

REQUEST FOR AG-3 AGRICULTURAL AND RESIDENTIAL CONDITIONAL USE  
GREEN MEADOWS MUNICIPAL SOLID WASTE DISPOSAL & RECYCLING FACILITY  
Amended Application for July 9, 2019 Submittal

ATTACHMENT A

Application

*Handwritten notes:*  
Ben [unclear]  
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SC 202

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**SCREVEN COUNTY BUILDING INSPECTION DEPARTMENT**

**REQUEST FOR CONDITIONAL USE**

*Handwritten:* July 9<sup>th</sup>  
DATE: ~~June 11~~, 2019

MAP & PARCEL: 087 001, 087 002

ZONE: Agricultural and Residential, AG-3

COMMISSION DISTRICT: 3, 4, 5

**OWNER: Atlantic Waste Services, Inc. Agent for Unlimited AG, L.L.C. makes application with the Screven County Building Inspections Department for a Conditional Use to develop a municipal solid waste disposal and recycling facility in accordance with Screven County Zoning Article 7 – Section 3 – B – 12.**

Total Acres in the Parcel: Parcel No. 087 001 = 754.8 acres  
Parcel No. 087 002 = 231.5 acres

The property is located on Louis D Newton Road, Sylvania, Georgia 30467, approximately 9.3 miles south of Sylvania, 4.8 miles west of Newington and 4.5 miles northwest of Oliver.

Describe the purpose of the Conditional Use:

develop a municipal solid waste disposal and recycling facility (landfill) in accordance with the Screven County Zoning Ordinance Article 7 – Section 3 – B – 12.

Site characteristics: now or formally an open land dairy farm owned by United Ag, LLC dba Green Meadows Dairy; site is bound in the south, east and west by Brady Branch tributaries; surface water bodies onsite for agricultural use

Adjacent Land Uses: All agricultural and rural residential

Adjacent Zoning: All Agricultural and Residential, AG-3

List the adjacent property owners:

| NAME                                      | ADDRESS  |
|---|--|
| <u>Sara Ruth Wall Bell</u>                | 4402 Summerlin Dr<br>Evans, GA 30809                   |
| <u>Joseph Lewis</u>                       | 17024 87 <sup>th</sup> Lane N<br>Loxahatchee, FL 33470 |
| <u>Willie James Singleton, Jr.</u>        | 676 Orchid Road<br>Barnwell, SC 29812                  |
| <u>Harold T. Brannen</u>                  | 971 Brannen Road<br>Statesboro, GA 30458               |
| <u>Heather W. Strickland</u>              | 1029 Louie D Newton Road<br>Sylvania, GA 30467         |
| <u>Heather L. Williams</u>                | 1029 Louis D Newton Road<br>Sylvania, GA 30467         |
| <u>Ida W. Waters</u>                      | 8-18 West Main Street<br>Statesboro, GA 30458          |
| <u>Jean M. Newton</u>                     | P.O. Box 1188<br>Statesboro, GA 30459                  |
| <u>Charlie Volf</u>                       | 8198 Halcyondale Road<br>Sylvania, GA 30467            |
| <u>Charles Bruce Volf</u>                 | 8338 Halcyondale Road<br>Sylvania, GA 30467            |
| <u>Mattie Russell</u>                     | 230 E 88 <sup>th</sup> Street<br>Brooklyn, NY 11236    |
| <u>Rhett Estelle &amp; Thomas Hendrix</u> | 2990 Effingham Hwy<br>Sylvania, GA 30467               |
| <u>Crandall &amp; Xavier Lewis</u>        | 612 Hilton Avenue<br>Lawrenceville, GA 30044           |

(Attach an additional sheet if necessary)

Signature  Agent Ben Wall, Atlantic Waste Services, Inc.

Address 125B Pine Meadow Drive  
Pooler, Ga 31322

Telephone (912) 414-3553

**INFORMATION IN SUPPORT OF CONDITIONAL USE REQUEST:**

-Consistent with AG-3

See enclosed documentation of site's consistency with Screven County Solid Waste Management Plan to satisfy Screven County Zoning Article 7 – Section 3 – B – 12 – a.

-Conditional Use

In order to develop the site for its conditional use, the owner by default is required to comply with the applicable requirements of the Georgia Solid Waste Management Act of 1990, as amended, which satisfies Screven County Zoning Article 7 – Section 3 – B – 12 – b.

**DIRECTIONS TO THE PROPERTY:**

From Sylvania, head south on Halcyondale Road for ±12.6 miles;  
Turn right onto Louie D Newton Road and head south for ±2 miles.

Attachment A-1

Consistency with AG-3 Zoning District Ordinance

## **ARTICLE 7. - AG-3 AGRICULTURAL AND RESIDENTIAL**

### **Sec. 701. - Statement of purpose.**

The agricultural districts are established as districts in which the principal use of land is for farming, dairying, forestry operations, and other agricultural activities. AG-3 zoning districts are intended to establish and preserve low to medium density areas where agriculture is the primary land use. Residences, which may or may not be incidental to these activities, are also permitted. These districts are free from other uses which are incompatible with low to medium density agricultural and residential uses.

***The ±986 acre property for development is zoned AG-3 and is currently under agricultural use for dairy and hay farming, and forestry. Our conceptual plan shows a project site of ±957 acres (±29 acres removed north of the site across Dorsey Clark Road), and a ±84 acre Solid Waste Landfill footprint (the area utilized for waste disposal). The ±84 acres represents approximately 8.8% of the total site. Adding landfill access roads, stormwater ponds, scales, recycling areas, maintenance and truck terminal buildings, ditches and leachate storage facilities that are ancillary to the landfill operations, the total operations area is ±168 acres, or 17.6% of the total site area. During the estimated 30 years life of the facility, the remaining 82.4% of the property will continue to be agricultural in use.***

***The landfill project is a long-term phased construction project. This project is constructed in phases and in 8-10 acre landfill cells. Each landfill cell is lined. Trained personnel will monitor and handle waste. When each landfill cell reaches maximum capacity it is covered with a minimum of 12 inches of compacted soil cover and grassed. Another adjacent 8-10 acre landfill cell is then constructed. When a series of cells reach design capacity, and future waste will no longer be placed in that area, a final composite cover cap with permanent vegetation will be installed and grass established.***

***The final result when all cells reach design capacity will be an open grass hill with a relatively flat +/- 40 acre top, suitable for hay production and/or animal grazing, thereby returning the land to Agricultural use as described in the statement of purpose. The soil borrow pit is reclaimed as a pond and can be used for crop irrigation, fishing and/or aquaculture operations.***

***The landfill infrastructure access roads and ponds can be used to support existing and additional agricultural operations, returning practically the entire acreage to agricultural use. This project basically offers a landfill as a sustainable project returning the property to practically the same acreage of agricultural use it was prior to beginning the landfill project. Therefore, it is our professional opinion that the project is in keeping with the statement of purpose.***

## Sec. 702. - Definitions.

*Farm*: A parcel of land three acres or more on which bona fide agricultural and related uses are conducted as defined below in "agriculture."

*Agriculture* : The production, raising, breeding, or maintenance of plants and animals including but not limited to: forage and sod crops, grain and seed crops, dairy animals and dairy products, poultry and poultry products, livestock, including beef, cattle, sheep, swine, horses, or goats, game animals, exotic, fish, and any mutations or hybrids thereof, including the breeding and grazing of any or all such species; bees and apiary products, fur animals, trees and forest products, fruits of all kinds, including grapes, nuts, berries; vegetables, nursery, floral, ornamental and greenhouse products, or land devoted to a soil conservation or forestry management program. This does not include the commercial slaughter of poultry, livestock, or other animals. In relation to agriculture, Georgia law provides as follows: (O.C.G.A. § 41-1-7)

"Treatment of agricultural facilities and operations as nuisances.

"(a) It is the declared policy of the state to conserve, protect, and encourage the development and improvement of its agricultural land and facilities for the production of food and other agricultural products. When nonagricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance actions. As a result, agricultural facilities are sometimes forced to cease operations. Many others are discouraged from making investments in farm improvements or adopting new technology or methods. It is the purpose of this Code section to reduce losses of the state's agricultural resources by limiting the circumstances under which agricultural facilities and operations may be deemed to be a nuisance."

***The proposed conditional use is a solid waste disposal and recycling facility and returning the majority of the utilized acreage to agricultural use is in keeping with section 702 "Agriculture" (a).***

The Code further states:

"(c) No agricultural facility of any agricultural operation at an agricultural facility shall become a nuisance, either public or private, as a result of changed conditions in or around the locality of such agricultural facility if the agricultural facility has been in operation for one year or more. The provisions of this subsection shall not apply when a nuisance results from the negligent, improper, or illegal operation of any agricultural facility.

"(d) For the purposes of this Code section, the established date of operation is the date on which an agricultural operation commenced operation. If the physical facilities of the agricultural operation are subsequently expanded or new technology adopted, the established date of operation for each change is not a separately and independently established date of operation and the commencement of the expanded operation does not divest the agricultural operation of a previously established date of operation."

## **Sec. 703. - Permitted uses.**

- A. The following principal uses are permitted in AG-3 districts:
1. Single-family dwelling units including site-built, industrialized buildings, and manufactured homes.
  2. Church, synagogue, chapel, or other place of religious worship including educational building, parsonage, church-related nursery or kindergarten and other related uses meeting the following development standards:
    - a. It must be located on either an arterial or collector road.
    - b. The lot must have a minimum road frontage of 200 feet.
    - c. The lot must have an area of at least three acres, including an adjacent cemetery, if any.
    - d. All buildings must be located at least 50 feet from any property line.
    - e. A 25-foot minimum buffer must be provided along all side and rear property lines.
    - f. No property line in which any proposed church is to be established shall be located within 300 feet of the main entrance of an establishment which has been licensed for the sale or consumption of alcoholic beverages
    - g. Any church in this zone, regardless of size, may establish a cemetery lot contiguous to its present church lot, provided that the additional land be at least one acre in size and be platted so as to be joined to the existing lot, but designated for use only as a cemetery. The plat must incorporate specific language indicating that no building may be erected on the addition cemetery acreage.
  3. Farms, including livestock and poultry raising, dairying horticulture, farm forestry, sod farming, and other similar bona fide agricultural enterprises or use of land or structure.
  4. Truck gardening.
  5. Shrubbery sales, greenhouses and plant nurseries (commercial), provided [that] no heavy equipment shall be permitted.
  6. Kennels of a commercial nature meeting the following development standards:
    - a. All structures must be set back 100 feet from all property lines.
  7. Cemeteries and mausoleums. Premises shall be used or occupied for the purpose of a cemetery, mausoleum, or crematory in any district except a multifamily residential and single-family residential. No land for which a plat has not been recorded shall be used for any burials. The dead shall not be buried or placed closer than 50 feet to any highway right-of-way, nor closer than ten feet to any other property line. The minimum lot size shall be ten acres. The cemetery shall have a six-foot wide planted buffer strip around its entire perimeter which is free of any use except



Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

- access. The maximum sign size shall be 30 feet and not more than ten feet in height. The sign shall be nonilluminated.
8. Public, parochial, private, and other schools offering courses in general education. A 25-foot wide minimum buffer must be provided along all side and rear property lines.
  9. Local, state or federal government buildings and uses.
  10. Utility substation meeting the following development standards:
    - a. Structures must be placed at least 30 feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer 25-foot minimum must be maintained along the side and rear property lines.
    - e. Lot size may be reduced to not less than 0.5 acres for utility substations, provided [that] other development standards are met and, if a private well is to be placed on the lot, the lot size is sufficient to support a well consistent with the other provisions of this ordinance, other ordinances, and the laws and regulations of the State of Georgia.
  11. Publicly owned and operated parks and other recreational facilities.
  12. Semipublic and private recreation facilities not operated for profit.
  13. Home occupations, excluding public garage and repair garage.
  14. Single-family dwellings by the owner for full-time farm workers, related to the agricultural operation of the farm on which they are situated; provided, however, that such dwellings shall be located on the farm tract on which the primary farming operation and the farm headquarters is [are] located. Such housing units shall be allowed at one dwelling per three acres. However, no dwelling shall be placed closer than 200 feet to another dwelling. The housing must comply with all applicable state and federal standards for housing. [Note: In the event the dwelling is ever conveyed to another person, the owner is advised that the requirements of this ordinance, including lot size and setbacks, shall apply.]
  15. Single-family dwellings by the owner for use by family members; provided, however, that such dwellings may not be inhabited by any person based upon a written or oral lease for value. Such housing units shall be allowed at one dwelling per three acres. However, no dwelling shall be placed closer than 200 feet to another dwelling. Such housing must comply with all applicable state and federal standards for housing. [Note: In the event the dwelling is ever conveyed to another person, the owner is advised that the requirements of this ordinance, including lot size and setbacks, shall apply.]
  16. A landowner may deed to a family member a minimum of one acre from the previously recorded parcel for the construction or placement of a single-family dwelling, provided [that] a minimum of three acres remain in the original parcel of land. This provision shall be allowed one time per

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

eligible family member for each tract of land to be subdivided. Family member is defined as a child, grandchild, parent, grandparent, brother, sister, or stepchild.

17. Family personal care homes.
18. Hunting camps, as defined by this ordinance, subject to the following regulations. The hunting camp shall not be permanently occupied, and no occupant shall occupy the hunting camp for more than 90 consecutive days. Recreational vehicles that are proposed to be permanently established (year round) shall require registration with Screven County. Unless occupancy of the campsites is limited to independent unit recreational vehicles, as defined by this ordinance, each camp site shall have a water well or other connection to potable water supply, and an individual or community septic system approved by the county health department and installed prior to occupancy. Hunting camps may also be authorized as a use which is accessory to one or more permitted principal uses.
19. Temporary gatherings and activities of a religious or educational nature, such as but not limited to tent revivals, provided that the following regulations are met.
  - a. The sheriff's department approves of the temporary use with regard to access to the site and appropriate traffic control management while the activities are conducted.
  - b. The county health department approves the temporary use with regard to potable water availability and the adequacy and number of sanitary facilities (e.g., portable toilets).
  - c. The zoning administrator, after receiving approval from the sheriff and health departments, issues a temporary permit for said use, which shall not exceed 45 days and which may include conditions of permit issuance as may be necessary to protect the public interest and implement the requirements of the sheriff's and health departments.
20. Family burial plot, as defined in this ordinance, provided the following regulations are met:
  - a. The family burial plot must be located on a lot, platted for the purpose of a family burial plot, with a minimum size of 5,445 square feet ( 1/8 acre) and a maximum size of 21,780 square feet (1/2 acre).
  - b. The property lines of the lot on which a family burial plot is located must be set back a minimum of 100 feet from any public road, street, right-of-way, or adjacent property line
  - c. The family burial plot must maintain a permanent, non-illuminated sign identifying the name of the cemetery.
  - d. The family burial plot must be enclosed by a chain-link or wooden fence at least four feet in height.
  - e. All graves must be identified with permanent grave markers.
21. Minor recreational vehicle parks which shall (a) provide for no more than eight RV sites; (b) be approved by the State of Georgia for septic systems and potable water; (c) have separately metered power for the site; and (d) shall conform to such other reasonable conditions and requirements as may be established by the zoning administrator for the site in question. Minor

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

recreational vehicle parks shall be limited to one per landowner or immediate family members of a landowner.

- B. Conditional uses (AG-3):** The following conditional uses shall be permitted in this district upon approval by the board of commissioners pursuant to section 413:
1. Farm supply stores and agricultural related businesses, such as agricultural implements sales and service, auction facilities, feed and grain stores and other businesses not involving sales or services to the general public, providing a minimum of three acres, that fronts on a county, state, or federal road or highway and provided such buildings or uses are not located within 100 feet of an abutting property zoned R or MHP, or utilized for single-family residential, or manufactured home use.
  2. Recreation facilities of an unenclosed commercial nature including archery ranges, campground, fairgrounds, fire arms shooting range, golf driving ranges, and race tracks for animals or automobiles, provided such uses are located on property with a minimum of three acres with frontage on a county, state, or federal road or highway and provided such uses are not located within 100 feet of an abutting property zoned R or MHP or utilized for single-family residential, or manufactured home residential use. Campgrounds shall also be subject to the provisions of sections 1003, 1004, and 1005 of this zoning ordinance, where applicable.
  3. Private airfields, provided that the airfield is located no closer than 200 feet from any dwelling, structure, or building, that the airfield is no closer than 200 feet from a street, highway, or road, that the hours of operation are 7:00 a.m. to 7:00 p.m., that the applicant can demonstrate the ability to meet all federal and state regulations, and must be approved by the FAA and the board of commissioners and that no airplanes or other equipment are exposed to view. A minimum of five acres, not three, is required.
  4. Group personal care homes.
  5. Day care facility meeting the following development standards:
    - a. Compliance with the rules promulgated by the Georgia Department of Human Resources, where applicable.
    - b. A buffer of 25 feet must be provided along all side and rear property lines.
  6. Golf course, public or private, meeting the following development standards:
    - a. It must be for daytime use only.
    - b. All buildings, greens, and fairways must be set back at least 50 feet from any property line.
  7. Restaurant, meeting the following development standards:
    - a. Restaurants in AG-3 zones shall be located on an existing county paved road.
    - b. Owners and operators shall recognize that the primary purpose of the AG-3 zone may interfere with the customary operation of a food service establishment and that normal farming and agricultural operations shall not be considered a nuisance to this secondary use.

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

- c. The requirements of Appendix B of this code with regard to parking shall be strictly followed.
  - d. Other conditions may be imposed as may be required by the specific circumstances of the applicant.
8. Airport—public, private, or commercial—paved or unpaved.
9. Ambulance or emergency service.
- a. A buffer 25-foot minimum must be provided along all side and rear property lines.
10. Private club, lodge, fraternal institutions, and places for an assembly of nonmember groups, provided such use is located on a minimum of three acres that fronts a county, state, or federal road or highway.
11. Library.
- a. A buffer of 25 feet must be provided along all side and rear property lines.
12. **Solid waste disposal facility:**
- a. Site must be geotechnically suitable as defined by the county's solid waste management plan.

***The site is geotechnically suitable and consistent with the County's Solid Waste Management plan. See Attachment A-3, comments on consistency with Solid Waste Management Plan and Appendix X, Letter Report on Geotechnical Suitability of Proposed Site for details on suitability and consistency.***

- b. All solid waste disposal facilities shall comply with the applicable requirements of the Georgia Solid Waste Management Act of 1990, as amended.

***The proposed facility shall comply with the criteria for siting a municipal solid waste disposal and recycling facility as required by the Georgia Solid Waste Management Act of 1990, as amended. The facility will also comply with all the requirements, under Federal RCRA Part 258 – Criteria For Municipal Solid Waste Landfills, for design, construction, operation, monitoring, closure and post closure care activities. The Conditional Use Activity cannot begin until Georgia EPD issues a Solid Waste Handling Permit (Permit) in compliance with the Georgia Solid Waste Management Act of 1990, as amended. Following the issuance of the EPD Permit, conditional use of the waste disposal cannot begin until the initial +/- 8-10 acre disposal cell is constructed, certified by a Professional Engineer, licensed to practice in the State of Georgia, and approval by Georgia EPD. See Appendices II, III and IV for current copies of the Georgia Solid Waste Management Act of 1990, as amended; Federal Regulations on Municipal Solid Waste landfills and State Rules on Solid Waste Management.***

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

13. Development of natural resources, including the removal of minerals and natural materials. This includes appurtenant buildings and machinery. Such an activity must meet the following development standards:
    - a. At the time of application for the building permit, the owners or operators of the quarry must present to the zoning administrator documentation which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended.
  14. Communications towers as permitted and governed by the provisions of article 17 of this ordinance.
  15. Bed and breakfast meeting the following conditions.
    - a. Must have at least one off street parking space for each bedroom plus one additional space.
    - b. Owner/operator must reside on site either in the same house or an accessory structure on the same lot/location.
    - c. Only one sign not exceeding six sq.ft. is permitted.
  16. Recreational vehicle parks as regulated in Article 10 herein.
  17. Commercial hunting camps which shall (a) provide for no more than eight sites which may be RV pads or cabins, or any combination of the two; (b) be approved by the State of Georgia for septic systems and potable water; (c) have separately metered power for the site; and (d) shall conform to such other reasonable conditions and requirements as may be established by the zoning administrator for the site in question. Commercial hunting camps shall be limited to one per landowner or immediate family members of a landowner.
- C. The following accessory uses are permitted in AG-3 districts:
1. Private garage or carport.
  2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  3. Structure for a children's playhouse and the storage of children's play equipment.
  4. Private swimming pool and bathhouse or cabana meeting the following development standards:
    - a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
  5. Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet high.
  6. Noncommercial greenhouse and other customary garden structures not over 12 feet high.
  7. Deck, patio, barbecue grill, or other such facility.

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

8. Noncommercial antenna—satellite, television, radio [etc.].
  9. Temporary building for storage of materials meeting the following development standards:
    - a. Permitted only in conjunction with construction of a building.
    - b. Allowed either on the same lot where construction is taking place or on an adjacent lot.
    - c. Such a use must be terminated upon completion of construction.
  10. Roadside stands for sale of agricultural products grown on the premises, but not to exceed 500 square feet in floor area. A roadside stand may be located in the front or side yard.
  11. Manufactured home or recreational vehicle for temporary use at a residential construction site.
    - a. The temporary manufactured home or recreational vehicle must be removed within 30 days of the issuance of the certificate of occupancy for the principal building, but in no case later than one year after the placement of the temporary manufactured home or recreational vehicle.
    - b. No more than one such unit is permitted per lot.
  12. Secondary buildings, including dwellings, by the owner for recreational purposes, or for use as a guesthouse; provided, however, that no such dwelling shall be located closer than 200 feet to any other principal structure. The heated and finished secondary building used as a recreational dwelling or guesthouse shall not exceed 75 percent of the square footage of the heated and finished floor area of the principal dwelling. When combined with a detached garage or cabana, the dwelling portion of the structure shall not exceed 75 percent of the heated and finished space contained in the principal dwelling. The use of a secondary building as a guesthouse by a person or persons based upon an oral or written lease for value is prohibited. Recreational dwellings or guesthouses are subject to health department approval. Pre-HUD mobile homes may not be used as secondary buildings under this subsection and are prohibited.
- D. The following accessory uses are permitted as conditional uses in this district, upon approval by the board of commissioners pursuant to section 413:
1. Manufactured home for temporary use at a nonresidential construction site may be allowed as a conditional use, provided [that] it meets the following development standards:
    - a. The procedure for applying for a conditional use permit for a temporary manufactured home at a construction site is as follows:
      - i. Plans for a water well, sewage and septic systems suitable for the principal building proposed to be constructed on the site must be submitted to the Screven County Health Department for its review and approval.
      - ii. Upon securing approval of the Screven County Health Department on the proposed water and sewage systems to serve the proposed principal building, the owner shall present evidence of such approval to the zoning administrator and apply for a building permit for the proposed principal building, including the water and sewage systems.

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

- iii. Upon approval of the zoning administrator and receipt of the building permit, the owner shall proceed with construction of the proposed water and sewage systems. The Screven County Health Department will provide required inspections of these systems during and upon completion of construction.
  - iv. Upon certification of the Screven County Health Department that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the conditional use permit for temporary use of a manufactured home at the construction site until the principal building is completed.
  - v. Application should be made to the zoning administrator for the conditional use permit for temporary use of a manufactured home at a construction site.
  - vi. The zoning administrator will explain to the applicant all conditions and limitations attached to such permit and will secure the written certification of the applicant affirming that the conditions will be complied with if the [applicant] is issued the permit.
- b. The following conditions shall apply to conditional use permits issued for temporary use of a manufactured home at a nonresidential construction site:
- i. A conditional use permit is only granted in conjunction with a valid building permit which has been issued for the principal building on the lot.
  - ii. The permit is valid only for a specified period of time.
  - iii. A development plan must be submitted showing the proposed location of the principal building, the water and sewage systems, and the temporary manufactured home.
  - iv. If the principal building is not yet completed and approved for occupancy when the conditional use permit expires, the permittee may apply to the zoning administrator for an extension of the permit. The zoning administrator may extend the permit for a period of up to 12 months in addition to the original period for which the permit was valid. In no case will a temporary manufactured home will be allowed pursuant to a conditional use permit for more than 24 months.
- c. The temporary manufactured home must be connected to the approved water and sewage system designed for the principal building. No other water or sewer systems are permitted on the site.
- d. Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease.
- e. The temporary manufactured home must be removed within 30 days of the issuance of the certificate of occupancy for the principal building or the expiration of the conditional use permit for the temporary manufactured home, whichever is earlier.
- f. No more than one such unit is permitted per lot.

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

g. The temporary manufactured home must be located entirely within the rear yard of the principal structure.

E. All accessory uses must meet the following standards:

1. They must be located in the side or rear yard (except roadside produce stands as listed in 703.C.10 above, which may be located in a front yard).
2. They must comply with the setback requirements of this district (except roadside produce stands as listed in 703.C.10 above, which must be set back ten feet from the front property line).
3. They may not be located in any front yard, except as noted above in 703.E.1.
4. Accessory buildings and structures not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(Ord. No 2003-06, § 2, 4-8-2003; Ord. of 11-9-2004(2), §§ 11—13; Ord. of 4-12-2005, § 2; Ord. of 9-22-2009(3), § 2; Ord. of 9-22-2009(4), § 2; Ord. of 9-22-2009(5), § 2; Ord. of 1-13-2009)

Sec. 704. - Development standards for AG-3 districts.

The following standards are required within AG-3 districts:

- A. Minimum lot area: As specified by the Screven County Health Department, but in no case less than three acres; however, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an AG-3 district if approved by the Screven County Health Department, unless a larger area is otherwise specified herein.
- B. (Reserved).
- C. Minimum lot width: 200 feet.
- D. Minimum front yard setback: 100 feet from centerline. Arterial roads, collector and local roads.
- E. Minimum side yard setback: 30 feet.
- F. Minimum rear yard setback: 50 feet.
- G. Maximum building height: Maximum building height shall not exceed 45 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings and structures with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of height greater than 45 feet.

***The maximum height of the completed landfill will be 150 feet above the highest existing ground elevation that is covered by the 84 acre waste footprint. The lot size is more than adequate to comply with this section.***

H. (Reserved).



Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

- I. Sight distance: Within 30 feet of the pavement edge, plants cannot be of a type which will exceed a height of 30 inches at maturity and/or a trunk diameter of four inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond 30 feet from pavement edge. Almost any type of planted vegetation is permissible.
- J. Applicability to land and open space: No building, structure or land may be used or occupied—and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered—unless in conformity with all of the regulations specified for the district in which it is located.
- K. Every use must be on a lot: No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- L. Except as otherwise specifically provided in this article, only one site-built, single-family, detached dwelling or manufactured home, and accessory buildings related to said dwelling or home, may be erected on any residential lot in the AG-3 district. Where a non-residential use is permitted, more than one nonresidential principal building and its accessory buildings may be erected on a lot in an AG-3 zoning district.
- M. Open space not to be encroached upon: No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- N. Reduction of yards or lot area: Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, changed as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- O. Lots with multiple frontage: In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- P. Landlocked lots: In case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a 30-foot easement to a city-, county-, or state-maintained street or road, and the easement has been duly recorded and made a part of the property deed.

Attachment A-1  
Consistency with AG-3 Zoning District Ordinance

- Q. Street frontage: No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.
- R. Yards and other spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- S. Substandard lots: Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
  - 1. Adjoining lots in same ownership: When two or more adjoining and vacant lots within a nonapproved development with continuous frontage and are in single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or re-parceled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.
  - 2. Single lots: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot of record at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- T. Encroachment on public rights-of-way: No building, structure, service area, required off-street parking, or loading/unloading facilities are permitted to encroach on public rights-of-way.
- U. Physical design standards: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Screven County. Consult that document for specific requirements.
- V. Off-street parking and service requirements: Minimum standards for off-street parking and service requirements are contained in the Screven County Standard for Off-Street Parking and Service Facilities (appendix B [to this appendix]).
- W. Other applicable development regulations: Information concerning any other applicable development regulations may be obtained by consulting the zoning administrator.
- X. Signs: Minimum design and location standards for signs are contained in the Screven County Sign Ordinance. Consult article 18 [of this appendix] for specific requirements.

(Ord. of 11-9-2004(2), § 14)

***AWS will comply with the sign ordinance.***

Attachment A-2

Consistency with Conditional Use Ordinance

## **Sec. 412. - Developments of regional impact (DRI).**

- A. *Local zoning provision to allow for DRI review.* For new developments proposed within Screven County which meet or exceed the minimum threshold identified in the department of community affair's Procedures and Guidelines for the review of developments of regional impact (DRI), the county will comply with these intergovernmental review procedures. The county shall be allowed up to a maximum of 30 days to complete the review process for large development projects that are likely to create impacts in other local jurisdictions. The county will not take any official action to further any such developments until the DRI Review Process is completed or a maximum of 30 day has transpired from the date the completed DRI request for review form was forwarded to the regional development center.

**See Appendix VI for completed application to be utilized by Screven County**

## **Sec. 413. - Conditional use.**

- A. Some zoning districts permit certain uses only upon approval of the board of commissioners after receiving a recommendation from the planning and zoning commission. These uses are identified in this ordinance as conditional uses and such uses are allowed only under the circumstances specified in this ordinance.

***AWS concurs with this statement.***

- B. The developer or owner wishing to request a conditional use must have at least 51 percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature. The planning and zoning commission or board of commissioners may also propose a conditional use. However, the power to approve a conditional use rests with the board of commissioners.

***AWS meets the requirements of this section. See Attachment B.***

- C. Application for a conditional use shall be filed with the zoning administrator. If an applicant for conditional use is operating a use which requires a conditional use without conditional use approval, and/or is determined by the zoning administrator to be in violation of the zoning ordinance as it pertains to the application in question, then the fee for processing the conditional use shall be two times the normal conditional use permit fee and the conditional use applicant shall cease operations of the conditional use while the conditional use application is pending. The zoning administrator shall not process any application from that applicant as it pertains to the property in question until the applicant remedies the violation and ceases to be in violation, to the extent practical as determined by the zoning administrator. If the conditional use is approved and it remedies the violation, the conditional use applicant may continue the activity or operation. If the conditional use is not approved, the applicant shall be prevented from continuing the activity or operation applied for until otherwise compliant with the county zoning ordinance.

***This is not applicable as AWS is not operating under conditional use at this time, but applying for one.***

- D. When the applicant has ceased to be in violation by [of subsection] C above, the zoning administrator will then accept the application for conditional use.

***This is not applicable as AWS is not operating under conditional use at this time, but applying for one.***

- E. When an application for a conditional use is filed, it shall be considered under the same procedure as required for an amendment to the official zoning map under the provisions of section 414, except as otherwise provided by the provisions of this section.

***AWS will comply with this. See Attachment A – Application.***

***As required in Article 7-Section 701-B-12-2. of Screven County Zoning Ordinance, "All solid waste disposal facilities shall comply with the applicable requirements of the Georgia Solid Waste Management Act of 1990, as amended" (Act). See***

**Appendix III. This not only requires compliance with the Act, but also since Georgia is an approved state, they are required to implement and enforce the Federal Title 40-Part 258-Criteria for Municipal Solid Waste Landfills (See Appendix II).**

**From the Federal Law on Criteria for Municipal Solid Waste Landfills:**

**“Part 258.1 Purpose Scope and Applicability**

**(a) The purpose of this part is to establish minimum national criteria under the Resource Conservation and Recovery Act (RCRA or the Act), as amended, for all municipal solid waste landfill (MSWLF) units and under the Clean Water Act, as amended, for municipal solid waste landfills that are used to dispose of sewage sludge. These minimum national criteria ensure the protection of human health and the environment.”**

**From the Georgia Comprehensive Solid Waste Management Act, as amended:**

**“§ 12-8-21. Declaration of policy; legislative intent**

**It is declared to be the policy of the State of Georgia, in furtherance of its responsibility to protect the public health, safety, and well-being of its citizens and to protect and enhance the quality of its environment, to institute and maintain a comprehensive state-wide program for solid waste management and to prevent and abate litter, so as to assure that solid waste does not adversely affect the health, safety, and well-being of the public and that solid waste facilities, whether publicly or privately owned, do not degrade the quality of the environment by reason of their location, design, method of operation, or other means and which, to the extent feasible and practical, makes maximum utilization of the resources contained in solid waste.”**

**Complete copies of the above referenced documents are available as Appendix II & III. The Georgia Rules 391-3-4 Solid Waste Management are also provided as a reference in Appendix IV.**

**Considering the above quoted purposes, declaration of policies, and legislative intent, issuance of a Solid Waste Handling Permit by the State of Georgia would meet both the intent and letter of the Screven County Zoning Ordinance for approving an AG-3 Conditional Use for a solid waste disposal and recycling facility.**

**Therefore, it is our professional opinion that this proposal meets all criteria in the Screven County Solid Waste Management Plan, as discussed in Attachment A-3 and compliance with the State Act, would allow the Planning & Zoning Commission to answer in the affirmative in consideration of the four (4) standards listed below. Additional comments on each standard follow.**

- F. The planning and zoning commission and board of commissioners will consider the following standards in arriving at a decision on the conditional use:

Attachment A-2  
Comments on consistency with Conditional Use ordinance

1. It must not be detrimental to the use or development of adjacent properties, or to the general neighborhood; it must not adversely affect the health or safety of residents or workers.

***The lot size is ±957 acres and is much larger than the approximate total project area, 84 acre waste footprint and 84 acres of support facilities. The entire project is and will continue to be surrounded by ongoing agricultural use on the same property which is also completely surrounded by agricultural use of neighboring properties. Therefore, the proposed conditional use will not, in our professional opinion, be detrimental to the use or development of adjacent properties or the general neighborhood. Compliance with the State Act ensures the protection of the human health and environment and the safety and well-being of the public. Also, see Attachment A-3 for more information. See Appendix XI for Letter Report on Groundwater Pollution Potential.***

2. It must not be that any possible depreciating effects and damages to the neighboring properties are greater than the benefits or need for the conditional use.

***The nearest existing home is 3660-feet from the proposed landfill footprint. The proposed landfill site is almost completely surrounded by forested land beyond the active farmlands on the ±957 acre property. There are no existing homes anywhere around the property where a home resident has an unobstructed view of the 84 acre proposed landfill site. If the landfill is permitted and ultimately filled to its proposed maximum height of 150 ft above current ground level, there are no existing homes around the property that will even be able to see the top of the landfill some 30 years or more in the future. See Appendix XI for Letter Report on Groundwater Pollution Potential.***

***Based upon compliance with Federal, State and Local regulatory permitting and operational conditions, possible depreciating effects and damages are considered minimal or temporary.***

***The proposed conditional use of the property in question as a municipal solid waste disposal and recycling facility is estimated to expend 250 million dollars during its projected 30 year life. Those expenditures are associated with siting, design, permitting, construction, banking, salaries, supplies, closure construction, and post closure maintenance and monitoring. Additionally, Georgia Law 12-8-29 requires a direct payment to the host local government at \$2.50 per ton for every ton disposed in the landfill. These direct payments, combined with anticipated savings of local haul and disposal versus out of county haul and disposal, are estimated to fall in the range of 50 to 80 million additional dollars. Actual***

**amounts depend on final design volumes achieved on the 84 acre footprint and tonnage received at the site.**

**The conditional use of a project of this size will require at a minimum 30 – 40 employees with competitive salaries and full benefits.**

**As part of this type of conditional use, other good neighbor benefits typical to this type of development can include engagement of educational opportunities for FFA, 4-H, UGA Extension, scouting, and local school field trips teaching proper waste disposal, reuse, reduction, and recycling and composting.**

**Since the plan for this conditional use includes maintaining the dairy and farming operations on the majority of the property, other education venues will include dairy production, forestry, hay farming, logistics, chemistry, and farm mechanics.**

**Additionally, these types of projects typically team with local Keep America Beautiful Chapters and engage in assisting with programs such as Adopt A Highway and cleaning up blighted and derelict houses. As any new business would, this conditional use business would consider donating to, sponsoring, and supporting local community events and charities.**

**Overall, the conditional use for this project has, as listed, major benefits including the proper handling, disposal, and recycling of municipal solid waste in a manner that protects human health, the environment, and cultural resources in accordance with the Georgia Comprehensive Solid Waste Management Act, 1990 as modified, the Screven County zoning ordinance, and consistency with the Screven County Solid Waste Management Plan, 2008-2018.**

3. It must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use.

**See response to Item F.1. above.**

4. It must meet all other requirements of this ordinance.

**AWS understands “requirements of this ordinance” to mean Appendix A – Zoning Ordinance, as found in Code Section of Screven County, Georgia, Version: September 13, 2018. AWS will meet all of the requirements of the ordinance.**



Attachment A-2  
Comments on consistency with Conditional Use ordinance

- G. The planning and zoning commission may recommend and board of commissioners may impose any additional conditions and development standards, along with the grant of a conditional use, as may be necessary to protect the health and safety of the workers and residents and to protect the surrounding landowners and neighborhoods.

***AWS understands the Screven County Planning and Zoning Commission may recommend and the Board of Commissioners may impose additional conditions and standards. AWS believes that the conditions specified in Section 701.B.12 are comprehensive in protection of health and safety of workers and residents in the protection of surrounding landowners and neighborhoods. See Attachment I and Appendices II, III, IV and XI for additional information.***

- H. The board of commissioners is not bound by the recommendation of the planning and zoning commission, and after consideration of the standards set forth in subsection G, the board of commissioners may grant or deny the application for a conditional use and, if granted, establish such additional conditions and developments standards at it deems appropriate to satisfy the standards in subsection G.

***AWS concurs with this statement.***

- I. If the building official finds that any restrictions upon which a conditional use was granted is not being complied with, it may suspend the permit for the conditional use until such time as the applicant brings the conditional use into compliance with the restrictions imposed by the board of commissioners. Only work upon the conditional use may be allowed during suspension of the permit which is necessary to bring the conditional use into compliance with the restrictions imposed by the board of commissioners.

***AWS concurs with this statement.***

- J. The chairman or his designee shall then call each person who has signed up to speak on the appeal then before the planning and zoning commission in the order in which the persons have signed up to speak, except that the applicant who shall speak first. Prior to speaking, the speaker will identify himself or herself and state his or her current address. Only those persons who signed up to speak prior to the commencement of the hearing shall be entitled to speak, unless two-thirds of the members of the planning and zoning commission present at the hearing allow the person to speak to the appeal.

***AWS concurs with this statement.***

- K. Each speaker shall speak only to the merits of the proposed appeal under consideration and shall address his remarks only to the member of the planning and zoning commission. Each speaker shall refrain from personal attacks on any other speaker or from discussing facts or opinions irrelevant to the proposed appeal under consideration. The chair may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this subsection.

***AWS assumes this is public hearing protocol and concurs with this statement.***

Attachment A-2  
Comments on consistency with Conditional Use ordinance

- L. Nothing contained herein shall be construed as prohibiting the chair from conducting the hearing in an orderly and decorous manner to assure that the public hearing on the appeal is conducted in a fair and orderly manner.

***AWS concurs with this statement.***

- M. No application for a conditional use shall be considered for six months following denial of the same or substantially same request.

***AWS concurs with this statement.***

(Ord. of 11-9-2004(2), § 5)

## **Sec. 414. - Amendments.**

***AWS acknowledges and understands Screven County's process.***

- A. Any land owner may request that the official map be amended from the existing another as it applies to the owner's property. Also, any person affected by this zoning ordinance may propose an amendment to the text of this zoning ordinance under the provisions of this section. As used in this section, the term "amendment" shall mean both a change to the official map and a change to the text of this ordinance unless otherwise indicated. The developer or owner wishing to request an amendment of the official map must have at least 51 percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing under the owner's signature. The planning and zoning commission or the board of commissioners may also propose an amendment. However, the power to approve and enact an amendment rests within the legislative discretion of the board of commissioners.
- B. Application for an amendment may be made with the zoning administrator. The zoning administrator will take the required information and transmit it to the planning and zoning commission for its consideration. If the property which is the subject of an amendment, at the time of such an application, is determined by the zoning administrator to be in violation of the zoning ordinance, then the fee for processing the amendment shall be two times the normal amendment application fee and the applicant shall cease operations of the activity or operation found to violate this zoning ordinance while the amendment application is pending. The zoning administrator shall not process any application from that applicant as it pertains to the property in question until the applicant remedies the violation and ceases to be in violation, to the extent practical as determined by the zoning administrator. If the amendment application is approved and it remedies the violation, the applicant may continue the activity or operation. If the amendment is not approved, the applicant shall be prevented from continuing the activity or operation applied for until otherwise compliant with the county zoning ordinance.
- C. An applicant requesting an amendment to the official map shall provide the zoning administrator the following:
1. Details of the proposed use.
  2. Legal description and scaled drawing (showing all existing and proposed improvements) will be the minimum requirement for the planning and zoning commission. The planning and zoning commission may require certified surveyor's plat. Such plat, certified by a registered professional surveyor with all existing and proposed improvements shown thereon, shall be filed with the zoning administrator after approval by the board of commissioners.

Attachment A-2  
Comments on consistency with Conditional Use ordinance

3. Any other materials or information as may be deemed appropriate by the zoning administrator.
- D. When an amendment is initiated by a party other than the board of commissioners which involves changing the zoning district of a parcel of land, the zoning administrator shall post a sign at least two feet by three feet in size in a conspicuous place on the property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing before the board of commissioners. The sign must set forth the fact that it is a "ZONING NOTICE." It must show the present zoning classification, the proposed zoning classification, the purpose, date, time, and place of the scheduled public hearing, and it must inform the public that additional information may be obtained from the zoning administrator. A certified letter shall be mailed to the owners of property adjacent to the property for which an amendment is requested. Such letter may be sent to the names and addresses of those property owners as shown on the tax maps of Screven County.
- E. All applications for amendment must first be reviewed by the planning and zoning commission. The planning and zoning commission will study the proposed amendment and determine if it meets the requirements of this ordinance, as well as other applicable ordinances of Screven County. At this time, the zoning administrator may review the proposed amendment and make written recommendations to the planning and zoning commission.
- F. When considering a proposal to amend the official map, the following standards shall govern the exercise of zoning power as required by O.C.G.A. § 36-66-5.
- Standards:*
1. The existing uses and zoning of nearby property.
  2. The suitability of the property for the proposed purpose or the availability of other and suitable for the proposed area.
  3. The length of time the property has been vacant as zoned.
  4. The extent to which the value of the property is diminished by the present zoning.
  5. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
  6. The effect the proposed rezoning would have on the population density pattern, public service and facilities.
  7. The extent to which the zoning decision is consistent with the Comprehensive Land Use Plan of Screven County.
  8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
  9. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
  10. Whether the change suggested is out of scale with the needs of the neighborhood or the county.
  11. Any other factors relevant to balancing the interests in promoting public health, safety, morality, or general welfare against the right to unrestricted use of property.
- G. The planning and zoning commission and the board of commissioners may also consider whether development of the property and the zoning classification sought would do any of the following:
1. Have an adverse effect on the insurance rating of the county, or any substantial portion of the county, issued by the Insurance Service Office or similar rating agency.
  2. Overtax any streets, presently existing to serve the site, or other public facilities and utilities.
  3. Have a substantially adverse impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, light and water quality and quantity.

Attachment A-2  
Comments on consistency with Conditional Use ordinance

- H. The planning and zoning commission may conduct a public hearing at its option on any proposed amendment.
- I. The planning and zoning commission shall make a written record of its recommendation on the proposed amendment and forward a copy of its recommendation to the board of commissioners within 60 days of the date on which the proposed amendment was received by the zoning administrator. If the planning and zoning commission fails to send its recommendations to the board of commissioners within the aforesaid 60 days, it shall mean that the planning and zoning commission recommends approval of the amendment.
- J. After receipt of the recommendation of the planning and zoning commission, the board of commissioners shall conduct a public hearing on the proposed amendment. Notice of the hearing must be published in a newspaper of general circulation in Screven County at least 15 days but not more than 45 days prior to the date of the hearing. The notice shall state the time, place, and purpose of the hearing. If the amendment is for the rezoning of property from one district to another and is initiated by a party other than the board of commissioners, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed zoning district of the property.
- K. The following policies and procedures will be observed in conducting the required public hearing:
1. The hearing will be held in the Screven County Courthouse, Sylvania, Georgia.
  2. Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.
  3. Persons desiring to be heard orally may present their views at the hearing, but shall first sign up on a form to be provided by the board prior to the commencement of the hearing. Any party who wishes to address the board through his or her attorney or other designated representative or agent shall first sign up on a form to be provided by the board prior to the commencement of the hearing, setting forth the name of their principal and the capacity in which they are appearing before the board, i.e. whether as attorney, parent, attorney in fact, real estate agent or otherwise.
  4. The board chair will cause to be read the proposed zoning decision under consideration and any departmental reviews pertaining thereto prior to receiving public input on said proposed zoning decision. Proposed zoning decisions shall as a general rule be called in the order in which they are received by the board, provided that nothing shall prevent the board from changing the order of decisions reviewed at the time of hearing for the convenience of the board and the public.
  5. The board chair shall call each person who has signed up to speak on the proposed zoning decision in the order in which the persons have signed up to speak, except for the applicant, who will always speak first. If the board has brought a proposed zoning decision to the hearing, then the commissioners shall speak first. Proponents and opponents of each zoning decision shall have ten minutes per side for presentation of data, evidence, and opinion. The applicant may use all of the time in the initial presentation, or may choose to reserve any remaining time for rebuttal. If the board in its discretion allows either the proponents or opponents to exceed the allotted time, the other side shall be granted equal time. If a number of speakers wish to speak, they must decide among themselves how to allocate the ten minutes per side. The time shall be kept by the clerk or other staff designated by the board.
  6. Each speaker shall speak only to the merits of the proposed zoning decision under consideration and shall address his or her remarks only to the board. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed zoning decision under consideration. The board may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this subsection.

Attachment A-2  
Comments on consistency with Conditional Use ordinance

7. Nothing contained herein shall be construed as prohibiting the board from taking reasonable steps necessary to ensure that hearings are conducted in a decorous manner, to ensure that the public hearing on each proposed zoning decision is conducted in a fair and orderly manner.
  8. Prior to the close of the hearing, the board shall announce whether it will vote on the proposed amendment or decision at that same hearing or whether it will defer its vote for a period not to exceed 30 days.
  9. Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.
  10. Cross examination of persons making oral presentations will not be permitted.
  11. All questions will be addressed to the chairman of the board of commissioners.
- L. After reviewing the record of the public hearing and considering recommendations from the planning and zoning commission, the board of commissioners may approve or deny the requested amendment, reduce the land area for which the amendment is requested, change the district or land use category requested, or impose conditions which may restrict the use or development of the property in a manner not otherwise required by this zoning ordinance. Any such conditions imposed by the board of commissioners shall be incorporated into this zoning ordinance and shall become a part of the official zoning map, whether or not actually entered upon the official zoning map.
- M. If the board of commissioners denies a proposed amendment to change a zoning district, no amendment to the zoning district as it applies to that property may be again filed with the zoning administrator until at least six months following the denial by the board of commissioners.

(Ord. of 11-9-2004(2), § 6)

Attachment A-3

Consistency with Solid Waste Management Plan

## Section 6 Land Limitation Element

There are a number of different factors that must be considered when selecting a suitable site for development of new, or the expansion of existing landfills, and/or other waste handling facilities. Demographic factors, land use factors, and environmental factors collectively place limitations and pose challenges with regard to finding an appropriate site.

Sites selected for landfills and other related facilities should not diminish the overall quality of life for residents in a community. These sites should also have a minimal impact on the natural environment. The environmental and land use factors presented in the Land Limitation Element in Section 6 are required to be considered by State law. Some factors specify design requirements, while others prohibit the siting of facilities in certain areas.

The Land Limitation Element also includes discussion of local government review to determine permit application consistency with the Screven County Joint SWMP. Together, the Land Limitation Element provides guidance to minimize the adverse effects that could result from potential siting of future waste facilities.

***Atlantic Waste Services, Inc. (AWS) agrees with the introduction to Section 6 Land Limitation Element of the Solid Waste Management Plan (SWMP). In our professional opinion, our application is consistent with this introduction.***

### 6.1 Areas with Natural and Environmental Limitations

This section discusses some of the restrictions with regard to where a solid waste landfill or other waste handling facility can be located within a county or city based on Federal, State, and local policy as they relate to the natural environment. Some of these items are illustrated on the maps that follow.

**Floodplains** - DNR Rule 391-3-4-.05(1)(d) stipulates that any solid waste landfill located in the 100-year floodplain shall not restrict the flow of the 100-year flood, reduce the temporary water storage capacity of the floodplain, or result in a washout of solid waste so as to pose a threat to human health or the environment. Updated floodplain maps will be available for Screven County through FEMA Flood Insurance Rate Mapping to facilitate investigation of areas within stream valleys where siting and design of solid waste disposal facilities would be affected.

***The proposed development is not in the 100 year floodplain elevation, as indicated in the Conceptual Site Plan. The proposed site will be designed to comply with the policies and restrictions for impacting floodplains. Therefore, the proposed site is consistent with this requirement. See Attachment I - Figure 01.***

**Wetlands** - DNR Rule 391-3-16-.03(3)(e) establishes that solid waste landfills may constitute an unacceptable use of a wetland. DNR Rule 391-3-4-.05(1)(e) prohibits the development of solid waste landfills in wetlands, as defined by the U. S. Army Corps of Engineers, unless evidence is provided by the applicant to EPD that use of such wetlands has been permitted or otherwise authorized under all other applicable state and federal laws and rules. The Code of Screven County, Chapter 26, Article IV, establishes a Wetland District Overlay Zone, providing a generalized wetland location map. Wetlands are also featured on the Water Resources Map provided below.

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

***The proposed site will be designed to comply with the policies and restrictions for impacting wetlands as stated above and referenced in the DNR Rule. Therefore, the proposed site is consistent with this requirement. See Attachment I - Figure 02 for Proximity to Wetlands.***

**Significant Groundwater Recharge Areas** - DNR Rule 391-3-16-.02(3)(a) requires that in significant groundwater recharge areas, DNR shall not issue permits for new solid waste landfills not having synthetic liners and leachate collection systems. DNR Rule 391-3-4-.05(1)0 also requires new solid waste landfills or expansions of existing facilities within two miles of a significant groundwater recharge areas to have liners and leachate collection systems, with the exception of facilities accepting waste generated from outside the county in which the facility is located. In that case, the facility must be totally outside of any area designated as a significant groundwater recharge area. The Code of Screven County, Chapter 26, Article III, establishes a Groundwater Recharge Area District. In the case of a regional landfill which accepts solid waste generated outside the county in which the landfill is located, no part of such site shall be within any area that has been designated as a significant groundwater recharge area. Groundwater Recharge Areas exist in the southern and northern portions of Screven County, as shown by the Water Resources Map.

***The proposed site is located approximately 2.8 miles south and 3.3 miles west of the nearest most significant groundwater recharge areas. Therefore, the proposed site is consistent with this requirement. See Attachment I - Figure 03.***

**River Corridors** - DNR Rule 391-3-16-. 04(4)(h) prohibits the development of new solid waste landfills within protected river corridors. The Protected River Corridors within Screven County are the Ogeechee River and the Savannah River. Brier Creek is also recognized as a major sub basin in some State data sets<sup>8</sup>, and is displayed on the Water Resources Map as such. By definition, a protected river corridor is all the land, including islands, within 100 feet horizontally on both sides, measured from the uppermost part of bank. The Code of Screven County, Chapter 26, Article V, prohibits the uses of hazardous waste or solid waste landfill or handing facility within the Protected River Corridors of the Savannah and Ogeechee Rivers. The County has also adopted a River Corridor Protection Plan for the Savannah and Ogeechee Rivers, which forms a River Corridor Protection District overlay zone.

<sup>8</sup> <http://www.georgiaplanning.com/dataforplanning.htm>

***The proposed site is located approximately 2.6 miles (±14,000 feet) from the Ogeechee River, the nearest protected river corridor. The proposed site is not within the Ogeechee River Corridor Protection District. Therefore, the proposed site is consistent with this requirement. See Attachment I - Figure 04.***

**Protected Mountains** - DNR Rule 391-3-16-.05(4)(1) prohibits the development of new solid waste landfills in areas designated as protected mountains There are no protected mountains in the Screven County planning area.

***AWS concurs with the above statement.***



Attachment A-3  
Comments on consistency with Solid Waste Management Plan

**Fault Zones, Seismic Impact Zones, and Unstable Areas** - DNR Rule 391-3-4-.05(1)(£) focuses on fault areas and requires that new landfill units and lateral expansions of existing landfills not be located within 200 feet of a fault that has had a displacement in Holocene time, unless an alternative setback distance of less than 200 feet will prevent damage to the structural integrity of the landfill and will protect human health and the environment. According to the University of Georgia, Department of Geology . . . "Georgia's main risk of earthquakes may be from distant epicenters, such as that of the Charleston earthquake of 1886 or of the New Madrid, Missouri, earthquakes of 1811. However, much smaller earthquakes are a regular occurrence in Georgia."

***AWS concurs with the above statement. According to the United States Geologic Service (USGS) Interactive Fault Map for Quaternary Faults ([earthquake.usgs.gov/hazards/qfaults/map](http://earthquake.usgs.gov/hazards/qfaults/map)), no faults which are believed to be sources of earthquakes with a magnitude greater than 6 in Holocene time (less than 15,000 ± years) are indicated within 200 feet of the site. In fact, no such Quaternary faults or associated folds are indicated in Georgia. See Attachment I - Figure 05. Therefore, the proposed site is consistent with this requirement.***

DNR Rule 391-3-4-.05(1)(g) prohibits the development of new landfills and lateral expansions of existing landfills in seismic impact zones, unless all landfill containment structures, including existing landfill liners, leachate collection systems, and surface water control systems, are designed to resist the maximum horizontal acceleration in lithified earth material for the site. Based on Emergency Manager's Guide to Earthquakes in Georgia, written in 1999 by Timothy Long, Georgia Institute of Technology, Screven County is not among the counties having the greatest earthquake hazard in Georgia, and ... "earthquakes in the coastal plain of Georgia are too sparsely distributed to define a pattern."

***AWS concurs with the above statement. According to Map C from the 1990 U.S. Geological Survey (USGS) Miscellaneous Field Study Map MF-2120 entitled "Probabilistic Earthquake Acceleration and Velocity Maps for the United States and Puerto Rico", Screven County, Georgia lies approximately at the 12% gravity (or 0.12g) contour for horizontal acceleration. In our opinion, the potential for this geologic hazard to occur at a scale deleterious to operation and eventual post-closure care of the landfill is low to minimal. All containment structures and surface water control systems will be designed to resist the maximum horizontal acceleration of lithified earth material for the site. See Attachment I - Figure 06. Therefore, the proposed site is consistent with this requirement.***

DNR Rule 391-3-4-.05(1)(h), states that owners/operators of new landfills, existing landfills and lateral expansions of existing landfills located in an unstable area must demonstrate that engineering measures have been incorporated into the landfill's design to ensure that the integrity of the structural components of the landfill will not be compromised. Furthermore, the owner or operator must consider the following factors, at a minimum, when determining whether an area is unstable: a. On-site or local soil conditions that may result in significant differential settling; b. On-site or local geologic or geomorphologic features; and c. On-site or local human-made features or events (both surface and subsurface).

**Based upon preliminary evaluation of available LiDAR topographic information, no unstable areas were observed. See Attachment I - Figure 07. As part of the permitting process, a further detailed study will be performed as required by Georgia Environmental Protection Division (EPD) to evaluate site specific conditions and limitations.**

**Water Supply Watersheds** - DNR Rule 391-3-16-.01(7)(c)1 requires that at any location within a small water supply watershed, new solid waste landfills must have synthetic liners and leachate collection systems. None of the jurisdictions in the Screven County planning area fall within the boundaries of a water supply watershed.

**AWS concurs with the above statement. According to recent correspondence with representatives of the Drinking Water Program of the Georgia Environmental Protection Division (EPD), the proposed site also does not fall in a wellhead protection zone (See Appendix VII). Therefore, the proposed site is consistent with this requirement.**

The following maps provide a general overview of natural or environmental limitations within Screven County. All maps and the respective GIS data will be maintained by the Coastal Georgia Regional Development Center, soon to become the Coastal Regional Commission.

**AWS has provided site specific figures to demonstrate consistency with the SWMP. See Attachment I.**

## 6.2 Areas with Land Use and Zoning Limitations

This section discusses some of the restrictions with regard to where a solid waste landfill or other waste handling facility can be located within a county or city based on Federal, State, and local policy as they relate to the land use or zoning factors. The maps below depict a general overview of land use or zoning limitations within Screven County.

**Zoning Restrictions** - DNR Rule 391-3-4-.05, Criteria for Siting, requires that sites proposed for a solid waste handling facility must conform to all local zoning/land use ordinances. Currently, only the County contains provisions that would allow for siting of solid waste handling or disposal facilities.

The County's Zoning Ordinance specifies permitted or permissible uses determined to be appropriate for the mapped zoning districts of the County. The use of Solid Waste Disposal Facility (landfill) is specified in Article 7, Section 703 of the Zoning Ordinance as Conditional Use 12, permissible in the Agricultural and Residential (AG-3) Zoning District. The conditions for the use require geotechnical suitability and compliance with the Georgia Solid Waste Management Act of 1990, as amended.

The Zoning map shows that for Screven County is generally consistent with the Draft Future Land Use Map, both provided below.

**The proposed site and all adjoining properties are inside the AG-3 Zoning District. See Attachment I - Figure 08. AWS has applied for**

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

**AG-3 Conditional Use along with this submittal. Please see Attachments A-1 & A-2 covering consistency with zoning restrictions.**

**Airports** -The DNR Rules further regulate siting of solid waste management facilities in the vicinity of airports. Accordingly, new MSWLF units or lateral expansions of existing units shall not be located within 10,000 feet (3,048 meters) of any public-use or private-use airport runway end used by turbojet aircraft or within 5,000 feet (1,524 meters) of any public-use or private-use airport runway end used by only piston-type aircraft. A small airport is located near Sylvania off of Beacon Road, where a 10,000-foot buffer is required affecting any potential siting of a landfill.

***The proposed site is located approximately 3.3 miles (±17,500 feet) south of Plantation Airpark. See Attachment I - Figure 09. Therefore, the proposed site is consistent with this requirement.***

**National Historic Sites** - The Official Code of Georgia (O.C.G.A.), in 12-8.25.1 prohibits location of hazardous waste or solid waste landfills or handling facilities within 5,708 yards of any National Historic Site. The site of the Dell Goodall House, north of Sylvania, is on the National Register. Also, the Brier Creek Battlefield site is a candidate for addition to the National Register. The "Remember Brier Creek Committee" of Screven County is working toward that objective.

***No National Historic Sites are located within 5,708 yards of proposed site. See Attachment I - Figure 10a. No National Historic Places are located within 5,708 yards of proposed site. See Attachment I - Figure 10b. Therefore, the proposed site is consistent with this requirement.***

**Military Air Space** - The DNR Criteria for Siting provide that new MSWLF units shall not be located within two miles of a federally restricted military air space which is used for a bombing range. No such military air space is located within two miles of Screven County.

***AWS concurs with the above statement.***

**Construction/Demolition Waste Landfills** - The Criteria for Siting provide that construction/demolition waste landfills must comply with the siting criteria specified in "Criteria for Performing Site Acceptability Studies for Solid Waste Landfills in Georgia", Circular 14, Appendix B.

***AWS concurs with the above statement.***

Other siting-relevant regulations found in O.C.G.A. § 12-8-25 (2008) are:

§ 12-8-25. Sites in certain counties within one-half mile of adjoining county;

***The proposed site is located approximately 2.6 miles from the nearest county line (Bulloch County). See Attachment I - Figure 11. Therefore, the proposed site is consistent with this requirement.***

§ 12-8-25.4. Limits on the number of solid waste facilities within given area;

***There are no other solid waste facilities within two (2) miles of the proposed site. See Attachment I - Figure 12. Therefore, the project is consistent with this siting requirement.***

§ 12-8-25.5. Limits locating a disposal facility near a private recreational camp.

***There are no private recreational camps within one (1) mile of the proposed site. See Attachment I - Figure 13. Therefore, the project is consistent with this siting requirement.***

### 6.3 Local Procedures for Siting Solid Waste Facilities

The purpose of this section is to outline the requirements that the developer of a new solid waste landfill or other waste handling facility must fulfill in order to demonstrate that the facility they wish to construct in Screven County is consistent with this SWMP.

No proposed solid waste facility or facility expansion will be sited in the Screven County planning area without a letter from the Screven County Commission or the appropriate City or Town Council stating that the proposed facility is consistent with this SWMP.

Any applicant wishing to present a case for constructing such a facility will be required to cover all expenses associated with developing the proposal and properly informing the public based on the procedures listed in this plan, and the common practices for public notification upheld by Screven County and/or the Towns of Hiltonia, Newington, and Rocky Ford, and the Cities of Oliver and Sylvania.

***AWS concurs with this requirement and will bear all expenses associated with developing the proposal and properly informing the public based on the procedures listed in this plan, and the common practices for public notification upheld by Screven County and Georgia State Laws.***

The procedure for determining whether a proposed facility or facility expansion is consistent with the SWMP is as follows:

- A. At least 120 days prior to filing for a solid waste handling permit, or notifying EPD in the case of a solid waste facility that is permitted by rule, the applicant will submit to the governing body a written statement documenting the following:
  1. How the proposed facility or facility expansion will meet the specific goals and/or needs identified in the SWMP, including a description of:
    - a. The impact upon the collection capability within the planning area;

***Collection capability will be impacted positively as Atlantic Waste Services, Inc. (AWS) is available to provide clean up and operation of the current drop-off centers and transfer station, if requested by the County. Hauling waste to the proposed facility only 18 miles away versus hauling it many more miles to the current out of County landfill will save Screven County hauling cost.***

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

- b. The impact upon disposal capacity identified in the planning area; and

**Currently, Screven County has no local waste disposal capacity within the County. The proposed facility will provide 30 years of local disposal capacity versus hauling its waste out of county to achieve that capacity; thus a very positive impact.**

- c. The impact to the waste reduction and recycling efforts within the planning area, specifically how the proposed facility or facility expansion will further progress towards waste reduction.

**The AWS project will include a residential recycling drop-off center for the additional encouragement and collection of recyclables consistent with the solid waste management plan goals for recycling.**

2. How the proposed facility or facility expansion and its operation will impact the community. Specifically what will be:

- a. The impact to vehicle traffic and public safety around the proposed facility and throughout the planning area;

**AWS, as part of this project, plans to improve the intersection of S.R. Highway 17 and Louie D. Newton Road, as required by the Georgia Department of Transportation (GDOT). AWS will also improve and pave  $\pm$  4,100 feet of Louie D. Newton Road up to the landfill access road entrance.**

**State Route 17 is already a well-used truck route. According to the Georgia Department of Transportation (GDOT) Traffic Analysis & Data Application (TADA) website (<https://gdottrafficdata.drakewell.com>), the  $\pm$ 7.2 mile long SR 17 corridor between Jarrell Pond Road and Orchard Road encountered an Average Annual Daily Traffic (AADT) in 2017 between 990 and 1,500 vehicles per day, with a Future AADT between 1,300 and 1,900 vehicles per day (an increase between 27% and 31%). See Appendix 13 for supporting information.**

**According to this data, slightly heavier traffic is encountered west of Halcyondale Road (and thus Louie D. Newton Road); most likely from industrial traffic associated with existing facilities in this area heading to and from Sylvania on Jarrell Pond Road or to and from U.S. Highway 301 ( $\pm$ 3.0 miles west of Jarrell Pond Road).**

**According to the data in the SR 17 corridor adjacent to the proposed facility, 25.26% of the traffic composition is classified as single-unit trucks (2-4+ axles with at least 6 tires), single-trailer trucks (4-6+ axles) and multi-trailer trucks (5-7+ axles). Using the 2017 AADT data, this composition is between approximately 250 and 379 trucks per day;**

**using the Future AADT data, this composition is between approximately 328 and 480 trucks per day.**

**AWS anticipates between 50 and 100 additional trucks per day on SR 17 as a result of this project, in and out of the facility. The anticipated increase in traffic is consistent with the Future AADT projected for GDOT in this SR 17 corridor, therefore, in our professional opinion, SR 17 will be suitable for handling the traffic associated with the project.**

**Public safety associated with this project is not anticipated to present any additional impact to the planning area.**

- b. The impact on natural or cultural resources within the planning area;

**Natural and cultural resources on the project site and/or within the planning area are not expected to be adversely impacted over the existing impact of the current agricultural activities. Required buffers and ongoing sustainability practices will be utilized in the siting, design, operation, closure, and post-closure care of the project consistent with the solid waste management plan and Federal, State and local laws, rules, and ordinances.**

- c. The impact to individual and business solid waste management rates; and

**It is anticipated that individual and business solid waste management rates should be lower than current rates due to an in-county project facility.**

- d. The impact on the current solid waste management infrastructure with the planning area, both public and private.

**The Municipal Solid Waste and Recycling Facility proposed will add a needed piece of infrastructure for the planning area, serving both public and private needs.**

**General impacts and benefits to the community as described in the zoning conditional use application for the proposed facility:**

**The proposed conditional use of the property in question as a municipal solid waste disposal and recycling facility is estimated to expend 250 million dollars during its projected 30 year life. Those expenditures are associated with siting, design, permitting, construction, banking, salaries, supplies, closure construction, and post closure maintenance and monitoring. Additionally, Georgia Law 12-8-29 requires a direct payment to the host local government at \$2.50 per ton for every ton disposed in the landfill. These direct payments, combined with anticipated savings of local haul and**

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

***disposal versus out of county haul and disposal, are estimated to fall in the range of 50 to 80 million additional dollars. Actual amounts depend on final design volumes achieved on the 84 acre footprint and tonnage received at the site.***

***The conditional use of a project of this size will require at a minimum 30 – 40 employees with competitive salaries and full benefits.***

***As part of this type of conditional use, other good neighbor benefits typical to this type of development can include engagement of educational opportunities for FFA, 4-H, UGA Extension, scouting, and local school field trips teaching proper waste disposal, reuse, reduction, and recycling and composting.***

***Since the plan for this conditional use includes maintaining the dairy and farming operations on the majority of the property, other education venues will include dairy production, forestry, hay farming, logistics, chemistry, and farm mechanics.***

***Additionally, these types of projects typically team with local Keep America Beautiful Chapters and engage in assisting with programs such as Adopt A Highway and cleaning up blighted and derelict houses. As any new business would, this conditional use business would consider donating to, sponsoring, and supporting local community events and charities.***

***Overall, the conditional use for this project has, as listed, major benefits including the proper handling, disposal, and recycling of municipal solid waste in a manner that protects human health, the environment, and cultural resources in accordance with the Georgia Comprehensive Solid Waste Management Act, 1990 as modified, the Screven County zoning ordinance, and consistency with the Screven County Solid Waste Management Plan, 2008-2018.***

3. The impact to the financial viability of the existing solid waste management system within the planning area.

***Based on current publicly available data, the current financial viability of the existing solid waste management system within the planning area is a strain on local government resources. This project should substantially lower costs for hauling and disposal.***

4. Evidence that the proposed facility or facility expansion is sited in an area deemed suitable according to the criteria listed in the Plan.

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

**Figures in Attachment I are provided with this submittal which demonstrates the proposed site meets this criteria. Additionally, comments in Section 6 Land Limitation Element, including sections 6.1-6.4, list comments demonstrating site suitability.**

5. Evidence that the proposed facility or facility expansion is sited in a location that is consistent with local zoning ordinances.

**The proposed site and all adjoining properties are inside the AG-3 Zoning District. See Attachment I - Figure 08. The AG-3 Zoning District allows for Solid Waste Disposal and Recycling Facilities as a conditional use. AWS has applied for Conditional Use along with this submittal. Please see Attachments A-1 & A-2 covering consistency with zoning restrictions.**

6. Evidence that the proper public notification was given, including notification of all adjacent property owners.

**AWS will properly inform the public based upon the procedures listed in this plan and provide evidence of proper public notification was given including notification of all adjacent property owners.**

- B. Within 60 days after this document is received, the County Commission and/or appropriate City or Town Council will hold at least one public hearing on the proposed facility or facility expansion to gather input regarding the consistency of the facility with the SWMP. This public hearing or hearings will be advertised according to local requirements regarding public notification of public hearings.

**AWS concurs with this statement.**

- C. The governing body shall review the written documentation for consistency and consider public comment and determine whether the proposed facility or facility expansion is consistent with the SWMP. Within 30 days of making their determination the governing body shall notify the facility owner/operator whether or not the proposed facility or facility expansion is consistent with the Plan. If the proposed facility is not consistent with the Plan, the developer may address the inconsistencies and resubmit their request for another review.

**AWS concurs with this statement.**

## 6.4 Assessment of Land Limitation

The use of Solid Waste Disposal Facility (Landfill) in Screven County is restricted to the County's Agricultural and Residential (AG-3) Zoning District as a conditional use. The conditions for the use require geotechnical suitability and compliance with the Georgia Solid Waste Management Act of 1990, as amended.

**As part of the permitting process, a further detailed study will be performed as required by Georgia Environmental Protection Division (EPD) to evaluate**



Attachment A-3  
Comments on consistency with Solid Waste Management Plan

***site specific conditions and limitations. See Appendix V, Siting Criteria for Municipal Solid Waste Landfills Circular 14.***

Furthermore, landfills are subject to an approval procedure codified in the County's zoning ordinance, which also requires a public review and decision by the Screven County Board of Commissioners.

***The proposed site and all adjoining properties are inside the AG-3 Zoning District. See Attachment I - Figure 08. AWS has applied for Conditional Use along with this submittal. Please see Attachments A-1 & A-2 covering consistency with zoning restrictions and public review process.***

Geotechnical suitability was evaluated based on in-office investigation of soils data available on-line through the Natural Resources Conservation Service (NRCS). None of the soils identified on the soils map provided herein are described as having conditions that may result in significant differential settling, or geomorphologic features consistent with unstable areas. However, any proposed siting of a landfill would require site-specific field investigation meeting the DNR Criteria for Siting of Solid Waste Management Facilities.

***AWS concurs with this statement. Additionally, See Attachment I - Figure 07 and 14. As part of the permitting process, a further detailed study will be performed as required by Georgia Environmental Protection Division (EPD) to evaluate site specific conditions and limitations. See Appendix V, Siting Criteria for Municipal Solid Waste Landfills Circular 14. See Appendix 10 for initial evaluation of geotechnical suitability based on six (6) initial borings.***

Although not required by Federal or State policy, local protection measures for the Carolina bays, a unique area previously discussed in Section 1, and/or otherwise "isolated" or non-jurisdictional wetlands stands, are encouraged in order to preserve such areas.

***AWS concurs with this statement. As previously stated in Section 6.1 Wetlands, AWS will comply with the policies and restrictions for impacting wetlands in accordance with Georgia Rule 391-3-16-.03(3)(e).***

Due to the small size and general residential and/or village character of the Towns of Hiltonia, Newington, and Oliver, and the City of Rocky Ford, and because the City of Sylvania does not allow for siting of landfills as a permissible use within their Code of Ordinances, land limitation issues are addressed by Screven County on behalf of the entire planning area.

***The proposed site is located approximately 9.3 miles south of Sylvania, 4.8 miles west of Newington and 4.5 miles northwest of Oliver. See Attachment I - Figure 15. Therefore, the project is consistent with this siting requirement.***

Under this SWMP, and based on current policies, restrictions, and limitations, the following within the Screven County planning area are considered unsuitable for the siting of new, or expansion of any existing solid waste landfill or other waste handling facilities<sup>9</sup>:

<sup>9</sup> This Solid Waste Management Plan shall be amended if conditions occur that would allow the siting of such facilities in any of these areas during the 2008-2018 planning.

Attachment A-3  
Comments on consistency with Solid Waste Management Plan

- Any location within the municipal boundaries of the incorporated Towns of Hiltonia, Newington, and Rocky Ford, and Cities of Oliver and Sylvania.

***The proposed site is located approximately 9.3 miles south of Sylvania, 4.8 miles west of Newington and 4.5 miles northwest of Oliver. See Attachment I - Figure 15. Therefore, the project is consistent with this siting requirement.***

- Any location potentially within the 10,000-foot Airport Exclusion Zone (buffer).

***The proposed site is located approximately 3.3 miles (±17,500 feet) south of Plantation Airpark. See Attachment I - Figure 09. Therefore, the proposed site is consistent with this requirement.***

- Any location within 5,708 yards of a designated National Historic Site within the planning area.

***No National Historic Sites are located within 5,708 yards of proposed site. See Attachment I - Figure 10a. No National Historic Places are located within 5,708 yards of proposed site. See Attachment I - Figure 10b. Therefore, the proposed site is consistent with this requirement.***

- All lands identified on the Screven County Zoning Map that are outside of the AG-3 Zoning District.

***The proposed site and all adjoining properties are inside the AG-3 Zoning District. See Attachment I - Figure 08. AWS has applied for Conditional Use along with this submittal. Please see Attachments A-1 & A-2 covering consistency with zoning restrictions.***

- Wetlands, as defined by the U. S. Army Corps of Engineers, the Ogeechee and Savannah River Corridors, groundwater recharge areas, and floodplains. With the exception of 100-year floodplain, these environmentally sensitive riparian features are shown on the Water Resources Map provided herein. These natural areas, especially wetlands, are generally located throughout the AG-3 Zoning District and the policies and restrictions established for them will prevail.

***The proposed site will be designed to comply with the policies and restrictions for impacting wetlands as stated above and referenced in the DNR Rule. Therefore, the proposed site is consistent with this requirement. See Attachment I - Figure 02 for Proximity to Wetlands.***

- Areas with within one-half mile of another county's borders without the approval of that jurisdiction's governing authority, if determined applicable under O.C.G.A. § 12-8-25.

***The proposed site is located approximately 2.6 miles from the nearest county line (Bulloch County). See Attachment I - Figure 11.***

## 6.5 Needs and Goals

The needs and goals associated with land limitations and procedure as inventoried and assessed above, for 1) siting a solid waste handling facility within the planning area and 2) establishing a procedure for demonstration of consistency with the SWMP, are as follows:

*Goal:* Ensure that any development of solid waste handling facilities and facility expansions satisfies the needs of the Screven County planning area, is consistent with this SWMP and with the ordinances of Screven County, the Towns of Hiltonia, Newington, and Rocky Ford, and the Cities of Oliver and Sylvania, is compatible with surrounding land uses, and meets all relevant Federal, State, and local requirements.

***AWS concurs with this statement and in our Professional opinion meets and/or exceeds the stated needs and goals.***

Strategies:

- Keep all information pertaining to natural environmental limitations, zoning, and land uses updated and available.
- Inform the economic development interests of the community regarding the procedures to determine consistency of proposed facilities with this SWMP.
- Enforce the requirement that no solid waste handling facility be sited without approval in the form of a letter from the Screven County Board of Commissioners documenting its consistency with the SWMP and using the procedures described herein and as amended in the Screven County Zoning Ordinance.

***AWS concurs with this statement. DNR Solid Waste Management Rules are kept up-to-date with information pertaining to natural environmental limitations. The same DNR Rules also requires letters demonstrating:***

- ***Consistency with zoning and land use; and***
- ***Consistency with the Solid Waste Management Plan (SWMP)***

***Therefore, by having the zoning conditional use permit requirement to comply “with the applicable requirements of the Georgia Solid Waste Management Act of 1990, as amended”, it effectively keeps current strategy bullet points listed above and is in keeping with Section 6.5 Needs and Goals.***