

Memorandum

Subject: **Special Use Approval Renewal –
Placement of Excavated Material –
4818 Hill Road; LL 899 & 952 –
Tim McTyre.**

A motion to approve the application with stipulations:

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Special Use approval. The special use approval is to allow for the continuation of dirt excavation of only a portion of property located at 4818 Hill Road.
2. That all payments per the approved payment agreement for delinquent taxes continue to be paid as agreed.
3. Dumping is limited to Southern Hydrovac (or similar contractor) trucks and dirt only. Prior to new contractor(s) using the property, copy of business license must be provided to the Community Development Department.
4. Applicant provide proof of compliance with NPDES Industrial Storm Water General Permits. Proof of submittal to EPD must be provided by 01/31/2020.
5. Operation appears to extend beyond the approved limits. Please provide an updated LDP for review within two (2) months after approval.
6. No hazardous waste, including but not limited to dirt contaminated by sewer, may be placed at this location.
7. Owner and applicant may not expand the area, which is limited in size to 0.5 acre.
8. No encroachment into the stream buffer is permitted.
9. The use shall be limited to the hours of 9 AM to 9 PM
10. Use by Southern Hydrovac (or other similar contractor) may occur during off hours when they are responding to an emergency call.
11. Truck traffic is not permitted on Brownsville Road at any time.

12. The special use shall expire in 1 year.
13. A soil test and water sampling upstream and downstream shall be submitted two times each year - by June 1 and December 1. The tests are prerequisites to issuance of a business license.
14. The applicant and owner shall comply with all federal, state and local water quality control, erosion and sediment control, floodplain, wetland, solid waste, environmental and other regulations applicable to the dumping, landfilling, stockpiling, removal or movement of dirt or hydraulic excavation byproduct, or other materials upon the subject property.
15. That the property meet the requirements of the approved site plan.
16. That the applicant schedule quarterly inspections with the City of Powder Springs to ensure continued compliance. Deadlines for quarterly inspections are October 31, December 31, March 30 and June 30.

SO MOTIONED this 2nd day of December, 2019.

Albert Thurman, Mayor

Patrick Bordelon, Council Member

Doris Dawkins, Council Member

Patricia Wisdom, Council Member

Henry Lust, Council Member

Thelma C. Farmer, Council Member

Attest: _____

Kelly Axt, City Clerk