

Orange County SW
Keene Road / Buttrey LF

Bradner, James

From: McGuire, Chris
Sent: Friday, March 09, 2001 4:25 PM
To: Bradner, James; Yon, Mary Jean
Subject: Buttrey/Keene Road

Okay, here's the poop. John Buttrey called me and said that he had managed to purchase more of the property around his proposed landfill. He would like to avoid installing the barrier layer there. I said that I thought the variance probably didn't need to be modified to reflect that (although we would do it if it made everyone comfortable), but that the permit would have to be modified. If he now owns the property and is no longer in violation of the 100-foot setback, this seems okay.

But there are two property owners that he doesn't think will sell to him. He thinks he can get them to grant him easements for those properties to allow him to put in monitoring wells and do any necessary remediation, and of course he would like to eliminate the barrier layer by those properties too. I was less optimistic, since our rule says 100 feet from the property boundary, and easements don't change the property boundary, so the variance would still be needed. But if the District thought that the easements answered all their questions and wanted to let him modify the permit to eliminate the boundary layer that would be their call.

Finally, I suggested that he might want to look at 62-522.500 and think about asking us to extend his ZOD to include the easements. I was clear that this would not be easy and that I had never done such a thing, but that it was at least possible, and might eliminate some issues with the setback. He said he would have his lawyers look at all this and get back to us.

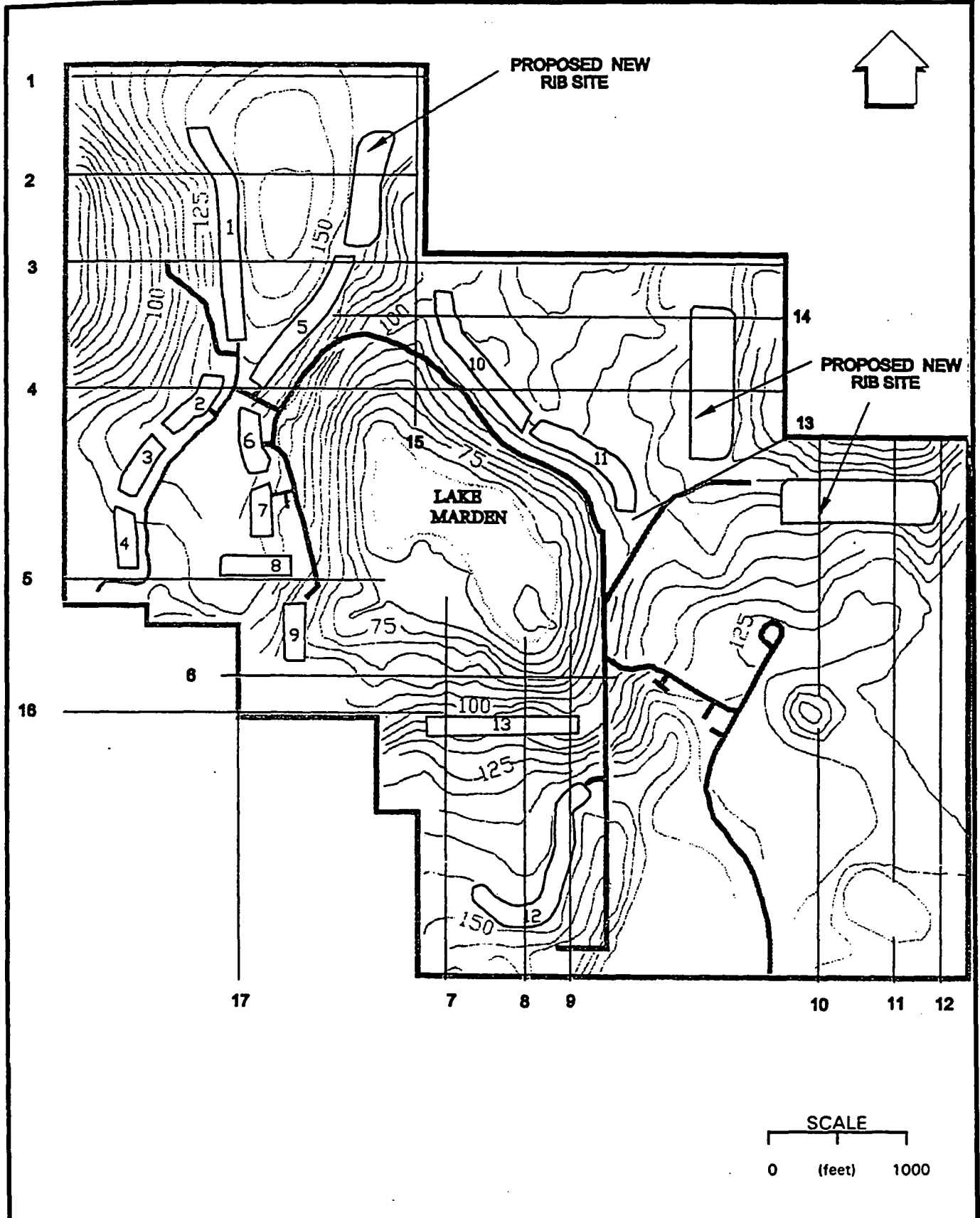


Figure developed from site plan furnished by client

GROUND PENETRATION RADAR TRANSECTS

981024	NW REGIONAL WASTEWATER TREATMENT FACILITY	FIG. 3
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