

**MINUTES OF A SPECIAL MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, APRIL 28, 2005, AT 7:00 P.M. IN THE CLARK MEMORIAL CLUBHOUSE, 19 NORTH 9<sup>TH</sup> STREET, CLARKDALE, AZ**

A special meeting of the Design Review Board of the Town of Clarkdale was held on Wednesday, April 28, 2005, at 7:00 p.m. in the Clark Memorial Clubhouse, 19 North 9<sup>th</sup> Street, Clarkdale, AZ.

**Board Members:**

Chairperson	Ed Knight	Present
Board Members	Hank Stevens	Present
	Peggy Chaikin	Present
	Ellie Bauer	Present
	Anke Pitrella	Present

**Staff:**

Community Development Director	Steven Brown
Planning Manager	Beth Escobar
Planner II	Normalinda Zuniga
Administrative Assistant	Charlene Stockseth

**Others in Attendance:** Pat Williams, Curt Bohall, Gerald Lembas, Reynold Radoccia, P. Cimarali, V. Northcross, Harry Crockett

- 1. CALL TO ORDER:** Chairperson Knight called the meeting to order at 7:00 p.m.
- 2. ROLL CALL:** Administrative Assistant Stockseth called roll.
- 3. MINUTES:** Board Member Bauer made a motion to approve the minutes of April 13 and April 20, 2005, with corrections. Board Member Stevens seconded the motion. The motion passed unanimously.
- 4. REPORTS:**

**Chair Report:** Chair Knight introduced the Board members and staff. Chair Knight also welcomed new Board member Pitrella.

**Staff Report:** Planning Manager Escobar stated the Town Council approved the landscape ordinance. She also stated the Council appreciated the hard work and efforts of the Board.
- 5. PUBLIC COMMENT:** None.

**OLD BUSINESS**

- 6. DISCUSSION AND POSSIBLE ACTION** – on Site Plan Review Application for Verde River Iron Slag Recovery.

**Staff Report:**

Background: At the regular meeting of the Design Review Board on April 13, 2005, the Board directed staff to meet with the applicants and discuss the recommended stipulations, and to see if compromise positions could be reached. Staff was then to return this item as an agenda item at a special meeting of the Board on April 20, 2005. The applicants were unable to meet with staff prior to April 20<sup>th</sup> and requested that the Board meeting date be rescheduled for April 28, 2005.

Staff met with the applicants on Thursday, April 21, 2005, and has reached agreement on all of the stipulations from our recommendations to the Board.

Recommendation: Staff recommends that if the Design Review Board chooses to approve the Site Plan for Verde River Iron, Slag Pile Reclamation project, they include the following stipulations:

1. Prior to the approval of the Final Site Plan for Phase 1, Verde River Iron shall
  - a) Provide evidence of having applied for and obtained a Determination of Applicability (DOA) from the Water Quality Branch of Department of Environmental Quality for this project prior to the signing of the site plan. Verde River Iron shall also submit a letter to the Air Quality Branch of ADEQ detailing the process, including the breakup of the slag on the pile, the reduction of the slag in the Grizzly, and the grinding process. This letter will seek a determination from the Air Quality Branch as to whether the project will require an Air Quality Permit. Verde River Iron shall have received all necessary permits from the Arizona Department of Environmental Quality prior to the issuance of any Certificates of Occupancy for any of the structures being utilized as part of this project, and prior to any excavation on the slag pile.
  - b) Dedicate a 100-foot easement for ingress/egress, utilities and trail, from the entrance to the smelter to their western property boundary, along an alignment, which has been jointly identified by the Town of Clarkdale and Verde River Iron representatives. The alignment for the easement will be surveyed by the Town of Clarkdale, for the purposes of construction of an alternate route to Cement Plant Road, and Verde River Iron will pay half of the cost of the survey within 30 days of being presented with an invoice.
  - c) Provide the Community Development Department with a water budget, including details on where water is used in the various stages of the project, where in the process water is lost and through what mechanism (evaporation, discharge, steam, etc.).
  - d) Provide information on storing and retaining of hazardous materials on site.
  - e) Provide a dust control plan.
  - f) Modify the site plan to:
    1. Tie proposed contours into the existing contours. Show how the surface storm water runoff will be diverted from the excavated site.
    2. Show the access ramp into the excavated area.
    3. Provide an assay of the material.

4. Indicate that the conveyor shall be an “Enclosed Dust Proof Conveyor”, and specifications as to the dust inhibiting features of the conveyor enclosure, which inhibit the discharge of dust, shall be submitted to the Community Development Department. These specifications shall be forwarded to the Town Engineer for review and approval.
  5. Include information on the connection point to the Town sewer system for all but the process water. If process water is proposed to be discharged to the Town’s sewer system, the applicants must coordinate with the Town for pretreatment in accordance with specifications provided by the Town or their designee.
  6. Provide notation indicating that any new electrical, phone or cable lines will be underground.
  7. Include the location where disposal of any and all solid wastes, including waste that is a bi-product (if any) of the process will occur. Verde River Iron shall also provide estimates of the quantities of solid wastes that will be generated by the process. If there is no solid waste or hazardous waste disposal, applicant must provide a letter, for the record, stating such.
  8. Show where on the site, material awaiting shipping will be stored. Any change in the location will be considered a minor amendment to the site plan.
2. Prior to the issuance of a building permit for Phase 1, Verde River Iron shall:
    - a) Provide conveyor details, which will have to be reviewed by Building Safety (i.e. structural design for support system).
    - b) Obtain a Town of Clarkdale Grading Permit for the project prior to the commencement of excavation on the site.
  3. Prior to the issuance of a Certificate of Occupancy for Phase 1, Verde River Iron shall:
    - a) Within the 100-foot easement provided to Bitter Creek, grade a roadway that meets the Town of Clarkdale standards for fire apparatus access. These standards include a minimum 20 foot graded surface that at no point exceeds a maximum of 10 percent slope, and has a turnaround constructed at the western boundary of their property that has a minimum 25 foot inside radius and a minimum 50 foot outside radius. This roadway easement dedication and improvement will be extended by Verde River Iron to the western boundary of their property within ninety (90) days of receipt from the town of notification that agreement has been reached for the extension of the roadway to Cement Plant Road. Although, the Town of Clarkdale will seek US Army Corp of Engineers jurisdictional delineation for Bitter Creek crossing Verde River Iron shall be responsible for obtaining all necessary permits for the crossing of Bitter Creek by this roadway.
    - b) Enter into a Development Agreement with the Town of Clarkdale that will specifies the financial responsibility and timing of further improvements to the roadway referenced in 3.a above by the Town and Verde River Iron, which are beyond those required as part of Phase 1 of this project. As long as progress is being made, the Council can approve issuance of Certificate of Occupancy in advance of completion of this agreement.
  4. Verde River Iron agrees that at such time as the Town of Clarkdale reaches an agreement with all parties having a legal ownership or easement interest in Cement Plant Road, Verde River Iron will dedicate its interest in Cement Plant Road to the Town of Clarkdale

pursuant to the terms of a Development Agreement which will stipulate the extent of financial responsibility of each party to the improvement of Cement Plant Road, and the process, timing and conditions for making the improvements.

5. All processing of slag shall either be accomplished within existing structures or new structures, and no grinding or other manipulation, other than the conveyance of the slag from the slag pile shall be allowed to be carried on outside of enclosed structures.
6. Verde River Iron shall use effluent in their process unless and until it becomes unavailable.
7. This Site Plan Approval covers the operations associated with the conduct of the slag reclamation project and shipping of slag or slag bi-products, and includes the renovation to the existing structures indicated on the site plan. Any use of those structures, or any other part of the site for uses not associated with the slag reclamation project will require separate site plan approval.

**Applicant Presentation:** Harry Crockett stated they had met with staff and they agreed to all the staff recommendations. Reynold Radoccia stated their site plan was changed to reflect changes discussed at the first meeting.

The Board discussed back up beacons on equipment running at night and the noise of the conveyor with the applicant. Harry Crockett stated they are sensitive to the concerns of the residents and Board members and will make changes if needed. He also stated the conveyor had not been purchased yet, but they will be purchasing the newest available. Mr. Crockett stated if complaints arise, they would be willing to look at what can be done to mitigate the concerns.

Chair Knight opened the meeting to public comment.

**Public Comment:**

Curt Bohall, 721 Third North Street, stated he was outside yesterday at his home and kept hearing an annoying beep. At first, he could not tell the source, but realized it was coming from 11<sup>th</sup> Street by the park. The sound was blocked by the buildings in the town and yet he could hear it very clear. He did some research and found Title 29, Code of the Federal Regulations, 1926.602a9ii states a flagman can be used in lieu of the beacons. He hopes that if the project runs day and night, a flagman be used. The material could be gathered during the day and stockpiled and use the conveyor at night, not the heavy equipment. Mr. Bohall was also concerned with the dust, however, if the conveyor is enclosed this may not be a concern. You know how annoying the beep, beep, beep, beep can be.

V. Northcross, 712 Third North Street, stated she felt this project would lower their property value after they have spent a lot of money to increase their property value.

The chair closed public comment.

**Board Decision:** Board member Bauer motioned to approve the Verde River Iron Site Plan with the following staff recommendations and with the revised site plan submitted:

1. Prior to the approval of the Final Site Plan for Phase 1, Verde River Iron shall
  - a) Provide evidence of having applied for and obtained a Determination of Applicability (DOA) from the Water Quality Branch of Department of Environmental Quality for this project prior to the signing of the site plan. Verde River Iron shall also submit a letter to the Air Quality Branch of ADEQ detailing the process, including the breakup of the slag on the pile, the reduction of the slag in the Grizzly, and the grinding process. This letter will seek a determination from the Air Quality Branch as to whether the project will require an Air Quality Permit. Verde River Iron shall have received all necessary permits from the Arizona Department of Environmental Quality prior to the issuance of any Certificates of Occupancy for any of the structures being utilized as part of this project, and prior to any excavation on the slag pile.
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  - c) Provide the Community Development Department with a water budget, including details on where water is used in the various stages of the project, where in the process water is lost and through what mechanism (evaporation, discharge, steam, etc.).
  - d) Provide information on storing and retaining of hazardous materials on site.
  - e) Provide a dust control plan.
  - f) Modify the site plan to:
    1. Tie proposed contours into the existing contours. Show how the surface storm water runoff will be diverted from the excavated site.
    2. Show the access ramp into the excavated area.
    3. Provide an assay of the material.
    4. Indicate that the conveyor shall be an "Enclosed Dust Proof Conveyor", and specifications as to the dust inhibiting features of the conveyor enclosure, which inhibit the discharge of dust, shall be submitted to the Community Development Department. These specifications shall be forwarded to the Town Engineer for review and approval. The applicants will research and apply conveyer technology that to the maximum extent possible will employ sound suppression.
    5. Include information on the connection point to the Town sewer system for all but the process water. If process water is proposed to be discharged to the Town's sewer system, the applicants must coordinate with the Town for pretreatment in accordance with specifications provided by the Town or their designee.
    6. Provide notation indicating that any new electrical, phone or cable lines will be underground.
    7. Include the location where disposal of any and all solid wastes, including waste that is a bi-product (if any) of the process will occur. Verde River Iron shall also provide estimates of the quantities of solid wastes that will be generated by the

- process. If there is no solid waste or hazardous waste disposal, applicant must provide a letter, for the record, stating such.
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4. Verde River Iron agrees that at such time as the Town of Clarkdale reaches an agreement with all parties having a legal ownership or easement interest in Cement Plant Road, Verde River Iron will dedicate its interest in Cement Plant Road to the Town of Clarkdale pursuant to the terms of a Development Agreement which will stipulate the extent of financial responsibility of each party to the improvement of Cement Plant Road, and the process, timing and conditions for making the improvements.
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Board member Stevens seconded the motion. The motion was unanimous.

7. **DISCUSSION AND POSSIBLE ACTION** on Hardscape Design Standards. Board member Bauer motioned to table this item until the May meeting and bring it back on the agenda as a worksession. Board member Chaikin seconded the motion. The motion was unanimous.

**NEW BUSINESS**

**ADJOURNMENT:** Chair Knight called for a motion to adjourn. Board member Bauer motioned to adjourn. Board member Chaikin seconded the motion. The motion was unanimous. The meeting adjourned at 8:35 p.m.

APPROVED BY:

SUBMITTED BY:

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Ed Knight  
Chairperson

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Charlene Stockseth  
Administrative Assistant