

Item # 98

ADDITIONAL MATERIAL
Regular Meeting
June 15, 2021

SUBMITTED AT THE REQUEST OF
ENVIRONMENTAL PROTECTION and
GROWTH MANAGEMENT
DEPARTMENT



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

1 N. University Drive, Suite 102A, Plantation, FL 33324 T: 954-357-8695 F: 954-357-6521

TO: Mayor and Members of the Board of County Commissioners

THRU: Bertha Henry, County Administrator

FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

DATE: June 7, 2021

RE: **Agenda Item No. 98** (Commission Meeting of June 15, 2021)

The Environmental Protection and Growth Management Department Local Planning Agency (LPA) considered the proposed amendment at its June 2, 2021 public hearing. The LPA:

- Received public comments,
- Transmitted the proposed amendment to the Board of County Commissioners (Board), with the recommendation that the Board transmit the proposed amendment to the Broward County Planning Council for their consideration; and
- Advised the Board, that while the proposed amendment to Industrial future land use is compatible with adjacent uses and consistent with land use policies in the Broward County Comprehensive Plan; expansion of Monarch Hill Landfill and the loss of Electrical Generation Facility use is not consistent with environmental and solid waste goals, objectives and policies of the Comprehensive Plan.

The draft LPA meeting minutes are attached. Additional written public comments received by the Planning and Development Management Division also are attached.

Attachments (2)

cc: Monica Cepero, Deputy County Administrator
Andrew J. Meyers, County Attorney
Maite Azcoitia, Deputy County Attorney
Robert Melton, County Auditor
Lenny Vialpando, Director, Environmental Protection & Growth Management

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
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SUMMARY MINUTES (DRAFT)



Local Planning Agency (LPA) Public Hearing
Broward County Government Center West, 2nd Floor Hearing Room
1 North University Drive, Plantation, FL 33324
June 2, 2021 2:00 pm

Board Members Present In-person

Javier Acevedo, AICP, PDMD	Sue Carrano, PDMD	Andrew Dietz, PDMD
Sara Forelle, AICP,	Cyril Saiphoo, Chair, AICP, PDMD	

County Staff Present In-person

Heather Cunniff, AICP, PDMD	Darby Delsalle, AICP, PDMD	Rick Ferrer, PDMD
Jo Sesodia, AICP, PDMD		

County Staff Present Via WebEx or Phone

Clyde Anderson, PDMD	Notosha Austin, SWRS	Maite Azcoitia, CAO
Monique Davis, PDMD	Tonya Fletcher, PDMD	Chris Flynn, PDMD
Steve Kasselakis, SWRS	Leonard Vialpando, EPGMD	

Attendees Present In-person

Chris Carey, Waste Management	Joe Handley, Craven Thompson and Associates, Inc	Bill Laystrom, Doumar, Allsworth, Laystrom, Voigt, Wachs, Adair, and Dishowitz, LLP
Philip T. Medico, Jr.	Scott Stoudemire, City of Coconut Creek	Eric Torrella, Waterways Homeowners Association

Attendees Present Via WebEx

Craig Ash, Waste Management	Julian Bobilev, Craven Thompson and Associates, Inc.	Tom Crummy, Waste Management
Melissa Doyle, City of Fort Lauderdale	Joseph Geller, Greenspoon Marder, LLP	Barbara Herrera, Waste Management
Nick Khoury, Waste Management	Dawn McCormick, Waste Management	Michael Moskowitz, Moskowitz, Mandell, Salim, and Simowitz, P.A
Justin Proffitt, City of Coconut Creek	Lisa Silva, Waste Management	Ralph Trapani, City of Miramar
12 unnamed attendees via telephone	1 unnamed attendee via WebEx	

I. Call to Order

Cyril Saiphoo called the public hearing to order at 2:02pm. The purpose of the meeting is to receive public comments and make findings as to whether the proposed agenda items are consistent with the Broward County Comprehensive Plan. The meeting is open to the public and notice of the meeting was published in the Sun-Sentinel. The notice included information about submitting comments by joining the meeting on-line, as well as the address for submitting written comments. A copy of the notice is on file with the Planning and Development

Management Division. Mr. Saiphoo advised all attendees that the meeting is being recorded. Mr. Saiphoo stated that Broward County is mindful of the threat of the COVID-19 virus. There is limited in-person attendance. The public is attending on-line through WebEx and in satellite conference rooms.

Upon the request of Mr. Saiphoo, the Local Planning Agency members introduced themselves.

2. Approval of Minutes: March 16, 2021

Motion: Upon a motion by Javier Acevedo, seconded by Sue Carrano, the March 16, 2021 Local Planning Agency minutes were unanimously approved.

3. Broward Municipal Services District Element Future Land Use Map Amendment: 20-M1 (Waste Management)

Heather Cunniff presented the staff report on behalf of the Planning and Development Management Division. Ms. Cunniff noted that she is certified with the American Institute of Certified Planners and has over 25 years of professional planning experience. Ms. Cunniff submitted the Staff Report as part of the record of the public hearing and stated it provides the full background for staff's recommendation.

Ms. Cunniff provided a brief overview of the proposed amendment. The site concerns the inactive Wheelabrator North Resource Recovery Facility, an approximately 24.2-acre site, located on the south side of Wiles Road, between Florida's Turnpike and Powerline Road. The applicant seeks to change the future land use designation of the site from Electrical Generation Facility to Industrial. The applicant's stated short-term purpose of the proposed amendment is to ensure continued use of the existing solid waste transfer station. The applicant's stated long-term, and primary purpose, of the proposed amendment is to expand the adjacent Monarch Hill Landfill.

Ms. Cunniff noted that staff reviewed the proposed amendment for consistency with the Broward County Land Use Plan and Broward County Comprehensive Plan. Ms. Cunniff stated the proposed amendment was analyzed in terms of Land Use Compatibility, Consistency with other Elements of the Broward County Land Use Plan and Broward County Comprehensive Plan, and Other Planning Considerations.

Ms. Cunniff offered the following staff findings:

- The proposed amendment is consistent with BCCP and BCLUP policies that address compatibility.
- The proposed amendment is not generally consistent with BCCP and BCLUP policies related to landfill expansion. Further, approval of the landfill's expansion at this time should be deferred until an updated Solid Waste Element is adopted by the Board of County Commissioners.
- The proposed amendment is consistent with BCCP and BCLUP policies that address public infrastructure and facilities and no negative impacts on adjacent natural and historic resources have been identified.

Additionally, staff recommends the applicant consider:

- Collaborating with the City of Coral Springs, Florida Department of Transportation, Broward Metropolitan Planning Organization, and Broward County to construct sidewalks and dedicated bicycle facilities concurrent with new development.
- Designing the site to include safe and convenient connections to the surrounding transportation network.
- Installing amenities, such as bus stops, pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations within and around the development.
- Installing electric vehicle charging stations.

Ms. Cunniff provided the following staff findings and recommendations:

- The proposed amendment is consistent with Broward County Comprehensive Plan policies that address public infrastructure and facilities and negative impacts on adjacent natural and historic resources are not expected.
- The proposed amendment is not generally consistent with Broward County Comprehensive Plan and Broward County Land Use Plan policies related to landfill expansion.
- Consideration of landfill expansion should be deferred until an updated Solid Waste Element is adopted by the Board of County Commissioners
- The Local Planning Agency (LPA) should transmit the proposed amendment to the Board of County Commissioners (Board), with the recommendation that the Board transmit the proposed amendment to the Broward County Planning Council for their consideration; and
- The LPA should advise the Board that while the proposed amendment to Industrial future land use is compatible with adjacent uses and consistent with land use policies in the Broward County Comprehensive Plan; expansion of the Monarch Hill Landfill and the loss of the Electrical Generation Facility use is not consistent with environmental and solid waste goals, objectives and policies of the Comprehensive Plan.

Mr. Saiphoo requested the applicant's presentation. Bill Laystrom, the applicant's representative, made a Powerpoint presentation (attached). Mr. Laystrom stated the site is a former a waste-to-energy facility that is currently operated as a trash transfer station. The building remains, but the incinerator portion has been dismantled. Wheelabrator has a contract to operate the site as a waste transfer station until July 2023. The applicant seeks to use the site as a landfill after July 2023. The current landfill has an 8 to 9-year operational span. The proposed amendment extends the operational span by 6 to 7 years. Mr. Laystrom provided an overview of the existing and planned land uses of properties surrounding the proposed amendment site, noting that industrial land uses surround the site.

Mr. Laystrom noted there are few sites in Broward County that are available for trash disposal. Mr. Laystrom provided an overview of the various materials disposed at the landfill. The landfill receives construction and demolition debris, municipal solid waste, yard waste, and is an important asset for the disposal of debris following hurricanes (i.e. Hurricane Irma). Broward County's nearby sewage treatment plant generates sludge that is disposed of in the landfill. The sludge and municipal solid waste currently disposed of at Monarch Hill will need to be trucked to other facilities.

Mr. Laystrom highlighted improvements that have been made to mitigate impacts, including bird and odor control measures and street sweeping in Deerfield Beach. In addition, landfill gas is captured and used to provide power to approximately 9,000 homes.

In conclusion, Mr. Laystrom stated the proposed amendment:

- Adds 7.8 million cubic yards of landfill space to the current remaining 17 million yards.
- Is supported by Broward County Land Use Plan policies 2.11.8, 3.4.2, and 3.4.3, Broward County Comprehensive Plan Solid Waste Element Objective 6.4 and Policy 6.4.3, and Broward Municipal Services District Element Policy 1.3.3.
- Has been presented to the City of Deerfield Beach City Commission and City of Coconut Creek staff.
- The Broward County Comprehensive Plan's Solid Waste Element has not been updated and the Solid Waste Task Force has not addressed the issue of additional landfill space.

Mr. Saiphoo noted that 28 comments were received via e-mail, all opposing the proposed amendment and additional letter was received from Coconut Creek in opposition to the proposed amendment.

Scott Stoudemire, Director of Sustainable Development for the City of Coconut Creek, stated the Solid Waste Element was not updated as part of the BrowardNext planning process. Consequently, it is premature to consider the proposed amendment. Mr. Stoudemire stated that the Electrical Generation Facility future land use designation remains a reasonable use. He also asserted that the Staff Report does not provide an adequate analysis of land use compatibility, traffic impacts, and environmental concerns. Mr. Stoudemire contends that the proposed amendment is not consistent with Broward County Land Use Plan policies 2.10.2 and 2.10.3 that address compatibility of land uses.

Eric Torrella spoke against the proposed amendment on behalf of the Waterways Homeowners Association, which is located just north of the proposed amendment site, between Wiles Road and SW 10th Street. He stated that promises were made to the community years ago that the land fill would not expand and would close. He noted that the applicant did outreach within the community, but it is unclear on how long it will take until the landfill is filled. Mr. Torrella stated the landfill generates negative impacts on air quality and generates noise. He further noted that odor emanates from the landfill, even though measures are being implemented to reduce odor.

Motion: Upon a motion by Andrew Dietz, seconded by Mr. Acevedo, the LPA unanimously approved the staff recommendation.

4. Public Comments: Non-agenda Items

No comments.

5. Adjourn

Upon a motion by Ms. Carrano, seconded by Mr. Acevedo, and unanimously approved, the LPA meeting adjourned at 2:47 PM.

Disclosure: The above captioned minutes are transcribed in a summary format. To obtain a complete audio recording of the meeting, approved summary minutes, or any presentation or handout materials, submit a public records request through Planning and Development Management Division, 954-357-8695.

Additional Information-Public Comments

Good afternoon and to whom it may concern, my wife and I live in Waterways community and we strongly oppose the tearing down of the brown building to make room to extend the life of the landfill. The smell and dirt and dust and noise from the landfill is a constant nuisance for our entire community and we believe presents a health safety concern. The putrid smell is nauseating and is ever present. We can't have people over or enjoy the outside due to the dust and smell. The landfill lowers our property value end it is time to End it please. 7 more years is way too long and to our understanding it is taller than it was ever meant to be. Please do not allow this to continue!

Mark and Rapha Bell
4560 SW. 14th St., Deerfield beach Florida
561-752-6355

To whom it may concern.

Good afternoon,

My husband and I live in Waterways community and we strongly oppose the tearing down of the brown building to make room to extend the life of the landfill. The smell and dirt and dust and noise from the landfill is a constant nuisance for our entire community and we believe presents a health safety concern. The putrid smell is nauseating and is ever present. We can't have people over or enjoy the outside due to the dust and smell. The landfill lowers our property value end it is time to End it please. 7 more years is way too long and to our understanding it is taller than it was ever meant to be.

Please do not allow this to continue!
Thank you very much,

Raphaella Bell

To whom it may concern,

I am a resident of The Waterways and as a homeowner I do not want the dump to be extended 7 or more years. This was supposed to be finished with years ago and it seems like more and more years keep getting added on. I do not want to see or smell the dump. It is an eye sore and our garbage does not even go to the dump in this location. Also, I do not appreciate such short notice that we as residence have to find out this is going to happen not giving us enough time to respond about the hearing. It is sneaky and unprofessional to giving people last minute notice about something that impacts so many residents. If my vote counts, I vote **NO** to this amendment adding more years on. Find another place to put the trash. If you do not want to look at it in your backyard then neither do we.

Thank you
Christina Constantino

Additional Information-Public Comments

1236 SW 48th Terrace
Deerfield Beach, FL 33442
