REGIONAL REVIEW FINDING

Atlanta Regional Commission • 40 Courtland Street NE, Atlanta, Georgia 30303 • ph: 404.463.3100 • fax:404.463.3105 • www.atlantaregional.com

DATE: 12/2/2004 **ARC REVIEW CODE**: R411021

TO: Honorable J. Michael Byrd
ATTN TO: Vicki Taylor, Zoning Administrator
FROM: Charles Krautler, Director

NOTE: This is digital signature. Original on file.

The Atlanta Regional Commission (ARC) has completed regional review of the following Development of Regional Impact (DRI). Below is the ARC finding. The Atlanta Regional Commission reviewed the DRI with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the DRI is or is not in the best interest of the local government.

Submitting Local Government: Cherokee County
Name of Proposal: **Cherokee Asphalt Plant**

Review Type: Development of Regional Impact	**Date Opened:** 11/2/2004	**Date Closed:** 12/2/2004

FINDING: After reviewing the information submitted for the review, and the comments received from affected agencies, the Atlanta Regional Commission finding is that the DRI is in the best interest of the State.

Additional Comments: The Atlanta Regional Commission reviewed the proposed project with regard to conflicts with regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the project is or is not in the best interest of Cherokee County. While the proposed asphalt plant has minimal regional impact, local impacts to the immediate community in Cherokee and Forsyth counties could be significant; therefore, Cherokee County should carefully evaluate the impacts to the immediate surrounding area, particularly those pertaining to the local economy, environment, and quality of life of the residents.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC LAND USE PLANNING
ARC DATA RESEARCH
GEORGIA DEPARTMENT OF NATURAL RESOURCES
DAWSON COUNTY
ARC TRANSPORTATION PLANNING
ARC AGING DIVISION
GEORGIA DEPARTMENT OF TRANSPORTATION
GEORGIA MOUNTAINS RDC
ARC ENVIRONMENTAL PLANNING
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
FORSYTH COUNTY

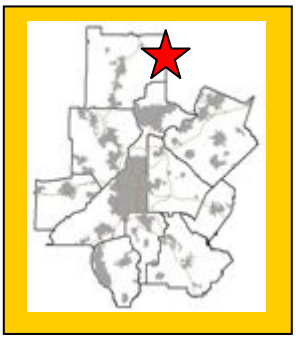
If you have any questions regarding this review, Please call Mike Alexander, Review Coordinator, at (404) 463-3302. This finding will be published to the ARC website.

The ARC review website is located at: http://www.atlantaregional.com/qualitygrowth/reviews.html .

Preliminary Report:	November 2, 2004	**DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT**	Project:	CW Matthews Asphalt Plant #655
Final Report Due:	December 2, 2004		Comments Due By:	November 18, 2004

FINAL REPORT SUMMARY

PROPOSED DEVELOPMENT:



The CW Matthews Asphalt Plant is proposed for development on 14 acres of land in the existing property boundaries of the Vulcan Cherokee County Quarry. The applicant is proposing to construct this batch plant so that the production of asphalt can occur at the same location as the quarrying of aggregate material. The existing quarry and proposed development site are located along the southern side of Hightower Road, State Highway 369, and the eastern side of Lower Creighton Road in eastern Cherokee County at the western Forsyth County line.

PROJECT PHASING:

The project is being proposed in one phase with a project build out date of 2005.

GENERAL

According to information on the review form or comments received from potentially affected governments:

Is the proposed project consistent with the host-local government's comprehensive plan? If not, identify inconsistencies.

The project site is currently zoned Agricultural with a Special Use Permit in Cherokee County. The proposed rezoning would allow for the construction of the asphalt plant. Information submitted with the review by Cherokee County states that the development is inconsistent with the Comprehensive Plan of Cherokee County.

Is the proposed project consistent with any potentially affected local government's comprehensive plan? If not, identify inconsistencies.

No inconsistencies were determined during the review from potentially affects local governments.

Will the proposed project impact the implementation of any local government's short-term work program? If so, how?

No impacts to implementation of any local government’s short term work program were determined during the review

Will the proposed project generate population and/or employment increases in the Region? If yes, what would be the major infrastructure and facilities improvements needed to support the increase?

No, the proposed development would not increase the need for services in the area.

What other major development projects are planned near the proposed project?

The ARC has reviewed other major development projects, known as Area Plan (1984 to1991) or as a DRI (1991 to present), within a 5 mile radius of the proposed project.

YEAR	NAME
2003	BELMONT DOWNS

Will the proposed project displace housing units or community facilities? If yes, identify and give number of units, facilities, etc.

Based on information submitted for the review, the site is currently used as a holding area for aggregate materials.

Will the development cause a loss in jobs? If yes, how many?

No.

Is the proposed development consistent with regional plans and policies?

The Atlanta Regional Commission reviewed the proposed project with regard to conflicts with regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the project is or is not in the best interest of Cherokee County. While the proposed asphalt plant has minimal regional impact, local impacts to the immediate community in Cherokee and Forsyth counties could be significant; therefore, Cherokee County should carefully evaluate the impacts to the immediate surrounding area, particularly those pertaining to the local economy, environment, and quality of life of the residents.

The Regional Development Policies adopted by the ARC strive to advance sustainable development, protect environmentally sensitive areas, and create a regional network of greenspace. Similarly, existing single-family neighborhoods and rural character should be preserved. Mass grading of the site should be avoided. In addition to standard environmental review, the local government should evaluate the development for noise impacts prior to approval.

The proposed project site is located near Settingdown Creek, a tributary to the Etowah River, the primary water source for Cherokee County and the City of Canton, as well as a major tributary to Lake Allatoona. The Etowah is a large water supply watershed and the proposed project is located within seven miles upstream of the Cherokee County intake, the nearest public water supply intake. The property is subject to the DCA minimum planning criteria (Chapter 391-3-16-.01, Criteria for Water Supply Watersheds) for large water supply watersheds. Under the DCA criteria, new facilities handling hazardous materials, as determined by Georgia DNR, must conduct their operations on impermeable surfaces having spill and leak collection systems as prescribed by Georgia DNR. DNR has not developed specific requirements for facilities handling hazardous materials within water supply watersheds, but the facility must meet the requirements of the Georgia General Industrial Stormwater

NPDES permit, which include specific requirements for stormwater facilities, a stormwater management manual, and sampling quarterly. The proposed project is also subject to Federal petroleum storage requirements, which include impervious spill retention surfaces around tanks and a spill response plan.

Anticipated sound levels should be minimized due to the proximity of businesses and residents in Cherokee and Forsyth counties. The applicant has documented the anticipated sound levels of the plant and measures that will be taken to minimize the noise projected on nearby residents. It is anticipated that the decibel levels to be experienced near the Forsyth County line to be in the 10 to 30 decibel range.

Air emissions are regulated by the State of Georgia. The Georgia Environmental Planning Department requires an air construction and operation permit that limits emissions. The Synthetic Minor permit imposes federally enforceable limits to restrict a facility's potential emissions to below major source thresholds. This permit will have to be acquired prior to the beginning of construction.

FINAL REPORT

Regional Development Plan Policies

1. Provide development strategies and infrastructure investments to accommodate forecasted population and employment growth more efficiently.

2. Guide an increased share of new development to the Central Business District, transportation corridors, activity centers and town centers.

3. Increase opportunities for mixed-use development, infill and redevelopment.

4. Increase transportation choices and transit-oriented development (TOD).

5. Provide a variety of housing choices throughout the region to ensure housing for individuals and families of diverse incomes and age groups.

6. Preserve and enhance existing residential neighborhoods.

7. Advance sustainable greenfield development.

8. Protect environmentally sensitive areas.

9. Create a regional network of greenspace that connects across jurisdictional boundaries.

10. Preserve existing rural character.

11. Preserve historic resources.

12. Inform and involve the public in planning at regional, local and neighborhood levels.

13. Coordinate local policies and regulations to support the RDP.

14. Support growth management at the state level.

BEST LAND USE PRACTICES

Practice 1: Keep vehicle miles of travel (VMT) below the area average. Infill developments are the best at accomplishing this. The more remote a development the more self contained it must be to stay below the area average VMT.
Practice 2: Contribute to the area's jobs-housing balance. Strive for a job-housing balance with a three to five mile area around a development site.
Practice 3: Mix land uses at the finest grain the market will bear and include civic uses in the mix.
Practice 4: Develop in clusters and keep the clusters small. This will result in more open space preservation.
Practice 5: Place higher-density housing near commercial centers, transit lines and parks. This will enable more walking, biking and transit use.
Practice 6: Phase convenience shopping and recreational opportunities to keep pace with housing. These are valued amenities and translate into less external travel by residents if located conveniently to housing.
Practice 7: Make subdivisions into neighborhoods with well-defined centers and edges. This is traditional development.
Practice 8: Reserve school sites and donate them if necessary to attract new schools. This will result in neighborhood schools which provide a more supportive learning environment than larger ones.
Practice 9: Concentrate commercial development in compact centers or districts, rather than letting it spread out in strips.

Practice 10: Make shopping centers and business parks into all-purpose activity centers. Suburban shopping centers and their environs could be improved by mixing uses and designing them with the pedestrian amenities of downtowns.
Practice 11: Tame auto-oriented land uses, or at least separate them from pedestrian-oriented uses. Relegate "big box" stores to areas where they will do the least harm to the community fabric.

BEST TRANSPORTATION PRACTICES

Practice 1: Design the street network with multiple connections and relatively direct routes.
Practice 2: Space through-streets no more than a half-mile apart or the equivalent route density in a curvilinear network.
Practice 3: Use traffic-calming measures liberally. Use short streets, sharp curves, center islands, traffic circles, textured pavements, speed bumps and raised crosswalks.
Practice 4: Keep speeds on local streets down to 20 mph.
Practice 5: Keep speeds on arterials and collectors down to 35 mph (at least inside communities).
Practice 6: Keep all streets as narrow as possible and never more than four traffic lanes wide. Florida suggests access streets 18 feet, subcollectors 26 feet, and collectors from 28 feet to 36 feet depending on lanes and parking.
Practice 7: Align streets to give buildings energy-efficient orientations. Allow building sites to benefit from sun angles, natural shading and prevailing breezes.
Practice 8: Avoid using traffic signals wherever possible and always space them for good traffic progression.
Practice 9: Provide networks for pedestrians and bicyclists as good as the network for motorists.
Practice 10: Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets.
Practice 11: Incorporate transit-oriented design features.
Practice 12: Establish TDM programs for local employees. Ridesharing, modified work hours, telecommuting and others.

BEST ENVIRONMENTAL PRACTICES

Practice 1: Use a systems approach to environmental planning. Shift from development orientation to basins or ecosystems planning.
Practice 2: Channel development into areas that are already disturbed.
Practice 3: Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges and connected by wildlife corridors. Stream corridors offer great potential.
Practice 4: Design around significant wetlands.
Practice 5: Establish upland buffers around all retained wetlands and natural water bodies.
Practice 6: Preserve significant uplands, too.
Practice 7: Restore and enhance ecological functions damaged by prior site activities.
Practice 8: Detain runoff with open, natural drainage systems. The more natural the system the more valuable it will be for wildlife and water quality.
Practice 9: Design man-made lakes and stormwater ponds for maximum environmental value. Recreation, stormwater management, wildlife habitat and others.
Practice 10: Use reclaimed water and integrated pest management on large landscaped areas. Integrated pest management involves controlling pests by introducing their natural enemies and cultivating disease and insect resistant grasses.
Practice 11: Use and require the use of Xeriscape™ landscaping. Xeriscaping™ is water conserving landscape methods and materials.

BEST HOUSING PRACTICES

Practice 1: Offer "life cycle" housing. Providing integrated housing for every part of the "life cycle."
Practice 2: Achieve an average net residential density of six to seven units per acre without the appearance of crowding. Cluster housing to achieve open space.

Practice 3: Use cost-effective site development and construction practices. Small frontages and setbacks; rolled curbs or no curbs; shared driveways.
Practice 4: Design of energy-saving features. Natural shading and solar access.
Practice 5: Supply affordable single-family homes for moderate-income households.
Practice 6: Supply affordable multi-family and accessory housing for low-income households.
Practice 7: Tap government housing programs to broaden and deepen the housing/income mix.
Practice 8: Mix housing to the extent the market will bear.

LOCATION

Where is the proposed project located within the host-local government's boundaries?

The existing quarry and proposed development site are located along the southern side of Hightower Road, State Highway 369, and the eastern side of Lower Creighton Road in eastern Cherokee County at the western Forsyth County line.

Will the proposed project be located close to the host-local government's boundary with another local government? If yes, identify the other local government.

The proposed development is entirely within Cherokee County's jurisdiction; however, it abuts the western line of Forsyth County and is located 3.5 miles to the southwest of Dawson County.

Will the proposed project be located close to land uses in other jurisdictions that would benefit, or be negatively impacted, by the project? Identify those land uses which would benefit and those which would be negatively affected and describe impacts.

No impacts were determined based on comments received from local governments; however, included with this report are citizen and community comments and concerns received during the review.

ECONOMY OF THE REGION

According to information on the review form or comments received from potentially affected governments:

What new taxes will be generated by the proposed project?

Estimated value of the development is $ 9,000,000 with an expected $218,000 in annual local tax revenues.

How many short-term jobs will the development generate in the Region?

Short-term jobs will depend upon construction schedule.

Is the regional work force sufficient to fill the demand created by the proposed project?

Yes.

In what ways could the proposed development have a positive or negative impact on existing industry or business in the Region?

No impacts were determined based on comments received from local governments; however, included with this report are citizen and community comments and concerns received during the review.

NATURAL RESOURCES

Will the proposed project be located in or near wetlands, groundwater recharge area, water supply watershed, protected river corridor, or other environmentally sensitive area of the Region? If yes, identify those areas.

Stream Buffers and Watershed Protection

The proposed project site is located near Settingdown Creek, a tributary to the Etowah River, the primary water source for Cherokee County and the City of Canton, as well as a major tributary to Lake Allatoona. The Etowah is a large water supply watershed and the proposed project is located within seven miles upstream of the Cherokee County intake, the nearest public water supply intake. The property is subject to the DCA minimum planning criteria (Chapter 391-3-16-.01, Criteria for Water Supply Watersheds) for large water supply watersheds. Under the DCA criteria, new facilities handling hazardous materials, as determined by Georgia DNR, must conduct their operations on impermeable surfaces having spill and leak collection systems as prescribed by Georgia DNR. DNR has not developed specific requirements for facilities handling hazardous materials within water supply watersheds, but the facility must meet the requirements of the Georgia General Industrial Stormwater NPDES permit, which include specific requirements for stormwater facilities, a stormwater management manual, and sampling quarterly. The proposed project is also subject to Federal petroleum storage requirements, which include impervious spill retention surfaces around tanks and a spill response plan.

The minimum criteria do not require buffers in large water supply watersheds more than seven miles upstream of a water supply reservoir. The Cherokee intake is not on a reservoir and the closest water supply reservoir, Lake Allatoona, is more than 15 linear miles downstream.

Storm Water / Water Quality

Properly addressing containment of any hazardous materials used and stored on the project site is the primary water quality protection issue on this site. In addition, the project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality. During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements. After construction, water quality will be impacted due to polluted stormwater runoff. ARC has developed estimates of the amount of pollutants that will be produced after construction of the proposed development. These estimates are based on some simplifying assumptions for typical pollutant loading factors (lbs/ac/yr). The loading factors are based on the results of regional storm water monitoring data from the Atlanta Region. The impervious areas are based on typical land use development in the Region. Actual loadings may be different if the total impervious area differs from those used in this estimate. Further, pollutants may differ given the specific nature of the use. The following table summarizes the results of the analysis.

Estimated Pounds of Pollutants per Year

Land Use	Land Area (ac)	Total Phosphorus	Total Nitrogen	BOD	TSS	Zinc	Lead
Heavy Industrial	14.00	20.30	269.36	1792.00	11130.00	23.24	2.94
Total	14.00	20.30	269.36	1792.00	11130.00	23.24	2.94

Total % impervious 80%

In order to address post-construction stormwater runoff quality, the project should implement stormwater management controls (structural and/or nonstructural) as found in the Georgia Stormwater Management Manual (www.georgiastormwater.com) and meet the stormwater management quantity and quality criteria outlined in the Manual. Where possible, the project should utilize the stormwater better site design concepts included in the Manual.

HISTORIC RESOURCES

Will the proposed project be located near a national register site? If yes, identify site.

None have been identified.

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In what ways could the proposed project create impacts that would damage the resource?

Not applicable.

In what ways could the proposed project have a positive influence on efforts to preserve or promote the historic resource?

Not applicable.

INFRASTRUCTURE
Transportation

Georgia Regional Transportation Authority Review Findings

This DRI proposal is being considered for review under the Georgia Regional Transportation Authority Expedited Review. The site is being proposed for a new asphalt plant on 14 acres of property inside the Cherokee Vulcan Rock Quarry.

How much traffic (both average daily and peak am/pm) will be generated by the proposed project?

GRTA and ARC review staff agreed with the methodology and assumptions used in the analysis. The net trip generation is based on the specific operational parameters being proposed by the developer. The parameters relate to total tons produced and corresponding truck capacity to ship the asphalt aggregate to clients. Based on overall tonnage produced, it would require 280 trucks to ship the product out from the plant each day. Since the trucks return to the plant at the end of each day, the

gross truck generation will double to 560 per day. Employment is minimal, with only two full-time workers attending the plant daily. Since the plant is proposed to be located inside the Cherokee Vulcan Quarry, there is an induced truck trip reduction (506 trips). The net amount of truck trips generated is estimated to be 56.

What are the existing traffic patterns and volumes on the local, county, state, and interstate roads that serve the site?

Projected traffic volumes from the Regional Travel Demand Model are compared to the assigned capacity of facilities within the study network. This data is used to calculate a volume to capacity (V/C) ratio. The V/C ratio values that define the LOS thresholds vary depending on factors such as the type of terrain traversed and the percent of the road where passing is prohibited. As a V/C ratio reaches 0.8, congestion increases. Any facilities that have a V/C ratio of 1.00 or above are considered congested. SR 20, near Lower Creighton Road, currently operates at LOS B (daily LOS). By the year 2030, SR 20 is expected to operate at the same level.

What transportation improvements are under construction or planned for the Region that would affect or be affected by the proposed project? What is the status of these improvements (long or short range or other)?

No roadway improvements are included proposed in the 2025 RTP Limited Update or the 2003 – 2005 TIP. However, the Draft Mobility 2030 RTP (scheduled for adoption in December 2004) proposes a bridge upgrade on SR 20 at the Etowah River crossing, in 2008.

Impacts of the Cherokee Asphalt Plant: What are the recommended transportation improvements based on the traffic study done by the applicant?

No significant impacts have been estimated because of the development of this project.

What are the conclusions of this review? Is the transportation system (existing and planned) capable of accommodating these trips?

With only an estimated 56 truck trips accessing the site daily, this development is permissible under the Expedited Review criteria.

What transportation demand management strategies does the developer propose (carpool, flextime, transit subsidy, etc.)?

Given the type of development, none are necessary and the Air Quality Benchmark test will not be used.

INFRASTRUCTURE

Wastewater and Sewage

Based on information submitted with the review, water usage would be similarly to a single family home.

Which facility will treat wastewater from the project?

Treatment will be provided using a septic tank.

What is the current permitted capacity and average annual flow to this facility?

Not applicable.

What other major developments will be served by the plant serving this project?

Not applicable.

INFRASTRUCTURE
Water Supply and Treatment

How much water will the proposed project demand?

Water demand will be minimal.

How will the proposed project's demand for water impact the water supply or treatment facilities of the jurisdiction providing the service?

Information submitted with the review states that well water will be used and bottled water will be provided to the employees.

INFRASTRUCTURE
Solid Waste

How much solid waste will be generated by the project? Where will this waste be disposed?

Information submitted with the review states that 1 tons of solid waste per year would be generated.

Other than adding to a serious regional solid waste disposal problem, will the project create any unusual waste handling or disposal problems?

No.

Are there any provisions for recycling this project's solid waste?

None stated.

INFRASTRUCTURE

Other facilities

According to information gained in the review process, will there be any unusual intergovernmental impacts on:

- **Levels of governmental services?**
- **Administrative facilities?**
- **Schools?**
- **Libraries or cultural facilities?**
- **Fire, police, or EMS?**
- **Other government facilities?**
- **Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?**

No impacts were determined based on comments received from local governments; however, included with this report are citizen and community comments and concerns received during the review.

HOUSING

Will the proposed project create a demand for additional housing?

No.

Will the proposed project provide housing opportunities close to existing employment centers?

No.

Is there housing accessible to the project in all price ranges demanded?

Given the minimal number of employees, no housing impact analysis is necessary.

Is it likely or unlikely that potential employees of the proposed project will be able to find affordable* housing?

N/A

* Defined as 30 percent of the income of a family making 80 percent of the median income of the Region – FY 2000 median income of $51,649 for family of 4 in Georgia.

C. W. MATTHEWS CONTRACTING COMPANY

DRAWER 970

MARIETTA, GEORGIA 30061

TELEPHONE (770) 422-7520
FAX (770) 422-1068

November 23, 2004

Mr. Mike Alexander
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, Georgia 30303

Subject: Anticipated Sound Levels
Proposed Cherokee Asphalt Plant
Cherokee County DRI #655

Dear Mike:

C. W. Matthews Contracting Co., Inc. is pleased to submit this letter regarding the subject.

As you know, anticipated sound levels are dependent on a number of variables including equipment, site layout and site buffering capabilities. Also, the levels anticipated vary exponentially based on the proximity of the decibel reading to the source of the sound. This letter will present our "best guess" based on known readings and the particulars of the Cherokee site.

As the site layout relates to Forsyth County, the plant itself will be on the portion of the site that is farthest away from Forsyth County. This means that aggregate stockpiles will be between the plant and the Forsyth County line. These piles will be 30 to 40 feet high and will provide an excellent sound buffering system near the source. Farther to the east approximately 300 feet is a stream buffer that contains trees that are 70 to 80 feet tall. Beyond this, the quarry has a very large permitted buffer area that is approximately 700 feet wide. This buffer also contains very large trees. We point out that there are more woodlands to the east before the nearest residence is encountered in Forsyth County.

The plant itself has two primary sources of sound. The drum dryer and the baghouse exhaust fan. The drum dryer includes the sound of the aggregate tumbling in the dryer and the sound of the burner. The barrel of the drum is a double barrel drum and the outer barrel acts as a silencer. The silencer reduces the decibel levels by an average of 10 decibels. Silenced dryers are, therefore, approximately 10 times quieter than non-silenced models. OSHA permits noise exposure at 85 decibels for an 8-hour shift. Readings indicate that noise levels drop to a normal conversational range of 60 decibels within 50 feet of the dryer.

The baghouse exhaust fan draws air through the baghouse (air emissions control device). This fan will have a variable speed motor so that it does not have to run at full speed when production is less than full speed. This helps keep the sound level down at times when the plant is not running at full capacity. At full speed, the fan is within the required OSHA level of 85 decibels for an 8-hour exposure. Experience shows this level drops to a normal conversational level of 60 decibels within approximately 25 feet.

As you can see, normal conversation can be experienced within the plant area itself. This is defined as conversing with another person in a normal talking voice. Given all the buffering capabilities at this particular site, the plant layout itself and the silencing devices used on the plant, we anticipate that decibel levels to be experienced at or near the Forsyth County line to be in the 10 to 30 decibel range at the most. As a gauge, 10 decibels is the sound of rustling leaves, 20 is the sound of a quiet whisper and 40 decibels can be experienced in a normal office working environment.

In summary, given the site buffers and the distance to the Forsyth County line, we doubt that this plant could even be heard by Forsyth County residents. If you have any further questions or if I can be of further service, please let me know.

Sincerely,

C. W. MATTHEWS CONTRACTING CO., INC.

Brian Lawrence, P.E.
Vice President for Environmental Affairs

BL/pt
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C. W. MATTHEWS CONTRACTING COMPANY

DRAWER 970

MARIETTA, GEORGIA 30061

TELEPHONE (770) 422-7520
FAX (770) 422-1068

October 12, 2004

Mr. Mike Alexander
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, GA 30303

Subject: Cherokee Asphalt Plant
Cherokee County
DRI #655

Dear Mike:

As requested in our meeting today, I am sending this letter further explaining the project. Also, I would like to reiterate the request in our meeting for an Expedited Review. I have instructed Cherokee County to send in Form 2 as soon as is practicable.

This project has positive economic impacts to Cherokee as a tax contributor and employer and does not cause any undue hardship on county infrastructure or the school system. The site will have water supplied by a drilled well and bottled drinking water will be provided for employees. The facility will be served by a septic system and will have 2 full time employees using that system on a daily basis. The employees generate solid waste on par with that of a small family and the asphalt making process produces no solid or hazardous waste.

The facility is environmentally regulated in three primary areas: Air, Wastewater and Petroleum Storage. The Georgia EPD requires an air construction and operation permit that limits emissions. The type permit obtained is a Synthetic Minor which limits production to keep emissions below major threshold levels. This permit will be obtained prior to beginning construction. The plant is also required to claim coverage under the State of Georgia's General Industrial Stormwater NPDES Permit. This requires that site drainage go into ponds that have release structures that retain water and have a subsurface discharge prior to discharge to Setting Down creek located approximately 300 feet to the east. A stormwater management manual is required and samples have to be taken quarterly. The facility will store in excess of 1,260 gallons of petroleum aboveground and therefore has to comply with the Federal Oil Pollution Act. This requires impervious spill retention around tanks and requires that a Spill Prevention, Countermeasure and Control (SPCC) Plan be in place and that employees be trained in spill response.

The site is completely within an active, permitted quarry, is relatively level and is not located within any sensitive environmental receptors, watersheds, wetlands, river corridors, or flood plains. The project has no impacts on historic resources.

Sincerely,

C. W. MATTHEWS CONTRACTING CO., INC.

Brian Lawrence (pt)

Brian Lawrence, P.E.
Vice President for Environmental Affairs

cc: Brian Borden, GRTA
David Flint

C. W. MATTHEWS CONTRACTING COMPANY

DRAWER 970

MARIETTA, GEORGIA 30061

TELEPHONE (770) 422-7520
FAX (770) 422-1068

October 12, 2004

Mr. Brian G. Borden, AICP
Principal Planner
GRTA
245 Peachtree Center, NE
Suite 900
Atlanta, GA 30303-1223

Subject: Cherokee Asphalt Plant
Cherokee County
DRI #655

Dear Brian:

As requested in our meeting today, I am sending the following:

ASPHALT PLANT OPERATIONAL PARAMETERS

Estimated Annual Plant Production – 200,000 Tons

Estimated Average Hourly Production – 350 Tons/Hour

Estimated Annual Hours of Operation – 571 Hours

Estimated Maximum Daily Hours of Operation – 12 Hours

Estimated Daily Average Production – 4,200 Tons

TRUCK NUMBER CALCULATIONS

A tandem-axle dump truck averages 15 tons capacity per load. The maximum number of loads of asphalt leaving the plant on a daily basis then becomes:

- 4,200 Tons/15 Tons per Truck = 280 Trucks.
- These trucks leave the plant then return to project, so the daily number of truck trips must be doubled to 560 trucks.

If the plant is located inside the quarry, the following number of truck trips can be subtracted:

- A ton of asphalt is 90% mined aggregate.
- 4,200 tons of asphalt then consists of 3,780 tons of mined aggregate.
- 3,780 Tons/15 Tons per Truck = 252 Trucks.
- This number must likewise be doubled because of return trips to 504 trucks.

The net effect of locating the plant within the quarry results in 560 trucks – 504 trucks = 56 trucks. Locating the plant outside the quarry results in an increase of 504 trucks per day, or a 9 fold increase.

EMPLOYEE GENERATED TRIPS

This plant will employ 2 full-time employees that are anticipated to be hired from the immediate area. Therefore, we ask for release from an Area Influence Study.

In closing, we would like to reiterate our request in our meeting for Expedited Review for issuance of a Letter of Understanding (LOU) and a Notice of Decision (NOD).

If I can provide any further information you may need, please do not hesitate to call me.

Sincerely,

C. W. MATTHEWS CONTRACTING CO., INC.

Brian Lawrence (pt)

Brian Lawrence, P.E.
Vice President for Environmental Affairs

cc: Mike Alexander, ARC
David Flint

TRAFFIC IMPACT STUDY
NEW ASPHALT PLANT IN
VULCAN CHEROKEE QUARRY

BACKGROUND

C. W. Matthews Contracting Co., Inc. is seeking rezoning for 14 acres located wholly within the existing Vulcan Cherokee County Quarry located on Highway 369 in Cherokee County. This property is located within one-half mile of the jurisdictional boundary of Cherokee and Forsyth counties. This causes review by the Atlanta Regional Commission (ARC) and the Georgia Region Transportation Authority (GRTA) as a possible Development of Regional Impact (DRI). One of the requirements for review is a traffic impact study.

The proper way to evaluate this situation is in comparison to the siting of an asphalt plant on a property with the current allowable zoning that is not within one-half mile of a jurisdictional boundary. If this were the case, rezoning would not be necessary nor would a review be triggered.

This is an important distinction because the Cherokee Vulcan Quarry does not have a captive customer currently on-site. This causes all aggregate products to be shipped out of the plant in trucks. Siting a plant within the quarry eliminates the need for trucks to access public roads to service a new plant that may be located on a currently allowable zoning site not located within one-half mile of a jurisdictional boundary.

ASPHALT PLANT OPERATIONAL PARAMETERS

Estimated Annual Plant Production – 200,000 Tons

Estimated Average Hourly Production – 350 Tons/Hour

Estimated Annual Hours of Operation – 571 Hours

Estimated Maximum Daily Hours of Operation – 12 Hours

Estimated Daily Average Production – 4,200 Tons

TRUCK NUMBER CALCULATIONS

A tandem-axle dump truck averages 15 tons capacity per load. The maximum number of loads of asphalt leaving the plant on a daily basis then becomes:

- 4,200 Tons/15 Tons per Truck = 280 Trucks
- These trucks leave the plant then return to project, so the daily number of truck trips must be doubled to 560 trucks.

If the plant is located inside the quarry, the following number of truck trips can be subtracted:

- A ton of asphalt is 90% mined aggregate.
- 4,200 tons of asphalt then consists of 3,780 tons of mined aggregate
- 3,780 Tons/15 Tons per Truck = 252 Trucks
- This number must likewise be doubled because of return trips to 504 trucks.

The net effect of locating the plant within the quarry results in 560 trucks – 504 trucks = 56 trucks. Locating the plant outside the quarry results in an increase of 504 trucks per day, or a 9 fold increase.

CONCLUSION

Locating this plant inside the quarry within a one-half mile distance of a jurisdictional boundary and within an existing quarry results in a very minimal increase in tandem-axle truck traffic. Locating the asphalt plant outside the quarry on an allowable zoning property not within one-half mile of a jurisdictional boundary results in a substantial increase of tandem-axle trucks on local roads.

The entrance road into the quarry is a private road that ingresses from Highway 369. Necessary acceleration and deceleration lanes are already in place and no local road improvements are required with the addition of the asphalt plant.

Respectfully submitted,

Brian Lawrence, P.E.
Georgia Registration Number 16662

Haley Fleming

From: Mike Alexander
Sent: Wednesday, December 01, 2004 3:07 PM
To: Haley Fleming
Subject: FW: DRI Comments for the Cherokee Asphalt Plant

Mike Alexander
404 463 3302
malexander@atlantaregional.com

From: Lynn Tully, AICP [mailto:ltully@syclone.net]
Sent: Thursday, November 18, 2004 2:38 PM
To: Mike Alexander
Subject: DRI Comments for the Cherokee Asphalt Plant

Mr. Alexander,

Dawson County does not have any negative comments concerning this proposal. However, I would encourage you to solicit input from the Fish & Wildlife Service as the development is located near a major tributary to the Etowah River. As you may know extensive coordination is underway to develop a Habitat Protection Plan for the protected and endangered species in this river corridor and it's tributaries.

Sincerely,

Lynn Tully, AICP
Director of Planning and Development
Dawson County
86 Highway 53 West, Suite 100
Dawsonville, GA 30534
(706) 344-3604 (voice)
(706) 344-3652 (fax)
email: ltully@syclone.net

Dawson County Mission Statement

"Preserving our heritage and environment, efficiently providing quality infrastructure and services while addressing future challenges with direction and planning for an ever improving quality of life in Dawson County."

Your DRI ID NUMBER for this submission is: 655
Use this number when filling out a DRI REVIEW REQUEST.
Submitted on: 10/1/2004 10:47:45 AM

DEVELOPMENT OF REGIONAL IMPACT
Cherokee County Initial DRI Information (Form1b)

This form is intended for use by local governments within the Metropolitan Region Tier that are also within the jurisdiction of the Georgia Regional Transportation Authority (GRTA). The form is to be completed by the city or county government for submission to your Regional Development Center (RDC), GRTA and DCA. This form provides basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Local governments should refer to both the Rules for the DRI Process 110-12-3 and the DRI Tiers and Thresholds established by DCA.

Local Government Information

Submitting Local Government:	Cherokee County
*Individual completing form and Mailing Address:	Vicki S. Taylor 130 E. Main Street Suite 108 Canton, Georgia 30114
Telephone:	678-493-6105
Fax:	678-493-6111
E-mail **(only one)**:	vtaylor@cherokeega.com

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project:	Cherokee Asphalt Plant

Development Type	Description of Project	Thresholds
Quarries, Asphalt & Cement Plants	New asphalt plant at existing quarry.	View Thresholds

Developer / Applicant and Mailing Address:	C. W. Matthews Contracting Co. P. O. Drawer 970 Marietta, Georgia 30061
Telephone:	770-422-7520
Fax:	770-422-1068
Email:	ROBERTV@CWMATTHEWS.COM
Name of property owner (s) if different from developer/applicant:	
Provide Land-Lot-District Number:	LL470, 3rd District
What are the principal streets or roads providing vehicular access to the site?	State Highway 369 A.K.A. Hightower Road
Provide name of nearest street(s) or intersection:	State Highway 369 and Lower Creighton Road
Provide geographic coordinates (latitude/longitude) of the center of the proposed project (optional):	/
If available, provide a link to a website providing a general location map of the proposed project (optional). (http://www.mapquest.com or http://www.mapblast.com are helpful sites to use.):	http://www.mapquest.com/maps/map.adp?country=US&countryid=US&addtohistory=&searchtab=address&searchtype=address&address=State+Highway+
Is the proposed project entirely located within your local government's jurisdiction?	Y
If yes, how close is the	

boundary of the nearest other local government?	1500 feet to the east boundary of Cherokee County
If no, provide the following information:	
In what additional jurisdictions is the project located?	
In which jurisdiction is the majority of the project located? (give percent of project)	Name: (NOTE: This local government is responsible for initiating the DRI review process.)
	Percent of Project:
Is the current proposal a continuation or expansion of a previous DRI?	N
If yes, provide the following information (where applicable):	Name:
	Project ID:
	App #:
The initial action being requested of the local government by the applicant is:	Rezoning
What is the name of the water supplier for this site?	N/A
What is the name of the wastewater treatment supplier for this site?	N/A
Is this project a phase or part of a larger overall project?	N
If yes, what percent of the overall project does this project/phase represent?	
Estimated Completion Dates:	This project/phase: Overall project: December 2004

Local Government Comprehensive Plan

Is the development consistent with the local government's comprehensive plan, including the Future Land Use Map?	N
If no, does the local government intend to amend the plan/map to account for this development?	N
If amendments are needed, when will the plan/map be amended?	

Service Delivery Strategy

Is all local service provision consistent with the countywide Service Delivery Strategy?	Y
If no, when will required amendments to the countywide Service Delivery Strategy be complete?	

Land Transportation Improvements

Are land transportation or access improvements planned or needed to support the proposed project?	N
If yes, how have these improvements been identified:	
Included in local government Comprehensive Plan or Short Term Work Program?	
Included in other local government plans (e.g. SPLOST/LOST Projects, etc.)?	
Included in an official Transportation Improvement Plan (TIP)?	
Developer/Applicant has identified needed improvements?	
Other (Please Describe):	

Submitted on: 10/13/2004 4:46:27 PM

DEVELOPMENT OF REGIONAL IMPACT
DRI Review Initiation Request (Form2a)

Local Government Information

Submitting Local Government:	Cherokee County
Individual completing form:	Jeff Watkins
Telephone:	678.493.6101
Fax:	678.493.6111
Email (**only one**):	jwatkins@cherokeega.com

Proposed Project Information

Name of Proposed Project:	C.W. Matthews Cherokee Asphalt Plant
DRI ID Number:	655
Developer/Applicant:	C.W. Matthews Contracting Co., Inc.
Telephone:	770.422.7520
Fax:	770.422.1068
Email(s):	brianl@cwmatthews.com

DRI Review Process

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)	N
If yes, has that additional information been provided to your RDC and, if applicable, GRTA?	
If no, the official review process can not start until this additional information is provided.	

Economic Impacts

Estimated Value at Build-Out:	$ 4,500,000.00
Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:	$ 218,040.00
Is the regional work force sufficient to fill the demand created by the proposed project?	Y
If the development will displace any existing uses, please describe (using number of units, square feet., etc):	

Community Facilities Impacts

Water Supply

Name of water supply provider for this site:	Private Well
What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	0.0001
Is sufficient water supply capacity available to serve the proposed project?	Y
If no, are there any current plans to expand existing water supply capacity?	
If there are plans to expand the existing water supply capacity, briefly describe below:	
If water line extension is required to serve this project, how much additional line (in miles) will be required?	

Wastewater Disposal

Name of wastewater treatment provider for this site:	septic system
What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	0.0001
Is sufficient wastewater treatment capacity available to serve this proposed project?	Y
If no, are there any current plans to expand existing wastewater treatment capacity?	
If there are plans to expand existing wastewater treatment capacity, briefly describe below:	
If sewer line extension is required to serve this project, how much additional line (in miles) will be required?	

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?	54

(If only an alternative measure of volume is available, please provide.)	
Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?	N
If yes, has a copy of the study been provided to the local government?	
If transportation improvements are needed to serve this project, please describe below:	

Solid Waste Disposal

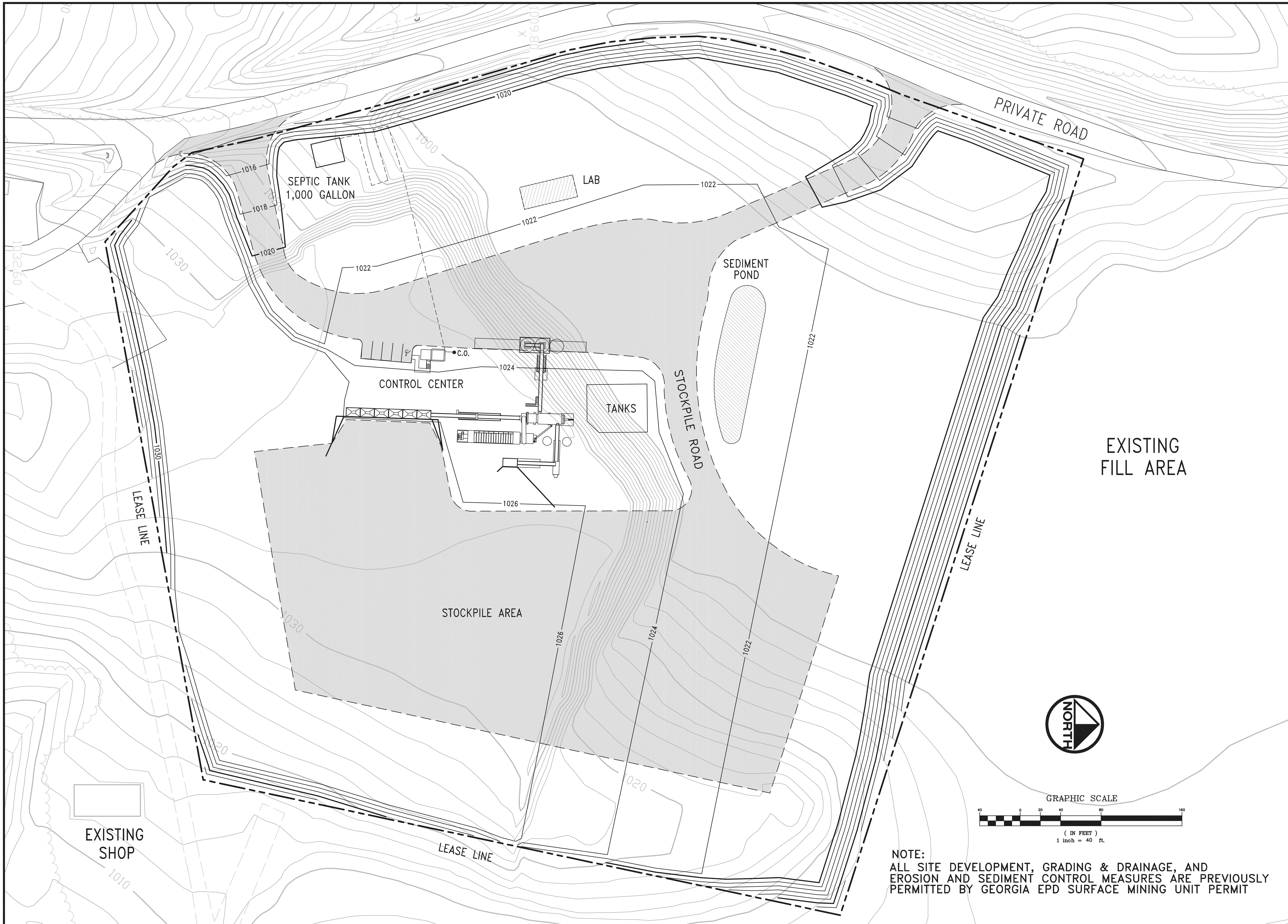
How much solid waste is the project expected to generate annually (in tons)?	1
Is sufficient landfill capacity available to serve this proposed project?	Y
If no, are there any current plans to expand existing landfill capacity?	
If there are plans to expand existing landfill capacity, briefly describe below:	
Will any hazardous waste be generated by the development? If yes, please explain below:	N

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?	40
Is the site located in a water supply watershed?	Y
If yes, list the watershed(s) name(s) below: Etowah River Basin	
Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management: As required by NPDES, state and county rules and regulations.	

Environmental Quality

Is the development located within, or likely to affect any of the following:	
1. Water supply watersheds?	N
2. Significant groundwater recharge areas?	N
3. Wetlands?	N
4. Protected mountains?	N
5. Protected river corridors?	N
If you answered yes to any question 1-5 above, describe how the identified resource(s) may be affected below:	
Has the local government implemented environmental regulations consistent with the Department of Natural Resources' Rules for Environmental Planning Criteria?	Y
Is the development located within, or likely to affect any of the following:	
1. Floodplains?	N
2. Historic resources?	N
3. Other environmentally sensitive resources?	N
If you answered yes to any question 1-3 above, describe how the identified resource(s) may be affected below:	



NOTE:
ALL SITE DEVELOPMENT, GRADING & DRAINAGE, AND EROSION AND SEDIMENT CONTROL MEASURES ARE PREVIOUSLY PERMITTED BY GEORGIA EPD SURFACE MINING UNIT PERMIT

GEORGIA REGISTERED PROFESSIONAL ENGINEER Christopher K. Harrell

HIGHLAND ENGINEERING, INC.
One Dunwoody Park, Suite 205
Atlanta, Georgia 30338
Ph:770-225-2121 Fax:770-225-2222
5 Public Square, Suite 302
Cartersville, Georgia 30120
Ph:770-607-1300 Fax:770-607-1333

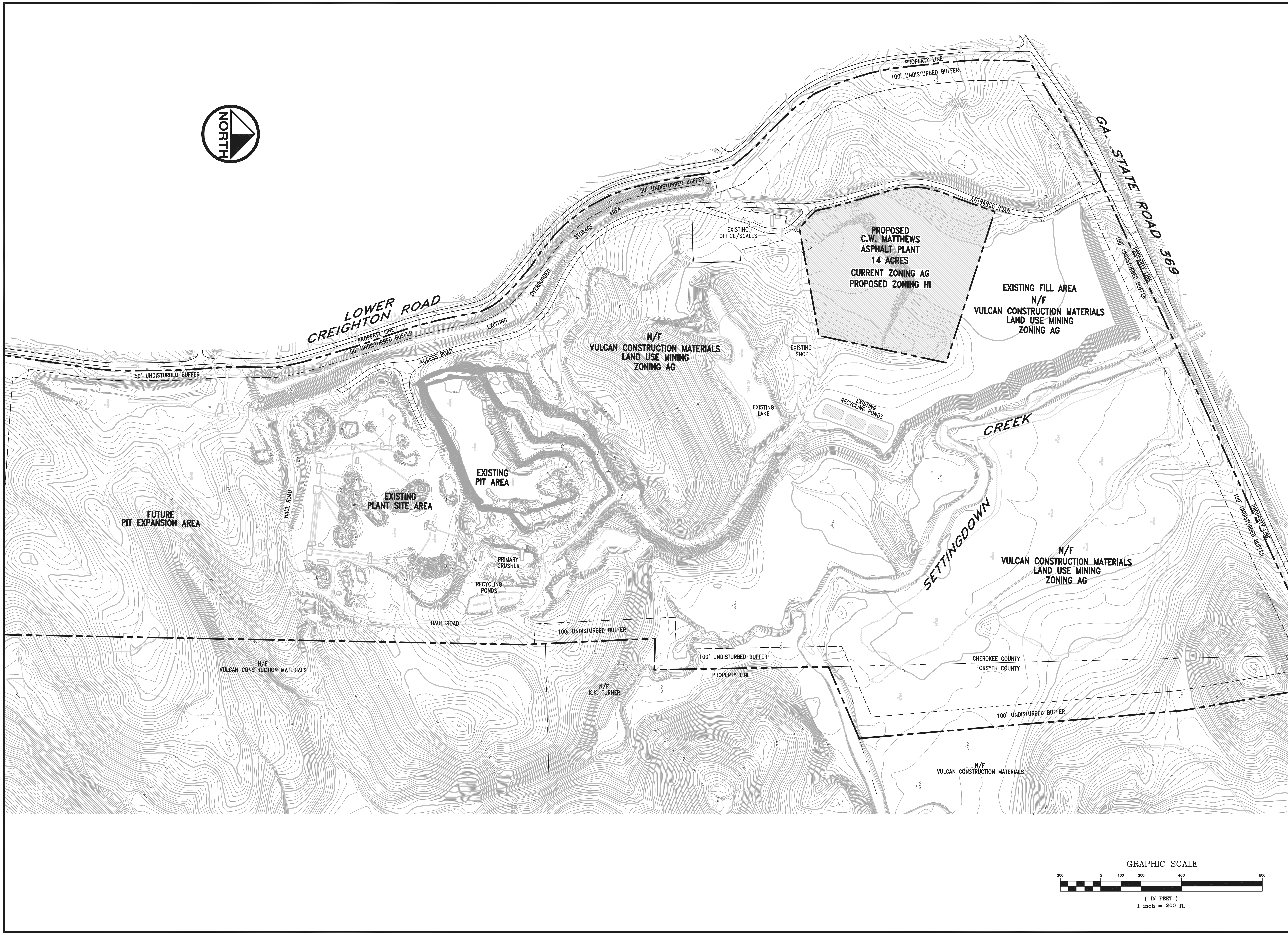
Project No.	
Design By:	DB
Drawn By:	CC
Checked By:	DB
Date:	6/9/2004
Scale:	1"=40'

C.W. MATTHEWS CONTRACTING, CO.
CHEROKEE ASPHALT PLANT
LAND LOTS 467, 468, 469, 470, 471, 539, 540, 541, 542, 612, 613
3RD DISTRICT – 1ST & 2ND SECTION
CHEROKEE COUNTY, GEORGIA

PROPOSED SITE LAYOUT

Drawing No.
2

FILE_NAME



GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 17676 Christopher K. Harrell

HIGHLAND ENGINEERING, INC.
One Dunwoody Park, Suite 205
Atlanta, Georgia 30338
Ph:770-225-2121 Fax:770-225-2222
5 Public Square, Suite 302
Cartersville, Georgia 30120
Ph:770-607-1300 Fax:770-607-1333

Project No.	
Design By:	DB
Drawn By:	CC
Checked By:	DB
Date:	6/9/2004
Scale:	1"=200'

C.W. MATTHEWS CONTRACTING, CO.
CHEROKEE ASPHALT PLANT
LAND LOTS 467, 468, 469, 470, 471, 539, 540, 541, 542, 612, 613
3RD DISTRICT – 1ST & 2ND SECTION
CHEROKEE COUNTY, GEORGIA

EXISTING SITE CONDITIONS

Drawing No.
1

FILE_NAME