

## MINUTES OF ZONING BOARD OF APPEALS

June 24, 1999

Members in attendance: F. Olszewski, Chair; Roger Sadoski, L. Grybko, Sr.;  
R. Calisewski, Ed Pepyne, Clerk

Mr. Olszewski asked Crop Productions representatives if they were willing to hold hearing with only 4 members, which would necessitate all four to vote in favor, or if they would prefer to postpone hearing. Representatives agreed to hold hearing as is. Hearing called to order to hear application of Crop Productions to grant variance from Deerfield By-Laws, Section 2320; setback of side yard less than 25 feet and building height above 35 inches.

Bill Volk, engineer, representing Crop Prod. introduced Tom Carter, Plant Manager, and George Dole, contractor. Volk presented pictures of building to members. Crop Prod. is a company that supplies local farmers with needed fertilizers, etc. He also presented plot plan indicated three aspects of improvements to present building. They are: the bulk fertilizer operation, warehouse storage of supplies, and tank area. Present building encroaches 11 inches onto B&M Railway property. Crop Prod. wishes to totally rebuild facility except the tank area. They want to complete this project in two phases. First phase, to demolish and replace warehouse this Fall and in the year 2000 replace entire bulk operation area. Some of Crop Productions products come by railway and new building must be within certain distance to unload products. Plans have been submitted to B&M Railroad and letter from them indicates no opposition to new building. The second phase will be to replace bulk fertilizer building. The foundation will be placed 4 feet out (21' 6" setback) as construction of present foundation is unknown. The reason for height of 38 feet 11 inches is conveyor height must be high enough so all cones of fertilizers will be able to fit in the building. Mr. Asmann, Building Commissioner, indicated that height as defined in the building code, is measured to mid-rafter not the peak. Calisewski questioned if there were any flammable chemicals in storage. Volk answered no. He also questioned if Crop Prod. had MSDS sheets on file of chemicals. He requested a copy be sent to Mr. Asmann. Mr. Asmann asked if any of the chemicals were combustible. The applicant responded that if someone were to add gasoline to the chemicals, then there could be something much more powerful than Oklahoma City but it required a flammable material to be added.

Sadoski made motion to grant Variance from Section 2320 of Deerfield By-Laws for side setback less than 25' and height above 35' for plans as submitted with condition 1. copies of MSDS sheets are sent to Mr. Asmann, Building Commissioner. Grybko seconded the motion. Vote of 4-0 was unanimous.

Business meeting: In regards to minutes of June 17, 1999, Grybko requested they not be accepted as written as they did not reflect discussion of Yankee Candle's variance for paving of parking lot. Minutes were not approved.

Grybko stated he recalled that YCI was given a variance subject to second engineered survey to be approved by the ZBA. Olszewski recalled some discussion of obtaining a surveyor agreed upon by both the Board and YCI. Mr. Sadoski did not recall this. Asmann stated that he believed Yankee Candle to be currently in compliance with respect to this Variance. It was decided that Mr. Asmann would research minutes and variance and send copies to Grybko.

Motion made and seconded to adjourn meeting.

Respectfully submitted by,

Julie Gray, Secretary