

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # \*A-2

Urgent

Routine

AGENDA DATE July 2, 2013

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Set a Public Hearing for July 30, 2013, at 9:10 a.m., to Consider an Appeal of the Planning Commission's Denial of Use Permit Application No. 2012-04 - Recology Grover Environmental Products, Due to Lack of a Majority Vote

PLANNING COMMISSION RECOMMENDATIONS:

Set a public hearing on July 30, 2013, at 9:10 a.m., to consider an appeal of the Planning Commission's denial of Use Permit Application No. 2012-04 - Recology Grover Environmental Products, due to lack of a majority vote.

Contact person: Christine Ferraro Tallman, Clerk of the Board Telephone: 525-4494

FISCAL IMPACT:

There is a nominal fiscal impact associated with setting this public hearing for mandatory newspaper publishing and the notification of property owners by mail. These expenses are covered by a portion of the \$622.00 Planning Commission appeal fee paid by the Appellant.

BOARD ACTION AS FOLLOWS:

No. 2013-307

On motion of Supervisor Withrow, Seconded by Supervisor De Martini  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



BOARD OF SUPERVISORS

June 17, 2012

2013 JUN 17 A 11:51

Stanislaus County Board of Supervisors  
1010 10<sup>th</sup> Street, Suite 6500  
Modesto, CA 95354

**Re: Recology Grover Environmental Products Compost Facility, Vernalis, CA  
Request to Appeal Planning Commission Decision on Use Permit Application  
No. 2012-04**

Dear Stanislaus County Board of Supervisors:

On behalf of Recology Grover Environmental Products (RGEP), we are submitting this request to appeal the Planning Commission's decision on Use Permit application No. 2012-04 which was heard at its regular meeting on Thursday, June 6, 2013. Accompanying this request is a check payable to Stanislaus County Planning & Community Development in the amount of \$622.00.

Due to the Commission's denial based on a lack of a majority vote, we respectfully request that the Board of Supervisors direct this item back to the Planning Commission in order for Recology to provide additional information and address issues raised by the Commission at the June 6<sup>th</sup> hearing. Issues which will be addressed include, but are not limited to:

1. Off-site litter control and litter containment,
2. Groundwater/Water quality,
3. Truck and tonnage capacity,
4. Incoming material types, and
5. Use of the proposed expansion area.

The additional information will be provided prior to the Board of Supervisors meeting.

If you have any questions, please feel free to contact me at (209) 830-3001.

Sincerely,

Vincent Tye  
General Manager

cc: A. Freitas and J. Mann, Stanislaus County Planning & Community Development  
B. Clarkson, E. Merrill, and P. Yamamoto; Recology



DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354  
Phone: 209.525-6330 Fax: 209.525.5911

June 7, 2013

Sean O'Rourke  
Recology, Inc.  
50 California Street, 24<sup>th</sup> Floor  
San Francisco, CA 94111

**SUBJECT: USE PERMIT APPLICATION NO. 2012-04 - RECOLOGY - GROVER ENVIRONMENTAL PRODUCTS**  
**APN: 016-003-010 & 014 (a portion of the project site is located on APN: 265-010-021 in San Joaquin County)**

Dear Applicant:

The Stanislaus County Planning Commission, at its regular meeting on Thursday, **June 6, 2013**, completed its consideration of your application and your request has been denied due to a lack of majority vote.

The Commission's decision and all conditions attached hereto may be appealed to the Board of Supervisors, in writing, within 10 days from the date of the hearing. The appeal letter must be addressed to the Board of Supervisors, and must state reasons why the appeal should be granted. If you wish to appeal the Commission's decision a filing fee of \$622.00, payable to Stanislaus County Planning & Community Development, should be delivered to the Planning Department, along with a copy of the letter. The appeal period expires **June 17, 2013**.

Feedback from our customers is very important to us to help us improve our application process. As a recent project applicant or applicant representative, we are asking for your assistance. The focus of this survey is to measure customer service with regard to the process and not the outcome of the project. Please take a moment and complete the enclosed survey and return to our office at your earliest convenience.

If you have any questions regarding this matter, please contact this office at (209) 525-6330.

Sincerely,

Joshua Mann  
Associate Planner

Enclosures

cc: Vince Tye, General Manager  
VIA EMAIL:  
Steve Treat, Building Permits Division  
Diane Haugh, Public Works  
Ken Slamon, Modesto Regional Fire Authority  
Judy Lindsay, Public Works

Angie Halverson, Public Works  
David Leamon, Public Works  
David Gein, Public Works  
Michael Leuvano, Public Works



**CLERK OF THE BOARD OF SUPERVISORS**

**STANISLAUS COUNTY**

1010 10th Street, Suite 6700, Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4420

June 18, 2013

Recology  
Attn: Vincent Tye/Sean O'Rourke  
50 California Street, 24th Floor  
San Francisco, CA 94111-9796

RE: Appeal of Planning Commission's Denial of Use Permit Application No. 2012-04  
– Recology Grover Environmental Products

Dear Mr. Tye:

We received your Letter of Appeal regarding the Planning Commission's denial of Use Permit Application No. 2012-04 – Recology Grover Environmental Products. An item requesting the Board of Supervisors schedule a public hearing on Tuesday, **July 30, 2013 at 9:10 a.m.**, to consider this appeal, will be on the Board of Supervisors' July 2, 2013, agenda.

For further information, please call the Planning and Community Development Department at 525-6330 or the Board of Supervisors at 525-6415.

Sincerely,

Elizabeth A. King  
Assistant Clerk of the  
Board of Supervisors

cc: Supervisor Jim De Martini, District 5  
Planning & Community Development Department  
Recology Grover Environmental Products, PO Box 128, Westley CA 95387



CLERK OF THE BOARD OF SUPERVISORS

**Christine Ferraro Tallman**

1010 Tenth Street, Suite 6700, Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4420

**NOTICE OF PUBLIC HEARING FOR  
APPEAL OF PLANNING COMMISSION'S DENIAL OF  
USE PERMIT APPLICATION NO. 2012-04  
RECOLOGY - GROVER ENVIRONMENTAL PRODUCTS**

NOTICE IS HEREBY GIVEN that on July 30, 2013, at 9:10 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider an appeal of the Planning Commission's denial, due to lack of a majority vote, of Use Permit Application No. 2012-04 Recology - Grover Environmental Products, a request expand existing 112± acre composting business to an adjacent 42.87± acre parcel in the A-2-40 (General Agriculture) zoning district. This use permit proposes to add street sweepings and urban organics to the feedstocks processed and composted on both parcels. The project site is located at 3401 Gaffery Road, east of Koster Road and west of Welty Road, in the Vernalis area. A CEQA Mitigated Negative Declaration will be considered. APN: 016-003-010 & 014 (a portion of the project site is located on APN: 265-010-021 in San Joaquin County).

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: July 2, 2013

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:

  
Elizabeth A. King, Assistant Clerk

PROOF OF PUBLICATION  
(2015.5 C.C.P)

This space is for the County Clerk's Filing stamp

STATE OF CALIFORNIA  
County of Stanislaus

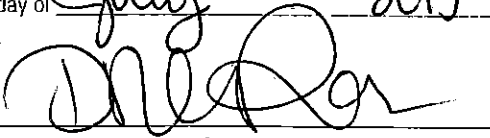
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Patterson Irrigator, a newspaper of general circulation, printed and published once a week on Thursdays, in the city of Patterson, California, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, of the County of Stanislaus, State of California, under the date of June 23, 1952. Case Number 47304, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

7/18

all in the year 2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Patterson, California, this 18 day of July 2013



Signature

**NOTICE OF PUBLIC HEARING  
FOR  
APPEAL OF PLANNING  
COMMISSION'S DENIAL OF  
USE PERMIT APPLICATION NO.  
2012-04  
RECOLOGY - GROVER  
ENVIRONMENTAL PRODUCTS**

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BY ORDER OF THE BOARD OF SUPERVISORS

DATED: July 2, 2013

ATTEST: CHRISTINE FERRARO  
TALLMAN,  
Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY: Elizabeth A. King, Assistant Clerk

7/18/13