

From: Joank <tokepcal@yahoo.com>
Sent: Wednesday, December 02, 2015 4:44 PM
To: Van Nimwegen, Hannah; r8eisc@epa.gov
Subject: Concern about potential hazardous waste handling by Iron Mountain Demolition-- asbestos, chemical content of dust?
Attachments: 2015-12-02 14.52.26.jpg; 2015-12-02 14.52.30.jpg

Dear Sir or Madam,

I have a concern about a business "Iron Mountain Demolition" that has, within the past few months, started dumping and processing collected demolition scrap in a lot off North Cascade Ave in Colorado Springs (the business address is 75 Talamine Court, Colorado Springs, 719-634-6011).

Note: there is a use permit hearing notice posted at the business: CFC CU 15-00132

After dumping multi-truckloads of demolition scrap at the site, they then use a front loader to scrape it up and then use a claw to deposit it into other trucks for hauling to an unknown site. These actions generate a substantial amount of dust that can make Cascade Avenue hazy (at times, extremely hazy). I have noted that they sometimes turn on a sprinkler to wet the top of the pile, which doesn't do much for keeping dust down when the lower levels of the pile are scooped (see attached pictures, taken today; the stripes in the picture are from the sun hitting the rising dust).

My concern is that it is very likely that the dust generated contains asbestos (at the very least), contaminating both air and water (from the sprinkler runoff).

Workers at the site have been seen "gagging" and choking as they scoop up the debris; several times there has been an odor in the dust that can best be described as acrid/chemical as well as fecal in nature. There are many other businesses (including a bakery) and residences (including high density trailer courts) located in this same area. Both city and school buses drive on Cascade past this blight and dust, all with people and children being exposed to who knows what. I did notice that the city bus stop that was close to this site was moved farther south on Cascade earlier this year; was this move in response to the dust created by this demolition handling site?

I often drive this section of Cascade to and from work and I live close enough that I am concerned. This demolition refuse handling business does NOT belong in the middle of a city, where countless people and kids are knowingly (or unknowingly, if the dust is so fine as to not be directly visible) exposed to dust of unknown content.

I don't appreciate this hazard and blight being present near my home and do not understand how this can be allowed in an era where most larger cities are doing their best to eliminate potential environmental and air quality hazards..

Joan Kruplak
3313 Jon St., Colorado Springs, 719-635-0382



FIGURE 4 - A1



FIGURE 4 - A1

Linda Welsh
3250 N Cascade
Co. Sp. Co-80907
719 633 7939

To the City Code dept,

My name is Linda Welsh, I live at 3250 N Cascade Ave. About 2 or 2 1/2 months ago a business called Iron Mountain metalwoks move in next door to me, directly to the north. It is odd their name because the work with very little metal. They handle more wood from houses plastic, paper and Styrofoam.

They begin in the morning, early, by running their big rigs, for so long you can't breathe going down my road because of the heavy exhaust. They then begin hauling trash in their big dump trucks pile after pile. They do this off and on all day. They then start using the backhoe to put that trash into big haul away trash containers. They do this all day to. It makes for dusty, noisy, and very smelly days. I have even smelled what smells like sewer or feces. My yard has started to look messy because of the trash that blows over - we have even had our big winds yet. I picked it up at first but, I shouldn't have to pick up their mess, I have enough of my own yard stuff to try and keep ahead of. I have even started to go down Cascade - which makes the whole street look trashy. There have been a couple of times the dust is so bad on Cascade that you can see the dust billowing behind the cars as they drive by. Some times when they are using the backhoe, they will drop it to pack the trailer down it drops so hard it makes my windows and lights

Shake and rattle

Last late Summer I had to start not being able to open my windows even though it was really warm and nice, because of the dust and noise. When Spring comes, what am I supposed to do. I do not think this is at all fair to me. I have lived here a good long time. I would really thought that the City of Colorado Springs would do this. And I wouldn't think the rest of the businesses are very happy either. This goes on 5 to 5 $\frac{1}{2}$ days a week, some times well after dark.

I hope you will help me out with this problem. It has impacted my day to day life. I'm supposed to walk everyday - which I have done for quite some time. It makes is very hard to squeeze my 30 min in with all that is right next to me. What is the use when you end up coughing when you done.

I do think there has to be a better, more appropriate place for them to do their work

Thank you for letting me air my concerns. I hope you can see my side. This has really impacted my life style. Heck even the birds in the front of my place have left.

Sincerely
Linda Welsh

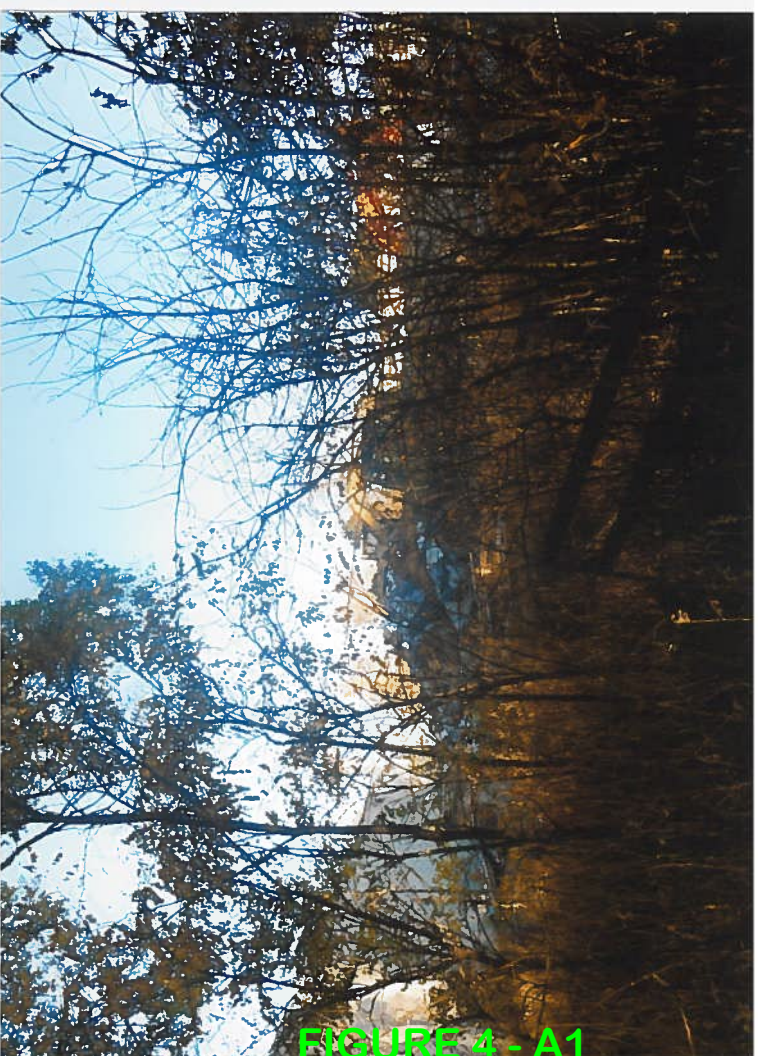
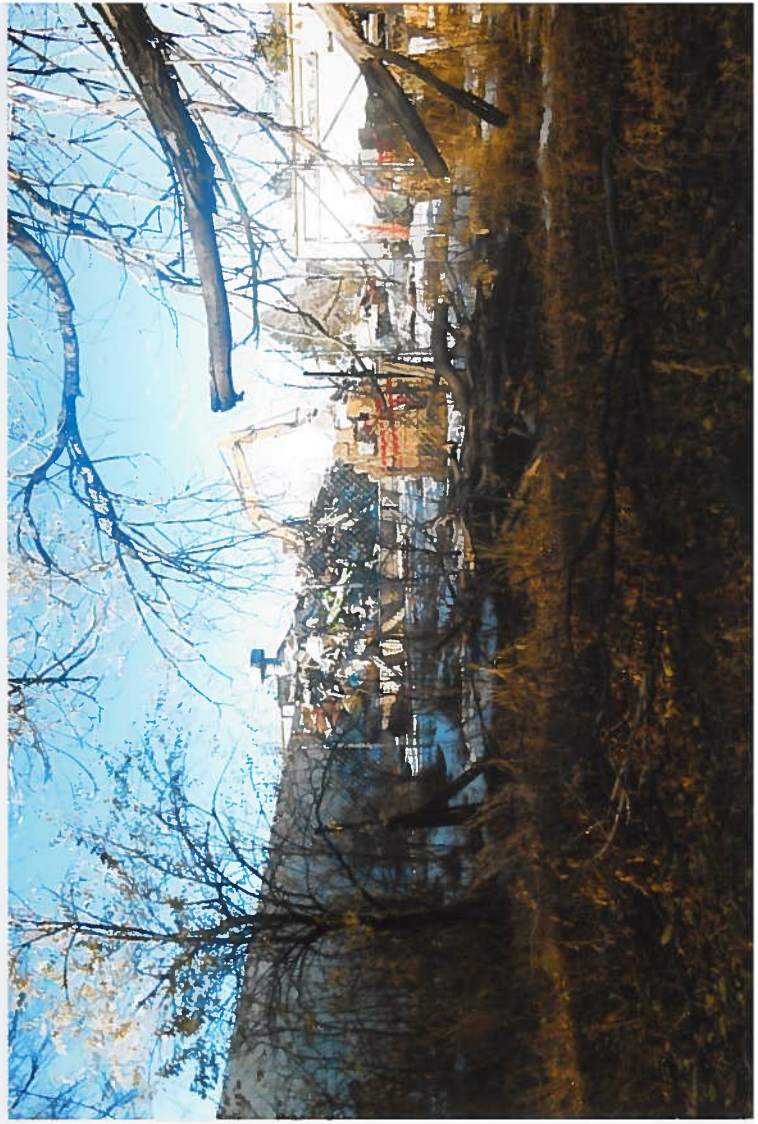
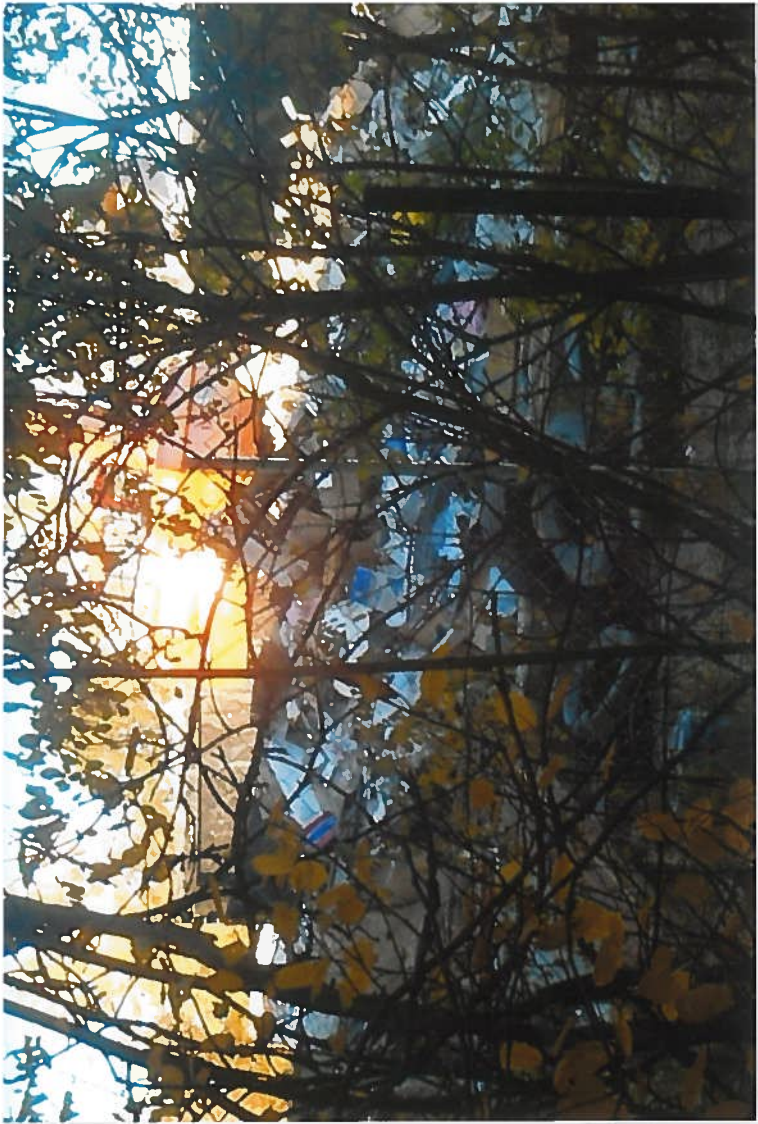


FIGURE 4 - A1



FIGURE 4 - A1

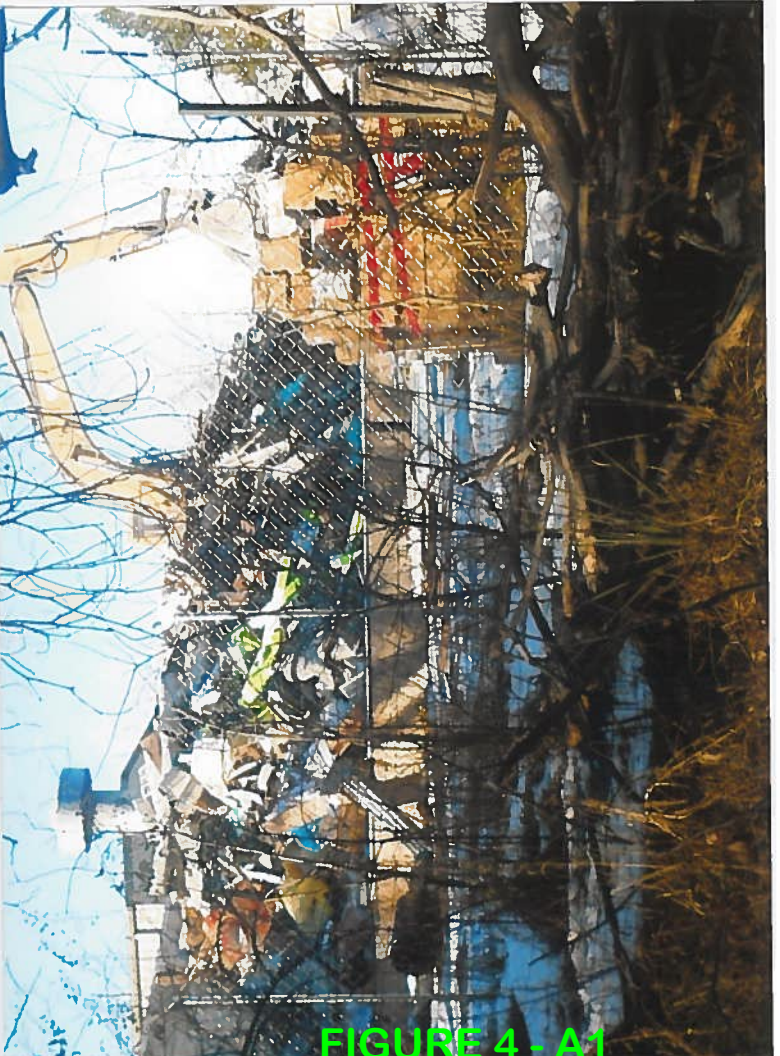
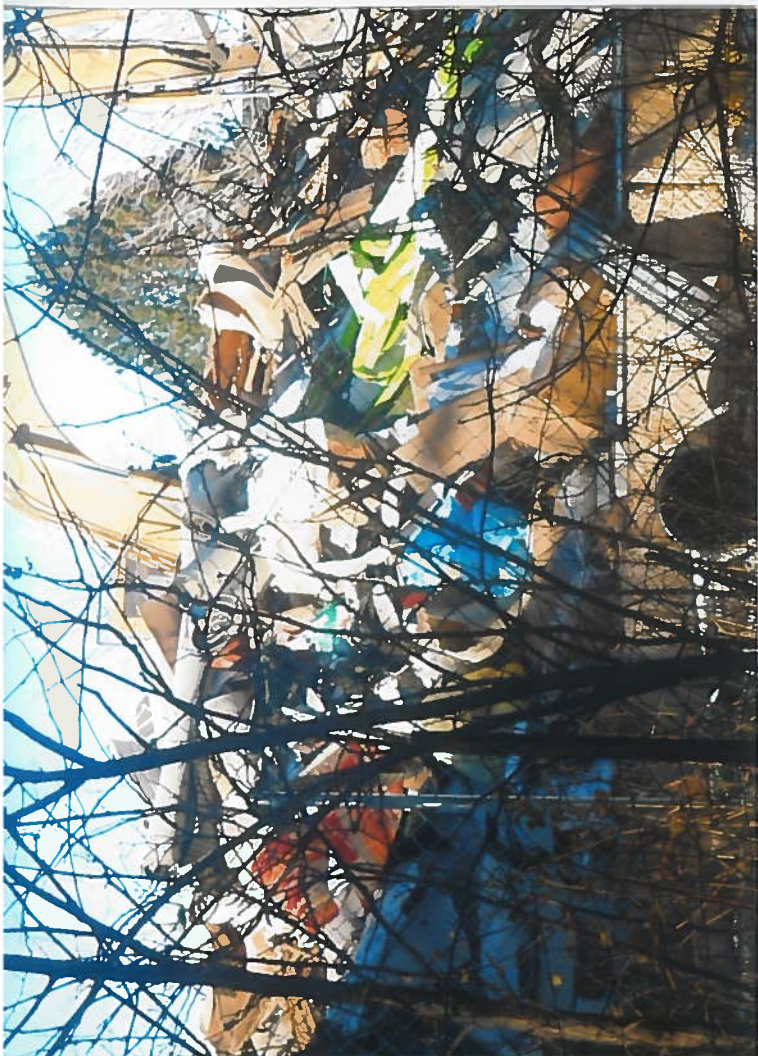


FIGURE 4 - A1

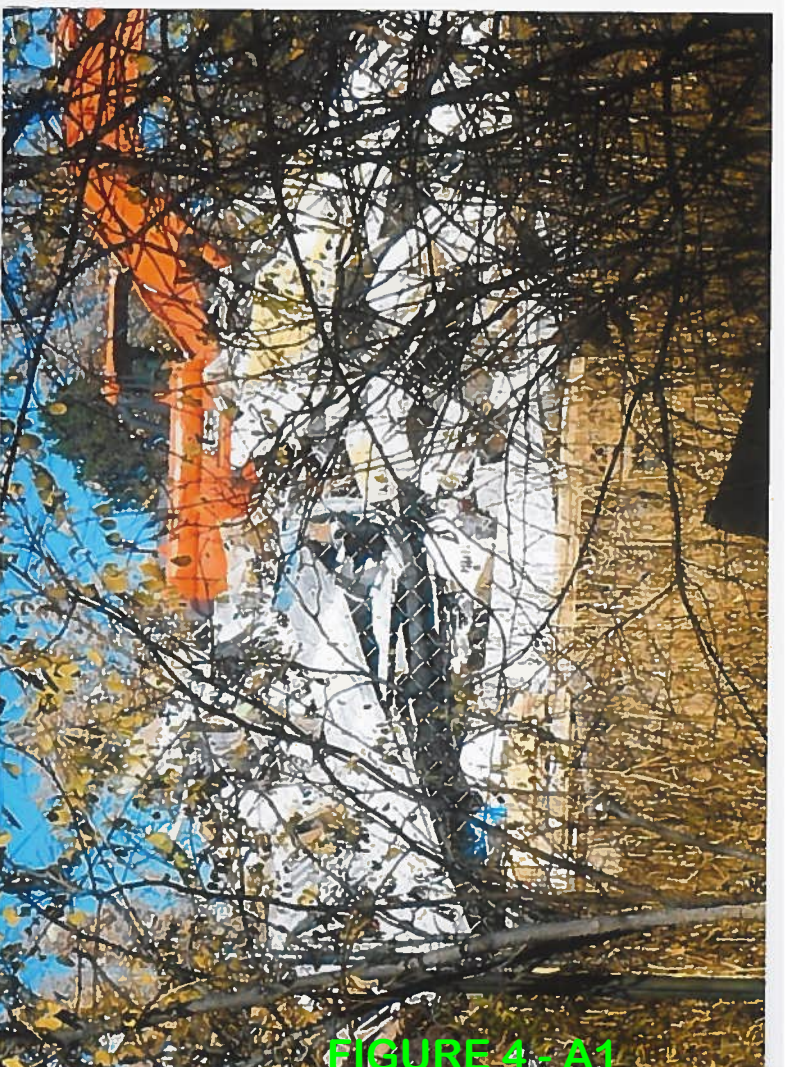
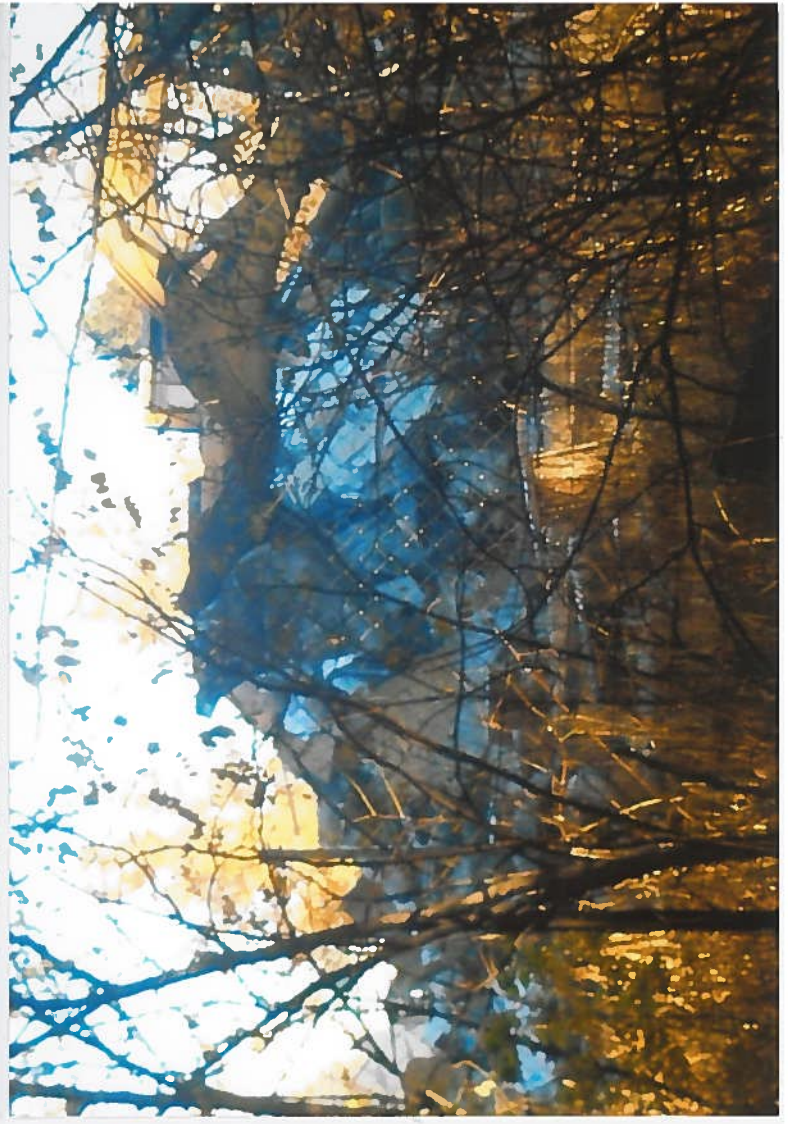


FIGURE 4 - A1

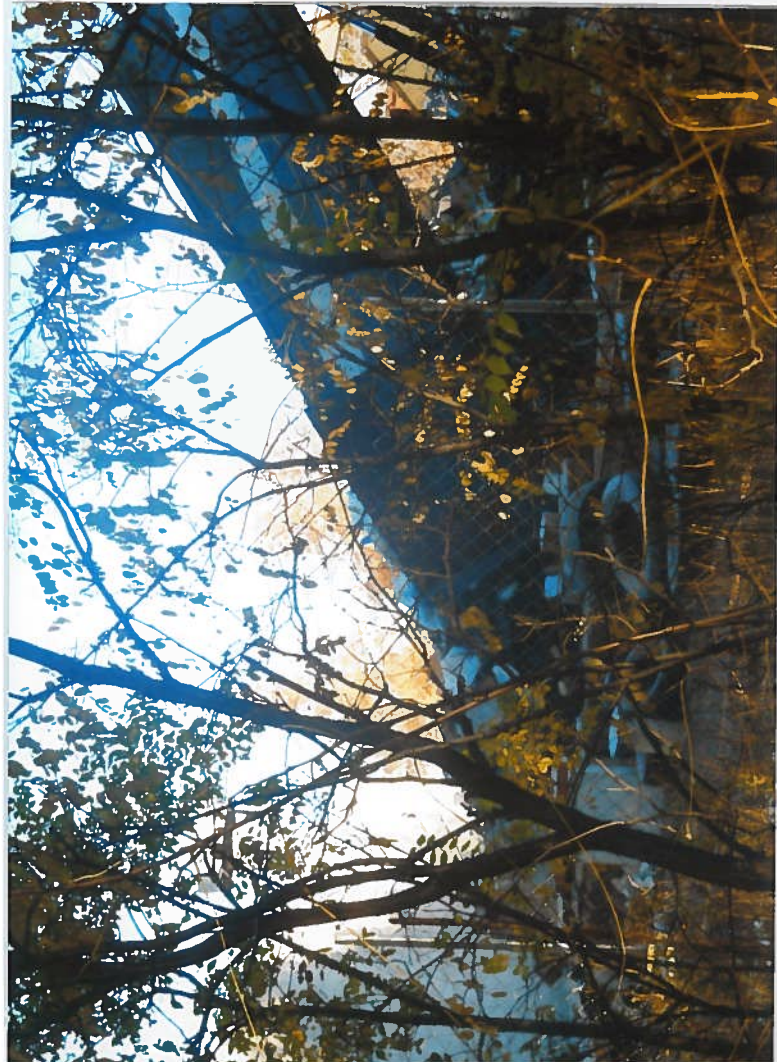
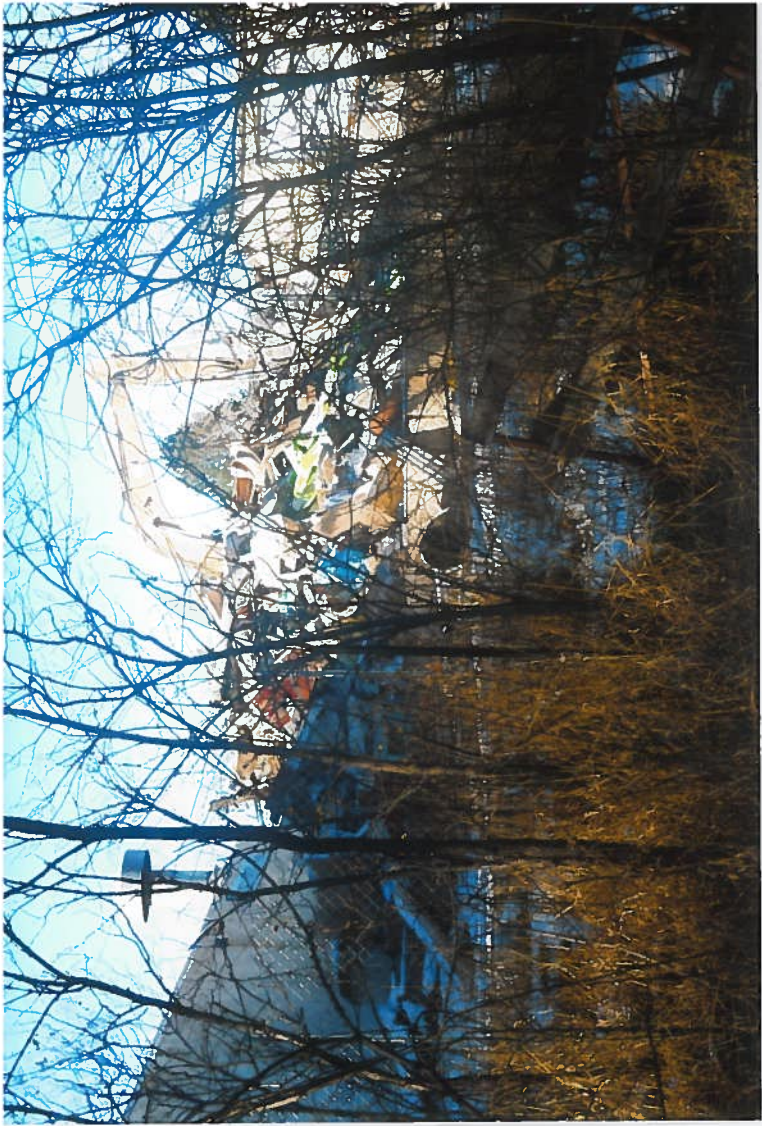


FIGURE 4 - A1



Manstone, LLC
105 Talamine Ct.
Colorado Springs, CO 80907
(719) 578-1500 Fax (719) 578-1596

December, 2, 2015

Hannah Van Nimwegen
30 S. Nevada, Suite 105
Colorado Springs, CO

Re: Conditional Use Application CPC CU 15-00132

To Whom it May Concern,

On behalf of Manstone, LLC I am notifying you of our company's objection to granting Iron Mountain Demolition a conditional use application permitting the aforementioned to operate a transfer station at 3310 and 3320 North Cascade Avenue in the M-1 zone district.

Since Iron Mountain Demolition has begun operation at their North Cascade Avenue location the businesses in the immediate vicinity have experienced the following objectionable conditions:

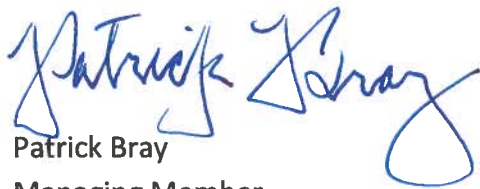
1. Dust from operation of the transfer station has contaminated building HVAC systems, facility interiors, as well as customer, employee and company automobiles creating additional cleaning/maintenance requirements.
2. Operation of the transfer station on North Cascade Avenue negatively impacts the market value of neighboring light industrial properties.
3. Windy conditions spread trash and debris from the aforementioned property onto neighboring properties creating unsightly conditions and higher costs to clean and maintain property grounds.
4. Use of heavy construction equipment in the transfer operation in close proximity to Manstone's manufacturing facility may pose a risk to personal safety and property damage.

In addition, the transfer station violates Chapter 7, Article 3, Part 3 of the City of Colorado Springs land use code intended to, "Ensure **compatibility with adjacent land uses**, and **eliminate excessive noise**, illumination, **unsightliness**, odor, smoke, **hazards**, and **other objectionable influences**".

We recognize the benefits of operating transfer stations to the processing of construction waste however, this operation is not compatible with the M-1 (Light Industrial) zone district in which it is located, nor should it be deemed either essential or desirable to the local community.

We will maintain our objection to the conditional use application CPC CU 15-00132 until the above issues have been resolved.

Regards,

A handwritten signature in blue ink that reads "Patrick Bray". The signature is fluid and cursive, with the first name "Patrick" and last name "Bray" clearly legible.

Patrick Bray
Managing Member
Manstone, LLC

Attachments



Reviewing Planner:

Hannah Van Nimwegen
719-385-5365
hvannimwegen@springsgov.com

Plans can be reviewed at:

30 S. Nevada, Suite 105
Colorado Springs, CO
719-385-5905

Hours of Operation:

Monday – Friday 8am-5pm

PUBLIC NOTICE

The Land Use Review Division of the City of Colorado Springs has received a request from Patrick Meade of Iron Mountain Demolition and Roll-Off for consideration of the following land development application:

CPC CU 15-00132: A Conditional Use application to permit a transfer station within the M-1 (Light Industrial) zone district.

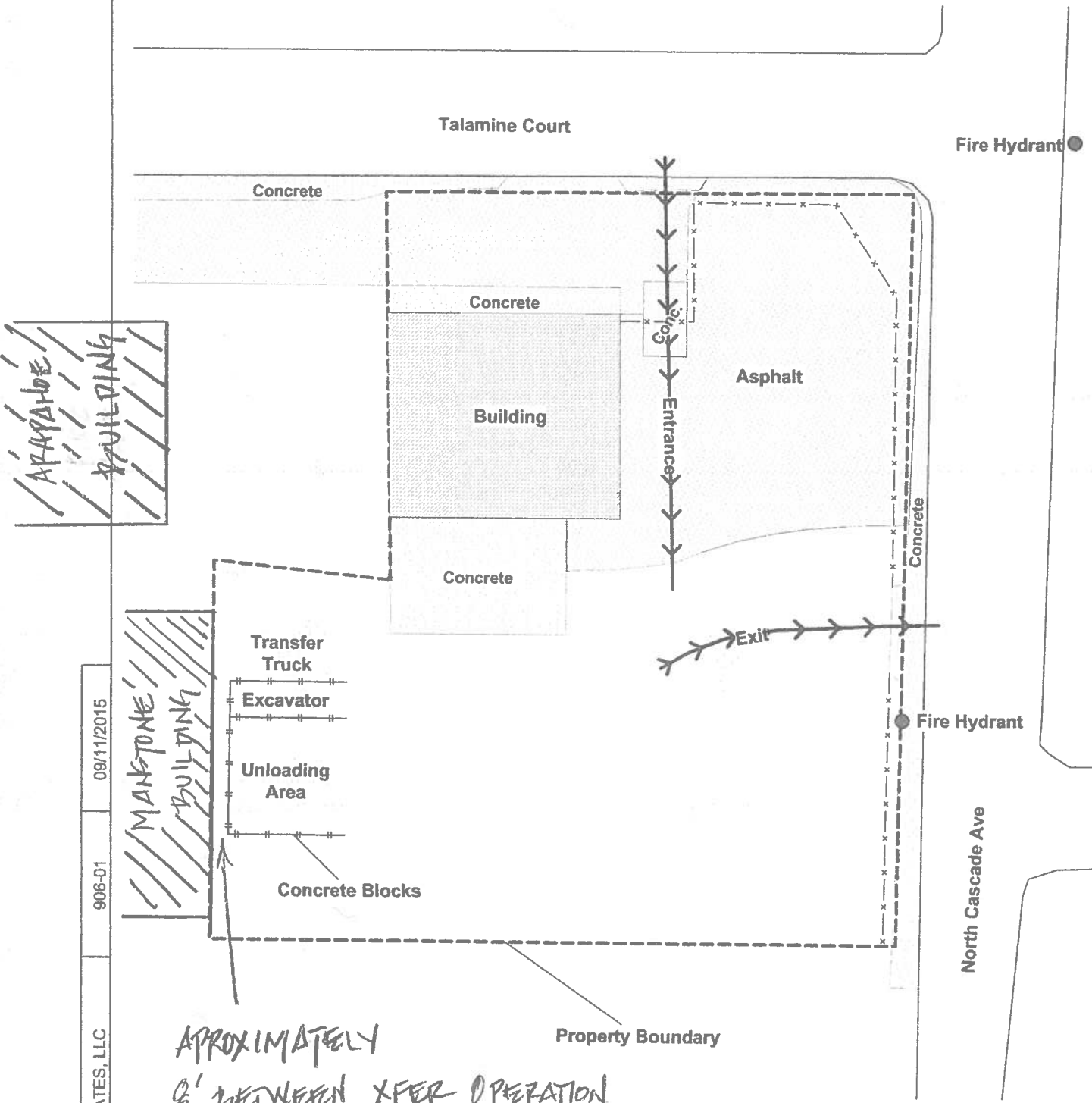
The proposal includes the reuse of existing buildings and site for a construction and demolition debris transfer station. No new buildings or structures are proposed. The property is located at 3310 and 3320 North Cascade Avenue, consists of 1.2 acres and is zoned M-1 (Light Industrial).

If you would like to review the plans for this project bring this postcard to the address listed above. **If you wish to provide comments regarding this application you may do so until Monday, December 7, 2015.** All comments received are public record and will be made available to the applicant. If you have questions contact the planner listed above.

To view this application and related documents, type <http://eoc.springsgov.com/ldrs/> into your Internet Browser. Type the entire file number: CPC CU 15-00132 within the "Enter the File Number" field and click on the "Run Query" button. PDF documents may be viewed by clicking on the links that appear on the left-hand side of the resulting page. Contact the planner listed above for assistance viewing the applications.

FIGURE 7

SITE DETAILS



*APPROXIMATELY
8' BETWEEN XFER OPERATION
& BUILDING*

DOTY & ASSOCIATES, LLC
906-01
09/11/2015

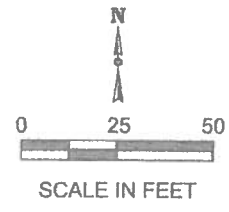


FIGURE 4 - A1

Transfer Operations at 3310 and 3320 North Cascade
Ref: CPC CU 15-00132



FIGURE 4 - A1

From: Russ Palmer <russpalmer@badgerequipmentllc.com>
Sent: Sunday, December 06, 2015 8:31 AM
To: Van Nimwegen, Hannah
Subject: Fwd: CPC CU 15-00132 Comments

----- Forwarded Message -----

Subject:CPC CU 15-00132 Comments
Date:Sun, 6 Dec 2015 08:14:57 -0700
From:Russ Palmer <russpalmer@badgerequipmentllc>
To:

Hannah,

Following are our comments regarding the application by Patrick Meade of Iron Mountain Demolition and Roll-Off. Mr Meade cites several legitimate business reasons for the request. Our concerns are primarily with the resultant contamination, including air pollution, water runoff, and blowing trash.

1) DUST - The majority of the debris being transferred is, and in the future will be, quite dusty. During hours of operation, the airborne particulates from this transfer operation are distributed throughout the immediately surrounding neighborhoods. The plume of dust is consistently visible during the majority of transfer operations. On calm days the contamination simply rises into the air and then settles into the surrounding area. Any air movement causes the pollutants to be carried greater distances, affecting any number of other properties in the neighborhood. El Paso County fugitive dust control regulations require that any operation generating these type of pollutants must provide some process of continual mitigation.

2) WATER - After numerous weeks of observing this trash transfer operation on a daily basis, we have seen watering, as a form of dust control, on only one occasion. That one watering process started in the early afternoon and lasted about an hour. Our observations have been for brief intervals, ranging from a few minutes to more than an hour so it is entirely possible that water was sprayed on the debris, to reduce fugitive dust, at other times. Although our property would not be directly affected by any water run-off, if spraying water was continually used as a means to control the airborne pollutants, the resultant water runoff would become a concern because of the pollutants it would carry with it. It would seem prudent that all water accumulating from dust control measures should be contained on site and not allowed to migrate onto other properties or into the storm drainage system. That contaminated water should, likewise, not be dumped directly into the sanitary sewers for the waste water treatment plant to have to deal with.

3) RAIN - Although the concrete blocks along the perimeter could contain the larger pieces of rubbish, incidences of heavy rain would carry large quantities of adulterated water into the storm sewers and ultimately into our streams. If allowed, the proposed design of the site would allow tremendous amounts of pollutant laden water to ultimately flow into our waterways during and after each of the torrential rain events, which are so common during our summer season. Because the dumping, piling, and transferring occurs on a paved area exposed to the elements, even the runoff from lesser rains would consistently pick up contaminants and introduce them into our streams and creeks.. This would be an ever compounding problem which would affect not only the waterways in our immediate area but eventually all bodies of water into which Fountain Creek Flows.

4) WIND - The practice of lifting trash high into the open air is an invitation to scatter rubbish throughout the neighborhood anytime there is wind. Naturally the mass that is firmly grasped by the excavator is mostly placed into the receiving trailer but as the mass is piled, grasped, lifted, transferred, and placed into the trailer, small pieces of loose debris are scattered. The winds, which are so common, carry countless of the smaller and lighter pieces of refuse off the applicant's property and into the surrounding neighborhood.

5) RECYCLING - While the applicant's stated intentions of recycling are commendable, we have to question the assertion as to the quantity currently being recycled. We observe a small metal collection bin at the site, but have never witnessed any persons engaged in sorting and separating any other materials for recycling. If more than a ton of material is currently being recycled each day it is curious how that is being accomplished.

As proposed, the applicant's operation would indeed create several benefits but it is notable that the greatest beneficiary is the applicant themselves. The applicants request merits serious consideration as a legitimate business request. Our concerns involve the resultant continuing pollution and scattering of debris which would continue indefinitely if the currently unpermitted transfer operation is allowed to continue as proposed.

Our request is that any regulatory approval would be predicated upon the condition that all pollutants on the applicants site not be allowed to be carried offsite to become a permanent public hazard, health concern, and annoyance. With a more comprehensive plan the applicant could still enjoy a profitable business operation, be a better neighbor, and not generate their profits to the detriment of the surrounding neighborhood.

Thank you for your consideration.

Russ Palmer
Alexander Properties

From: Phil Kiemel <philk@bestwaydisposal.com>
Sent: Thursday, December 10, 2015 6:39 PM
To: Van Nimwegen, Hannah
Subject: Re: hearing?

Building would work but it would have to be 25,000 to 35,000 sf to hold maybe half of what they have on the ground now. They would have to have concrete floor and a plan to manage the water that's dumped with their materials. As you know they spray all this demo as they take it down to minimize dust. A wall wouldn't solve anything besides giving them a spot to continue their pile higher.

I don't need to know their plans regarding hazardous materials. They are only as good as their word in it. Their track record speaks for itself.

P o box 1201. Colorado Springs, Co 80901

Thanks. Phil Kiemel

Sent from my iPhone

> On Dec 10, 2015, at 5:00 PM, Van Nimwegen, Hannah <hvannimwegen@springsgov.com> wrote:
>
> Hello again Phil,
>
> I apologize for the delay in response. It has been a busy day! Anyway, what would be the best address to send a postcard? I will add it to the distribution list.
>
> Many of the concerns you have listed reflect the general feeling of the comments I have received so far. The applicant is aware of these issues and is working to address them--including pricing out the cost of building an indoor facility. This project is still in first review, but out of curiosity and in your opinion, would placing the operation indoors solve many of the concerns you are having at this point in time? It was also discussed they could build a roughly 10' engineered wall to help contain and conceal the material. Would this also be a viable option?
>
> One of topics discussed during our meeting Monday morning was regarding the potential for hazardous material (e.g. asbestos, lead based paint, etc) and they stated they have regulations and testing procedures for suspicious material. I can ask them to detail those procedures out to you, though, if you are interested.
>
> At this point in time, the applicant is working to mitigate these issues but I would appreciate being updated with problems as they arise.
>
> Thanks again and I hope you are having a good week,
>
> Hannah Van Nimwegen | Planner II
> (719) 385-5365 | hvannimwegen@springsgov.com
>
> -----Original Message-----
> From: Phil Kiemel [<mailto:philk@bestwaydisposal.com>]

> Sent: Thursday, December 10, 2015 9:37 AM
> To: Van Nimwegen, Hannah
> Subject: RE: hearing?
>
> I did not receive a post card. I get calls from the neighbors asking who is responsible for that mess.
>
> Concerns: Not in an enclosed building. When we and Waste Management build our transfer stations we were required to be in an enclosed building.
> No provisions to test and mitigate asbestos.
> No provisions to test for and mitigate ANY hazardous materials.
> No provisions to protect groundwater, operating on dirt, not concrete.
> No provisions to mitigate storm water runoff.
> No storm water plan.
> No ability to control or mitigate dust blowing off the site No ability to control blowing trash. This is what the neighbors call me about.
> Piles of trash not removed nightly creating fire hazards. No fire management plan Piles of trash above the fence with no screening or ability to stop blowing trash.
> Site too small and too close to houses.
> Allowed to operate without valid permit and zoning. This should be shut down completely until approved.
>
>
>
> I previously complained to Zoning about the illegal tire operation along Platte Avenue and was ignored. Now that abandoned pile is a huge mess with no one responsible to clean it up and it sits year after year running off
> who know what into the creek behind it. I see this site as exactly the
> same as that. These guys will fill it up then walk away, just like the tire pile. Phil Kiemel
>
>
> -----Original Message-----
> From: Van Nimwegen, Hannah [<mailto:hvannimwegen@springsgov.com>]
> Sent: Wednesday, December 09, 2015 3:07 PM
> To: philk@bestwaydisposal.com
> Subject: RE: hearing?
>
> Hello Phil,
>
> No, this project has not been scheduled for a public hearing. At this point, we are anticipating going to hearing around February or March. Did you receive the green postcard notifying of Iron Mountain's application for a Conditional Use? Another will be mailed prior to the Planning Commission meeting. If you did not receive one, let me know so I can add you to the distribution list.
>
> My supervisor and I met with the applicants/business owners of the subject site early Monday morning. We discussed the complaints I have received in so far, and reached an agreement to help mitigate those issues. Because we reached this agreement, we have agreed to let them continue operating as they go through the application process. If you are able to send me an email or letter detailing your concerns, then I can add them to the public record.

> I also will be better able to make sure they are addressed by the applicant.
>
>
> Thanks again and I will make sure you are kept up to date regarding the progress of this application.
>
> Hope you are having a good week,
>
> Hannah Van Nimwegen | Planner II
> (719) 385-5365 | hvannimwegen@springsgov.com
>
> _____
> From: Phil Kiemel [philk@bestwaydisposal.com]
> Sent: Wednesday, December 09, 2015 12:34 PM
> To: Van Nimwegen, Hannah
> Subject: hearing?
>
> Has a public hearing been scheduled yet about that illegal transfer station operating at Cascade and
> Talamine Ct? I am very interested to attend and find out why they've been allowed to operate this
> illegal site for months and months as well as discuss the inherent problems with their idea of "recycling"
> Phil Kiemel
>
>
>
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> [cid:image001.jpg@01D1327D.FE954030]
> Powered by CardScan<<http://www.cardscan.com>>
>
>

Van Nimwegen, Hannah

From: Zane Penley <Zane@HarveyGrp.com>
Sent: Thursday, December 31, 2015 10:36 AM
To: Van Nimwegen, Hannah
Subject: City Zoning Comment 15-00132
Attachments: 12-28-15 City of C.S. Zoning 15-00132 Comment.pdf

Hello Hannah,

The following PDF attachment is our public comment on the zoning infringement.

At the location of 3150 N. Cascade, the same company, with the same heavy equipment with the same issues are in place as well.

How is the City handling the actual use at this "Light Industrial" address which is their secondary location. (Same Company & Same Zoning Infringements)?

Thank you for all of your help and Happy New Year,

Zane Penley
P: 303-794-1900

December 28, 2015

Hannah Van Nimwegen
City of Colorado Springs
30 S. Nevada Ave, Suite 105
Colorado Springs, CO 80901-1575

RE: Zoning District Standards & Conditional Use Application CPC CU 15-00132

To Whom it May Concern,

On behalf of Evergreen Park, it has come to our attention that the City of Colorado Springs is overlooking the proper "Use Standards" in their zoning districts. The City has spent a tremendous amount of tax payer money to establish respectable zoning districts and "Typical Use Standards". Possibly this is just a slight oversight, however, we feel it is extremely important that the City Zoning department shall maintain consistency, accuracy, integrity and respectability for all residents and land owners.

Obviously we highly encourage the City to "Always Make It as Easy as Possible" to do business in the community. However, in our opinion, the City should strive to make it as easy as possible for businesses to operate a business within the proper zoning districts for the line of the individual business.

The City of Colorado Springs Sterling Codifiers States:

5. GENERAL INDUSTRY: Establishments engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products from prepared materials or from raw materials.

a. **Heavy Industry:** Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.

b. **Light Industry:** Establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or unenclosed outdoor storage. **Typical uses** include commercial bakeries, dressed beef processing

plants, soft drink bottling, apparel assembly from fabrics, electronics manufacturing, print shops and publishing houses.

A consistent “Typical Use” definition to the Cities own “Use Standards” for Light Industrial Zoning is “Soft Goods” (Bakery, Beef, Soft Drinks, Fabrics, Paper Industries etc....).

7.3.302 States:

A. PIP-1 and PIP-2 - Planned industrial park: These zone districts accommodate a limited group of professional, administrative, research, manufacturing and industrial uses with operations which are quiet and clean to ensure the creation and maintenance of an environment which will serve the mutual interest of the community as a whole,

1. Uses shall not cause:

a. Glare, vibration, objectionable noise, or emission of smoke, fumes, gas, dust, odor or any other atmospheric pollutant detectable beyond the boundaries of the immediate site; and

El Paso County Land Development Codes state as follows: (charts attached)

Recycling Facility	I-3 Heavy Industrial	A - Allow Use
Salvage Yard	I-3 Heavy Industrial	S - Special Use
Solid Waste Disposal Site & Facility	I-3 Heavy Industrial	S - Special Use
Trash Transfer Facility	I-3 Heavy Industrial	S - Special Use

A consistent definition for Operations in El Paso County that are Heavy Industrial in nature should be located in Heavy Industrial zoning districts.

- ◆ The City of Colorado Springs “Use Standards” and definitions appear to be quite consistent with El Paso County and other surrounding county zoning codes. Our question is, why are the use standards being ignored?
- ◆ If the County won’t allow a manufacture home to be on Industrial property, why is the city allowing heavy Industrial zoning to come to the Manufactured homes?
- ◆ As a senior retirement community, we object to the devaluation of turning a commercial and light industrial area in to a Heavy Industrial Zone that contains vibration, dust, heavy semi-trucks, container noise and emissions of diesel smoke and fumes.

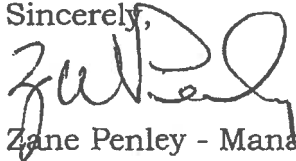
- ◆ 3150 N. Cascade Ave
Heavy Truck and Diesel Fumes from Engines warming up 5 - 30 minutes creates a remarkable amount of distasteful air pollution in the area. We have received multiple complaints from our senior residents that the heavy diesel exhaust “Stinks up the area” and makes it harder to breath. Some of our seniors are on oxygen trying to maintain the cleanest air they can get.

- ◆ Thank you for re-routing trucks back onto the designated truck route (Nevada). The City has spent a small fortune trying to clearly guide commercial drivers as the heavy hauling up and down Cascade creates an extensive negative impact to the community and it reverberates a phenomenal amount of heavy truck noise.

We believe the City of Colorado Springs has a responsibility and obligation to maintain the integrity of the zoning districts with accuracy and consistency. It is our point of view that Light Industrial Zoning is designed for “Soft/Light Operations” and we believe this designation is being disrespected and violated.

Possibly the City of Colorado Springs has modified the definition standards of what Light Industrial Zoning actually means, and/or possibly this issue has accidently just fallen into a slight oversight situation.

Sincerely,



Zane Penley - Manager

