

**MINUTES OF THE WORK SESSION OF THE PLANNING & ZONING
COMMISSION OF THE TOWN OF THATCHER
October 18, 2011**

MEMBERS PRESENT: Chairman David Griffin, Members Jerry Hoopes, Pat Nelson, Ramon Morales, Mike Ajeman, Mark Vining, and Town Engineer Heath Brown

MEMBERS ABSENT: Member Dennis Martin

VISITORS: Michael McCarthy, Hunter Winsor, David Winsor, Denny Layton, Paula Layton, Shari Sutorka, Cindy Hunt, Colleen Edington, Adam Layton, Leiah Layton, Andrew Woods, Deana Stone, Sally Feonciori, Steve Allen, Glen Scholl, Tom Cope, Curtis Allen, Patricia Allen, Todd Dunham, Savannah Mate

Chairman David Griffin called the meeting to order at 7:01 pm, establishing that there was a quorum.

Pledge of Alliance

Roll Call

Approval of Minutes

Chairman David Griffin asked if there was any discussion of the June 2011 meeting minutes and there was no discussion. A motion was made by Mr. Jerry Hoopes to accept the minutes and seconded by Mr. Mark Vining. The vote was unanimous and the minutes were approved.

Public Hearing:

Request for C-2 Use – Trucking Terminal

Chairman Griffin asked if there was any discussion from the public. Mr. Steve Allen explained that he purchased the property that was the old Town of Thatcher maintenance yard. When he purchased it he did not realize that the C-2 zoning did not specifically allow a trucking terminal; in his mind it was the same use as the Town of Thatcher yard and the Mack's equipment company. Mr. Allen is working with Bulk Transport and understands that the acid being transported by Bulk is a concern of the neighbors. Mr. Allen introduced the two Bulk representatives, Mr. Todd Dunham, local manager, and Mr. Andrew Woods, corporate representative, and stated that they all would be glad to answer any questions.

Mr. Todd Dunham stated that he has been the local manager for three years. Bulk's existing terminal is on US 70 on the east side of Safford. They propose to use the location in Thatcher as a base for the trucking company, moving from the Safford site. They propose to operate a mechanic shop from 8:00 AM until 4:30 PM. No acid is stored in the trucks at the terminal, no acid is transferred from truck to truck, and there are no acid storage tanks proposed at the site. The local branch operates 15 trucks at this time, which is down from previous numbers. The existing Bulk trucks do run through Thatcher now on US 70. The trucks would come and go beginning in the early morning hours and running all day and into the night. There are two shifts of drivers working 10-12 hours each and they are paid by the mile. The company plans to eventually build an entrance onto Reay Lane. Trucks would seldom use Reay Lane north of US 70. The normal route would be from the site to Miami to load acid, and from there to either the Safford or Morenci mines. After the last delivery is made, the trucks return to the terminal in Thatcher, generally using Reay Lane if coming from the Safford Mine. Once trucks leave at the beginning of their shift, they do not return to the yard until their shift is over. There would be trucks coming and going at night, approximately 5 entrances and 5 exits per night.

Mr. Andrew Woods, Bulk Corporate, stated that the company currently has about 300 trucks and 500 trailers, operating out of 15 terminals. Mr. Woods was asked if the company has ever had an acid spill and he replied yes, but not at a terminal, only on the highways or with a valve leak on the road. This new location is not an additional terminal for the company, just a relocation of the existing Bulk Safford site.

Mr. Dunham stated that the Thatcher facility is much better, with fences, a better shop, and fuel tanks. He stated that most Bulk terminals are in an industrial area but some are near or in residential areas. He was asked if the trucks have back-up alarms and stated that they do, but they could be put on a shut-off switch for nighttime in the yard.

Mr. Tom Cope stated that he is against the use. He stated that the trucks haul acid and accidents can happen.

Mr. Dunham stated that the trucks could possibly come into the yard loaded with acid, but that if there were a problem with the truck, the trailer would be attached to a different truck and continue to its destination. Mr. Dunham stated that he and Bulk take pride in shop quality.

Mr. Glen Scholl asked what type of acid is hauled and Mr. Dunham answered sulfuric acid. He asked what the trucking termini are and was answered Miami to Safford or Morenci. He asked if the acid was used or new and was answered new and that Bulk does not haul used acid. He asked what direction the prevailing winds were and no one was able to answer. He asked how much residual acid remained in the truck after it is unloaded and was told 3-5 gallons. He asked about precautions when handling the acid and was told that full protective suits were worn. He asked about inspections and was informed that at the beginning and end of each shift, the driver inspects the truck and

trailer, and that the tanks have annual pressure tests. He asked if expended chemicals are transported by the mine and was told that Bulk did not transport expended chemicals.

Mr. Dennis Layton asked if trucks would use Reay Lane north of US 70 and was told by the Bulk representatives that yes they would, but only at the end of shifts and that the trucks would be empty. Mr. Layton asked if the fleet would increase in size in the future and was told that at this time the truck numbers are down from the past but it would be possible for the numbers of trucks to increase slightly. He asked how many trucks per day and was told a maximum of 30, but that some drivers return to their homes instead of the terminal and so it would normally be less. Mr. Layton stated that he believes that no residents of Reay Lane would be in favor of this additional truck traffic especially with all the kids living on the street and in the area. He is concerned about safety, the church, and stated that accidents can happen. Mr. Layton noted that Reay Lane is busy in the area from US 70 north and that the truck traffic would interfere with the slow moving farm equipment. He stated that he owns the property across the street from the proposed site and feels that the truck terminal will devalue his property. He also noted that it is the nature of businesses to expand and that Bulk will most likely do so if possible. Mr. Layton stated that he feels this is a poor location for this land use.

Mr. Adam Layton asked if Bulk trucks use Barney Lane to transport and was told that no, that is CTI. Mr. Adam Layton said that he echo's his father's concerns and noted that in his experience, truck drivers will not always obey the rules.

Mr. Mike McCarthy stated that he lives directly across the street from the old yard. He feels that the terminal will depreciate the value of homes in the area. He asked if there were plans to expand the fuel capacity on site and was answered, no. He asked if fuel would be delivered to the site and was answered yes, every 7-10 days. He noted the canal bordering the yard and the potential for spills to enter the canal. He asked if the Town of Thatcher could guarantee no problems and take the liability for future problems. He concluded by stating that he is adamantly opposed to the truck terminal.

Mr. Lance Layton asked why the Town of Thatcher would want to put another highway thru town. He stated that the truck terminal is not a bad deal, but it is not appropriate to be placed in town. He feels there are better locations.

A local resident, name unstated, expressed that she is opposed because of the noise associated with the truck terminal.

Ms. Savannah Mate stated that this might seem like a good idea, but because of the safety, noise, vibration, and narrow streets, it is not a good location. She noted that drivers can get tired and accidents can happen.

Ms. Shari Sutorka said that she did not have much more to add but echoes the others concerns. She asked what happens if a spill occurs. She was answered by Mr. Dunham that the area would be cordoned off, the fire department called, and a haz. mat. team from Tempe would come and use a vacuum truck to clean the spill. Ms. Sutorka stated that

she is very concerned and is against the proposal. She is worried about the traffic on 4th Street and 8th Avenue and concerned about the late hours.

Mr. Scholl asked if this business would generate any new revenue for the Town of Thatcher and was answered by Mr. Heath Brown that as far as he knew, no.

Ms. Cindy Hunt stated that she is torn on the issue, she feels for the property owner, Mr. Allen, but is concerned about the safety of the situation. She said that she believes Bulk Transport to be a responsible company.

Mr. Hunter Winsor asked why the property could not be used for new home construction which he feels would be better for the town and stated that he is opposed to the trucking terminal.

Decision on Public Hearing:

Decision on C-2 Use – Trucking Terminal

Mr. Jerry Hoopes asked where the drivers live who take their truck home instead of the terminal. Mr. Dunham answered one in Thatcher, two in Pima, one across the River, and in Safford.

Mr. Mark Vining asked when this property was changed to C-2 zoning and Mr. Brown answered about three years ago and that the site had been used as the Town of Thatcher maintenance yard for about the last 30 years.

Mr. Ramon Morales noted that in the Industrial-1 zone it lists a trucking terminal as an allowed use. So essentially what is being requested is that an allowed industrial use be permitted to go into a Commercial-2 zone. Therefore, he feels that the Commission should not allow this in the C-2 zone. If we do allow it, it might set a precedent and basically add a trucking terminal as an allowed use in the C-2 zoning district.

Mr. Jerry Hoopes asked what the nighttime hours of trucks moving about the yard would be. Mr. Dunham answered that trucks would come in and out at about all hours, 1:00 AM, 2:00 AM, 4:00 AM, etc.

Mr. Mike Ajeman asked Mr. Allen what he would do with the property if the request were denied. Mr. Allen stated that he did not know, and asked the commission what they would suggest.

Mr. David Griffin asked Mr. Dunham if there is currently any Bulk truck traffic on Reay Lane. He answered that there was just a small amount. Mr. Griffin stated that if there were no more discussion, he would entertain a motion.

Mr. Ramon Morales made a motion to deny the request based on the uses allowed in the codebook. Mrs. Pat Nelson seconded the motion. The vote was Morales and Nelson

Yes, and Ajeman, Hoopes, Griffin, and Vining No. The motion did not pass with a vote of 2-4.

Mr. Jerry Hoopes made a motion to approve the request with the stipulation that an entrance be constructed from the yard directly onto Reay Lane and that the trucks use this entrance exclusively. He added that they should be given sufficient time to complete construction of the new entrance and that employees driving their personal vehicles be allowed to use the existing 4th Street entrance. Mr. Mike Ajeman seconded the motion. The vote was Ajeman, Hoopes, Griffin, and Vining Yes, and Morales and Nelson No. The motion passed with a vote of 4-2.

Mr. Mike McCarthy asked the Commission if a barrier could be erected to shield the adjoining neighbors from sound and light, possibly an oleander shrub.

Adjournment:

Mr. Jerry Hoopes made a motion to adjourn and Mrs. Pat Nelson seconded it. The vote was unanimous and the meeting adjourned.