

CITY OF PEACHTREE CITY
MINUTES OF SPECIAL MEETING
With Concerned Citizens of Planterra Ridge Subdivision
March 15, 1999
6:00 p.m.

A special meeting was held with the residents of Planterra Ridge Subdivision on Monday, March 15, at The Gathering Place. Residents from Aberdeen and Braelinn Villages were also present. (Approximately 75 residents attended.) The purpose of the meeting was for residents to discuss their concerns regarding Photocircuits and its recent variance request. Mayor Lenox called the meeting to order at 6:00 p.m.

Eric Snell, president of the Planterra Ridge Subdivision Homeowner's Association, addressed the Mayor on behalf of the Planterra residents. Throughout the meeting many residents voiced their concerns and opinions; however, most did not state their name for the record. For the purpose of these minutes, unless otherwise stated, individual citizen comments will be referred to as a consensus of the citizens attending.

The residents were concerned that all of the Council members may not be present at the meeting Thursday, March 18, to consider Photocircuits variance request. They were also concerned that there may be a limited time for residents to speak concerning the variance. Lenox explained that, as far as he knew, all Council members would be present. He also said Council could not consider "new" agenda items after 11:00 p.m., but they could extend the meeting to proceed with the current agenda item, if necessary.

Snell distributed and discussed a packet of information, which documented the citizen's rational for believing that Photocircuits should be held to the highest standards possible for approving variances and site plans. *[Note: This packet of information will be kept in the official meeting file for future reference.]* The citizens felt that if the variance was denied, Photocircuits would be forced to move their parking to the rear of the facility, and, as a result, would be prohibited from expanding the facility. They felt that any expansion of Photocircuits would increase the negative impacts of having heavy industry adjacent to a residential development. They already felt their quality of life had been negatively impacted with noise, lights, odors and traffic caused by Photocircuits' current operation. The citizens were also very concerned about the day-to-day exposure to pollutants, water consumption, waste water discharge as well as the health and environmental risks from potentially large releases of toxic chemicals.

The citizens asked the City to protect the health, safety and welfare of all its citizens by implementing the following six suggestions:

1. Deny all zoning/variance requests for Photocircuits properties along Dividend Drive

and Kelly Drive.

2. Immediately delay approval of all site plans to expand Photocircuits' existing properties.
3. Thoroughly audit and investigate Photocircuits' compliance with all Peachtree City Codes and Ordinances with respect to their existing facilities as well as any future acquisitions of facilities or expansion of existing facilities.
4. Permanently deny requests for site planning approval of any expansions if Photocircuits fails to comply with any ordinance, or public safety, health and environmental standards of Peachtree City.
5. Develop, implement, test and communicate a comprehensive disaster prevention and evacuation plan.
6. Form a Health Risk and Environmental Impact Review Committee to protect the City and its residents from harmful industrial developments.

The packet also contained information to reinforce their interpretation of the City's ordinances as it applied to industrial development, the protection of the health, safety and welfare of its citizens, the protection of the environment, and criteria used to grant variances. The citizens explained their interpretation of the ordinance in detail to justify the denial of Photocircuits' variance request.

Mayor Lenox said he had consulted the City Attorney who explained that Photocircuits had a legal right to develop their property to the highest and best use as zoned. Lenox explained the facts surrounding the variance request. He said Photocircuits currently had a rear setback of 50 feet and in exchange for a variance to the front setback, they were willing to exchange the rear setback for an undisturbed 115 foot buffer. Lenox explained the difference between setbacks and buffers in that setbacks could be cut and cleared and the buffer would be left undisturbed. A citizen brought up the fact that Photocircuits' site plan, which was submitted with the variance request showed a detention pond in the area of the proposed 115 foot buffer. Jim Williams, Director of Developmental Services, said that a detention pond could be located in the area without cutting trees by creating a dike within the area. Citizens voiced concerns that excessive water would kill or drown the trees. The Mayor agreed and said that it was his understanding that the buffer would remain undisturbed and Photocircuits

would have to find an alternate location for the detention pond. The Mayor also explained that the City could not legally prohibit Photocircuits from having a curb cut onto Kelly Drive. He was pleased that Photocircuits was willing to give up the curb cut in exchange for the variance. Lenox went on to explain that Photocircuits had done nothing to cause the parking lot encroachment into the setback, and, in fact the property had not been in compliance for many years and therefore it would be unreasonable to deny their request.

The citizens asked that City Council and staff look very closely at the City ordinances, which they felt would justify the denial of the variance. Most citizens did not seem opposed to industry as a whole, but had serious concerns about Photocircuits because of its particular track record. They felt that Photocircuits was not a good neighbor because for over two years they failed to take any constructive action in response to citizen complaints or to mitigate its impact on the environment. Citizens were also concerned about Photocircuits' integrity because the company failed to obtain a permit from the Environmental Protection Division (EPD) from 1994 to 1996.

Lenox agreed that citizens had legitimate concerns that Photocircuits should address: noise, light, smell and assurance of proper safety measures. Citizens also brought up concerns about traffic and water/sewerage usage. Lenox said Photocircuits had paid the previous owners of the sewerage system \$388,000 to reserve an additional 300,000 gallons of sewerage capacity. He explained that the agreement transferred with the ownership of the system; however, The Peachtree City Water and Sewerage Authority was not interested in providing any additional sewerage capacity to Photocircuits because the sewerage system's capacity was limited.

Citizens were concerned that Photocircuits was attempting to raise the amount of copper they discharge. Lenox said the total amount of copper was not as critical as the toxicity and type of copper. It was raised that the conductive nature of the copper was also harmful. Citizens felt that raising the "ph" levels would increase the rate of deterioration of the sewerage lines. They were also concerned about the fact that the Toxic Release Inventory (TRI) data was collected and submitted by Photocircuits on an "honor system." They did not trust Photocircuits to be honest and because the data was recorded on an annual basis, there would be no way to determine whether an unusually large amount of chemicals had been released in a small amount of time. Citizens said the EPD had the equipment to test the TRI on a day-to-day basis, but the City would need to initiate the test. Several citizens said they had called Photocircuits when they noticed various colored smoke clouds coming from the smoke pipes and were told it was only "steam." Chemicals are required to be listed in the TRI because they could cause adverse long-term health effects, cancer, disorders, mutations and

adverse effects on the environment. ” The status of Line Creek was brought up for discussion because there are “dead zones” down stream from the industrial park. Citizens wanted to know who would look into the issue and why the EPD did not get more involved.

It was stated that the EPD only inspected industries once a year. Citizens asked how often the Fire Department inspected the facilities. Chief Reed said that, in the past, the Fire Department conducted an annual fire code inspection, but the policy had recently changed to conduct inspections twice a year. He said they also conducted annual “pre-plan” inspections, which documented the types of chemicals on site and the procedure for responding to spills and fires. He said there was a County-wide Hazmat Team trained and prepared to handle chemical spills. The Fire Marshall also inspects industries at least twice a year and makes unannounced visits to the sites. During the inspections and visits, the Fire Marshall takes notes of the types of hazardous materials on the property, where and how they are stored, if they are handled safely and if the Material Safety Data Sheets (MSDS) are being properly maintained.

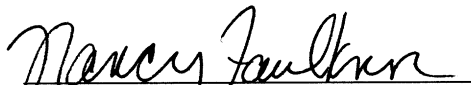
Citizens said Photocircuits was a privately owned business and, therefore, financially motivated. They felt that Photocircuits may hesitate to report chemical spills because of the fines that would be imposed on them from the EPD. They were frightened to be at the mercy of Photocircuits to do the right thing in the event of a spill.

Citizens did not trust Photocircuits to be responsible and based their doubts on their own past experiences as well as Photocircuits actions in Glen Cove, New York. They asked the Mayor and staff to contact the City of Glen Cove and talk to them about Photocircuits’ history there. Citizens said Photocircuits’ track record of expansion and negative impact in Glen Cove mirror that of Peachtree City with a lack of concern for its neighbors and the environment. The citizens stressed the importance to hold Photocircuits to the highest possible standards due to the fact that Photocircuits’ history indicated that the company was not interested in being a good neighbor and being proactive. In fact, some citizens felt Photocircuits could not be trusted because they had a history of lying.

One long-term resident said he was told Peachtree City was a “bedroom” community and that there would only be “light” industrial facilities located in Peachtree City. Lenox explained that statement was not true, and that Peachtree City had always been a planned community to include industrial uses. Several citizens asked why Photocircuits continued to expand in various buildings along Dividend Drive rather than to relocate to a larger and more suitable location. Lenox felt Photocircuits motivation was to get the best financial deal . Citizens reiterated that nuisances manifested from all four Photocircuits facilities along Dividend

Drive. The excessive noises at all hours of the day and night included inherent mechanical noise, as well as noise from the labor force (dropping pallets, disposing materials, loud voices and radios and transport vehicles.) The noise, traffic, lights, and foul odors were not new problems and citizens said they had been asking Photocircuits and the City to help them for years. They did not understand why the City could not enforce the Nuisance Ordinance. Lenox explained that the nuisance ordinance was written to allow individuals an opportunities to file a legal and formal complaint with the municipal judge, at no cost to the resident. He said this could be done at City Hall at any time. There was some disagreement as to whether or not formal nuisance complaints should be filed because of the desire to help Photocircuits be a good neighbor and keep negotiations open.

Most agreed that Photocircuits was not going to leave the City. Lenox offered to be a mediator on the citizens behalf to address five specific concerns: noise, lights, odor, traffic and proper chemical containment. He said he would recommend to Council that the Photocircuits' variance be tabled until progress could be made addressing those five concerns. Lenox said he would form an "Action Committee" comprised of eight citizens, representatives from Council and City Staff, and representatives from Photocircuits. The citizens agreed to follow this course of action and said they would provide Lenox with the names of 8 individual to represent them at the next City Council meeting. The meeting adjourned at 9:00 p.m.


Nancy Faulkner, City Clerk