



MEETING: Site Review Committee
SUBJECT: Walsh & Kelly
ADDRESS: 3221 Bertholet Drive

LOCATION: City Hall
DATE: 8/23/05
ZONING: M-2

**PRELIMINARY SITE REVIEW
 IN ATTENDANCE:**

Craig Phillips, Planning Director	(219) 462-1161
Tyler Kent, Asst. Planner	(219) 462-1161
Dave Pilz, Engineering Director	(219) 462-1161
Daryl Brown, Water Department	(219) 462-6174
Dave Nondorf, Fire Chief	(219) 462-8325
Ed Pilarski, Water Reclamation Dept.	(219) 464-4973
Bill Oeding, Public Works Director	(219) 462-4612

PRESENTERS:

Kevin Kelly
Jeff Swan
Roger Knipf
Dennis Haines
Scott Miller
John Schnurlein
Mark Miller

Media

Email addresses for the above City of Valparaiso Departments can be found at:

<http://www.ci.valparaiso.in.us/>

The following is a summary of discussion at this meeting:

The Site Review Committee met to discuss the proposed asphalt plant for Walsh & Kelly to be located at 3221 Bertholet Drive. Phillips stated that site review is not an approval. It is meant to be a preliminary discussion of the requirements and issues to be considered by the developer or owner and there may be some cases where it will need to come back before site review or to seek other approvals.

Haines stated the property is located at the very end of the 49er Partnership out by the County Jail. Lots 8 & 9 are zoned M-2 which is appropriate for this project. Lot 8 would be used as a storage yard for the materials and the equipment and buildings would basically be located on Lot 9. There is an easement between the two lots and also a detention pond on the southern portion of Lot 9 which extends from the east side to the west side. The first drawing is the facility plan and the second is the erosion control plan. The third drawing shows the landscaping around the facility itself and the two lots. They would like to put up some security fencing around the perimeter to keep people from driving into the facility.

John represents the 49 Partners and wanted to say the Walsh & Kelly is a very responsible company and have done a lot of work in the area including the last 1,000 feet of the runway for the municipal airport. He is excited to have them as a prospect for this ground. It is a parting from what was preliminarily planned, which was to continue this as small 2-acre parcels. What has motivated that in part is that the partners sold in part the rail access that Pratt was supposedly going to use. That did not materialize, however, now Norfolk representatives are back to maybe using that for right-of-way. Pratt has waffled on this so who knows if it will happen. Walsh & Kelly might also benefit from shipping aggregate in by rail rather than truck. They are exploring this with Norfolk.

Kevin Kelly handed out a business description. They have an asphalt plant in the Port of Indiana. They are a full service road construction company primarily doing asphalt paving. They manufacture their own hot mix asphalt. They do a fair amount of concrete work in conjunction with road projects. They do some small pipe work and excavation work for road and subdivision work. They will relocate the operation of this plant from the Port of Indiana. This will be a \$3M project with a payroll between \$1.3M-\$1.5M payroll. This would include 3 full time people and probably 20+ various other part-time employees.

John introduced Mark Miller from Cressy & Everett who brought this prospect to us.

Kelly said that they would not really erect any buildings. They would probably put up a couple of trailers to house office space and lab equipment. The prime structure is a hot mix asphalt plant. It is comprised of cold feed bins, asphalt drum, asphalt injectors and storage silos. It is essentially a big piece of equipment. They also need to store raw materials like liquid asphalt in heated tanks and rocks of various sizes and shapes. The raw material, liquid asphalt, is brought in by either truck or rail, as is the aggregate.

Phillips stated that the #1 thing is whether or not the project is going to meet the Performance Standards that are in Article 24 of our ordinance. We would like a response to all of these in writing. In the event that the standards are met it would be a permitted use in the M-2 district. If there are things that we cannot completely abate it may need a special exception. The silos are could be as tall 80 feet high including the platform on top. They can go with silos that are bigger around and shorter but this has not yet been determined. A couple of things need to be determined, one of which is whether they are within the radius of the airport. Kyle Kuebler advised that it is within the radius of the airport so they would have to file for FAA approval. Anything within 100/1 slope, 20,000 of the nearest runway has to go through interstate review. They are about 3,100 feet from the nearest point of the east/west runway. They are lower than the airport and it is based on the airport's elevation so there is a little bit of a give there. They can get on the FAA website to get the form they need. That should be filed as soon as possible as this needs to be done prior to that being filed. Kyle advised that they should submit exactly the type of hot mix plant that they are going to build so that there would be no need to go back if the height is any different. It takes 4-6 weeks to get that approved. Kyle asked how high they would be stockpiling. He was advised that it would be 15-20 feet. Good practice is to have low piles. The facility would sit in the 200-300 area.

Phillips advised that they would need a variance for height unless it is less than 50 feet high. For both the special exception and the variance, the deadline for the next meeting with the BZA would be this Friday. They advised that the flow of traffic would come off the entrance and there would be two truck movements. They want to minimize the conflicting movements so the trucks will all go from west to east coming out at the south end of the plant. Phillips advised that there is a platted right-of-way on this site, which should be vacated or at least partially vacated. They would need a buffer between lot 7 & 9 and the jail & lot 9 which is shown on the plans. Craig asked if there could be a berm along the northeast edge. Parking requirements are 1 per every 2 employees on the shift. We would need for details on the final plans. There appears to be a wetland on the site near the western edge of the property and we would want to see the delineation of that wetland. It does fall outside of the 49 corridor. They are going to own the lot. They will operate during normal construction hours plus sometimes on the weekend and at night. Average wage will be about \$50,000.

Pilarski asked if they are going to connect to the sanitary sewer and they advised that they would. He asked if the process has any use of water, any cooling waters or scrubbers. They advised that they would need water on the site. He gave them a copy of the Industrial Wastewater Survey. Brown asked what the water usage would include. They advised that it would be standard usage for the bathrooms. Probably a 1" service would be required. Sometimes they do water the site to keep the dust down. Daryl advised that they would need backflow protection at the meter. This

facility is close to a wellhead protection area and asked if there are any hazardous materials as far as chemicals in the maintenance or cleaning of the equipment. They advised that the world of asphalt has drastically changed. It emits essentially steam which is water off of the aggregate. A "bag house" which is a big vacuum cleaner that sucks all of the dust out essentially captures everything else. There are significant IDEM requirements for asphalt plants and they are not really allowed to emit anything. Most everything has to be biodegradable and non-hazardous. They do use solvents for parts washing that are serviced through a waste management organization so the remainder is hauled away. Spill protection around the asphalt tanks down to protection around the fuel tanks is all very regulated. Daryl asked if there would be secondary containment for the fuel tanks. They advised that they would do whatever is required. Roger advised that they do have 2" service at the other plant and would want the same here. The water line is on the south side in front of Lot 9, there is a hydrant there and two more are on the property. There is a 12" line for the hydrants.

Pilz advised that the provisions of the secondary plat do not allow us to issue any building permits for either of these lots until the roadway between them is either constructed or surety is presented that guarantees it's construction. That was done because the Plan Commission felt the extension of the road to the east was very important to provide another access to the land to the east. Obviously that issue will have to be resolved before they can go ahead with the project. If they vacate the right-of-way there are statutory provision for doing that, as well as local provisions. They must start with the Plan Commission, which holds a public hearing, the Board of Works makes a recommendation and the last action is by the Council in form of an ordinance. There would be similar requirements for the easements that are on the site. There also are a number of easements shown on the plat that they do not show on the site plan that will need to be resolved and considered. One is for the Stimson Drain, which is a regulated drain under the authority of the County Drainage Board. That would have to be resolved through their Board. There may be some relocation of that drain depending on what their conditions are. The wetlands are delineated on the plat and they are very close, especially on the south side, so those types of things will have to be resolved. The sanitary sewer and water lines are in through the site. If the right-of-way is vacated they will have to come back and build a City approved cul-de-sac. There is some pavement there but it probably is not to our standards. From a water quality standpoint this is not a great site for outdoor industrial use. The soils are very permeable and ground water is a matter of a couple of feet, if not inches, from the surface so that will be a very serious consideration as we look at the plans for approvals. We are going to have to look at that extensively and there would have to be some water quality run-off issues provided as a part of the plans. Dave will do a follow-up with comments based on these plans and will send it to Kevin Kelly. Dave asked if the plant here would be like the plant in South Bend. Kevin said that it will not be the exactly the same but will be even more environmentally friendly than the South Bend plant. Pilz advised that we will need a detailed site plan prepared by an Indiana professional land surveyor or engineer. It will have to show grades, dimensions, erosion control, run-off issues, etc. Our standards require that aggregate areas be treated as if they are paved as far as run-off is concerned. They will need to file a Rule 5 permit with IDEM and will need to copy us with the application. It is also our understanding that a Rule 6 permit will be required with IDEM also and we will need a copy of that application also.

Dennis said he was under the impression that the easement for the Stimson Ditch was vacated when they put the detention pond in. It shows on the plat but Dennis thought that was an old plat. Pilz said if he could provide documentation on that we would need it.

Oeding said that his only concern is the trucks pulling out onto the city road might track materials out onto the City streets. This should be taken care of in their design.

Phillips advised that we would need a detailed landscape plan.

They hope to have the new plant up and running by next spring. It runs from April 1st to November

31st, depending on workload and weather. They do not run all year round. The down time is used for repair.

Mark Miller went over a list of everything that needs to be done with the Plan Commission and BZA. He also asked if the 10-acre retention pond needs to stay. They would like to reduce that if possible. Haines asked if Pilz remembers the discussion that the 10 acres may be more than what is needed and could be reduced. Pilz said that the outlet is so limited from the site that it will depend on the impervious surface figures. They may even need to do some excavation to expand the physical part of what is there for more detention. Their engineer will need to run calculations. They need to include where the aggregate is stored in their impervious calculations. Haines said that they still have the remaining four lots. Could they have a trade off and require each of the lots left to have their own small detention ponds to reduce the size of pond. Schnurlein said that the people on Lot 4 are coming for site review next week and they would need to be informed if that trade off is possible. Haines said they might just put a detention pond on the drawings for them and start it off that way.

Miller stated that his understanding was that the Army Corp of Engineers never visited the site. It is not listed on the national inventory. If they can go forward does the City have any problem with them trying to get those wetlands vacated? Pilz said that someone qualified would need to do the delineation and then go through IDEM, not the City. If they need to keep the wetlands, Phillips advised them to look at Article 34 of the Zoning Ordinance in regard to developing in the wetlands.

ISSUES TO BE RESOLVED:

- Landscaping plan
- Erosion control plan
- Vacations
- Detailed Site Plan
- Sanitary/Sewer
- Backflow Prevention
- State Release
- Building Permit