



**GENERAL SUBCOMMITTEE  
A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**MINUTES OF THE SEPTEMBER 27, 2010 SUBCOMMITTEE MEETING**

**Prepared by Ann DeVeaux, Zoning Technician**

On Monday **September 27, 2010**, the General Subcommittee met at the Vista Center, Room VC-2E-12-Conference Room, at 2300 North Jog Road, West Palm Beach, Florida.

Second meeting of the Solid Waste Authority Subcommittee for Amendment Round 2010-02.

**A. CALL TO ORDER**

Mrs. Cantor called the meeting to order at 2:00 p.m.

**1. Roll Call**

**Subcommittee Members:** Michael Cantwell

**Industry:** Marc Bruner and Ken Berg (Solid Waste Authority [SWA]), Ken Wilson (Department of Health), Kevin McGinley (On behalf of Pruitt & Pruitt, P.A. for Bushel Stop Nurseries).

**County Staff:** Maryann Kwok, William Cross, Alan Seaman, Monica Cantor, Ann DeVeaux.

**2. Amendments to the Agenda**

N/A. No quorum.

**3. Motion to Adopt Agenda**

N/A. No quorum.

**4. Adoption of September 13<sup>th</sup> Meeting Minutes (Exhibit A)**

N/A. No quorum.

Only one LDRAB member was present, therefore, the meeting began as an informal discussion.

**B. DISCUSSION**

**1. Examples of Yard Waste Ordinances (Exhibit B)**

Mr. Cross called the meeting to order, gave a brief summary of the last meeting and stated that it would be beneficial to hear the viewpoints/feedback of the parties most affected by the topic. The focus of the meeting was to:

- Define yard waste with limitations to tree, palm and grass clippings;
- Review ordinances from other municipalities;
- Obtain input from the parties that created the need for the amendment; and,
- Obtain feedback for language to be drafted for yard waste transfer stations.

Ms. Cantor explained briefly yard trash and waste definitions from ordinances of three municipalities: Cities of Boynton, West Palm Beach, and Delray. Mr. Bruner mentioned that City of West Palm Beach is dealing with a transfer station that has similar issues with yard waste.

## 2. Yard Waste Definition (Exhibit C)

The Yard Trash definition used by the Department for Environmental Protection (DEP), Exhibit C, was the starting point for the use definition.

Discussion ensued regarding the criteria to be used for yard waste transfer stations. The issues were:

- Location criteria based on proximity between transfer stations;
- Accessibility from arterial or collector streets;
- Minimum site acreage;
- Concurrency with special attention to the number of trips generated by the use;
- Size of trucks picking up and dropping off waste;
- Volume of trash on site (method of measurement and control of timely removal);
- Nuisance/noise in the residential area and surroundings;
- Percentage of the site's area to be used for yard waste if it is an accessory use;
- Hours of operation; and,
- Buffering.

Mr. Bruner and Mr. Berg addressed some of the concerns and stated that permits would be issued by SWA, and would include a monthly reporting requirement on the volume taken in and sent out and the location where it is sent to. He clarified that permits would be issued because yard trash is still solid waste and is a special subset of solid waste. Companies seeking to become yard waste transfer sites would need to demonstrate the appropriate Zoning district and issuance of a registration by the Department of Health. A solid waste facility is a facility permitted by the Solid Waste Authority. The proper terminology for a permit is a "*Solid Waste Authority Permit*" and they would also need to obtain a "*Solid Waste Management Facility Permit*".

Mr. Seaman questioned the purpose of the other nurseries documenting the disposition of material. Mr. Bruner stated that one of the conditions for a permit would be that the material must be brought to a SWA site or one of SWA's permitted stations as a vegetation process point. Basically, the nurseries would run it as a service for their customers and charge the landscapers for dropping it off there.

Mr. Wilson stated that the Health Department would want to ensure that the yard trash facility has proper storage and a limitation for onsite storage of seven days, to avoid fire hazards, odors, and, other associated problematic issues. This could be accomplished by including this criteria in the use regulation.

Discussion ensued regarding monitoring of the facility storage volume since many of the existing nurseries do not have scales. Suggested methods of monitoring were:

- Monitor trips of trucks on the road;
- Restrict truck size to 30 cubic yards for small sites;
- Limit the number of trucks on the road;
- Limit the amount of yard clippings accepted;
- Monitor/regulate the facility by the percentage of waste it occupies; and,
- Report within 24 hours information related to noise, dust control, and, volume and length of the clipping yard on site when Code Enforcement requires it.

## 3. Yard Waste Transfer Station as Accessory Use or Principal Use

Mr. Bruner mentioned that the typical size of a truck is usually 30 cubic yards. This type of use generates traffic from a business standpoint when enough material is brought in and turned over.

Mr. McGinley gave insight into the process and business relationship between the chipping and mulching sites and the wholesale nurseries. He highlighted the following:

- Chipping and mulching businesses need the yard waste product;
- The resulting product is a mix of soil and vegetative waste which creates different soil types for garden vegetation and special needs;
- Processed material, rocks and plants are brought to the wholesale nurseries from the chipping and mulching site; and,
- A truck traditionally brought in was a one-way stop (bring it in, off load it), and the truck goes back to the chipping and mulching facility empty.

Mr. McGinley pointed out that the size of the trucks vary by what they are delivering but each day and several deliveries are made to each one their sites. It should not be a problem for Bushel Stop to take the product that they need back with them.. In that sense, Bushel Stop and Atlas Peat and Soil is like a self-contained recycling system.

Discussion ensued regarding:

- Separation requirement from residential if a truck's back up alarm is a noise factor; and;
- Application of the Code's regulations for chipping and mulching and composting facilities to transfer stations.

Mr Cross suggested that the transfer sites should be limited to arterial or collector streets. He also pointed out that wholesale nurseries may have potentially outgrown its intended use by definition and that staff may consider increasing standards for residential areas. Mr. Cross stated that the area of use to the residential property line may be the applied area for buffering.

Mr. Cross concluded the meeting by stating that based on the feedback received, Code language and a definition for yard trash transfer station would be drafted and brought back to the final meeting on October 18, 2010. Staff will examine uses that may be allowed to have a transfer station in accordance with Article 4, Use Regulations, with standards located in Article 5, Supplementary Standards.

**C. ADJOURN**

The meeting adjourned at 3:08.