducing the number of trucks on the road but did not think that a transfer station was compatible with what was intended for the area nor with the existing businesses.

Mrs. Mershon stated that the property had been vacant and that it didn't seem as though anybody wanted to put a business there.

Chairman Antey said he didn't think the statement "is this the best they can do" was a valid argument as no one had proposed anything else for the property.

Mr. Pointer said no one was doing anything because of the economy.

Chairman Antey said the property had been sitting unused for longer than a few years.

Mr. Tarpley said the proposed building was not unacceptable just the use of the building.

Mr. Pointer said that just because nothing had been done with the property didn't mean something should be done to make it worse.

Mrs. Mershon asked if there were any Deffenbaugh transfer stations in the metro area.

Chairman Antey said no. He also stated that the individuals testifying about the traffic problems should take their concerns to MoDot for changes to the light and the intersection.

There was no further discussion. Mr. Crawford moved to approve CU-2011-207 with the conditions specified in the staff report. Mr. Scarborough seconded the motion.

VOTE:

Mr. Crawford	Disapprove
Mr. Gibler	Disapprove
Mr. Haley	Disapprove
Mrs. Mershon	Disapprove
Mr. Pointer	Disapprove
Mrs. Query	Disapprove
Mr. Scarborough	Disapprove
Mr. Tarpley	Disapprove
Chairman Antey	Disapprove

CU-2011-207 DISAPPROVED (9 – 0)

STAFF REPORT

PLAN COMMISSION
May 19, 2011

RE: CU-2011-207

Applicant: Deffenbaugh Industries, Inc.

Property Owner: WV Properties, LLC

Location: Near the intersection of 23rd Street and I-435 in the Blue Summit area; legally described as all of Lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri aka 2211 Television Place.

Area: 6.36 acres

Request: A conditional use permit for a period of 50 years to operate a solid waste and commingled recyclables processing facility (transfer station).

Zoning Classification: District LI (Light Industrial)

Present Use of Property:

Property is currently undeveloped but used periodically to store vehicle hauler trailers. (Exhibit 16).

Land Use and Zoning in Area:

The land use in the area is predominantly office, warehouse and industrial buildings as well as a school bus facility and a mobile home park nearby.

The zoning to the west and generally north is District LI (Light Industrial) with the exception of the property adjacent to the north is zoned District GB-p (General Business – Planned Development). The zoning to the east is District GB (General Business). The property to the south is within the corporate limits of Kansas City.

Review – Criteria:

Section 24003.21 of the Unified Development Code (UDC) defines the purpose and intent of a CUP as follows: Conditional uses are those uses which generally are compatible with the permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

Approval of a Conditional Use Permit shall be deemed to authorize only the particular use for which the permit is issued.

No use authorized by a conditional use permit shall be enlarged, extended, increased in intensity or relocated unless an application is

made for a new conditional use permit in accordance with the procedures in the UDC.

Development of the use can not be carried out until the applicant has secured all the permits and approvals required by these regulations, other appropriate provisions of the Jackson County Code, or any permits required by regional, state or federal agencies.

It is the responsibility of the Plan Commission and County Legislature to determine if the proposed land use meets the "purpose and intent" of a Conditional Use.

The County Legislature, which may include recommendation by the Plan Commission, can impose conditions and set out regulations, restrictions, limitations and termination date within the permit so that reasonable control may be exercised over the use. If the appropriateness of the use cannot be assumed at the location, the application for conditional use permit shall be denied as being incompatible with existing uses or uses permitted by right in the zoning district.

Analysis:

Land Use: The proposed land use is a solid waste processing facility. The proposed processing facility will include an enclosed municipal solid waste and recyclable materials transfer station.

The Missouri Department of Natural Resources (MoDNR) fact sheet (Exhibit 15) states that waste transfer stations are facilities where solid waste is unloaded from collection vehicles and briefly held while it is reloaded onto large long-distance transport vehicles for shipment to landfills or other treatment or disposal facilities.

To save energy and transportation costs, the solid waste disposal industry often directs trash collection vehicles, known as packer trucks, to transfer stations.

A solid waste disposal transfer station can be a land use that is difficult to assimilate into surrounding land uses. It involves having large numbers of garbage trucks of all sizes traversing the local roadway network. It also involves significant numbers of local residents hauling their waste and recyclables to the station. However, typically associated with this type of traffic one can expect there to be accelerated roadway deterioration, accidental trash spillage resulting in the potential for litter along the streets and neighboring properties, an increase in noise and potentially odors. The applicant's information booklet includes environmental mitigation measures to diminish these issues. Those measures will be discussed further in this report.

Facility Description and Operation:

The proposed facility will be developed and constructed in general compliance with the requirements, covenants, and restrictions for the Blue Summit Industrial Park (Exhibit 14).

The proposed solid waste processing facility consists of an enclosed transfer building (municipal solid waste and recyclables), truck/scale and scale house/office, truck and trailer parking area, and dumpster/roll-off storage area.

The proposed transfer building will be an approximately 11,600 square foot pre-engineered metal building with a decorative façade on the wall facing the public street, Television Place.

Waste collection trucks and transfer trailers will enter and exit the site through the existing driveway on the south end of the property. The existing driveway on the north end of property will not be used.

Vehicles entering the site to dispose of solid waste will cross the scale, proceed around the east side of the transfer building, and enter the building through large bay doors located on the northeast side of the transfer building. Vehicles entering the site to transfer recyclable materials will cross the scale, proceed to the southeast side of the transfer building and enter the building through a larger bay door.

The waste and recyclables will be visually screened as they are unloaded onto a concrete tipping floor. Once on the tipping floor, acceptable waste and acceptable recyclables will be loaded into separate transport trailers with a front-end loader or other suitable piece of equipment.

Solid waste unloaded onto the transfer building tipping floor will generally be loaded into a transfer trailer by the end of each business day. Each transfer trailer will be removed from the transfer station within 48 hours after being filled to capacity.

The transfer building tipping floor area will be cleaned (scraped or swept) on a daily basis at the end of operating hours.

The facility hours of operation will be from 7:00 AM to 7:00 PM, Monday through Friday and from 7:00 AM to 5:00 PM on Saturdays. The transfer station will be open to accept waste from 7:00 AM to 6:00 PM, Monday through Friday and from 7:00 AM to 4:00 PM on Saturdays. The facility will be closed on Sunday and for various holidays.

Roads: The proposed facility is located on the east side of Television Place. Television Place intersects with 23rd Street near Interstate 435.

Television Place is an asphalt road that is in good condition. The width of Television Place is approximately 32 feet (16 foot lanes).

The facility is anticipated to receive and transfer approximately 500-700 tons per day of solid waste, construction and demolition waste, and commingled recyclables.

The proposed facility will increase traffic by approximately 15 to 25 transfer trailers and approximately 50 to 80 solid waste collection trucks (packers) per day.

Although there will be an increase in truck traffic on Television Place, the highway traffic on I-435 and I-70 from eastern Jackson County, through downtown, and to Johnson County will decrease as solid waste is consolidated into transfer trailers.

The solid waste and construction and demolition waste will be transported to the Johnson County Landfill, owned and operated by Deffenbaugh located at I-435 and Holliday Drive in Shawnee, Kansas. The commingled recyclables will be transported to Deffenbaugh's Recycling Materials Recovery Facility located in Kansas City, Kansas.

Access and On-site Roads:

In reference to the site plan (Exhibit 11), the existing driveway on the south side of the property is the only driveway that will be used.

The interior site roads will be constructed of asphalt or concrete pavement on a gravel base. The site roads create a loop around the transfer building. In accordance to the UDC, the minimum pavement thickness for interior site roads must be either 6 inches of asphalt or 4 inches of concrete.

The on-site parking areas and storage areas will be constructed of gravel. The gravel parking and storage areas will be periodically treated with calcium chloride or other methods of dust control as needed.

Stormwater Management:

A drainage study and erosion control plan that addresses water quality as well as storm water controls, prepared and sealed by a professional engineer, is required prior to approval of construction plans and issuance of a building permit.

The applicant indicates that storm water on the site will be controlled by directing surface water runoff towards the proposed drainage channels and detention ponds by sheet flow and storm water control structures such as culverts. The routing of post-development storm water through the detention ponds will cause the storm water for the facility to be equivalent to pre-development storm water flow.

Electric/Water/Sewer Utilities:

The facility will require electrical service, sewer service, and water service. These services are available to the site and according to each utility the services are adequate to accommodate the proposed use. Electric service will be provided by Kansas City Power and Light. Sanitary sewer service will be provided by the Kansas City Water Services Department. Water service will be provided by the Independence Water Department. Service connections will be in accordance with requirements for each utility.

Environmental Mitigation:

Noise – Noise associated with the proposed facility operation will include truck traffic and operating equipment, including backup alarms. Three sides of the facility are buffered with wooded areas and much of the operation will be contained inside the transfer building thereby reducing the effects of noise.

Odors – Odors emanating from the proposed facility will be minimal. Waste unloading and loading operations will be conducted inside the transfer building. The transfer building tipping floor will be cleaned (scraped or swept) on a daily basis near the end of operating hours. The tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors and to provide a safe working environment.

Vectors – The proposed facility is designed and will be operated to reduce the potential for harboring, feeding, and breeding of vectors. The tipping floor area will be cleaned daily and washed down as necessary to reduce the potential effects of odor, dust, and vectors.

Blowing Litter Control – The transfer building is designed with the large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the south-west. Solid waste handling will occur within interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. A fence will be constructed around the facility which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed.

Air Pollutants – The proposed facility will produce minimal air pollutants from trucks, equipment, and dust. However, as a whole, operation of the facility should reduce the overall air emissions by reducing the number of trucks traveling from eastern Jackson County to the landfill in Shawnee, Kansas. Dust from the facility should not be significant because on-site roads and traffic areas will be paved with concrete or asphalt.

Other Permits Required:

If conditional use permit is approved, then Deffenbaugh will need to prepare and submit an application for the proposed solid waste processing facility to the Missouri Department of Natural Resources, Solid Waste Management Program in accordance with the Missouri Solid Waste Regulations.

The proposed facility must also be consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

- 7) The proposed solid waste processing facility must be consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

Respectfully submitted,
Planning and Environmental Health Division

A handwritten signature in black ink, appearing to read "Mark Trosen", with a long horizontal flourish extending to the right.

Mark Trosen
Administrator

**Plan Commission
May 19, 2011
CU-2011-207**

Applicant/Contract Purchaser:

**Deffenbaugh Industries, Inc.
c/o Jim Murray
2601 Midwest Drive
Kansas City, Kansas 66111**

Property Owner:

**WV Properties, LLC
2010 S. Television Place
Blue Summit, MO 64126**

Agent:

**AquaTerra Environmental
Solutions, Inc.
7311 W. 130th St., Ste. 100
Overland Park, KS 66213**

**Parcel Nos: 27-410-20-40
27-410-20-41**

27-440-02-05
CIG Capital Solutions LLC
4000 Bonner Industrial Dr.
Shawnee, KS 66226

**Certified Mail – Return Receipt
Property Owners within 185 feet**

Monte Olsen, District Manager
Inter City Fire Protection District
1702 Blue Ridge Blvd.
Blue Summit, MO 64126-3016

Lisa Danbury
Mid-America Regional Council
600 Broadway, Suite 200
Kansas City, MO 64105

27-410-20-15
Public Television 19 Inc.
125 E. 31st St.
Kansas City, MO 64108

27-410-20-25.02.1
Blue Ridge Mobile Homes Co., Inc.
2000 Stark
Kansas City, MO 64126

27-410-20-39.01
Samuel LeVota
2300 Blue Ridge Terrace
Independence, MO 64052

27-410-20-39.02
Samuel LeVota

27-410-23-01
First Student Inc.
600 Vine St., Ste 1200
Cincinnati, OH 45202

27-410-23-05
Brunson Instrument Company
8000 E. 23rd St.
Kansas City, MO 64129

27-410-23-09
Brunson Instrument Company

27-410-23-10
M & A Properties LLC
2210 Television Pl.
Kansas City, MO 64126

27-410-24-01
Brunson Instrument Company

27-440-02-01
Blue Ridge Mobile Homes Co., Inc.

27-440-02-02
Blue Ridge Mobile Homes Co., Inc.

27-440-02-03
Blue Ridge Mobile Homes Co., Inc.

27-440-02-04
Blue Ridge Mobile Homes Co., Inc.



JACKSON COUNTY PUBLIC WORKS DEPARTMENT

ADMINISTRATIVE OFFICES

303 W. Walnut
Independence, MO 64050
(816) 881-4530
(816) 881-4448 Fax

ENVIRONMENTAL HEALTH

308 W. Kansas
Independence, MO 64050
(816) 881-4530
(816) 881-1650 Fax

ROAD MAINTENANCE DIVISION

34900 E. Old U.S. 40 Hwy
P.O. Box 160
Grain Valley, MO 64029
(816) 847-7050
(816) 847-7051 Fax

May 4, 2011

RE: Public Hearing: CU-2011-207
Deffenbaugh Industries, Inc.

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Deffenbaugh Industries, Inc. for a conditional use permit for a period of 50 years in District LI (Light Industrial) to operate a proposed solid waste and commingled recyclables processing facility (transfer station) on 6.36± acres. The 6.36± acres are near the intersection of 23rd Street and I-435 Highway at 2211 Television Place in the Blue Summit area and are legally described as all of lots 22 and 23, corrected plat of Blue Summit Industrial Park, a subdivision in Jackson County, Missouri.

The public hearing on the conditional use permit will be held by the Plan Commission on Thursday, May 19, 2011 at 8:30 a.m. in Conference Room D, Ground Floor, Independence City Hall, 111 East Maple, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

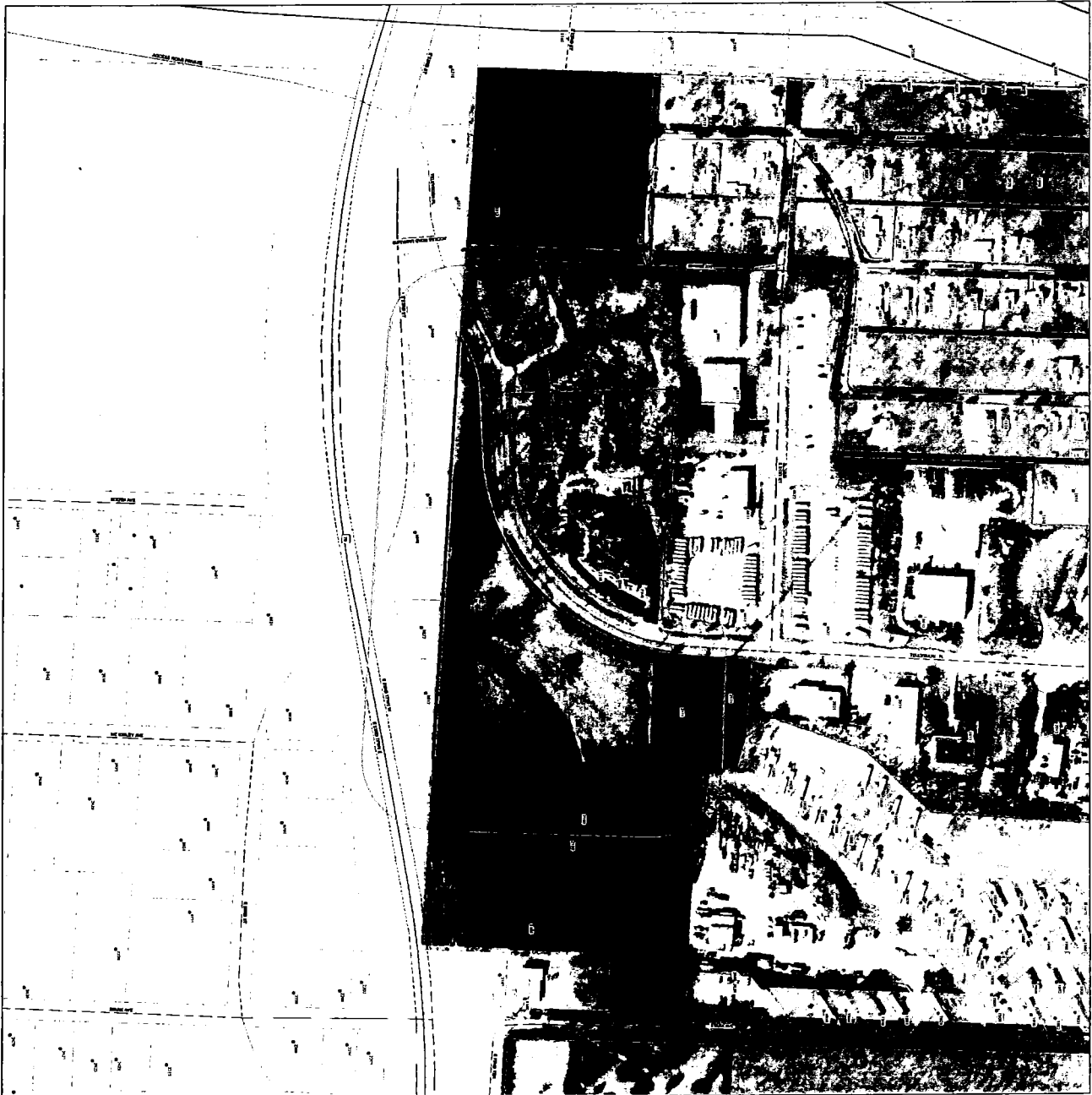
If you have any questions concerning this matter, please contact the Planning and Environmental Health Division at 881-4649.

Sincerely,

Planning and Environmental Health Division

Mark Trosen
Administrator

MAT:nrw



**Jackson County
Zoning Map**

- Legend**
- 1000' Notification Ring
 - <all other values>
 - Parcels
 - <all other values>
 - Plats
- Rezoning**
- RR-Residential Ranchette
 - Residential Ranchette-Planned
 - RE-Residential Estates
 - RS-Residential Suburban
 - RU-Residential Urban
 - A/O- Single-Family
 - B/O- Two-Family
 - C/O- Multi-Family
 - A1-Mobile Homes District
 - ROP-Residential Office-Planned
 - LB-Local Business
 - LBP-Local Business-Planned
 - GB-General Business
 - GBP-General Business-Planned
 - U-Light Industrial
 - IIP-Light Industrial-Planned
 - HI-Heavy Industrial
 - Inundation Area
 - City_Boundary's selection

CU-2011-207

1 inch equals 100 feet

**JACKSON COUNTY, MISSOURI CONDITIONAL USE PERMIT APPLICATION
APPLICANT INFORMATION**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 West Walnut, Independence, Missouri 64050 by the deadline on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU-2011-207
 Date filed 4-19-11 Date of hearing 5/19/2011
 Date advertised 5/4/2011 Date property owners notified 5/4/2011
 Date signs posted 5/3/2011

Hearings: Heard by P. L. Cowie Date 5/19/2011 Decision _____
 Heard by _____ Date _____ Decision _____
 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
 - a. Applicant(s) Name: Deffenbaugh Industries, Inc.
 Address: 2601 Midwest Drive
Kansas City, Kansas 66111
 Phone: (913) 631-3300

Send meeting notice/staff report also to:
 Lewis A. Heaven, Jr. Attorney At Law
 Lathrop & Gage LLP
 10851 Martin Boulevard Suite 1000
 Overland Park, KS 66210-1669 EX.8

- b. Owner(s) Name: WV Properties, LLC
 Address: 2010 S. Television Place
Blue Summit, Missouri 64120
 Phone: 816-836-5888
- c. Agent(s) Name: Aquaterra Environmental Solutions, Inc.
 Address: 7311 W. 130th St., Ste. 100
Overland Park, Kansas 66213
 Phone: (913) 681-0030
- d. Applicant's interest in Property: Contract purchaser

2. **A CONDITIONAL USE PERMIT IS HEREBY REQUESTED** for the following described use: solid waste and commingled recyclables processing facility (Transfer Station) for a period of 50 years; property described as follows: a tract of land approximately 276,848/6.36 square feet/acres in size located at 2209 Television Place, Blue Summit, Missouri 64126.

Present Zoning District Industrial.

3. Legal Description of Property: (Write Below or Attached)
 Attached.
4. Present Use of Property: Property is currently used periodically to store vehicle hauler trailers.
5. Proposed Use of Property: Processing facility for solid waste and commingled recyclable materials. A brief narrative of the proposed facility is attached.
6. Estimated Time Schedule for Development: December 2011 through December 2012, dependent upon issuance of local and state permit(s).
7. What effect will your proposed development have on the surrounding properties? The proposed development will have a minimal impact on surrounding properties; primarily an increase in traffic.
8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No, see attached FEMA Firmette.
 If so, will any improvements be made to the property which will increase or decrease the elevation? N/A.
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water: City of Independence, Missouri.

- b. Sewage disposal: City of Kansas City, Missouri.
 - c. Electricity: Kansas City Power & Light
 - d. Heating: Missouri Gas Service or Kansas City Power & Light
 - e. Fire and Police protection: Fire - Inter City Fire Protection District,
Police - Jackson County Sherriff s Dept.
10. Describe existing road width and condition: Existing road is Television Place. The road is asphalt in good condition with a width of approximately 32 feet (16 feet lanes).
11. What effect will proposed development have on existing road and traffic conditions? The proposed facility will increase traffic by approximately 15 to 25 transfer trailers and approximately 50 to 80 solid waste collection trucks per day. The local traffic will increase, but the highway traffic on I-70 from eastern Jackson County, through downtown, and to Johnson County will decrease as solid waste is consolidated into transfer trailers.
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes, Missouri Department of Natural Resources - Solid Waste Management Program If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): MDNR permit application will be submitted upon approval of conditional use by Jackson County.

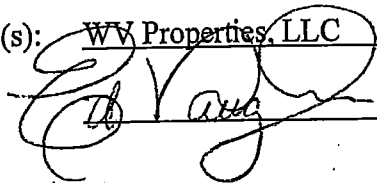
Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s):

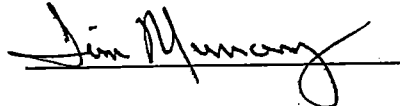
WV Properties, LLC



4/19/11

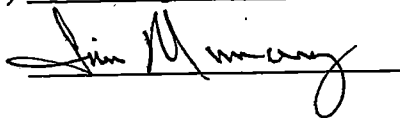
Applicant(s):

Deffenbaugh Industries, Inc.



4/19/11

Contract Purchaser(s): Deffenbaugh Industries, Inc.



4/19/11

STATE OF Missouri

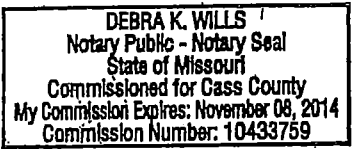
COUNTY OF Jackson

On this 19th day of April, 2011, before me the undersigned notary public, personally appeared Ed Vaughn, Vice President known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Debra K. Wills
Notary Public

11/08/2014
Commission Expires



STATE OF Kansas

COUNTY OF Johnson

On this 19 day of April, 2011, before me the undersigned notary public, personally appeared Tim Murray, Director of Landfills of Deffenbaugh Industries, Inc. known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Joni A. Pflumm
Notary Public

8/29/12
Commission Expires



AQUATERRA

ENVIRONMENTAL SOLUTIONS, INC.

April 19, 2011

Mark Trosen
Planning and Environmental Health Administrator
Jackson County Public Works
303 West Walnut
Independence, MO 64050

**Re: Proposed Blue Summit Solid Waste Processing Facility
Conditional Use Permit Application**
Aquaterra Project Number 4487.10

Dear Mr. Trosen:

Aquaterra Environmental Solutions, Inc. (Aquaterra), on behalf of Deffenbaugh Industries, Inc. (Deffenbaugh) is submitting the attached conditional use permit application for a proposed solid waste processing facility. The proposed Blue Summit Solid Waste Processing Facility (BSSWPF) location is 2209 Television Place near the intersection of 23rd Street and I-435 highway in Blue Summit, Missouri.

The proposed processing facility will include an enclosed municipal solid waste (MSW) and recyclable materials transfer station. Other ancillary uses for the facility will include a scale house/office and vehicle, equipment, and container storage. The proposed facility will be located in an area that is currently zoned as industrial and the proposed use is not expected to significantly affect the character of the surrounding properties.

The proposed facility will be located on what is currently comprised of two parcels of land. The properties are located in Township 49 North, Range 32 West, Section 7 in the Blue Summit Industrial Park. The proposed facility will be developed and constructed in general compliance with the requirements, covenants and restrictions for the Blue Summit Industrial Park as approved by the Jackson County Redevelopment Authority. The proposed facility will be located on Lots 22 and 23, Parcels 27-410-20-40 and 27-410-20-41, in the Blue Summit Industrial Park.

The proposed facility will consist of a transfer building, truck scale and scale house/office, truck and trailer parking area, and dumpster/roll-off storage area. The proposed transfer building will be an approximately 11,600 square foot pre-engineered metal building with a decorative facade on the wall facing the public street. The building will be located on what is

**Conditional Use Permit Application
Proposed Blue Summit Solid Waste Processing Facility
Deffenbaugh Industries, Inc.
Page 2 of 5**

currently Lot 22. The scale house/office will be located south of the transfer building. Waste collection trucks and transfer trailers will enter and exit the site through an upgraded existing driveway on Television Place, west of the proposed scale and scale house/office. Vehicles entering the site to dispose of solid waste will cross the scale, proceed around the east side of the transfer building, and enter the building through large bay doors located on the northeast side of the transfer building. Vehicles entering the site to transfer recyclables will cross the scale, proceed to the southeast side of the transfer building, and enter the building through a large bay door. Transfer trucks and trailers will enter the pull-through loading pit area from the southwest and exit the pit area to the northeast.

The waste and recyclables will be visually screened as they are unloaded onto a concrete tipping floor. Once on the tipping floor, acceptable waste and acceptable recyclables will be loaded into separate transport trailers with a front-end loader or other suitable piece of equipment. The transport trailers will be located in an approximately 15-foot deep loading pit to facilitate top loading.

The facility is anticipated to receive and transfer approximately 500 to 700 tons per day of MSW, construction and demolition (C&D) waste, and comingled recyclables. The MSW and C&D waste will be transported to the Johnson County Landfill, owned and operated by Deffenbaugh, located at I-435 and Holliday Drive in Shawnee, Kansas. The comingled recyclables will be transported to Deffenbaugh's Recycling Materials Recovery Facility located at 2404 South 88th Street, Kansas City, Kansas. Record keeping and tracking of incoming and outgoing hauling trucks will be managed from the office/scale house.

The facility hours of operation will be from 7:00 a.m. to 7:00 p.m., Monday through Friday and from 7:00 a.m. to 5:00 p.m. on Saturdays. The transfer station will be open to accept waste from 7:00 a.m. to 6:00 p.m., Monday through Friday and from 7:00 a.m. to 4:00 p.m. on Saturdays. The facility will be closed on Sunday and for various holidays. An employee will be present during the hours of operation. Operating hours may vary should operations require.

The transfer building is designed with the large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the west. Solid waste handling will occur within the interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. Therefore, blowing litter is not anticipated to be a problem. Additionally, a fence will be constructed around the facility, which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed.

**Conditional Use Permit Application
Proposed Blue Summit Solid Waste Processing Facility
Deffenbaugh Industries, Inc.
Page 3 of 5**

Solid waste unloaded onto the transfer building tipping floor will generally be loaded into a transfer trailer by the end of each business day. If the waste is not removed from the tipping floor by the end of the business day, it will be removed the next day of operation of the facility. Each transfer trailer will be removed from the transfer station within 48 hours after being filled to capacity, unless weather, or other abnormal conditions prevent transportation of the transfer trailer.

The transfer building tipping floor area will be cleaned (scraped or swept) on a daily basis at the end of operating hours. The tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors, and to provide a safe working environment.

Deffenbaugh will prepare and submit an application for the proposed solid waste processing facility to the Missouri Department of Natural Resources, Solid Waste Management Program (MDNR-SWMP) in accordance with the Missouri Solid Waste Regulations, 10 CSR 80 5.010, "Processing Facility Design." The regulations 10 CSR 80-5.010 set forth the requirements for satisfactory compliance of design and operations of a solid waste processing facility in the state of Missouri. These requirements must be met to protect the public health, prevent nuisances, and meet applicable environmental standards. The subsections of rule 10 CSR 80-5.010 to be addressed by the MDNR-SWMP permit application are as follows:

- Solid Waste Accepted,
- Site Selection,
- Design
- Water Quality,
- Air Quality,
- Vectors,
- Aesthetics,
- Residue and Processed Waste,
- Safety, and
- Records.

The preliminary "Permit Application Engineering Report and Operations Plan", which will be submitted to the MDNR-SWMP as part of their application process, is attached to assist Jackson County in better understanding the design and operation of the proposed facility. It is not totally complete and is being provided for informational purposes only. It will likely be revised based on MDNR-SWMP review and comment.

Conditional Use Permit Application
Proposed Blue Summit Solid Waste Processing Facility
Deffenbaugh Industries, Inc.
Page 4 of 5

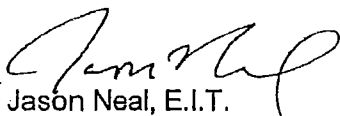
As part of the MDNR-SWMP permit application submittal, the applicant is required to provide evidence of compliance with local planning and zoning requirements. Demonstration of compliance can be in the form of a letter from the local governing authorities or in this case issuance of a conditional use permit. Therefore, sections of the preliminary "Permit Application Engineering Report and Operations Plan" pertaining to the approval of local authorities are shaded to indicate that portion of the MDNR-SWMP application has not been completed. Without local approval, and in this case a conditional use permit, the MDNR-SWMP will not approve an application.

The Jackson County application form for a conditional use permit is included as Attachment A. FEMA floodplain information for the property and surrounding area is included as Attachment B. The preliminary ALTA/ACSM Land Title Survey prepared by Level-4 Engineering is provided as Attachment C. The proposed site plans are included as Attachment D. The preliminary "Permit Application Engineering Report and Operations Plan" is Attachment E.

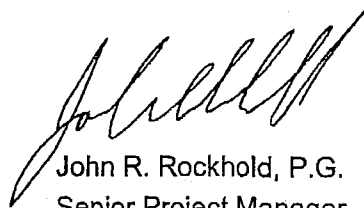
Aquaterra appreciates the willingness of Jackson County personnel to correspond and provide feedback during the application process, and we look forward to working with the staff at Jackson County as we proceed through the zoning and approval process. If you have any questions or need any additional information, please do not hesitate to contact our office at (913) 681-0030.

Sincerely,

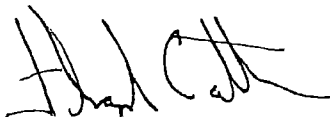
Aquaterra Environmental Solutions, Inc.



Jason Neal, E.I.T.
Project Engineer



John R. Rockhold, P.G.
Senior Project Manager



Floyd Cotter, P.E.
Principal

Attachments: A – Conditional Use Permit Application Form
B – FEMA Floodplain Information
C – Preliminary ALTA/ACSM Land Title Survey

**Conditional Use Permit Application
Proposed Blue Summit Solid Waste Processing Facility
Deffenbaugh Industries, Inc.
Page 5 of 5**

D – Proposed Site Plans

E - Preliminary "Permit Application Engineering Report and Operations Plan"

C: Mr. Jim Murray, Deffenbaugh Industries, Inc.
Mr. Pete Heaven, Lathrop & Gage LLP

ATTACHMENT A

CONDITIONAL USE PERMIT APPLICATION

**JACKSON COUNTY, MISSOURI CONDITIONAL USE PERMIT APPLICATION
APPLICANT INFORMATION**

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 West Walnut, Independence, Missouri 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU-2011-_____
Date filed _____ Date of hearing _____
Date advertised _____ Date property owners notified _____
Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____
 Heard by _____ Date _____ Decision _____
 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
 - a. Applicant(s) Name: Deffenbaugh Industries, Inc.
Address: 2601 Midwest Drive
Kansas City, Kansas 66111
Phone: (913) 631-3300

b. Owner(s) Name: WV Properties, LLC
Address: 2010 S. Television Place
Blue Summit, Missouri 64120
Phone: 816-836-5888

c. Agent(s) Name: Aquaterra Environmental Solutions, Inc.
Address: 7311 W. 130th St., Ste. 100
Overland Park, Kansas 66213
Phone: (913) 681-0030

d. Applicant's interest in Property: Contract purchaser

2. **A CONDITIONAL USE PERMIT IS HEREBY REQUESTED** for the following described use: solid waste and commingled recyclables processing facility (Transfer Station) for a period of 50 years; property described as follows: a tract of land approximately 276,848/6.36 square feet/acres in size located at 2209 Television Place, Blue Summit, Missouri 64126.

Present Zoning District Industrial.

3. Legal Description of Property: (Write Below or Attached)

Attached.

4. Present Use of Property: Property is currently used periodically to store vehicle hauler trailers.

5. Proposed Use of Property: Processing facility for solid waste and commingled recyclable materials. A brief narrative of the proposed facility is attached.

6. Estimated Time Schedule for Development: December 2011 through December 2012, dependent upon issuance of local and state permit(s).

7. What effect will your proposed development have on the surrounding properties? The proposed development will have a minimal impact on surrounding properties; primarily an increase in traffic.

8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No, see attached FEMA Firmette.

If so, will any improvements be made to the property which will increase or decrease the elevation? N/A.

9. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water: City of Independence, Missouri.

- b. Sewage disposal: City of Kansas City, Missouri.
- c. Electricity: Kansas City Power & Light
- d. Heating: Missouri Gas Service or Kansas City Power & Light
- e. Fire and Police protection: Fire - Inter City Fire Protection District,
Police - Jackson County Sherriff s Dept.

10. Describe existing road width and condition: Existing road is Television Place. The road is asphalt in good condition with a width of approximately 32 feet (16 feet lanes).
11. What effect will proposed development have on existing road and traffic conditions? The proposed facility will increase traffic by approximately 15 to 25 transfer trailers and approximately 50 to 80 solid waste collection trucks per day. The local traffic will increase, but the highway traffic on I-70 from eastern Jackson County, through downtown, and to Johnson County will decrease as solid waste is consolidated into transfer trailers.
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes, Missouri Department of Natural Resources - Solid Waste Management Program If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): MDNR permit application will be submitted upon approval of conditional use by Jackson County.

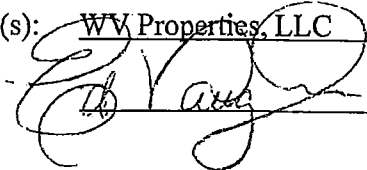
Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s):

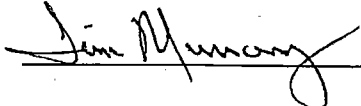
WV Properties, LLC



4/19/11

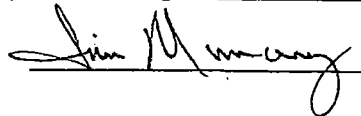
Applicant(s):

Deffenbaugh Industries, Inc.



4/19/11

Contract Purchaser(s): Deffenbaugh Industries, Inc.



4/19/11

STATE OF Missouri

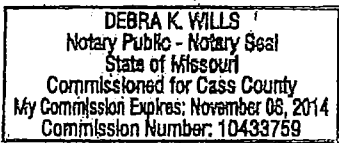
COUNTY OF Jackson

On this 19th day of April, 2011, before me the undersigned notary public, personally appeared Ed Vaughn, Vice President known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Debra K. Wills
Notary Public

11/08/2014
Commission Expires



STATE OF Kansas

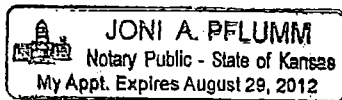
COUNTY OF Johnson

On this 19 day of April, 2011, before me the undersigned notary public, personally appeared Tim Murray, Director of Landfills of Deffenbaugh Industries, Inc. known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Joni A. Plumm
Notary Public

8/29/12
Commission Expires



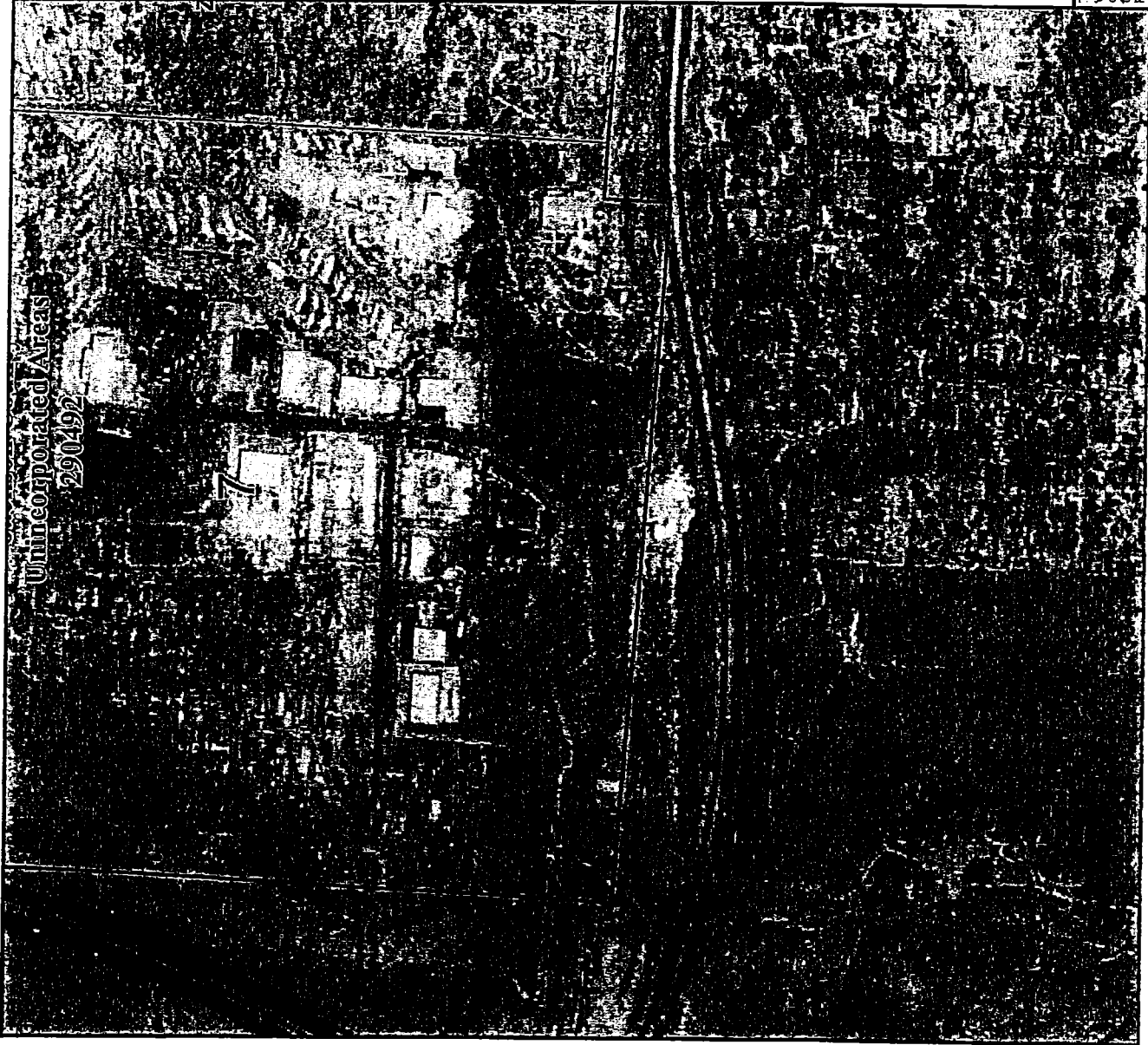
ATTACHMENT B

FEMA FLOODPLAIN MAP



MAP SCALE 1" = 500'

250 0 500 1000



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0153F

FIRM

**FLOOD INSURANCE RATE MAP
JACKSON COUNTY,
MISSOURI
AND INCORPORATED AREAS**

PANEL 153 OF 480

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
INDEPENDENCE	290172	0143	F
CITY OF JACKSON COUNTY	290482	0153	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER
29095C0153F
EFFECTIVE DATE
SEPTEMBER 29, 2006**

Federal Emergency Management Agency

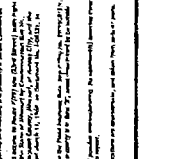
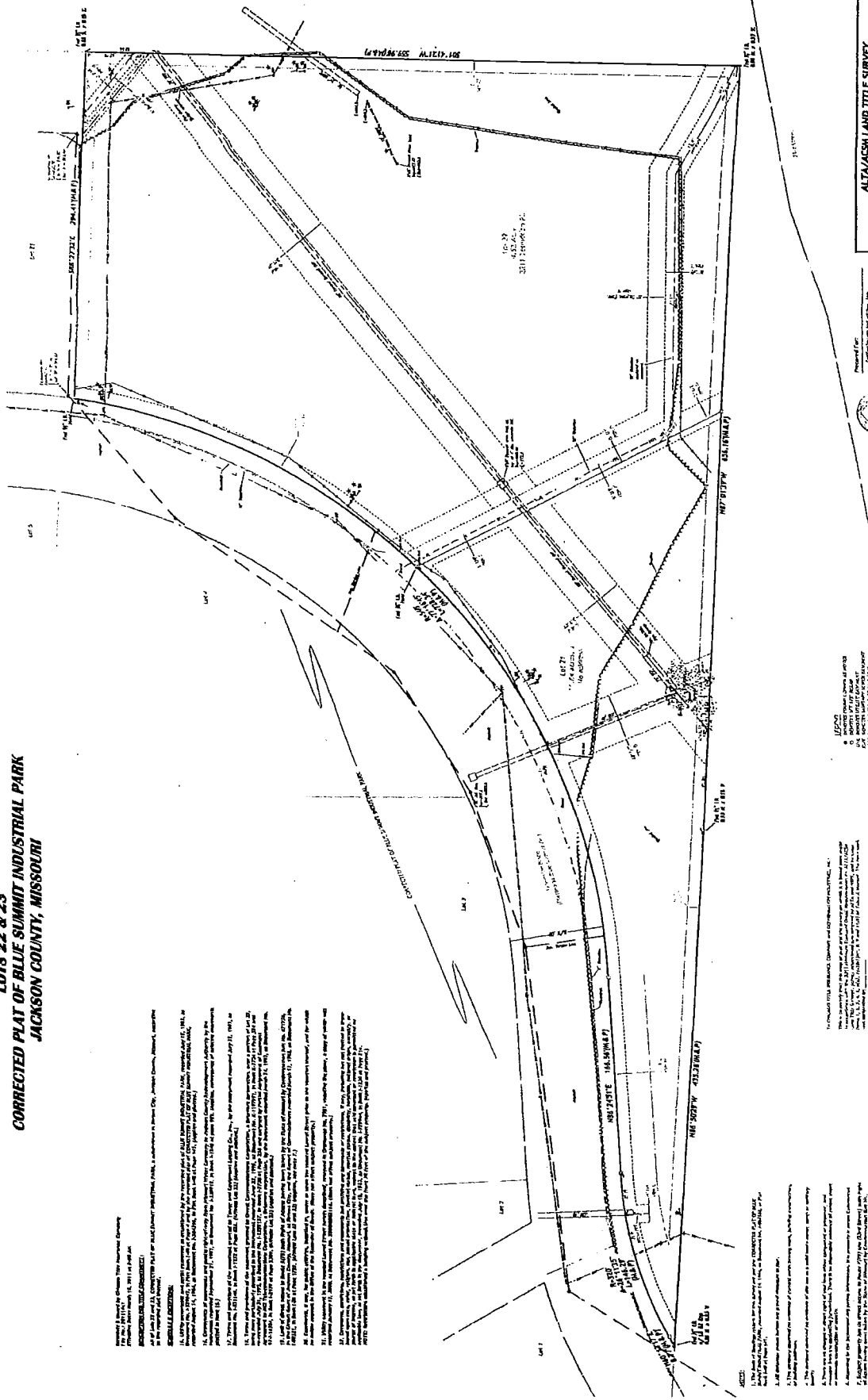
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov

ATTACHMENT C

PRELIMINARY ALTA/ACSM LAND TITLE SURVEY

ALTA/ACSM LAND TITLE SURVEY
LOTS 22 & 23
CORRECTED PLAT OF BLUE SUMMIT INDUSTRIAL PARK
JACKSON COUNTY, MISSOURI

ALTA/ACSM Land Title Survey Company
Professional Surveyors, 1400 S. Main Street, Jackson, Missouri, 64501
Surveyed for the Missouri State Board of Professional Surveyors, at Jackson, Missouri, on July 15, 2011.
Surveyed for the Missouri State Board of Professional Surveyors, at Jackson, Missouri, on July 15, 2011.
Surveyed for the Missouri State Board of Professional Surveyors, at Jackson, Missouri, on July 15, 2011.
Surveyed for the Missouri State Board of Professional Surveyors, at Jackson, Missouri, on July 15, 2011.
Surveyed for the Missouri State Board of Professional Surveyors, at Jackson, Missouri, on July 15, 2011.



ALTA/ACSM LAND TITLE SURVEY
SEC. 07, T4N, R3W, JACOBI COUNTY, MISSOURI
L. B. ENGINEERING, LLC
1100 E. Broadway, Suite 100, Jackson, Missouri 64502-1100 | 660-537-7200 | FAX: 660-537-4841

Professional Engineer
License No. 000000000
Date of Practice
July 15, 2011

1. This is a corrected plat of the Blue Summit Industrial Park, Jackson County, Missouri, and is subject to the Missouri State Board of Professional Surveyors.
2. This corrected plat is a part of the original plat of the Blue Summit Industrial Park, Jackson County, Missouri, and is subject to the Missouri State Board of Professional Surveyors.
3. The corrected plat is a part of the original plat of the Blue Summit Industrial Park, Jackson County, Missouri, and is subject to the Missouri State Board of Professional Surveyors.
4. The corrected plat is a part of the original plat of the Blue Summit Industrial Park, Jackson County, Missouri, and is subject to the Missouri State Board of Professional Surveyors.

ATTACHMENT D

PROPOSED SITE PLANS

DEFFENBAUGH INDUSTRIES, INC.

BLUE SUMMIT, MISSOURI

BLUE SUMMIT SOLID WASTE PROCESSING FACILITY

PREPARED FOR

Deffenbaugh
ENGINEERS

2601 MIDWEST DRIVE
KANSAS CITY, KANSAS 66111

PREPARED BY

AQUATERRA

ENVIRONMENTAL SOLUTIONS, INC.

7311 WEST 130th STREET, SUITE 100
OVERLAND PARK, KANSAS 66213-3117
(913) 681-0030 FAX (913) 681-0012

PROJECT NO. 4487.10

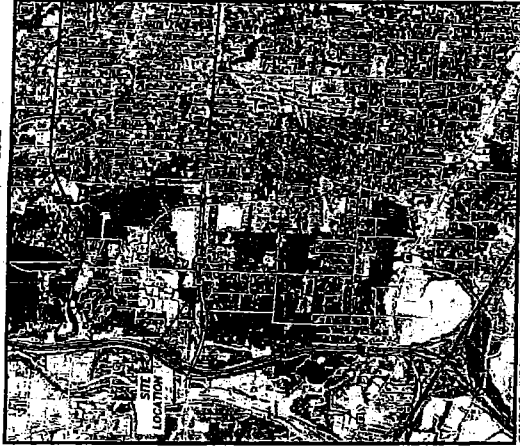
April 2011



DRAWING INDEX	
DRAWING NO.	TITLE
1	COVER SHEET
2	PROPERTY INFORMATION & SURROUNDING OWNERS
3	SITE PLAN
4	FLOOR PLAN
5	BUILDING ELEVATION VIEWS

LOCATION MAP

SECTION 7, TOWNSHIP 48, RANGE 32



SOURCE: INDEPENDENCE, MO 7.5-MINUTE USGS QUADRANGLE



SCALE

Parcel No.	Area	Owner
887	MSI	
987	JBT	
187	MSI	
188	MSI	
189	MSI	
190	MSI	
191	MSI	
192	MSI	
193	MSI	
194	MSI	
195	MSI	
196	MSI	
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297	MSI	
298	MSI	
299	MSI	
300	MSI	

PROPERTY INFORMATION & SURROUNDING OWNERS
 BLUE SKUNKT SOLID WASTE PROCESSING FACILITY
 BLUE SKUNKT, MISSOURI
 OFFENBACH INDUSTRIES, LLC
 2011 W. 19th St. Ste. 100
 Overland Park, Kansas 66213
AQUATERRA
 ENVIRONMENTAL SOLUTIONS, INC.
 2011 W. 19th St. Ste. 100
 Overland Park, Kansas 66213

Parcel No.	Area	Owner
27-40-02-06	MSI	ONE NORTON BELMONT, INC. KANSAS CITY, MO 64128
27-44-04-04	MSI	
27-44-04-05	MSI	
27-44-04-06	MSI	
27-44-04-07	MSI	
27-44-04-08	MSI	
27-44-04-09	MSI	
27-44-04-10	MSI	
27-44-04-11	MSI	
27-44-04-12	MSI	
27-44-04-13	MSI	
27-44-04-14	MSI	
27-44-04-15	MSI	
27-44-04-16	MSI	
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27-44-04-19	MSI	
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27-44-04-43	MSI	
27-44-04-44	MSI	
27-44-04-45	MSI	
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27-44-04-99	MSI	
27-44-04-100	MSI	

LEGEND:

— FACILITY PROPERTY BOUNDARY
 --- SURROUNDING PROPERTY BOUNDARIES
 ZONING: RESIDENTIAL
 ZONING: INDUSTRIAL
 ZONING: COMMERCIAL

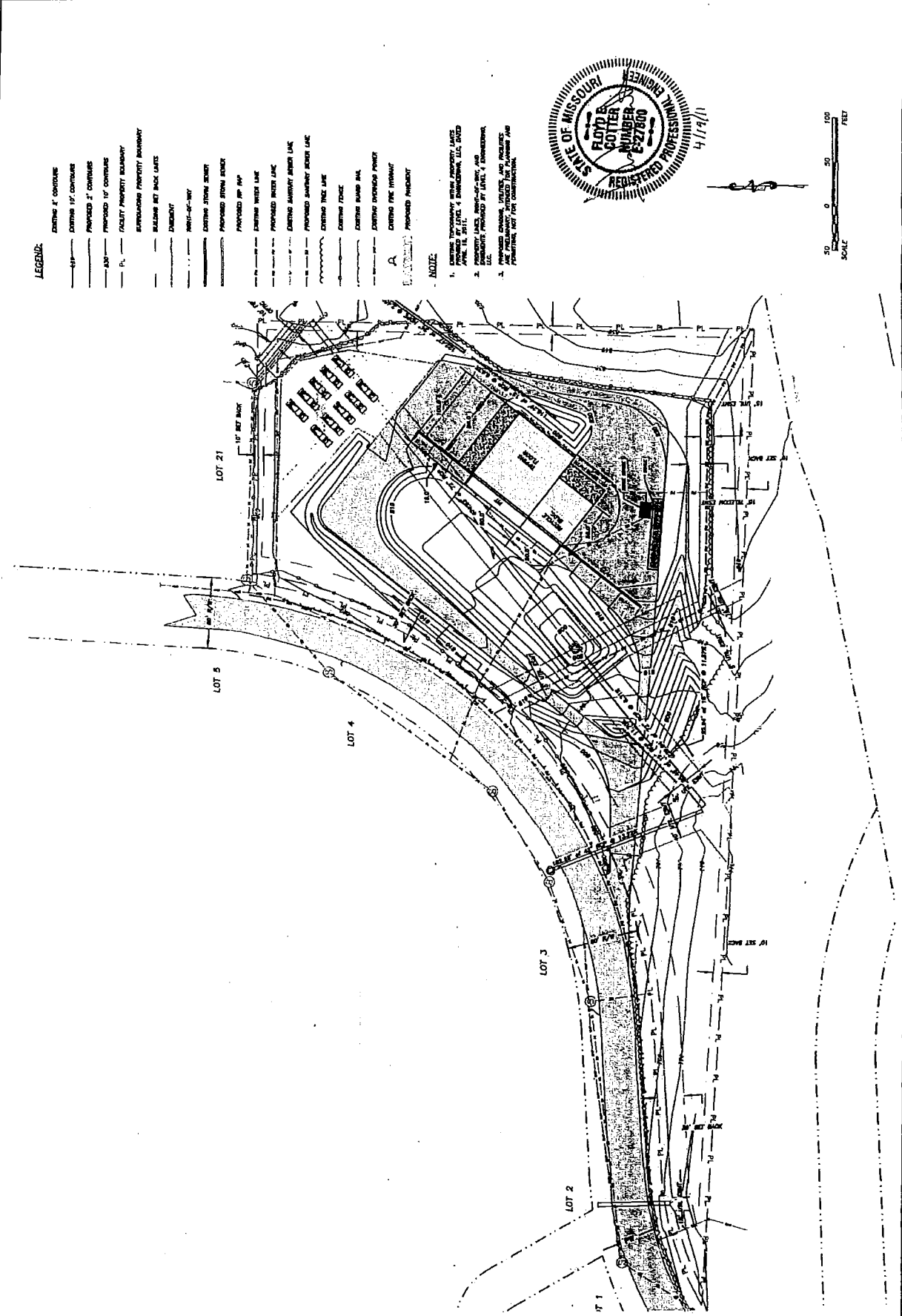
NOTE:

- PROPERTY BOUNDARIES AND ZONING INFORMATION SHOWN ARE APPROXIMATE, ADAPTED FROM JACKSON COUNTY GIS WEBSITE: <http://gis.jacksoncounty.org/EconMap/>
- PROPERTY OWNERS INFORMATION RETRIEVED FROM JACKSON COUNTY GIS WEBSITE: <http://gis.jacksoncounty.org/>
- PROPERTY OWNER INFORMATION FOR THE SURROUNDING PARCELS ARE AS FOLLOWS:

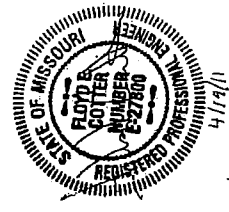
- PARCELS:
OWNER: ONE NORTON BELMONT, INC.
KANSAS CITY, MO 64128
- PARCELS:
OWNER: BLUE SKUNKT SOLID WASTE PROCESSING FACILITY
KANSAS CITY, MO 64128
- PARCELS:
OWNER: PUBLIC UTILITIES, INC.
KANSAS CITY, MO 64128
- PARCELS:
OWNER: LITTLE, SMITH, L.
INDENBURG, MO 64022
- PARCELS:
OWNER: MISSOURI TELEPHONE PALACE
KANSAS CITY, MO 64128
- PARCELS:
OWNER: MISSOURI TELEPHONE PALACE
KANSAS CITY, MO 64128
- PARCELS:
OWNER: MISSOURI TELEPHONE PALACE
KANSAS CITY, MO 64128

PROPERTY IS NOT LOCATED IN A FEMA DETERMINED FLOOD ZONE ACCORDING TO PARCEL 112 OF 240 OF THE FLOOD ADVISANCE MAP, JACKSON COUNTY, MISSOURI, MAP NO. 1980-01-0001-A, DATE: SEPTEMBER 26, 2006.

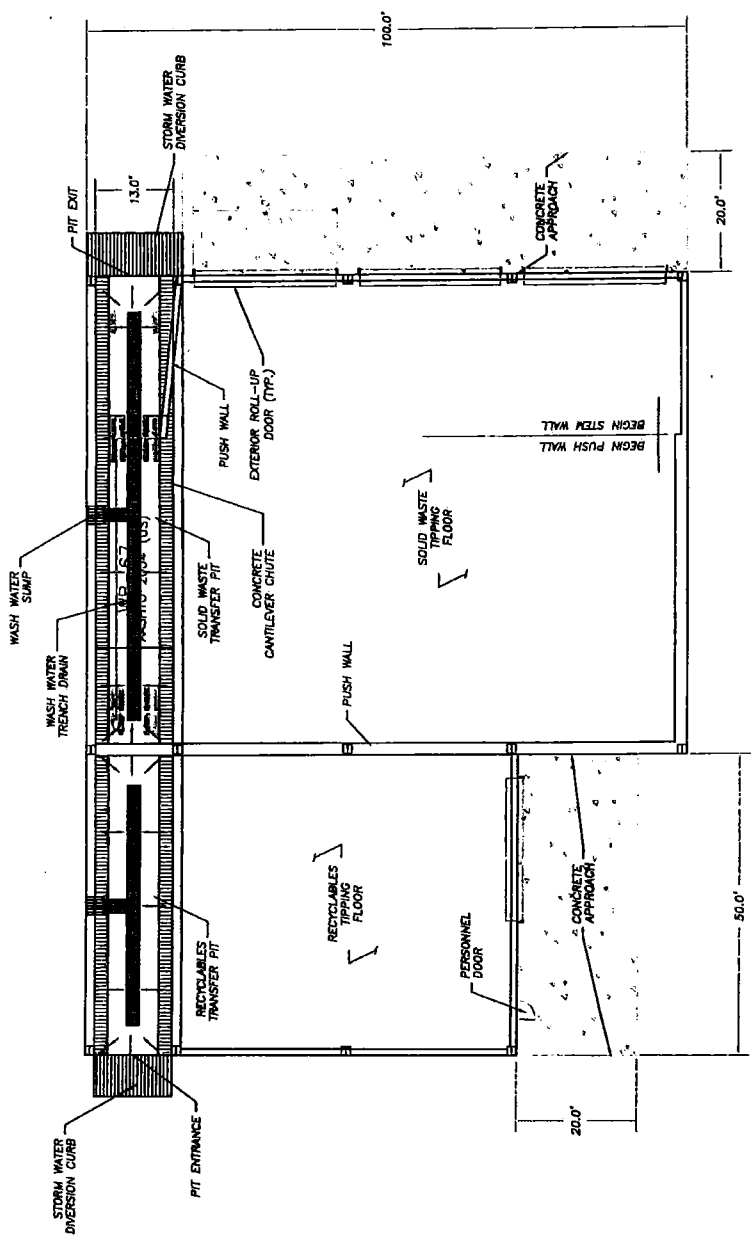
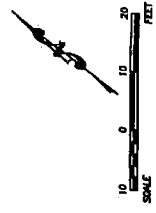
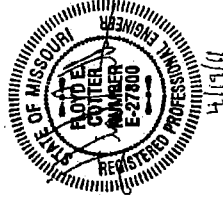


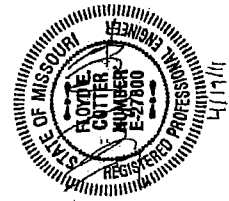


- LEGEND:**
- EXISTING 1" CONTIGUOUS
 - EXISTING 15" CONTIGUOUS
 - PROPOSED 1" CONTIGUOUS
 - PROPOSED 15" CONTIGUOUS
 - FACILITY PROPERTY BOUNDARY
 - SURROUNDING PROPERTY BOUNDARY
 - BUILDING FOOT PRINT
 - EXISTING 15" ELEVATION
 - EXISTING STONE SURVEY
 - EXISTING 15" ELEVATION
 - PROPOSED STONE SURVEY
 - PROPOSED 15" ELEVATION
 - EXISTING WATER LINE
 - EXISTING SEWER LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING TRUCK LANE
 - EXISTING DRIVE
 - EXISTING RAMP ROAD
 - EXISTING OVERHEAD POWER
 - EXISTING FIRE HYDRANT
 - PROPOSED PROPERTY
- NOTE:**
1. EXISTING PROPERTY BOUNDARY LINES ARE SHOWN AS DASHED LINES.
 2. EXISTING SANITARY SEWER LINES ARE SHOWN AS DASHED LINES WITH 'S' MARKERS.
 3. EXISTING WATER LINES ARE SHOWN AS DASHED LINES WITH 'W' MARKERS.
 4. EXISTING TRUCK LINES ARE SHOWN AS DASHED LINES WITH 'T' MARKERS.
 5. EXISTING DRIVE LINES ARE SHOWN AS DASHED LINES WITH 'D' MARKERS.
 6. EXISTING RAMP ROAD LINES ARE SHOWN AS DASHED LINES WITH 'R' MARKERS.
 7. EXISTING OVERHEAD POWER LINES ARE SHOWN AS DASHED LINES WITH 'P' MARKERS.
 8. EXISTING FIRE HYDRANT LINES ARE SHOWN AS DASHED LINES WITH 'H' MARKERS.
 9. EXISTING 15" ELEVATION LINES ARE SHOWN AS DASHED LINES WITH '15' MARKERS.
 10. EXISTING 1" CONTIGUOUS LINES ARE SHOWN AS DASHED LINES WITH '1" MARKERS.
 11. EXISTING 15" CONTIGUOUS LINES ARE SHOWN AS DASHED LINES WITH '15" MARKERS.
 12. EXISTING 1" CONTIGUOUS LINES ARE SHOWN AS DASHED LINES WITH '1" MARKERS.
 13. EXISTING 15" CONTIGUOUS LINES ARE SHOWN AS DASHED LINES WITH '15" MARKERS.



DEFFENBAUGH INDUSTRIES, INC. SOLID WASTE PROCESSING FACILITY BLUE SUMMIT, MISSOURI		AQUATERRA ENVIRONMENTAL SOLUTIONS, INC. 111 W. 12TH ST. STE. 100 ST. LOUIS, MISSOURI 63102	
NO.	REVISION	DATE	BY
01	AS SHOWN	11/14/94	...
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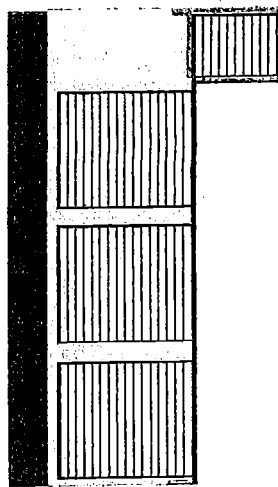




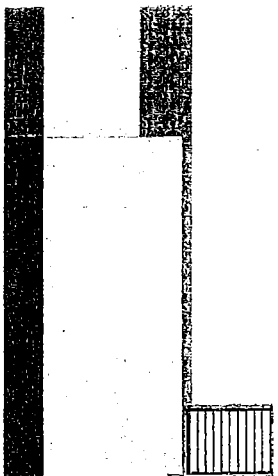
DEFFENBAUGH INDUSTRIES, INC.
 SOLID WASTE PROCESSING FACILITY
 BLUE SUMMIT, MISSOURI
 PROJECT NO. 01487.10
 SHEET NO. 5

AQUATERRA
 ENVIRONMENTAL SOLUTIONS, INC.
 7311 W. 130th St., Ste. 100
 Overland Park, Kansas 66213

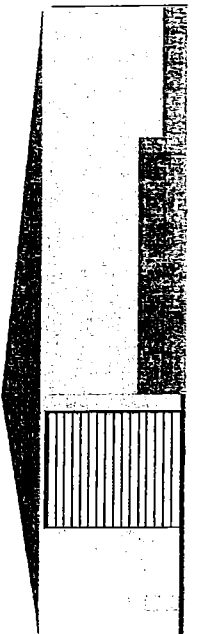
REV.	DATE	BY	DESCRIPTION
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R5		SBV	
R4		ABV	
R3		ABV	
R2		ABV	
R1		ABV	



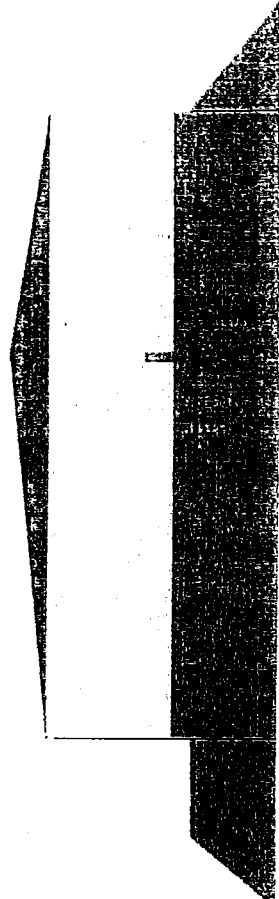
NORTHEAST VIEW



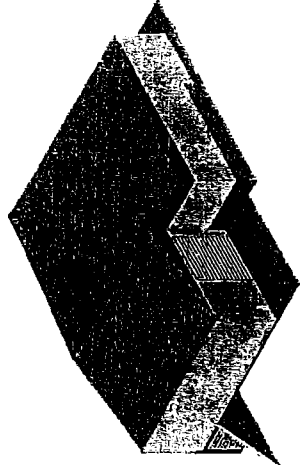
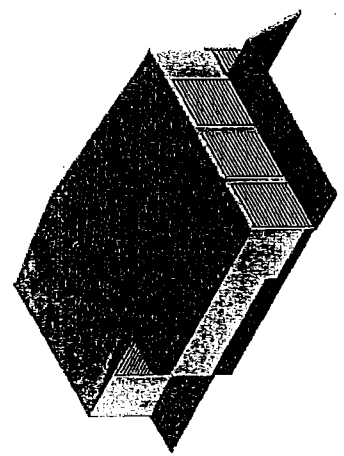
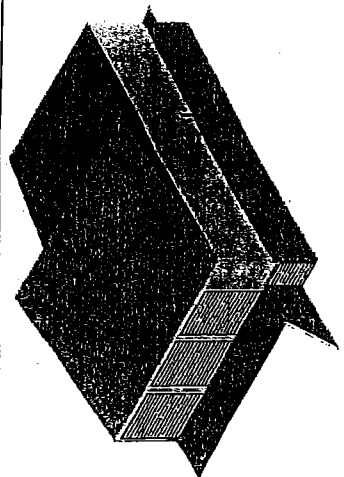
SOUTHWEST VIEW



SOUTHEAST VIEW



NORTHWEST VIEW



ATTACHMENT E

PELIMINARY "PERMIT APPLICATION ENGINEERING REPORT & OPERATIONS PLAN"

BLUE SUMMIT SOLID WASTE PROCESSING FACILITY

**PERMIT APPLICATION
ENGINEERING REPORT AND OPERATIONS PLAN**

**SOLID WASTE TRANSFER STATION
BLUE SUMMIT, MISSOURI**

April 2011
Aquaterra Project Number 4487.10

Prepared for

DeffenbaughSM
INDUSTRIES

Deffenbaugh Industries, Inc.

P.O. Box 3220

Shawnee, Kansas 66203

AQUATERRA

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- Appendix B Conditional Use Permit
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- Drawing No. 2 Site Location
- Drawing No. 3 FEMA Floodplain Map
- Drawing No. 4 Zoning Districts/Designations
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- Drawing No. 6 Building Floor Plan
- Drawing No. 7 Details Sheet 1
- Drawing No. 8 Building Section A
- Drawing No. 9 Building Section B
- Drawing No. 10 Building Elevation Views

**BLUE SUMMIT SOLID WASTE PROCESSING FACILITY
SOLID WASTE TRANSFER STATION
ENGINEERING REPORT AND OPERATIONS PLAN**

**Deffenbaugh Industries, Inc.
Blue Summit, Missouri
April 2011**

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Certification by Registered Professional Engineer

**BLUE SUMMIT SOLID WASTE PROCESSING FACILITY
SOLID WASTE TRANSFER STATION
ENGINEERING REPORT AND OPERATIONS PLAN**

**Deffenbaugh Industries, Inc.
Blue Summit, Missouri
April 2011**

1.0 INTRODUCTION

1.1 Purpose

Aquaterra Environmental Solutions, Inc. (Aquaterra) has prepared this report for Deffenbaugh Industries, Inc. (Deffenbaugh) for the design and operation of a new municipal solid waste (MSW) transfer station in Blue Summit, Missouri. This report and associated drawings have been prepared in accordance with the Missouri Solid Waste Management Regulations (10 CSR 80.5.010 "Processing Facility Design and Operation") for submittal to the Missouri Department of Natural Resources, Solid Waste Management Program (MDNR-SWMP) along with the permit application for the Blue Summit Solid Waste Processing Facility (BSSWPF).

Deffenbaugh is seeking approval of the BSSWPF permit application to help meet the waste disposal and recycling needs of the surrounding community in a manner that is more economically and environmentally efficient than the current methods.

1.2 MDNR-SWMP Permit Application

The MDNR-SWMP "Application for a Solid Waste Processing Facility Construction Permit" form is provided at the beginning of this document and includes the applicant signature. Information requested in the application that could not be provided on the application form is included throughout this document and its appendices. The financial assurance instrument will be provided prior to the public notice period and the completed "Disclosure Statement" form will be submitted under separate cover. The proposed BSSWPF is consistent with the District E – MARC Solid Waste Management District's Solid Waste Management Plan.

1.3 Regulatory Requirements

The regulations contained in 10 CSR 80.5.010 "Processing Facility Design and Operation" set forth the requirements for satisfactory compliance for design and operation of a solid waste processing facility in the state of Missouri. These requirements must be met to protect the public health, prevent nuisances, and meet applicable environmental standards. The subsections of rule 10 CSR 80-5.010 addressed by the MDNR-SWMP permit application are as follows:

- Solid Waste Accepted,

**Blue Summit Solid Waste Processing Facility
Blue Summit, Missouri
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- Site Selection,
- Design
- Water Quality,
- Air Quality,
- Vectors,
- Aesthetics,
- Residue and Processed Waste,
- Safety, and
- Records.

This application and supplementary documentation is submitted to the MDNR-SWMP for approval to construct and operate the proposed facility.

The following Permit Application and Site Design Plan Drawings are provided in reduced format in **Appendix A**.

Drawing No. 1	Cover Sheet
Drawing No. 2	Site Location
Drawing No. 3	FEMA Floodplain Map
Drawing No. 4	Zoning Districts/Designations
Drawing No. 5	Site Layout
Drawing No. 6	Building Floor Plan
Drawing No. 7	Details Sheet 1
Drawing No. 8	Building Section A
Drawing No. 9	Building Section B
Drawing No. 10	Building Elevation Views

1.4 Site Location

The proposed Blue Summit Solid Waste Processing Facility location is 2209 Television Place near the intersection of 23rd Street and I-435 Highway in Blue Summit, Missouri. A site location map with surrounding properties is included as **Drawing 2 in Appendix A**.

The proposed BSSWPF will be located on what is currently comprised of two parcels of land. The properties are located in Township 49 North, Range 32 West, Section 7 in the Blue Summit Industrial Park. The proposed facility will be located on Lots 22 and 23, Parcels 27-410-20-40 and 27-410-20-41, in the Blue Summit Industrial Park. **Drawing 3 in Appendix A** shows the site boundaries projected onto the FEMA flood map and **Drawing 4 in Appendix A** is the zoning map for the site and surrounding properties. In addition to being located in an Industrial Zoning District, the BSSWPF has a Conditional Use Permit (CUP) issued by Jackson County, Missouri. The CUP is for a solid waste processing facility

to include a transfer station for solid waste and recycled materials. A copy of the CUP is provided in **Appendix B** along with documentation that the BSSWPF is consistent with local zoning.

1.5 Facility Description and Overview

The proposed BSSWPF consists of an enclosed transfer building (MSW and recyclables), truck scale and scale house/office, truck and trailer parking area, and dumpster/roll-off storage area. The facility layout is shown on **Drawing 5 in Appendix A**. The proposed transfer building will be an approximately 11,600 square foot pre-engineered metal building located in the southern half of what is currently Lot 22. Waste collection trucks and transfer trailers will enter and exit the site through the existing driveway located on what is currently Lot 23; west of the proposed transfer building. The truck scale and scale house/office will be located on Lot 22 near the border with Lot 23, and south of the transfer building, for weighing vehicles prior to unloading. Vehicles entering the site to dispose of solid waste will cross the scale, proceed around the east side of the transfer building, and enter the building through large bay doors located on the northeast side of the transfer building. Vehicles entering the site to transfer recyclable materials will cross the scale, proceed to the southeast side of the transfer building, and enter the building through a large bay door.

The waste and recyclables will be visually screened as they are unloaded onto a concrete tipping floor. Once on the tipping floor, acceptable waste and acceptable recyclables will be loaded into separate transport trailers with a front-end loader or other suitable piece of equipment. The transport trailers will be located in an approximately 15-foot deep loading pit to facilitate top loading.

The facility is anticipated to receive and transfer approximately 500 to 700 tons per day (TPD) of municipal solid waste (MSW), construction and demolition (C&D) waste, and comingled recyclables. The MSW and C&D waste will be transport to the Johnson County Landfill, owned and operated by Deffenbaugh, located at I-435 and Holliday Drive in Shawnee, Kansas. The comingled recyclables will be transported to Deffenbaugh's Recycling Materials Recovery Facility located at 2404 South 88th Street, Kansas City, Kansas. Record keeping and tracking of incoming and outgoing hauling trucks will be managed from the scale house/office.

The facility hours of operation will be from 7:00 a.m. to 7:00 p.m., Monday through Friday and from 7:00 a.m. to 5:00 p.m. on Saturdays. The transfer station will be open to accept waste from 7:00 a.m. to 6:00 p.m., Monday through Friday and from 7:00 a.m. to 4:00 p.m. on Saturdays. The facility will be closed on Sunday and for various holidays. An employee

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will be present during the hours of operation. Operating hours may vary should operations require.

The transfer building is designed with large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the west. Solid waste handling will occur within the interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. Therefore, blowing litter is not anticipated to be a problem. Additionally, a fence will be constructed around the facility, which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed.

Solid waste unloaded onto the transfer building tipping floor will generally be loaded into a transfer trailer by the end of each business day. If the waste is not removed from the tipping floor by the end of the business day, it will be removed the next day of operation of the facility. Each transfer trailer will be removed from the transfer station within 48 hours after being filled to capacity, unless weather, or other abnormal conditions prevent transportation of the transfer trailer.

The transfer building tipping floor area will be cleaned (scraped or swept) on a daily basis near the end of operating hours. The tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors, and to provide a safe working environment.

1.6 Owner, Operator, and Contact Information

Facility Owner

Deffenbaugh Industries, Inc.
2601 Midwest Drive
Kansas City, KS 66111

Facility Operator

Deffenbaugh Industries, Inc.
2601 Midwest Drive
Kansas City, KS 66111

Facility Contact and Emergency Contact

The on-site contact and emergency contact for the BSSWPF will be:

Individual to be determined prior to operation
BSSWPF Site Manager

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2209 Television Place
Blue Summit, Missouri 64126
Business Phone: To be determined prior to operation
Mobile Phone: To be determined prior to operation

The corporate contact for the BSSWPF will be:

Darryl Basham, P.E.
Engineering Manager
Deffenbaugh Industries, Inc.
2601 Midwest Drive
Kansas City, Kansas 66111
Business Phone: (913) 667-8764
Mobile Phone: (913) 238-2531

2.0 MATERIALS ACCEPTED

2.1 Solid Waste Accepted

The solid wastes accepted at the BSSWPF will consist of general residential and commercial MSW and construction and demolition (C&D) wastes. In addition, the BSSWPF will accept industrial process wastes and other special wastes as specifically approved by the MDNR-SWMP. The BSSWPF will process and transfer accepted wastes in a manner that is protective of human health and the environment. Employees of the BSSWPF will be provided with a list of acceptable and unacceptable wastes. A sign will be posted at the facility entrance listing the waste acceptance criteria. The BSSWPF will be open to commercial haulers and the general public.

2.2 Recyclables Accepted

Recyclable materials accepted include general household recyclables (paper, cardboard, cans, plastic bottles, etc.). The BSSWPF will process and transfer accepted recyclables in a manner that is protective of human health and the environment. Employees of the BSSWPF will be provided with a list of acceptable and unacceptable recyclables. A sign will be posted at the facility entrance listing the recyclable materials acceptance criteria. The BSSWPF will be open to commercial haulers and the general public. Acceptable recyclables include the following:

- Paper products including:
 - Paperboard, direct mail advertisements, magazines and catalogs, newspaper, office paper, phone books, and shredded documents.
- Metal products including:
 - Aluminum beverage and food containers and ferrous bi-metal (steel/tin) food containers.
- Plastic products including:
 - Polyethylene beverage and food containers (#1-PET), high-density polyethylene food and beverage containers (#2-HDPE), polyvinyl chloride packing (#3-PVC), low-density polyethylene containers (#4-LDPE), polypropylene food containers (#5-PP), rigid polystyrene food containers (#6-PS), and combination plastic items (#7).

2.3 Solid Waste Not Accepted

The proposed BSSWPF will not accept the following wastes:

- Bulky wastes,
- Dead Animals,
- Yard wastes,
- Wastewater treatment plant sludge,
- Liquids,
- Waste oil,
- Asbestos waste.
- Medical waste or potentially infectious waste,
- Regulated hazardous wastes,
- Industrial process wastes (unless MDNR-SWMP specifically approved), and
- Special wastes (unless specifically approved by the MDNR-SWMP).

2.4 Listing and Posting of Accepted Solid Waste and Recyclables

Employees of the proposed BSSWPF will be provided with a list of acceptable and unacceptable wastes and recyclable. The proposed sign will have the minimum dimensions of 4-feet high by 8-feet wide and will read similar to as follows:

"This transfer station is permitted to accept municipal solid waste as defined by Missouri Solid Waste Management Regulations 10 CSR 80-2.010. Deposition of bulky wastes, dead animals, yard waste, waste tires, white goods, lead acid batteries, septic pumpings, waste water treatment plant sludge, liquids, waste oil, asbestos, industrial process wastes, medical waste or potentially infectious waste, regulated hazardous waste or other special waste at this processing facility is prohibited."

"This transfer station accepts the following comingled recyclable materials.

Paper products including: paperboard, direct mail advertisements, magazines and catalogs, newspaper, office paper, phone books, and shredded documents.

Metal products including: aluminum beverage and food containers and ferrous bi-metal (steel/tin) food containers.

Plastic products including: Polyethylene beverage and food containers (#1-PET), high density polyethylene food and beverage containers (#2-HDPE), polyvinyl chloride packing (#3-PVC), low density polyethylene containers (#4-LDPE), polypropylene food containers (#5-PP), rigid polystyrene food containers (#6-PS), and combination plastic items (#7)."

2.5 Solid Waste Handling Procedures

The proposed BSSWPF will consist of an enclosed transfer building (MSW and recyclables), truck scale and scale house\office, truck and trailer parking area, and dumpster/roll-off

**Blue Summit Solid Waste Processing Facility
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storage area. The facility layout is shown on **Drawing 5 in Appendix A**. The proposed transfer building will be an approximately 11,600 square foot pre-engineered metal building with a decorative facade on the wall facing the public street. The building will be divided into three areas: an approximately 80 feet by 84 feet tipping floor for waste; an approximately 50 feet by 56 feet tipping floor for recyclables; and, an approximately 16 feet by 130 feet truck loading pit. Waste collection trucks and transfer trailers will enter and exit the site through an upgraded existing driveway on Television Place, west of the proposed scale and scale house/office. Vehicles entering the site to dispose of solid waste will cross the scale, proceed around the east side of the transfer building, and enter the building through large bay doors located on the northeast side of the transfer building. Vehicles entering the site to transfer recyclables will cross the scale, proceed to the southeast side of the transfer building, and enter the building through a large bay door. Transfer trucks and trailers will enter the pull-through loading pit area from the southwest and exit the pit area to the northeast.

When collection vehicles have reached the transfer building, they will back into the building through the open doorways onto the concrete tipping floor. The collection vehicles will unload and deposit their contents inside the building onto the tipping floor. After the collection vehicles have deposited their loads on the tipping floor, they will exit the building and follow the road around to the site exit.

The unloading of wastes and recyclables on the tipping floor will be visually screened by the BSSWPF operations manager and/or equipment operator. Unloading of wastes will be supervised. Collection vehicles that are identified to be unloading unacceptable wastes will be required to return that waste to its waste generator or an approved disposal or processing facility that can handle that particular waste. Questionable wastes will not be accepted at the BSSWPF. Unacceptable waste that cannot be returned to the waste generator will be separated from the acceptable waste and placed into containers dedicated specifically for the storage of unacceptable waste. These containers will be of steel construction, approximately two cubic yards in volume, and equipped with removable covers. They will be located in a designated area of the building (see **Drawing 5 in Appendix A**).

The unacceptable waste will be handled and disposed in accordance with the appropriate regulations governing the disposal of such waste. An incident log will be completed and maintained at the scale house/office to document unacceptable waste incidents and actions. In the event hazardous waste is found to have been delivered to the facility, the MDNR Regional Office in Lee's Summit, Missouri will be contacted immediately.

Unacceptable waste will not be stored at the BSSWPF for a period of time greater than the time necessary to determine its composition and its handling and/or disposal. BSSWPF

personnel will be trained in the identification and handling of both acceptable and unacceptable waste materials. Handling and removal operations will be performed by trained personnel. Training sessions for facility personnel will be performed annually and training records will be maintained in the scale house\office.

Once on the tipping floor, acceptable waste and acceptable recyclables will be loaded into separate transport trailers with a rubber-tired front-end loader or other suitable piece of equipment. The transfer trailers will be located in an approximately 15-foot deep (relative to the tipping floor) loading pit to facilitate top loading. The transfer trailers will be open top and of steel or aluminum body construction. Concrete push walls, as shown on **Drawing 6, Appendix A**, will be used by the front-end loader to help direct and consolidate materials.

After loading, the transfer trailers will be covered with tarps. The tarps will completely cover the trailers and will be secured to the trailers. Tarps will be placed on the trailers to prevent refuse from blowing during transportation. Placing tarps over the loads will also help reduce the amount of precipitation contacting refuse in the trailers. The loaded trailers will proceed directly to a disposal facility or the recycling facility. In the event a trailer is not completely filled by the close of business on a given day, that trailer will remain parked in the building in the transfer loading pit until the next business day. The partially loaded trailer will then be filled to its capacity during the next business day.

2.6 Capacity and Ultimate Waste Disposal and Recyclable Processing

The BSSWPF is anticipated to receive and transfer approximately 500 to 700 tons per day (TPD) of MSW, C&D waste, and comingled recyclables. The MSW and C&D waste will be transported to the Johnson County Landfill, owned and operated by Deffenbaugh, located at I-435 and Holliday Drive in Shawnee, Kansas. The comingled recyclables will be transported to Deffenbaugh's Recycling Materials Recovery Facility located at 2404 South 88th Street, Kansas City, Kansas. Record keeping and tracking of incoming and outgoing hauling trucks will be managed from the scale house/office.

2.7 Operating Hours

The facility hours of operation will be from 7:00 a.m. to 7:00 p.m., Monday through Friday and from 7:00 a.m. to 5:00 p.m. on Saturdays. The transfer station will be open to accept waste from 7:00 a.m. to 6:00 p.m., Monday through Friday and from 7:00 a.m. to 4:00 p.m. on Saturdays. The facility will be closed on Sunday and for various holidays. An employee will be present during the hours of operation. Operating hours may vary should operations require.

3.0 SITE SELECTION

The proposed Blue Summit Solid Waste Processing Facility location is 2209 Television Place near the intersection of 23rd Street and I-435 highway in Blue Summit, Missouri (unincorporated Jackson County). A site location map is included as **Drawing 2** in **Appendix A**.

3.1 Zoning Requirements

The proposed BSSWPF will be designed, constructed and operated in general accordance with the Jackson County Unified Development Code. The proposed BSSWPF will be located on what is currently comprised of two parcels of land. The properties are located in Township 49 North, Range 32 West, Section 7 in the Blue Summit Industrial Park. The proposed facility will be located on Lots 22 and 23, Parcels 27-410-20-40 and 27-410-20-41, in the Blue Summit Industrial Park. **Drawing 3** in **Appendix A** shows the site boundaries projected onto the FEMA flood map and **Drawing 4** in **Appendix A** is the zoning map for the site and surrounding properties. In addition to being located in an Industrial Zoning District, the BSSWPF requires a Conditional Use Permit (CUP) issued by Jackson County, Missouri. The CUP is for a solid waste processing facility to include a transfer station for solid waste and recyclables. A copy of the CUP is provided in **Appendix B**.

3.2 Surrounding Land Use

The proposed BSSWPF will be located within the property boundary of the site as shown on **Drawing 4** in **Appendix A**. Additionally, **Drawing 4** shows the surrounding land use and zoning within 1,000 feet of the proposed facility. Included are residences, buildings, and roads. The BSSWPF is not anticipated to adversely affect the surrounding land use.

3.3 Utility Requirements

The proposed BSSWPF will utilize local utilities. The facility will require electrical service, sewer service, and water service. The facility will include the scales, scale house\office, and transfer building, all of which will require service. Electrical service will be provided by Kansas City Power and Light. Sanitary sewer service will be provided by the Kansas City Water Services Department. Water service will be provided by the Independence Water Department. Service connections will be in accordance with requirements for each utility. The scale house/office will require sanitary sewer and water connections for the restroom facilities. The transfer building will require sanitary sewer and water service for tipping floor and loading pit washdown operations. Utility service connections and permits will be in accordance with applicable design standards and codes.

3.4 Road Access and Traffic

The primary route of access to the BSSWPF is from 23rd Street onto Television Place to the entrance of the facility. 23rd Street is a four-lane divided highway (MO 78 Hwy) with turn lanes and traffic signals at the intersection with Television Place. Television Place is a 32-foot wide, asphalt, two-lane urban collector road with lane striping. This route is currently used by American Steel Works, Inc.; Structural Metals of Kansas City, Inc.; Midwestern Car Carriers, Inc.; First Student Bus and Transportation, Inc.; Blue Ridge Mobil Homes Co.; and, miscellaneous other commercial and industrial facilities. The number of collection trucks (50 to 80 trucks per day) and transfer trucks (15 to 25 trucks per day) entering and exiting the facility will be minimal and is not anticipated to adversely impact the traffic or roads in the area surrounding the BSSWPF.

3.5 Nuisance Effects on Surrounding Land Uses

3.5.1 Noise

Noise associated with the proposed BSSWPF operation will include truck traffic and operating equipment, including backup alarms. However, three sides of the facility are buffered with wooded areas and much of the operation will be contained inside the transfer building; thereby, significantly reducing the effects of noise. Noise at the scales and scale house/office area will be normal vehicular traffic. Collection vehicles and transfer equipment will be maintained to provide proper operation of the muffler and exhaust systems.

3.5.2 Odors

Odors emanating from the proposed BSSWPF will be minimal. Waste unloading and loading operations will be conducted inside the transfer building. Solid waste unloaded onto the transfer building tipping floor will generally be loaded into a transfer trailer by the end of each business day. If the waste is not removed from the tipping floor by the end of the business day, it will be removed the next day of operation of the facility. Each transfer trailer will be removed from the transfer station within 48 hours after being filled to capacity, unless weather, or other abnormal conditions prevent transportation of the transfer trailer.

The transfer building tipping floor area will be cleaned (scraped or swept) on a daily basis near the end of operating hours. The tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors, and to provide a safe working environment.

3.5.3 Blowing Litter Control

The transfer building is designed with the large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the west. Solid waste handling will occur within the interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. Therefore, blowing litter is not anticipated to be a problem. Additionally, a fence will be constructed around the facility, which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed.

3.5.4 Air Pollutants

The proposed BSSWPF will produce minimal air pollutants from trucks, equipment, and dust. However, as a whole, operation of the facility should reduce the overall air emissions by reducing the number of trucks traveling from the east side of Kansas City to the landfill in Shawnee, Kansas. Dust from the facility should not be significant because on-site roads and traffic areas will be paved with concrete or asphalt. A minimal amount of dust will be generated on the tipping floor during waste handling operations; however, the amount of dust is not expected to be significant. No other air pollutants are anticipated as a result of the BSSWPF operations.

3.5.5 Explosions

The transfer building will not be heated and ventilation will be achieved through a combination of natural and mechanical means. The transfer operation within the building will typically operate with the tipping floor's overhead bay doors open allowing natural ventilation. Additional mechanical ventilation will be provided by a series of fans and vents manually activated as necessary. These open doors and vents should provide sufficient ventilation to allow air to pass through the transfer building and not build up an explosive atmosphere. Additionally, since waste will not remain at the facility for more than 48 hours and the tipping floors will be cleaned (scraped or swept) daily to maintain low levels of dust, the potential for explosion or fire will be reduced.

3.5.6 Fire Protection

Fire extinguishers will be provided on solid waste handling equipment and at locations inside the buildings. Additionally, the BSSWPF will have freeze-proof spigots/hydrants located near the northeast corner of the waste tipping floor and the southeast corner of the recyclables tipping floor, should water be necessary for extinguishing fires. Water will be provided to the buildings by the Independence Water Department via an existing water main located in the utility easement south of the scale house/office. Additionally, a water department fire hydrant is located along Television Place near the facility entrance.

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Hot or smoldering waste will not be allowed to enter the facility. Hot or smoldering waste found on the tipping floor will be extinguished with water or approved fire-extinguishing chemicals, if necessary. If a fire occurs at the BSSWPF that cannot be extinguished by BSSWPF personnel, the local fire department will be contacted to respond. Since solid waste will not be stored at the BSSWPF, fire potential will be reduced.

Prior to operating the facility, an Occupancy Permit will be obtained and the facility will be registered with the Inter City Fire Protection District. If a fire occurs at the BSSWPF that cannot be extinguished by facility personnel, the local fire department will be contacted to respond. The local fire department is located at the following address:

In case of an emergency, dial 911

Inter City Fire Protection District
1702 Blue Ridge Boulevard
Blue Summit, MO 64126
(816)- 461-9090

4.0 DESIGN

Plans for the design, construction, and operation the BSSWPF were prepared or approved and sealed by a professional engineer.

BSSWPF was designed and sized to adequately allow tipping, sorting, storage, and compaction within an enclosed building, and to allow efficient unloading and loading from collection vehicles with unobstructed vehicle movement. **Drawing 5 in Appendix A** is the facility layout and **Drawing 6 in Appendix A** is the floor plan of the transfer building. Solid waste and recyclables unloading and loading will take place on the concrete tipping floor within the approximately 11,600 square foot transfer building. The transfer building will be a pre-engineered metal building erected on a concrete foundation. The building will be divided into three areas: an approximately 80 feet by 84 feet back-in tipping floor for waste; an approximately 50 feet by 56 feet back-in tipping floor for recyclables; and, an approximately 16 feet by 130 feet drive-through truck loading pit. The tipping floors will be separated by an approximately 10-foot high push wall. The tipping floors and loading pit floor will be constructed of high-strength reinforced concrete.

The transfer building will not be heated and ventilation will be achieved through a combination of natural and mechanical means. The transfer operation within the building will typically operate with the tipping floor's overhead bay doors open allowing natural ventilation. Additional mechanical ventilation will be provided by a series of fans and vents manually activated as necessary.

The BSSWPF site roads are shown on **Drawing 5 in Appendix A**. Access from off-site is via Television Place. The geometry of the entrance and exit, and site roads was designed utilizing Autoturn 6.1 vehicle maneuvering computer software. The entrance and exit and site roads will be constructed of asphalt or concrete pavement on a gravel base. The site roads create a loop around the transfer building. The on-site parking areas and storage areas will be constructed of gravel. The gravel roads and vehicle parking areas will be periodically treated with calcium chloride or other methods of dust control as needed.

The estimated typical total daily traffic is approximately 50 to 80 collection trucks, 15 to 25 long-haul transfer trucks, and a few pickups and cars. The BSSWPF is designed to accommodate the expected traffic flow in a safe and efficient manner and to provide sufficient queuing prior to the scales and after the scales to accommodate peak traffic flow.

5.0 WATER MANAGEMENT

5.1 Surface Water Runoff

As part of the CUP permitting process, the drainage design was prepared in general accordance with the guidelines and format outlined in the Jackson County Unified Development Code. The drainage design was approved for the CUP and is provided in **Appendix C**. Storm water on the site will be controlled by directing surface water runoff towards the proposed drainage channels and detention ponds by sheet flow and/or other storm water control structures such as culverts. The routing of post-development storm water through the detention ponds will cause the storm water flow from the facility to be equivalent to pre-development storm water flow.

5.2 Process Wastewaters

Limited quantities of process wastewaters will be generated inside the transfer building from incidental liquids from the solid waste and from periodically washing down the tipping floors and loading pit floor. Washdown will only be performed as needed and washdown wastewater will be minimized by using high-pressure spray nozzles, or other high pressure cleaning equipment. These process wastewaters will be collected to reduce the potential of a release to the environment. The transfer building is designed with sloped tipping floors to direct liquids to the loading pit. The liquids will fall onto the loading pit floor where they will be collected by a floor drain. The floor drain will route the liquids via internal piping to a sump or holding tank and subsequently to the KCMO sanitary sewer. Sewer connections and permits will be in accordance with KCMO design standards and codes.

5.3 Accidental Spillage

Accidental spills of waste derived liquids that occur on the tipping floors or the loading pit floor will be collected by washing the liquid into the waste in a transfer trailer or collection drain in the loading pit floor. Accidental spills will be contained and cleaned up immediately upon their occurrence. Wash down of spills will be accomplished by spraying the floor with water and using squeegees or brooms to direct the washdown water to the loading pit floor drain. The floor drain will route the liquids via internal piping to a sump or holding tank and subsequently to the KCMO sanitary sewer. Sewer connections and permits will be in accordance with KCMO design standards and codes.

6.0 AIR QUALITY

The BSSWPF is designed to operate such that it will not exceed the applicable air emission standards established by Chapter 643, RSMo rules promulgated thereunder. The proposed BSSWPF will produce minimal air emissions from trucks, equipment, and dust. However, as a whole, operation of the facility should reduce the overall air emissions by reducing the number of trucks traveling from the east side of Kansas City to the landfill in Shawnee, Kansas. Dust from the facility should not be significant because on-site roads and traffic areas will be paved with concrete or asphalt. A minimal amount of dust will be generated on the tipping floor during waste handling operations; however, the amount of dust is not expected to be significant. No other air emissions are anticipated as a result of the BSSWPF operations. Based on the site location no Air Pollution Control Program permit or other type of air monitoring is required for this type of facility.

The transfer building will not be heated and ventilation will be achieved through a combination of natural and mechanical means. The transfer operation within the building will typically operate with the tipping floor's overhead bay doors open allowing natural ventilation. Additional mechanical ventilation will be provided by a series of fans and vents manually activated as necessary.

7.0 VECTORS

The BSSWPF is designed and will be operated to reduce the potential for harboring, feeding, and breeding of vectors. The tipping floor design allows for cleaning as necessary and subsequent collection and removal of the wastewater. The tipping floor is sloped to facilitate drainage of liquids to the transfer trailer or a drain/sump in the loading pit floor, which is subsequently directed or pumped to the sanitary sewer. Surfaces that come into contact with waste (i.e., tip floor, push walls) are smooth to facilitate cleaning/washing. Transfer trailers filled with waste will be removed from the facility and transported to a permitted disposal facility when loaded to capacity.

The tipping floor and transfer trailer loading area will be cleaned on a routine basis to reduce areas favorable for breeding and conducting of vectors. The BSSWPF will be readily accessible for general cleaning and the application of vector repellents, if necessary.

Each day waste is received in the transfer building, the tipping floor area will be cleaned (scraped or swept) by BSSWPF personnel to reduce the potential of odors, vectors, and nuisance conditions. Additionally, the tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors, and to provide a safe working environment. Solid waste material in the loading pit will be removed and placed into transfer trailers daily. The loading area will be cleaned daily and will be washed down as necessary to reduce the potential effects of odor, dust, and vectors.

8.0 AESTHETICS

The proposed BSSWPF was designed and will be operated in an aesthetically acceptable manner in accordance with acceptable MDNR-SWMP and Blue Summit Industrial Park requirements. The following design and operational measures will be implemented.

8.1 Visual Barriers

The proposed BSSWPF was designed to utilize natural barriers to screen from public view the unloading, loading, storage and processing of waste. The north, east and south sides of the site have wooded areas separating the facility from the adjoining properties. The facility layout was designed to position the transfer building such that the tipping floor doors, which are open during operating hours, face the northeast and southeast and away from public view from Television Place.

8.2 Facility Operations

8.2.1 Tipping Floor and Loading Pit Cleaning

Each day waste is received in the transfer building, the tipping floor area will be cleaned (scraped or swept) by BSSWPF personnel to reduce the potential of odors, vectors, and nuisance conditions. Additionally, the tipping floor area will be washed down periodically as deemed necessary to reduce potential odor, potential vectors, and to provide a safe working environment. Solid waste material in the loading pit will be removed and placed into transfer trailers daily. The loading area will be cleaned daily and will be washed down as necessary to reduce the potential effects of odor, dust, and vectors.

8.2.2 Outside Area Housekeeping

Routine litter removal and site maintenance will be implemented to promote an acceptable appearance of the BSSWPF. It will be the policy of the BSSWPF to maintain good housekeeping methods and procedures. The general housekeeping tasks will be incorporated as part of the facility's daily operations.

The transfer building is designed with the large bay entrances on the northeast side of the building to help reduce wind-blown litter, given that the wind is predominantly from the west. Solid waste handling will occur within the interior of the transfer building and incoming and outgoing waste loads will be in enclosed vehicles or tarped. Therefore, blowing litter is not anticipated to be a problem. Additionally, a fence will be constructed around the facility, which should help reduce wind-blown litter from leaving the site if present. Facility personnel will collect and remove blowing litter as needed. The area surrounding the BSSWPF will be patrolled daily to collect and remove litter and blowing debris.

8.2.3 Insufficient Storage Capacity Shutdown

If BSSWPF personnel visually determined that the tipping floor is full due to equipment failure or shutdowns, the facility will not accept additional solid waste. If the facility is expected to be out of operation for more than 24 hours during the normal operating schedule, additional solid waste will not be accepted. Waste vehicles arriving at the facility during shutdown will be required to wait for the facility to resume operations or proceed directly to a permitted disposal site.

9.0 RESIDUE AND PROCESSED SOLID WASTE AND RECYCLABLES

The waste and recyclables received and transferred from the BSSWPF will be disposed or recycled in a manner that is environmentally safe and approved by federal, state, and local environmental authorities. Under normal conditions and operations, materials will be stored for no more than 24 to 48 hours. The waste and recyclables will be transported in covered transfer tractor-trailers that will restrict movement, spillage, leakage, or blowing of the material from the vehicles. Shipping of materials to a permitted disposal facility or recyclables processing facility will occur at a frequency dictated by the rate of material received at the facility.

The primary facilities planned for solid waste disposal are Deffenbaugh owned facilities located in Kansas (e.g., Lone Elm C&D Landfill and Johnson County Landfill). The primary facility planned for recyclable processing is the Deffenbaugh owned Materials Recycling Facility (MRF) located in Kansas City, Kansas.

10.0 SAFETY

10.1 Employee Training

Employee training will be conducted at least once per year and employee training records will be maintained in the scale house/office. Personnel will be briefed on the operations plan and safety procedures upon commencement of employment and annually thereafter. Training will include the operation and maintenance of equipment and applicable safety and operating procedures. The BSSWPF Site Manager is responsible for employee training

10.2 Operations and Vehicles

The BSSWPF will implement practices that promote the safe operation by both equipment operators and waste vehicle drivers. These practices will include the following:

- Speed limit signs will be posted to limit speeds on roads.
- Vehicle traffic flow control information, including signs and directional arrows will be posted.
- Fire extinguishers will be on all solid waste handling equipment.
- Protective gloves, glasses, hard hats, etc., will be worn by operators and other personnel as required.
- Properly graded and maintained roadways and maneuvering areas will be maintained.
- Back up alarms and safety inspections will be conducted on vehicles.

10.3 Dust Control

The proposed BSSWPF will not produce a significant amount of dust under normal operating conditions. Safety equipment will be provided to personnel in the event of excessive dust conditions. This equipment will include facemasks, gloves, eye protection.

10.4 Fire Protection

Fire extinguishers will be provided on solid waste handling equipment and at locations inside the buildings. Additionally, the BSSWPF will have freeze-proof hydrants located near the northeast corner of the waste tipping floor and the southeast corner of the recyclables tipping floor, should water be necessary for extinguishing fires. Water will be provided to the buildings by the Independence Water Department via an existing water main located in the utility easement south of the scale house/office. Additionally, a water department fire hydrant is located along Television Place near the facility entrance.

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Hot or smoldering waste will not be allowed to enter the facility. Hot or smoldering waste found on the tipping floor will be extinguished with water or approved fire-extinguishing chemicals, if necessary. If a fire occurs at the BSSWPF that cannot be extinguished by BSSWPF personnel, the local fire department will be contacted to respond. Since solid waste will not be stored at the BSSWPF, fire potential will be reduced.

Prior to operating the facility, and Occupancy Permit will be obtained and the facility will be registered with the Inter City Fire Protection District. If a fire occurs at the BSSWPF that cannot be extinguished by facility personnel, the local fire department will be contacted to respond. The local fire department is located at the following address:

In case of an emergency, dial 911
Inter City Fire Protection District
1702 Blue Ridge Boulevard
Blue Summit, MO 64126
(816)- 461-9090

10.5 Personal Safety Devices

The BSSWPF will be operated and maintained to protect the health and safety of personnel involved with the operations. BSSWPF personnel will implement the use of personal safety equipment in accordance with OSHA and Deffenbaugh safety guidelines. Personal safety equipment (as applicable) will be utilized by employees at the facility. The use of safety equipment will be required for visitors, equipment vendors, and contract personnel. In the event emergency medical treatment is required, a first aid kit will be located in the scale house/office building.

In the event of an emergency, the 911 emergency number can be dialed for ambulance and emergency assistance. Other emergency numbers will be posted near the telephone in the scale house/office along with information for describing the facility's location and the procedures to gain access to the site.

10.6 Lighting

Lighting within the working areas of the transfer station will consist of high-bay lighting fixtures within the roofing system. Exterior lighting will be provided by building-mounted or pole-mounted yard lights and lighting located over key entrances and exits. Outside lighting assists in security while providing the necessary lighting required to safely operate the facility.

10.7 Safety Inspections

The BSSWPF safety equipment and general site equipment and grounds will be inspected and maintained in good operating condition and replaced or repaired as needed.

10.8 Salvaging Controls

There will be no salvaging permitted on the proposed BSSWPF tipping floors or loading areas.

10.9 Facility Access Controls

The BSSWPF will be secured with a perimeter fence and entrance/exit gate. Unauthorized access to the BSSWPF when the facility is closed will be prevented by closing and locking the entrance/exit gate.

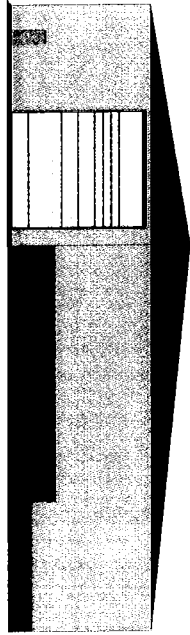
11.0 RECORDS

The BSSWPF will maintain an on-site operating record as required by 10 CSR 80-5.010 (11). The records will be maintained for a minimum of three years. The BSSWPF operating record will include the information described below:

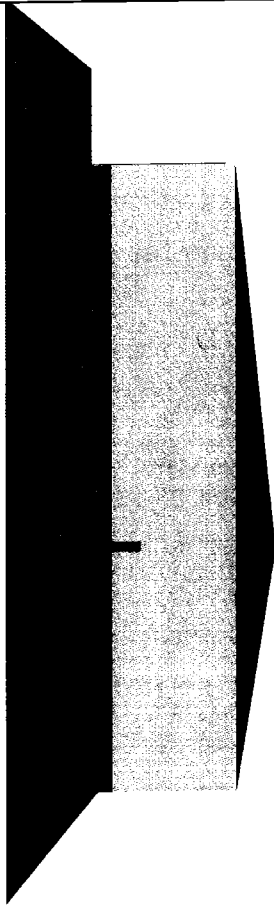
- A daily log of the quantity of solid waste received.
- A daily log of the quantity of solid waste transported.
- Destination of the solid waste transported.
- A daily log of the quantity of recyclables received.
- A daily log of the quantity of recyclables transported.
- Destination of the recyclables transported.
- Major operational problems, complaints, or difficulties.
- Vector, odor, dust and litter control efforts.
- A copy of transfer station employee training records.
- A copy of the current facility permit including facility design and operating plans.

The BSSWPF will maintain records and documentation of waste receipts as described above to comply with the required state solid waste fee requirements. The appropriate forms will be completed and submitted to the SWMP along with the appropriate quarterly fee as required by 10 CSR 80-2.080.

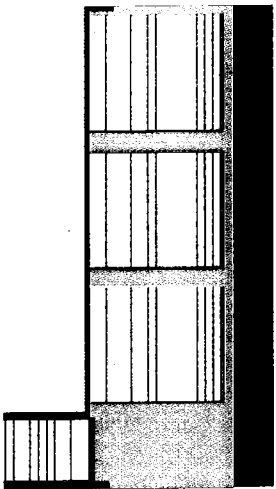
SOUTHEAST VIEW



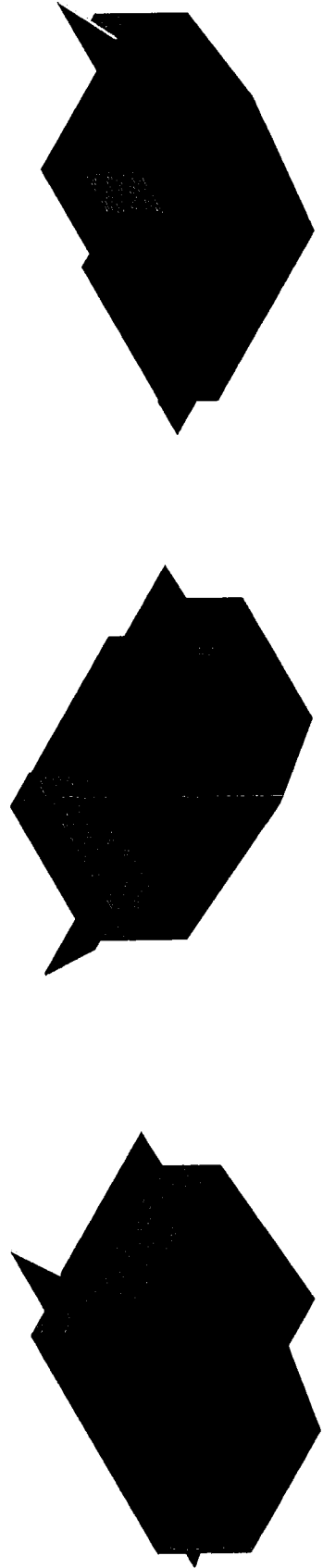
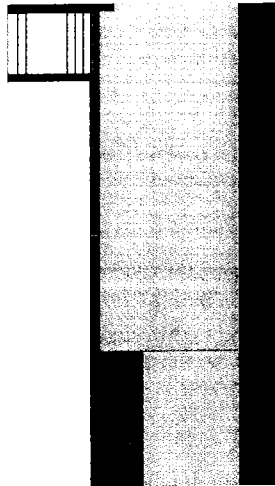
NORTHWEST VIEW



NORTHEAST VIEW



SOUTHWEST VIEW



Ex. 12

BUILDING ELEVATION VIEWS BLUE SUMMIT SOLID WASTE PROCESSING FACILITY		CLIENT: DEFFENBAUGH INDUSTRIES, INC. SOLID WASTE PROCESSING FACILITY BLUE SUMMIT, MISSOURI		AQUATERRA ENVIRONMENTAL SOLUTIONS, INC. 7311 W. 130th St., Ste. 100 Overland Park, Kansas 66213		R6 - 6BY R5 - 5BY R4 - 4BY R3 - 3BY R2 - 2BY R1 - 1BY	
DRAWN BY: JDN CHECKED BY: JDN DATE: 4/19/11	DESIGNED BY: JDN PROJECT NO: 110711	PROJECT NUMBER: 4487.10	SHEET NUMBER: SH. 5 OF 5	REV. DATE BY DESCRIPTION			

CORRECTED PLAT
BLUE SUMMIT INDUSTRIAL PARK
 JACKSON COUNTY, MO.

01-3800

1884366

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
 DATE 11-18-85 BY 140 DLS
 140 DLS

This is a subdivision in the SW of section 7, T. 49, R. 27, Jackson County, Missouri, more particularly described as follows: Section 7, in the SW of the SW of the SW of section 7; thence along the South line of said section North 80 degrees 50 minutes 30 seconds West 636.50 feet to a point on the East right-of-way line of Spring Street; thence along the East right-of-way line of said street North 1 degree 39 minutes East 282.77 ft. to a point on the South line of right-of-way line of 20th Street as now established; thence along the South right-of-way line of said street South 80 degrees 40 minutes 20 seconds East 303.00 ft.; thence continuing along said South right-of-way line South 80 degrees 16 minutes 20 seconds East 272.15 ft. to a point on the East right-of-way line of Hotel Avenue; thence along the East right-of-way line of said Hotel Avenue North 3 degrees 28 minutes East 290.76 ft. to the southeast corner of lot 2; subdivision of lots 1, 2, 3, 4, 5 and 6 of BLUE SUMMIT, a subdivision in said county; thence along the South line of said lot 2, now vacated, in said subdivision; thence along the West line of Lot 2; then 12 and the SW of lot 3, now vacated, in said subdivision North 1 degree 34 minutes 26 seconds East 506.24 ft.; thence South 80 degrees 16 minutes 20 seconds East 195.78 ft. to a point on the East right-of-way line of Laurel Avenue; thence along the East right-of-way line of said Laurel Avenue parallel to and 25 ft. East of the West line of the SW of said lot 3 North 1 degree 39 minutes 20 seconds East 378.59 ft. to the NW corner of lot 1, BBAZ ADDITION, a subdivision, now vacated, in said county; said point being 5 ft. East of the SW corner of lot 1 of said THE CROWN; thence along the South line of said lot 1 of said THE CROWN, a subdivision in said county, thence along the South line of said THE CROWN, South 80 degrees 06 minutes 16 seconds East 606.50 ft. to a point 232.05 ft. West of the Southeast corner of lot 51 of said THE CROWN; thence South 1 degree 41 minutes 21 seconds East 133.88 ft.; thence South 10 degrees 27 minutes 16 seconds East 131.17 ft.; thence South 1 degree 19 minutes 37 seconds West 436.42 ft.; thence South 42 degrees 51 minutes 22 seconds West 239.74 ft.; thence South 19 degrees 17 minutes 36 seconds West 257.11 ft.; thence South 37 degrees 53 minutes 29 seconds East 80 feet; thence South 22 degrees 56 minutes 39 seconds East 100 feet; thence South 1 degree 41 minutes 21 seconds West 216.67 ft. to a point on the South line of the SW of said section 7; thence North 87 degrees 01 minutes 31 seconds West 636.16 ft. to the point of beginning.

An easement is hereby granted in Jackson County, Missouri, for the purpose of locating, constructing, operating, and maintaining facilities for water, electricity, sewage, telephone, cable TV and drainage, including, but not limited to, poles, underground pipes and conduits, and related structures, fixtures, appurtenances, any or all of them upon, over, under and along the surface of land designated utility easement (UWE). Where other easements are designated for a particular parcel, the use thereof shall be limited to that purpose only. All the above easements shall be kept free from any and all obstructions which interfere with the use thereof. The easement holder and engineer, who had continuous maintenance of the aforesaid lines and specifically there shall not be built thereon or thereover any structure (except driveway, paved area, or grass) over which there is any obstruction to interfere with the access and operation of Jackson County, Missouri, and its authorized utilities from and upon said easement, and as much of adjoining lands as may be reasonably necessary in exercising the rights granted by the easement. No portion or part of the use or construction of any kind or nature shall be performed which will reduce or increase the earth coverage over the easement above stated or the improvements thereon without the written approval of the Director of Public Works.

All easements shown on this plat and not hereinafter dedicated to public use are hereby so dedicated.

The undersigned proprietors of the above described tract have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereinafter be known as

"BLUE SUMMIT INDUSTRIAL PARK"

and hereby whereof JACKSON COUNTY DEVELOPMENT AUTHORITY has caused these presents to be signed by its Chairman and attested by its Secretary this 24th day of October, A.D. 1963.

Attest: *[Signature]*
 Secretary

State of Missouri
 County of Jackson

On this 24th day of October, A.D. 1963, before me, the undersigned Notary Public, personally appeared JOHN F. POISS, Jr. in his own right, a person described in and who by me being duly sworn, did say that he is the Chairman of JACKSON COUNTY DEVELOPMENT AUTHORITY, a public body, corporate and politic, and that the seal affixed to the foregoing instrument is the seal of said public body and that said instrument was signed and sealed in behalf of said public body by authority of its Commissioners and the same forthwith, he acknowledged the execution of said instrument to be the free and valid act and deed of said public body.

In testimony whereof I have hereunto set my hand and affixed my official seal at my office in Jackson County, Missouri, this 24th day of October, A.D. 1963.

My Commission expires April 22, 1965.

In testimony whereof JOHN AND JOSEPH LEASING CO., INC. has caused these presents to be signed by its President and attested by its Secretary this 24th day of October, A.D. 1963.

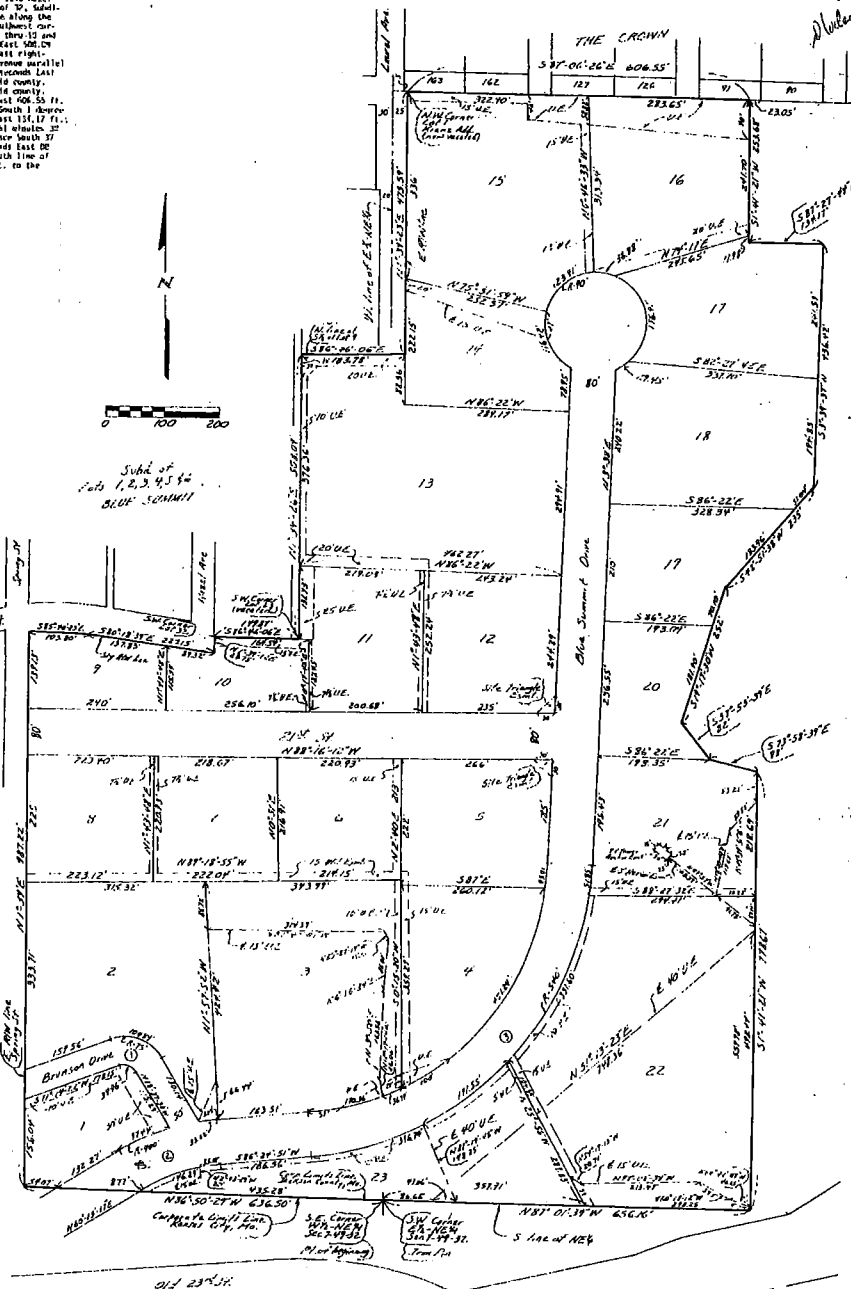
Attest: *[Signature]*
 Secretary

State of Missouri
 County of Jackson

On this 24th day of October, A.D. 1963, before me, the undersigned Notary Public, personally appeared JOHN F. POISS, Jr. in his own right, a person described in and who by me being duly sworn, did say that he is the President of JOHN AND JOSEPH LEASING CO., INC., a corporation, and that the seal affixed to the foregoing instrument is the seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the same forthwith, he acknowledged the execution of said instrument to be the free and valid act and deed of said corporation.

In testimony whereof I have hereunto set my hand and affixed my official seal at my office in Jackson County, Missouri, this 24th day of October, A.D. 1963.

My Commission expires April 22, 1965.



OLD HWY NO. 78
 MO. HWY NO. 78 (2nd St. Williams)

Approved as to Plat and Index

By: *[Signature]*
 Director, Plat and Index
 Jackson County, Mo.

Approved as to Street Locations and Widths

By: *[Signature]*
 Director, Plat and Index
 Jackson County, Mo.

Attest:

NO.	DESCRIPTION	AREA
1	LOT 1	1.25 AC.
2	LOT 2	1.25 AC.
3	LOT 3	1.25 AC.
4	LOT 4	1.25 AC.
5	LOT 5	1.25 AC.
6	LOT 6	1.25 AC.
7	LOT 7	1.25 AC.
8	LOT 8	1.25 AC.
9	LOT 9	1.25 AC.
10	LOT 10	1.25 AC.
11	LOT 11	1.25 AC.
12	LOT 12	1.25 AC.
13	LOT 13	1.25 AC.
14	LOT 14	1.25 AC.
15	LOT 15	1.25 AC.
16	LOT 16	1.25 AC.
17	LOT 17	1.25 AC.
18	LOT 18	1.25 AC.
19	LOT 19	1.25 AC.
20	LOT 20	1.25 AC.
21	LOT 21	1.25 AC.
22	LOT 22	1.25 AC.
23	LOT 23	1.25 AC.

I hereby certify that the within plat of "BLUE SUMMIT INDUSTRIAL PARK" subdivision is based on an actual survey made by me or under my direct supervision and that I have surveyed or caused the survey to be made in accordance with the laws of the State of Missouri. I further certify that the bearings shown on this plat were taken on a National State Plane Coordinate System, and that the sections and blocks and subdivisions shown on this plat are in accordance with the laws of the State of Missouri. I have caused this plat to be recorded in the office of the Recorder of Deeds for Jackson County, Missouri, and I have caused this plat to be recorded in the office of the Recorder of Deeds for Jackson County, Missouri, and I have caused this plat to be recorded in the office of the Recorder of Deeds for Jackson County, Missouri.

SUBMITTED AND PLATED BY
 HARVEY A. JONES ENGINEERING CO., INC.
 Independence, Missouri

October 11, 1963

I1230P 214

I529944

Covenants and Restrictions
Blue Summit Industrial Park
Jackson County, Missouri

01-3800

In order to provide adequate protection to the property owners in the industrial area, wherein all improvements will be compatible, the following protective covenants are recorded as deed restrictions:

1. Building requirements: No building shall be erected, placed or altered on any lot or any site nearer than 30 feet to the front property line, except lots 1, 9 and 10 which shall be 10 feet from the front property line. No buildings shall be erected, placed or altered nearer than 10 feet to any side or rear property line. In addition, no building shall be erected, placed or altered within the area of a recorded easement.
2. Type of construction: All buildings erected shall be other than wooden frame. All walls fronting on a public street and any other walls to a depth of 10 feet from the wall fronting a street shall be finished to the ground level with face brick, "charoakee" block, stone, or precast concrete panels, its equivalent, or better, including glass, porcelain, or architectural panels. No unpainted or unfinished metal or galvanized metal shall be permitted for any exterior walls or roofs. All building exteriors included but not limited to precast concrete, tilt-up concrete, metal or wood, shall be painted in a color approved by the Jackson County Redevelopment Authority.
3. Landscaping: All open areas between buildings and property lines will be used for open landscape and green areas. All landscaped areas shall be maintained by the owner in a sightly and well-kept condition.
4. Outside storage: All outside storage areas must be located at the rear or side of permanent buildings, and shall be enclosed by an appropriate and decorative fence, a minimum of 8 feet high.
5. Parking: All property owners or tenants shall provide off-street parking within their own property lines. Parking on all streets in the industrial park will be prohibited. Parking or drives will be allowed within six feet of the side and rear property lines, and within fifteen feet of the front property line. All parking and drives shall be paved (asphalt or concrete). Parking spaces shall be provided according to formulae required by Jackson County, Missouri.

Ex. 14

I1230P 215

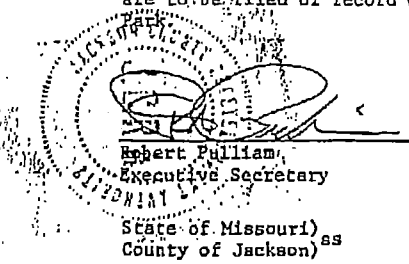
6. Signs: Two types of signs will be permitted; those permanently attached to buildings and freestanding signs. Signs permanently attached to and constructed as a part of the face of the building shall not exceed five percent (5%) of the total area of the walls on any face of the building to which they are attached, but the total sign area need not be less than thirty-two (32) square feet. Freestanding signs may contain up to thirty-two (32) square feet of sign area and must be located so as not to obstruct a reasonable view of the adjacent buildings. Flashing and moving signs as well as signs above the roof lines shall be prohibited.

7. Utility easements: All recorded easements shall be strictly observed and no development shall encroach upon them. Electrical service into each facility shall be underground, where physically possible.

8. Lighting: In order to promote security of the park, lot owners shall provide exterior lighting for all buildings.

9. Review and approval: Prior to the beginning of construction, all plans and specifications, including signage, shall be submitted to the Executive Secretary of the Jackson County Redevelopment Authority for review and approval. All construction must also comply with the proper permit requirements and approvals of Jackson County, Missouri.

I certify that these covenants were adopted by the Jackson County Redevelopment Authority at its regular meeting on July 5, 1983, and are to be filed of record with the Plat of the Blue Summit Industrial


Robert Pulliam,
Executive Secretary
State of Missouri) as
County of Jackson) ss

On this 14 day of July A.D., 1983 before me, the undersigned Notary Public, personally appeared Robert Pulliam, to me known to be the person described in and who by me being duly sworn, did say that he is the Executive Secretary of JACKSON COUNTY REDEVELOPMENT AUTHORITY, a public body, corporate and politic, and that the seal affixed to the foregoing instrument is the seal of said public body and that said instrument was signed and sealed in behalf of said public body by authority of its Commissioners and the same Robert

(3)

I1230P 216

Pulliam acknowledged the execution of said instrument to be the free act and deed of said public body.

In testimony whereof I have hereunto set my hand and affixed my official seal at my office in Jacksn, Mo, the day and year last above written.

Deloris M. Wilson
Notary Public in and for Jackson County, Missouri

My commission expires _____



DELORIS M. WILSON
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires October 21, 1985

STATE OF MISSOURI
COUNTY OF JACKSON
CERTIFY INSTRUMENT RECEIVED

1983 JUL 15 A 9:12.0

I1230P 216
KAREN KIRTLEY STUBBS
DIRECTOR OF RECORDS

Karen Kirtley Stubbs



Missouri Solid Waste Transfer Stations

Solid Waste Management Program fact sheet

6/2006

Waste transfer stations are facilities where solid waste is unloaded from collection vehicles and briefly held while it is reloaded onto larger long-distance transport vehicles for shipment to landfills or other treatment or disposal facilities.

To save energy and transportation costs, local governments and the solid waste disposal industry often direct local trash collection vehicles, known as packer trucks, to transfer stations.

The waste is dumped on a collection floor where it is inspected and pushed or loaded into tractor-trailers that deliver it to one of 23 landfills in Missouri or to a landfill out of state.

By combining the loads of several individual waste collection trucks into a single shipment, communities can save money on the labor and operating costs of transporting the waste to a distant disposal site.

Facts about transfer stations in Missouri

- In 1990, the state's Solid Waste Law was modified to encourage recycling and to reduce the amount of solid waste going to landfills.
- Soon after, the federal government established more rigorous "Subtitle D" landfill standards, which resulted in higher costs to develop landfills.
- The waste disposal industry and local governments invested in larger, regional landfills.
- In 1990, there were 72 landfills and 26 transfer stations in Missouri.
- By 1994, when Subtitle D went into effect in Missouri, there were approximately 30 landfills and 30 transfer stations in operation.
- As of 2004, there are 53 transfer stations and 23 landfills in Missouri.
- A Department of Natural Resources survey of transfer station design and operations was completed in 2004.
- The department inspects the permitted facilities a minimum of four times per year.
- Transfer stations are designed based on the projected volume of solid waste brought to the site and the method of operation. Most transfer stations push the waste from the "tipping" floor into an open top trailer that is parked in a pit.
- Transfer stations are designed and operated by the industry or local governments. The department provides some oversight, but there are no state or federal standards on design.
- Some transfer stations are designed to allow separation of materials for recycling. These are called Material Recovery Facilities. Waste not being recycled is loaded on tractor-trailers and sent to the landfill. The recyclables are sold.



- According to Missouri Solid Waste Law and rules, within six months of the receipt of a request for a permit modification, the department shall approve or deny the request.
- When review shows that the request complies with Missouri Solid Waste Law and rules, the department must approve the request and issue a permit for modification.
- When review finds that the request does not comply with the law and rules, the department may either provide a comment letter explaining why the request is deficient or deny the request and explain the reasons for denial.
- If a comment letter is issued, the applicant has 60 days to send the department a complete response. If this response is not provided, the department may deny the modification request.

What the Solid Waste Management Program Reviews

- Types of solid waste accepted
- Letter of approval from the local planning and zoning agency
- Impact on local traffic flow
- Wastewater control
- Surface water monitoring
- Housekeeping schedule
- Daily litter control efforts
- Putrescible waste handling
- All waste handling under roof
- Waste handling will be screened from view.
- Odor, noise and dust control efforts

What the Program Does Not Review

- Effect on property values
- Economic considerations
- Choice of site locations
- Local planning and zoning ordinances

For more information call or write:

Visit the department's Web site at www.dnr.mo.gov/env/swmp for information about the Solid Waste Management Program, waste management, recycling and waste reduction practices for the home or workplace.

Missouri Department of Natural Resources
 Solid Waste Management Program
 P.O. Box 176
 Jefferson City, MO 65102-0176
 1-800-361-4827 or (573) 751-5401 office
 (573) 526-3902 fax
www.dnr.mo.gov/env/swmp Program Home Page

600 Broadway, Suite 200
Kansas City, Missouri 64105-1659

816/474-4240
816/421-7758 FAX
www.marc.org



MARC Solid Waste Management District

Serving local governments in Cass, Clay, Jackson, Platte and Ray Counties and working cooperatively with Johnson, Leavenworth, Miami and Wyandotte Counties

Executive Board

Appointed:

Michael Shaw, Chair
City of Kansas City

Chris Bussen, Vice Chair
City of Lee's Summit

Lee Morris
Cass County

Donna Koontz
Clay County

Kirk Phillips
Jackson County

Daniel Erickson
Platte County

Bob King
Ray County

Elected:

Brad Foster
City of Belton

Pat Hawver
City of North Kansas City

Devery Hunt
City of Excelsior Springs

Don Reimal
City of Independence

Kathy Rose
City of Riverside

Stan Salva, Past Chair
City of Sugar Creek

Ann Dwyer Sanders
City of Lake Waukomis

Ex Officio:

Lisa Danbury, Planner
Secretary/Treasurer

May 18, 2011

Mr. Mark Trosen
Planning and Environmental Health Administrator
Jackson County Public Works
303 W. Walnut
Independence, MO 64050

Re: *Comments for May 19, 2011 Public Hearing on CU-2011-207, Deffenbaugh Industries, Inc., Proposed Blue Summit Solid Waste Processing Facility*

Thank you for the invitation to provide testimony on the solid waste processing facility proposed by Deffenbaugh Industries in its conditional use permit application. At the MARC Solid Waste Management District's Executive Board meeting this afternoon, the executive board directed me to submit this statement for informational purposes only.

The proposed infrastructure to manage solid waste is consistent with the MARC SWMD's Integrated Solid Waste Management Plan adopted by its members in 1994. The commingled recyclables processing component will provide a consolidation point for single-stream collection of curbside recyclables consistent with the district's vision of 80 percent waste diversion by 2023. The District Plan section on final disposal, however, recommends local governments consider the regional impact of long-term disposal facility permit decisions, including long-haul transfer stations.

The district offers two primary considerations to Jackson County.

1. The impact to solid waste processing and disposal infrastructure in Jackson County, especially those within close proximity of the proposed facility.

Wiley's Material Recovery & Transfer (transfer station near I-435/I-70 corridor in Kansas City)
Manchester Transfer & Recycling (transfer station near I-435/I-70 corridor in Kansas City)
Recycle Transfer Center (transfer station near Sibley)
Courtney Ridge Landfill (municipal solid waste landfill in Sugar Creek)
Lee's Summit Landfill (city-owned municipal solid waste landfill)
Pink Hill Acres Landfill (construction and demolition landfill in Blue Springs)
Midwest Shredding Material Recovery Facility (new recycling processing facility in Kansas City)

2. The fiscal and economic concerns of district member cities in Jackson County, including a loss of revenues and impacts to local facilities and haulers.

For solid waste currently direct hauled by Deffenbaugh to its Johnson County Landfill, the district wishes to disclose that it will receive a portion of state tonnage fees paid to the state of Missouri on solid waste transferred to any out-of-state landfill as a result of this proposed facility. The funds are used by the district for planning, grants and activities.

Please feel free to contact me at 816-701-8225 if further clarification or information is needed.

Respectfully submitted,

Lisa Danbury
MARC SWMD District Planner

Chair
Jim Schultz
Councilmember
Independence, Mo.

1st Vice Chair
Marge Vogt
Councilmember
Olathe, Kan.

2nd Vice Chair
Jan Marcason
Councilmember
Kansas City, Mo.

Treasurer
Ed Peterson
Commissioner
Johnson County, Kan.

Secretary
Kathy Dusenbery
Commissioner
Platte County, Mo.

Executive Director
David A. Warm

EX. 17

Mary Jo Spino

From: Mark A. Trosen
Sent: Tuesday, June 07, 2011 10:09 AM
To: Fred Arbanas; Fred Arbanas (Arbanas84@aol.com); Karen Conrad; Mary Jo Spino; Jay D. Haden; Jerry Page
Cc: Norma R. Whitaker; Christopher C. Jenkins; Earl J. Newill; Randy D. Diehl
Subject: Deffenbaugh CUP Application - Ordinance 4316

I received a call this morning from Deffenbaugh's representative, John Rockhold with Aquaterra Environmental Solutions stating that Deffenbaugh would like to withdraw their application for the CUP (solid waste transfer station) that was introduced as Ordinance 4316. I have asked for a letter from Deffenbaugh officially withdrawing their request. I will forward the letter to you once I receive it.

Mark

Mark Trosen

Planning and Environmental Health Administrator
Jackson County Public Works
303 W. Walnut
Independence, MO 64050
Office: (816) 881-4645
Fax: (816) 881-4448
mtrosen@jacksongov.org



ONE EARTH. ONE CHANCE. [®]

June 7, 2011

Mark Trosen
Planning and Environmental Health Administrator
Jackson County Public Works
303 West Walnut
Independence, MO 64050

Re: Proposed Blue Summit Solid Waste Processing Facility
Conditional Use Permit Application
Case No. CU2011-207
Ordinance No. 4316

Dear Mr. Trosen:

Deffenbaugh Industries would like to withdrawal the above referenced Conditional Use Permit Application for the Proposed Blue Summit Solid Waste Processing Facility located at 2209 Television Place.

If you have any questions or need additional information, please contact me by e-mail at jmurray@deffenbaughinc.com, or call (913) 667-8710.

Sincerely,

Deffenbaugh Industries, Inc.
Jim Murray
General Manager of Landfill and Transfer Stations

Electronic Copy: John Rockhold, Aquaterra

