

June 26, 1996

The Honorable Wayne Hill, Chairman  
Gwinnett County Commission  
75 Langley Drive  
Lawrenceville, GA 30245

Re: Development of Regional Impact Review - Smith Landfill

Dear Wayne:

I am writing just to complete the record on the Development of Regional Impact (DRI) Review of the proposed Smith Landfill. You already know that on June 26, 1996, the Commission found the DRI not in the best interest of the State. And we are aware that the County denied the special use permit. Therefore, I am just transmitting the Commission's resolution and comments received during the review for the record.

Please feel free to call us if you have any questions at all about the review.

Sincerely,

Harry West  
Director

HW:skb

Enclosures

c: Mr. Michael Williams, Gwinnett County  
Mr. David Gill, Gwinnett County  
Mr. Warren Nevad, Sugar Hill  
Mr. Lonice Barrett, GDNr

Mr. Harold Reheis, GEPD  
Mr. Paul Radford, GDCA  
Mr. Joseph Nodvin, The Links  
Mr. Bruce Williams, Jr., Scott Hudgens Cos.

**RESOLUTION BY THE ATLANTA REGIONAL COMMISSION  
CONCERNING  
THE SMITH LANDFILL DEVELOPMENT OF REGIONAL IMPACT**

WHEREAS, on May 16, 1996, the Atlanta Regional Commission received from Gwinnett County a request to review a proposed 1.5 acre inert landfill to be located on Suwanee Dam Road and called the Smith Landfill; and

WHEREAS, any proposed new waste disposal facility is subject to review as a Development of Regional Impact (DRI); and

WHEREAS, the proposed site is contiguous to the City of Sugar Hill and therefore has inter-governmental impacts; and

WHEREAS, the proposed landfill is in an area shown on both the Gwinnett County and Sugar Hill Comprehensive Plan land use maps as residential; and

WHEREAS, the surrounding uses in the City of Sugar Hill and Gwinnett County are residential development and the City of Sugar Hill Golf Course; and

WHEREAS, the proposed landfill is incompatible with existing and proposed land uses as reported by Gwinnett County and Sugar Hill; and

WHEREAS, the staff has received comments of concern about the DRI from the City of Sugar Hill;

NOW, THEREFORE, be it resolved that the Atlanta Regional Commission finds the proposed use is not in the best interest of the State.



# **CITY OF SUGAR HILL**

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

**May 31, 1996**

Ms. Beverly Rhea  
Review Coordinator  
Atlanta Regional Commission  
200 Northcreek, Suite 300  
3715 Northside Parkway  
Atlanta, Georgia 30327-2809

Re: Development of Regional Impact, Smith Landfill

Dear Ms. Rhea:

I am writing on behalf of the City of Sugar Hill in response to your letter of May 16, 1996 requesting comments on the above-referenced development of regional impact. The property proposed for the inert landfill is located immediately adjacent to property lying within the corporate boundaries of the City of Sugar Hill, and the City of Sugar Hill believes that the project would not be in the best interest of the City of Sugar Hill or the State of Georgia.

Although a review of the Sugar Hill City Zoning maps would indicate that property immediately across Suwanee Dam Road from the property is zoned HM2 (Heavy Manufacturing), this zoning designation is somewhat misleading. The property contains this designation because it houses a wastewater treatment facility. This facility was originally constructed by the City of Sugar Hill and was sold to Gwinnett County in December 1995. The wastewater treatment facility is not visible from the public roadway and does not detract from the area. The wastewater treatment facility is a spray irrigation facility and the effluent is sprayed on an 18 hole public golf course which is located immediately adjacent to the wastewater treatment facility on the large tract of land located across the road from the proposed inert land fill. The public golf course is owned and operated by the City of Sugar Hill and has been quite successful. The City has recently completed construction of a new clubhouse facility at the golf course.

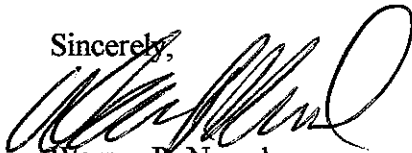
As a result of the location of the public golf course, and the availability of sewer in this area, several property owners have annexed property in the immediate area into the City of Sugar Hill and have developed the property for residential use. One such development is the Links Subdivision which is located immediately adjacent to the proposed inert landfill. In addition, several other large residential projects are proposed for the general area. The property immediately adjacent to the Sugar Hill golf course is owned by the United States government and is park land which reaches from Suwanee Dam Road to the Chatahoochee River. There are a number of large residential tracts in the area including a horse farm located along Suwanee Dam Road less than a mile east of the proposed inert landfill.

Also, the City believes that this project would generate more than 15 truck loads of debris per week. This number is too conservative.

For the reasons set forth above, the City of Sugar Hill believes that development of an inert landfill in the proposed location would be inconsistent with existing land uses in the immediate area, could have a detrimental impact on existing and proposed residential development within the City of Sugar Hill and could negatively impact on the operation of the Sugar Hill public golf course which is located on the opposite side of Suwanee Dam Road from the proposed landfill. The City encourages the Atlanta Regional Commission to recommend that development of an inert landfill at this location is not in the best interest of the state.

We appreciate our opportunity to provide these comments. If you have any questions or need additional information, please contact me.

Sincerely,



Warren P. Nevad  
City Manager  
City of Sugar Hill

Sincerely,

Warren P. Nevad  
City Manager

WPN: bms

# DEVELOPMENTS OF REGIONAL IMPACT

## Comments from Affected Parties Form

Project I.D.: SUP-96-044  
(From Request for Comments Form)

Name of Commenting Organization: City of Suwanee

Address: Box 58  
Suwanee, GA. 30174

Contact Person: Richard Trice Telephone Number: 770-945-8996

Do you believe your jurisdiction will be affected by the proposed development? \_\_\_\_\_ Yes ☒ No

Please describe the effects (positive and/or negative) the proposed project could have on your jurisdiction:

The City of Suwanee should not have any impact  
or effects from this proposed project.

(Attach Additional Pages if Necessary)

Form Completed By: Richard A. Trice

Title: Mayor

Signature: Richard A. Trice Mayor

Date: 5/24/96

RETURN TO: ATLANTA REGIONAL COMMISSION  
3715 Northside Parkway  
200 Northcreek, Suite 300  
Atlanta, Ga. 30327

ATTENTION: REVIEW OFFICE

FAX NO. 404-364-2599

DCA/OCF 10/7/91



# Scott Hudgens Companies

(770) 476-9441

FAX (770) 476-5137

P. O. Box 988 • DULUTH GA 30136

May 31, 1996

Via facsimile - 404/364-2599

Ms. Beverly Rhea  
Atlanta Regional Commission  
200 Northcreek  
Suite 300  
3715 Northside Parkway  
Atlanta, GA 30327-2800

RE: Development of Regional Impact  
Smith Landfill

Dear Ms. Rhea:

As property owners of approximately 211 acres of land on Suwanee Dam Road in Sugar Hill, we are objecting to the proposed landfill as outlined in your May 16th letter to the Honorable Gary Webster, Mayor of Sugar Hill. We do not feel this is a good use of that property. It sets a bad precedent for properties in the area and has the effect of deflating property values in the area.

If you have any questions, please let me know.

Sincerely,



J. Bruce Williams, Jr.  
Executive Vice President

CC: Warren Nevad, City Manager  
Steve Gaultney  
D. Scott Hudgens  
Honorable Gary Webster, Mayor of Sugar Hill

**THE LINKS HOMEOWNERS ASSOCIATION, INC.**

P. O. Box 888632  
Atlanta, Georgia, 30356-0632

(770) 457-6351 FAX 457-6675

DATE:

May 23, 1996

MESSAGE TO:

Claude D. Mason, Esq.  
Mason & Kesmodel, Attorneys  
Attorneys-At-Law  
P.O. Box 2050  
Duluth, Ga., 30136

Phone #: 770-476-5268

Fax #: 770-497-9416

Our File Reference: 2#LINSM-605H-2 Your File Reference: \_\_\_\_\_

FAX CONTROL NO. 3261 NO. OF PAGES: 19 including cover sheet)

CONFIRMATION COPY MAILED: X YES \_\_\_\_\_ NO \_\_\_\_\_

COMMENTS AND/OR SPECIAL INSTRUCTIONS:

Dear Claude:

**SPECIAL USE PERMIT APPLICATION**

Carey M. Smith, Applicant  
6075 Suwanee Dam Road  
Sugar Hill, Georgia, 30518  
Case Number SUP-96-044

The only response to our attached letter of May 9, 1996, was a telephone message left by Carey Smith on our voice mail on Saturday morning, May 11, 1996. In that message Mr. Smith said that since we were writing to members of his family he wanted us to know that he had 2 dogs and a cat who live at the same address as he does and that we could write to them also if we wanted to. It is unconscionable with the gravity of this situation and the financial implications to The Links Subdivision and the legal ramifications to Mr. Smith, et. al., created by the illegal dumping on his property, now known by the Environmental Protection Division, Gwinnett County, and the Atlanta Regional Commission, that Mr. Smith would make a joke and mockery of our notification to him in our attempt to amicably resolve this matter without having to seek legal counsel.

In consonance with your instructions we are providing copies of our previous documentation as notification to those authorities which would have an affect upon the outcome of this unconscionable SPECIAL USE PERMIT request which is tantamount to a spot zoning for commercial usage as per Mr. Smith's applicant as a "Future Boat Storage Facility."

**We respectfully requested that all the recipients of this letter review our attached letter of April 26, 1996 and investigate same.**

We are also making known to these authorities by copy hereof, that the city of Sugar Hill, and the abutting property owners on all sides are also vehemently opposed to this commercial enterprise on a residential R-100 zoned property. ✓

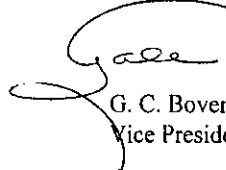
This message is intended only for the use of the individual to which it is addressed and contains information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is STRICTLY PROHIBITED AND ILLEGAL. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via U. S. Postal Service.

page 2 - Claude Mason, Esq.  
May 23, 1996

The Links Subdivision will have approximately 50 homes and using an average of \$250,000 per house, that would be \$12,500,000 added to the tax digest as compared to a report that was sent us by the Atlanta Regional Commission that reflect if this dump was approved that it would generate an additional \$660 per year in taxes.

Cordially,

THE LINKS HOMEOWNERS ASSOCIATION, INC.



G. C. Bovender  
Vice President

Attachments: 17

cc: Georgia Department of Natural Resources **CERTIFIED MAIL #P 373 367 358**  
Environmental Protection Division **RETURN RECEIPT REQUESTED**  
Solid Waste Permitting Program  
4244 International Parkway, Suite 104  
Atlanta, Georgia, 30354  
Attention: Mr. Brian K. Wright  
Environmental Engineer  
Commercial/Industrial Solid Waste Program

cc: Gwinnett County Department of  
Planning and Zoning  
75 Langley Drive  
Lawrenceville, Ga., 30245  
Attention: Mr. David Gill, Manager  
Current Planning  
Faxed to: 770-822-7513 with original by **CERTIFIED MAIL #P 373 367 359**  
**RETURN RECEIPT REQUESTED**

cc: Atlanta Regional Commission  
200 Northcreek, Suite 300  
3715 Northside Parkway  
Atlanta, Georgia, 30327-2809  
Attention: Ms. Beverly Rhea  
Review Coordinator  
Faxed to: 404-364-2599 with original by **CERTIFIED MAIL #P 373 367 360**  
**RETURN RECEIPT REQUESTED**

cc: City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, Georgia, 30518  
Attention: Mr. Warren Nevad  
City Manager  
Faxed to: 770-945-0281 with original by **CERTIFIED MAIL #P 373 367 360**  
**RETURN RECEIPT REQUESTED**