



Subdivision

Property address or Location Selvitz Road

Parcel ID #(s) 2432-123-0001-000-8

Project description Rezoning to PD for a recycling facility

D.S.E. Holdings, Inc./Douglas S. Eakins, President

Property Owner(s)

1483 Kinetic Road

Street Address

West Palm Beach FL 33403

City

561-575-9557

Phone Number

emily@2gho.com

Email Address

Emily O'Mahoney/2GHO.com

Applicant/Representative, Title, Company

1907 Commerce Lane Suite 101

Street Address

Jupiter FL 33458

City

561-575-9557

Phone Number

emily@2gho.com

Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.

[Handwritten Signature]

Property Owner(s) Signature(s)

STATE OF FLORIDA --

COUNTY PALM BEACH

The foregoing instrument was acknowledged before me this 26 day of April, 2019, by

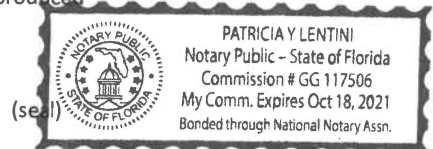
Douglas S. Eakins

who is personally known to me or has produced

as identification.

[Handwritten Signature]

Signature of Notary



INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date November 14, 2018

Fees _____ Control # _____ B. Permit # _____

Intake Planner _____

Planner Assigned _____

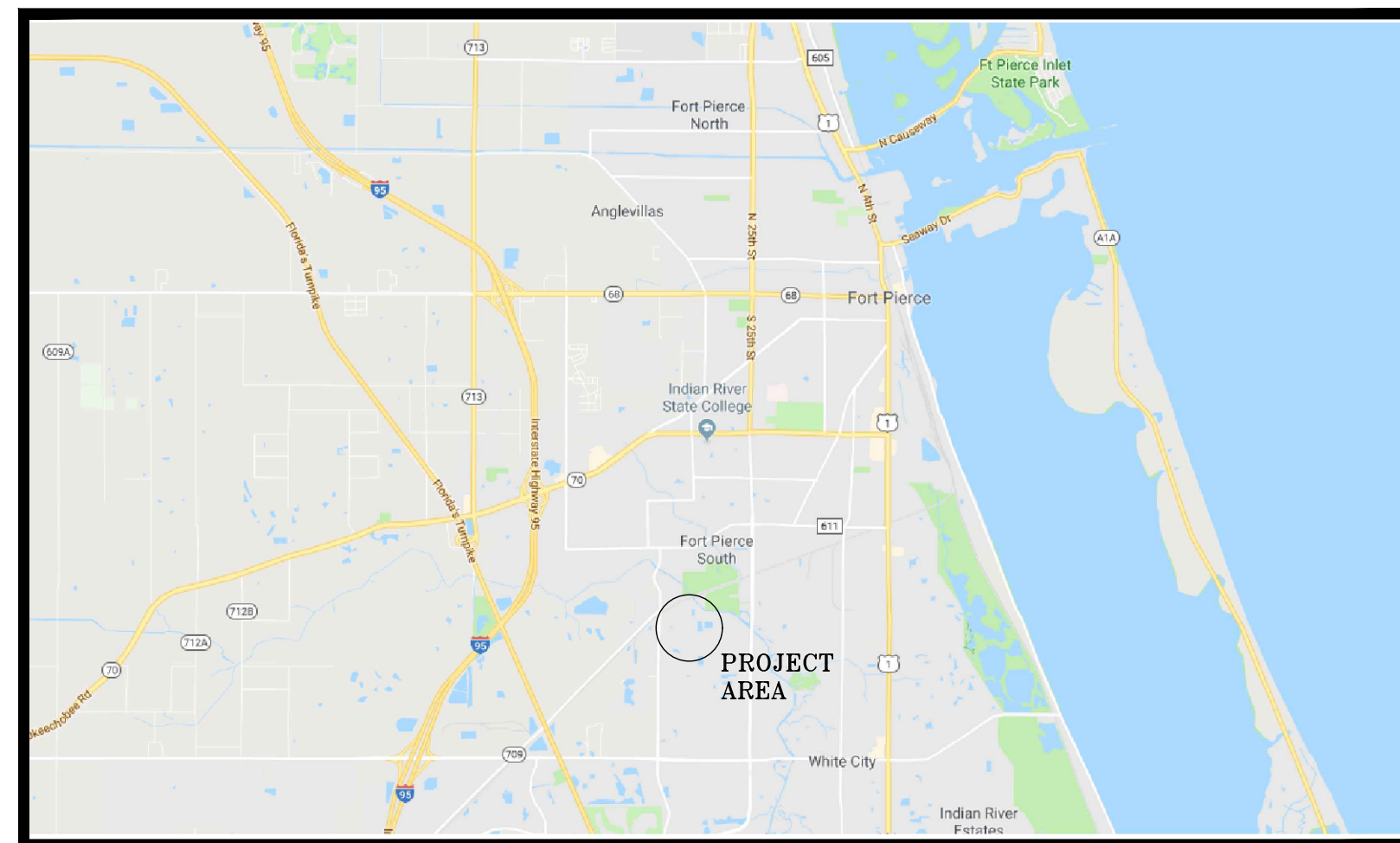
Approved By _____ Date _____

Comments _____



Intake Date Stamp

VICINITY MAP



D.S.E. HOLDINGS

A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 40 EAST CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

THE UNDERSIGNED, _____, AN ATTORNEY LICENSED TO PRACTICE IN FLORIDA, DOES HEREBY OPINE THAT, AS OF _____, 2019, AT _____:

1) APPARENT RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT OF D.S.E. HOLDINGS IS IN THE NAME OF THE ENTITIES AND/OR PERSONS EXECUTING THE DEDICATION HEREON.

2) ALL RECORDED MORTGAGES, NOT SATISFIED OR RELEASED OF RECORD, ENCUMBERING THE LAND DESCRIBED HEREIN ARE LISTED AS FOLLOWS:

(NONE)

PURSUANT TO FLORIDA STATUTE 197.192, ALL TAXES HAVE BEEN PAID THROUGH THE YEAR 2018.

DATED: THIS _____ DAY OF _____, 2019.

(ATTORNEY NAME)

BY: _____
FIRM NAME
FIRM ADDRESS
CITY, STATE

CITY COMMISSION CERTIFICATE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PURSUANT TO THE PROVISIONS OF THE FORT PIERCE COMMISSION THIS PLAT WAS GIVEN PRELIMINARY APPROVAL BY THE CITY COMMISSION AT A MEETING HELD ON THIS _____ DAY OF _____, 2019.

THIS _____ DAY OF _____, 2019

FORT PIERCE CITY COMMISSION

BY: _____
LINDA COX, CITY CLERK

CLERK'S RECORDING CERTIFICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I, JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF D.S.E. HOLDINGS, AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE LAWS OF FLORIDA. THIS PLAT HAS BEEN FILED FOR RECORD THIS _____ DAY OF _____, 2019 IN PLAT BOOK _____ PAGE(S) _____, IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA.

JOSEPH E. SMITH, CLERK OF CIRCUIT COURT

CLERK OF THE CIRCUIT COURT
ST. LUCIE COUNTY, FLORIDA

SURVEYOR'S NOTES

1. THE SOUTH LINE OF THE SUBJECT PROPERTY IS ASSUMED TO BEAR N89°56'27"W; ALL OTHER BEARINGS SHOWN ARE RELATIVE THERETO.
2. NO BUILDINGS OR ANY KIND OF OBSTRUCTION SHALL BE PLACED ON UTILITY OR DRAINAGE EASEMENTS.
3. LOT CORNERS AND PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AT POINT OF INTERSECTIONS AND/OR CHANGE IN DIRECTION AS REQUIRED BY CHAPTER 177.
4. COORDINATES SHOWN HEREON ARE PROVIDED AS FLORIDA STATE PLANE COORDINATES, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 EPOCH (NAD83.2011), U.S. SURVEY FEET.
5. THIS PLAT CONTAINS ONE (1) LOT WITH AN AREA OF 52.0 ACRES (2,264,730.46 SQUARE FEET).
6. ABBREVIATIONS AND SYMBOLS USED AS FOLLOWS:

- (P) PLAT DATA
- CM CONCRETE MONUMENT
- IRC IRON ROD & CAP
- LB LICENSED BUSINESS
- N/D NAIL AND DISK
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG PAGE
- PLS PROFESSIONAL LAND SURVEYOR
- PRM PERMANENT REFERENCE MONUMENT
- 4"x4" CONCRETE MONUMENT WITH N/D "LB 8158"

CERTIFICATION OF SURVEYOR & MAPPER

I, P. CHAD MAXWELL, HEREBY CERTIFY THAT THE PLAT OF D.S.E. HOLDINGS, AS SHOWN HEREON, IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY COMPLIES WITH CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) AND MONUMENTS ACCORDING TO SECTION 177.091, FLORIDA STATUTES, WILL BE PLACED AS REQUIRED BY LAW; AND THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES, AS AMENDED, AND WITH THE ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA.

P. CHAD MAXWELL, FLORIDA REGISTRATION #7070
PROFESSIONAL SURVEYOR AND MAPPER

SIGNATURE DATE

CERTIFICATION OF CITY SURVEYOR

STATE OF FLORIDA
COUNTY OF ST. LUCIE

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED SURVEYOR AND MAPPER DULY LICENSED IN THE STATE OF FLORIDA HAS REVIEWED THIS PLAT FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES

DAVID R. GAY, FLORIDA REGISTRATION #5973
CITY OF VERO BEACH SURVEYOR AND MAPPER

SIGNATURE DATE

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CERTIFICATE OF DEDICATION AND DESCRIPTION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

KNOW ALL MEN BY THESE PRESENTS: THAT D.S.E. HOLDINGS, INC., A FLORIDA CORPORATION, FEE SIMPLE OWNER OF THE LANDS HEREON, DESCRIBED AND PLATTED HEREIN, AS D.S.E. HOLDINGS, BEING IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA, HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DOES HEREBY DEDICATE A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 32; THENCE NORTH 85°18'27" EAST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 690.53 FEET; THENCE SOUTH 00°34'35" WEST, A DISTANCE OF 683.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°34'35" WEST, A DISTANCE OF 85.76 FEET; THENCE NORTH 87°33'45" EAST A DISTANCE OF 685.15 FEET; THENCE SOUTH 01°13'27" WEST, A DISTANCE OF 745.23 FEET; THENCE NORTH 89°54'55" WEST, A DISTANCE OF 2869.29 FEET; THENCE NORTH 00°56'43" EAST, A DISTANCE OF 289.36 FEET; THENCE NORTH 00°49'02" EAST, A DISTANCE OF 436.28 FEET; THENCE NORTH 00°47'37" EAST, A DISTANCE OF 110.02 FEET; THENCE NORTH 89°49'02" EAST, A DISTANCE OF 562.46 FEET; THENCE SOUTH 00°10'58" EAST, A DISTANCE OF 45.12 FEET; THENCE NORTH 89°49'02" EAST, A DISTANCE OF 1626.43 FEET TO THE POINT OF BEGINNING.

IN WITNESS WHERE OF D.S.E. HOLDINGS, INC., A FLORIDA CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ OF D.S.E. HOLDINGS, INC., A FLORIDA CORPORATION, AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2019.

D.S.E. HOLDINGS, INC.

BY: _____

WITNESS

(PRINTED NAME)

ACKNOWLEDGEMENT AS TO CERTIFICATION OF DEDICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

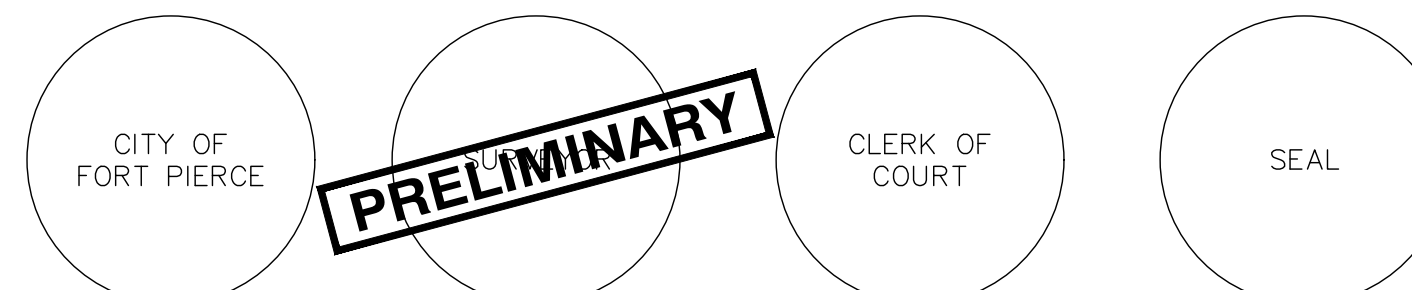
THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019 BY BY _____ OF D.S.E. HOLDINGS, INC., A FLORIDA CORPORATION, () WHO IS PERSONALLY KNOWN TO ME OR () WHO PRODUCED

_____ AS IDENTIFICATION.

NOTARY SIGNATURE

PRINT NOTARY NAME

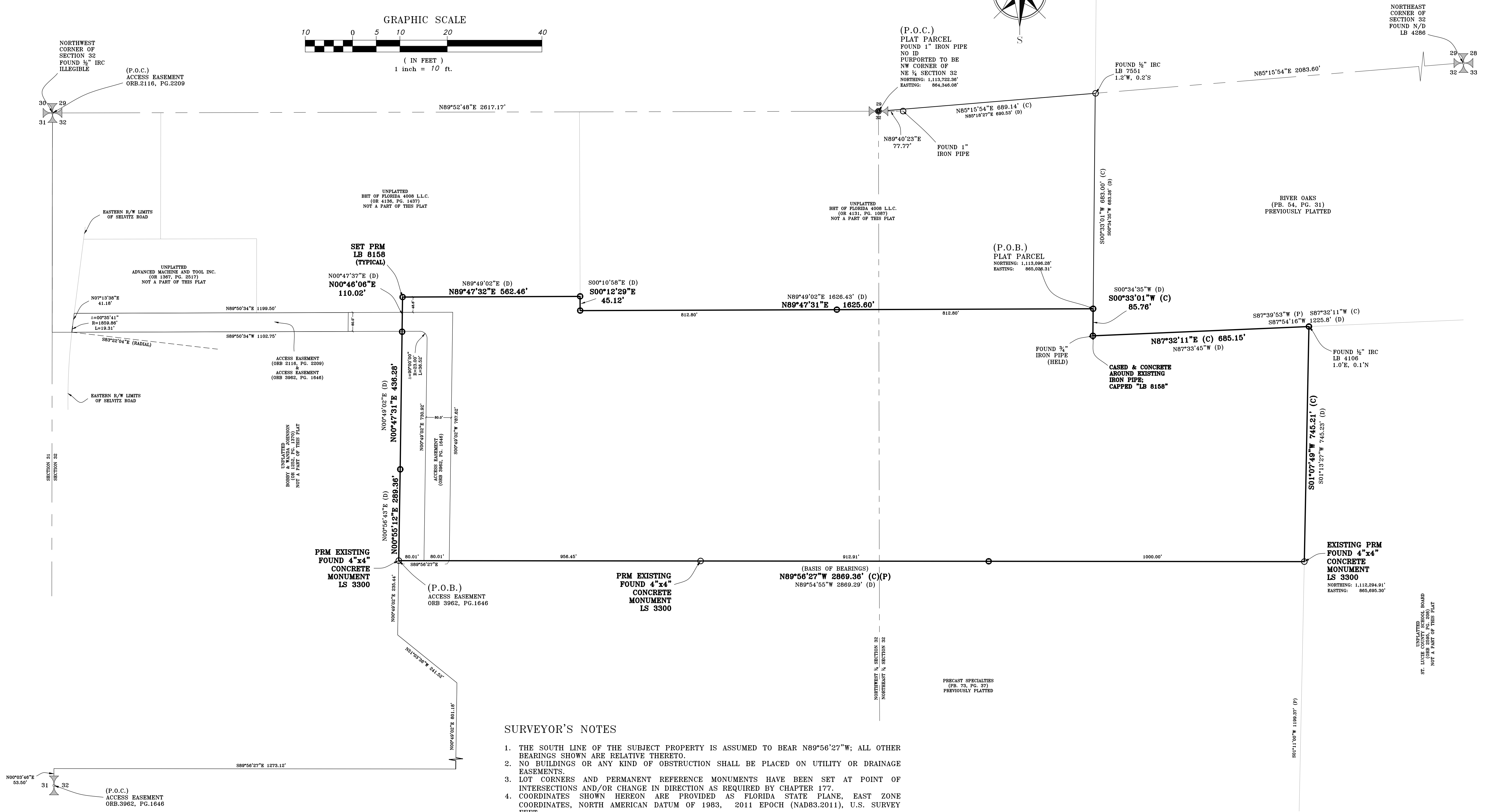
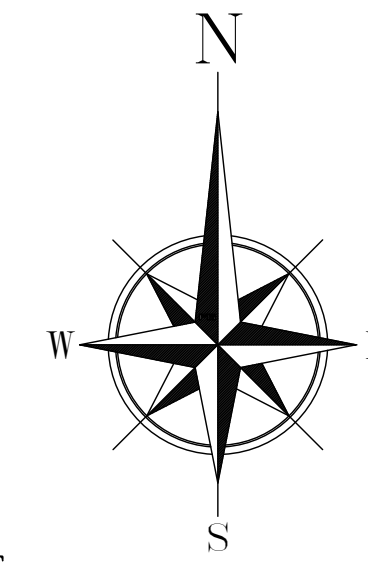
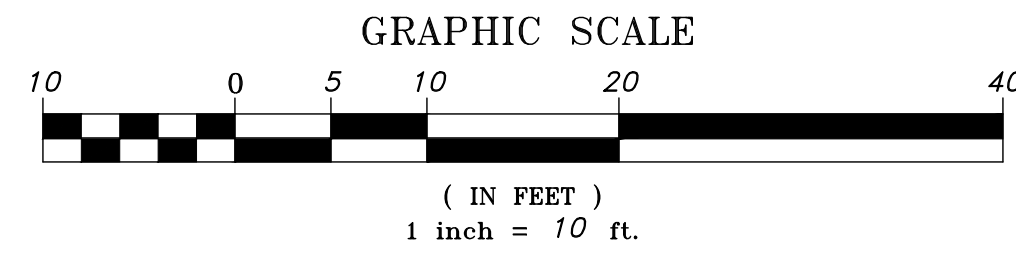
NOTARY PUBLIC
STATE OF _____ AT LARGE
MY COMMISSION EXPIRES:



D.S.E. HOLDINGS

A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 40 EAST CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

PLAT BOOK: _____ PAGE: _____
DOCKET No: _____



SURVEYOR'S NOTES

1. THE SOUTH LINE OF THE SUBJECT PROPERTY IS ASSUMED TO BEAR N89°56'27\"/>

(P) PLAT DATA
CM CONCRETE MONUMENT
IRC IRON ROD & CAP
LB LICENSED BUSINESS
N/D NAIL AND DISK
ORB OFFICIAL RECORDS BOOK
PB PLAT BOOK
PG PAGE
PLS PROFESSIONAL LAND SURVEYOR
PRM PERMANENT REFERENCE MONUMENT

○ 4"x4" CONCRETE MONUMENT WITH N/D "LB 8158"

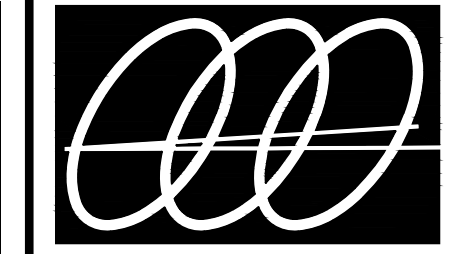
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THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

MGI MAXWELL GEOSPATIAL, INC.
565 39th Court SW, Vero Beach, FL 32968
web: maxwellgeospatial.com, email: chad@maxwellgeospatial.com
Certificate of Authorization #LB158 P: (772) 925-1060, M: (337) 356-2643

UNPLATTED
ST. LUCIE COUNTY BOARD
(ORB 3962, PG. 1646)
NOT A PART OF THIS PLAT



Gentile Glas Holloway O'Mahoney & Associates, Inc.
 Landscape Architects
 Planners
 Environmental Consultants

1907 Commerce Lane
 Suite 101
 Jupiter, Florida 33458
 561-575-9557
 561-575-5260 FAX
 www.2GHO.com

Planned Development Site Plan
Ft. Pierce Industrial Aggregate Recycling Facility
 D.S. Eakins Construction Corp., Ft. Pierce, Florida

Designed: EOM
 Drawn: EOM/DLR
 Approved: GGG/EOM/MTH
 Date: 11/30/18
 Job no: 17-1207
 Revisions: 4/30/19
 5/31/19
 8/26/19

8ea1

LC 0000111

Sheet Title:
Planned Development Site Plan

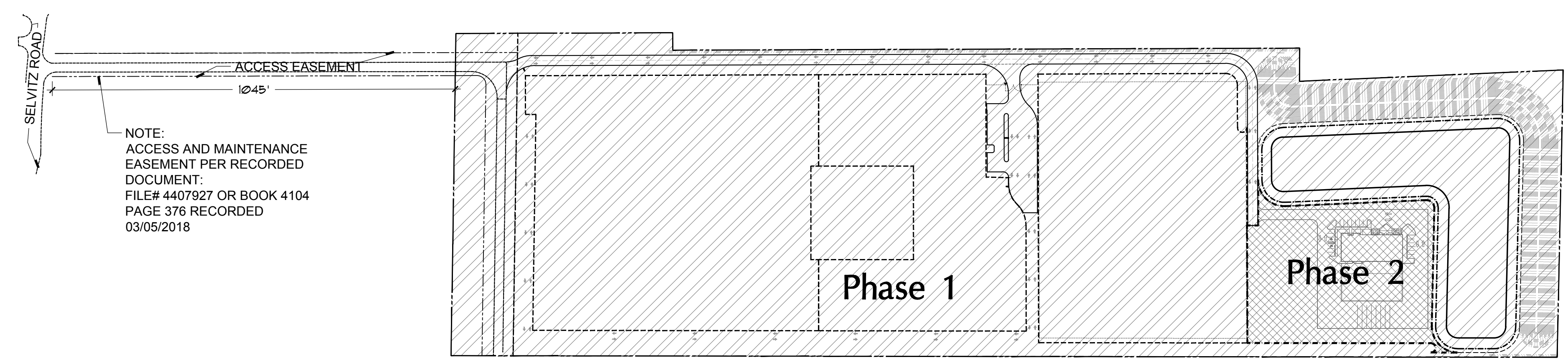
Scale: 1"=100'

Sheet No.

PDSP-1

17-1207

Ft. Pierce Industrial Aggregate Recycling Facility			
Site Data		8/26/2019	
Description			
Gross Site Area	52.00 Acres		
Road Easement	1.56 Acres		
Net Site Area	50.44 Acres		
Application Name	Ft. Pierce Industrial Aggregate Recycling Facility Planned Dev.		
Property Control Number	2432-123-0001-00078		
Existing Land Use Designation:	Industrial		
Existing Zoning District:	St. Lucie County - IH - Heavy Industrial District		
Proposed Zoning District:	City of Fort Pierce - PD Planned Development District		
Existing Use:	Vacant		
Proposed Uses:	Recycling Center, Warehouse, Office		
		Phase 1	Phase 2
Office:	1,800 s.f.	3,589 s.f.	
Warehouse:	- s.f.	11,902 s.f.	
Gatehouse:	1,800 s.f.	- s.f.	
Property Development Regulations			
Floor Area Ratio	PDD Required 1.5 Max.	Phase 1 0.0008	Phase 2 0.0068
Building Height	50' Max.	1 Floor	2 Floor
Building Setbacks			
Front (West) Access Easement	15' Max.	1,223'	2,146'
Rear (East & Northeast)	25' Max.	729'	403'
Side (North)	10' Max.	111'	400'
Side (South)	10' Max.	523'	144'
Recycling Facility Setbacks			
West Access Easement	15' Max.	21'	-
North	15' Max.	21'	-
South	10' Max.	48'	-
East & North East	500' Max.	678'	-
Pervious Area	5% Min.	-	-
Parking Requirements			
Recycling Facility	PDD Required -	Phase 1 2 Spaces	Phase 2 - Spaces
Office	1 Space Per 200 s.f.	6 Spaces	12 Spaces
Gatehouse	-	1 Spaces	2 Spaces
Warehouse	1 Space Per 600 s.f.	- Spaces	20 Spaces
	Total Provided	9 Spaces	32 Spaces
Handicap Spaces			
Recycling Facility	Per Code	1 Space	2 Spaces
Office	-	-	-
Warehouse	-	-	-
Under 5,000 s.f.	0 Space	-	Space
Each Additional 30,000 s.f.	1 Space	-	Space

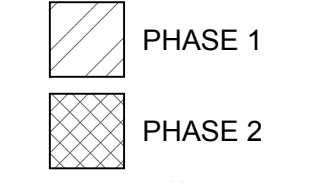


NOTE:
 ACCESS AND MAINTENANCE
 EASEMENT PER RECORDED
 DOCUMENT:
 FILE# 4407927 OR BOOK 4104
 PAGE 376 RECORDED
 03/05/2018

Phase 1

Phase 2

Phasing Legend



Planned Development Phasing

Scale: 1"=200'

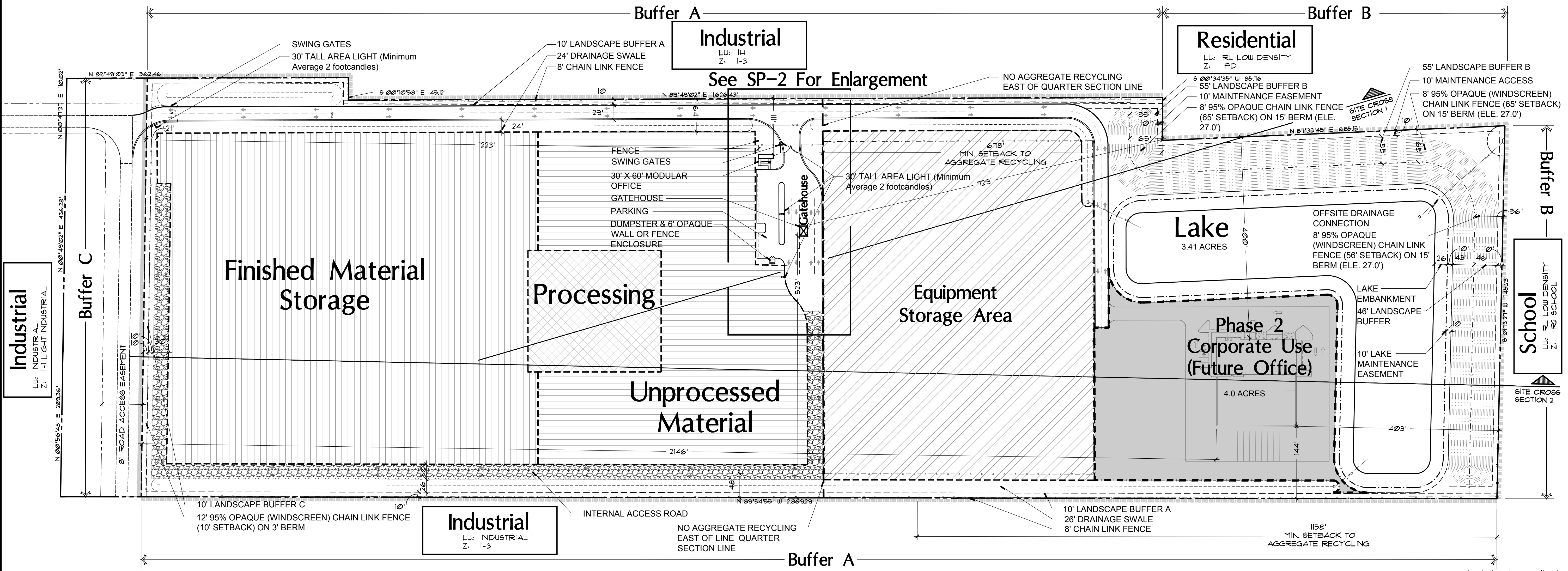


Fencing Windscreen
 N.T.S.

Legend

LANDSCAPE BUFFERS (SEE LP SERIES OF PLANS FOR DETAILS)

- BUFFER A -
- BUFFER B -
- BUFFER C -



Industrial
 LU: INDUSTRIAL
 Z: I-LIGHT INDUSTRIAL

Industrial
 LU: IH
 Z: I-3

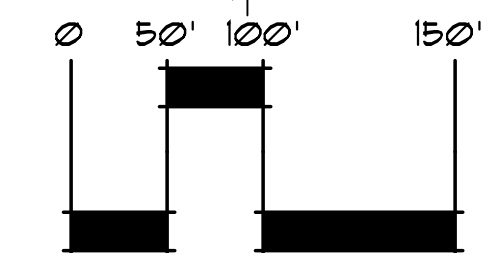
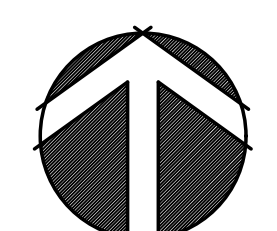
Residential
 LU: RL LOW DENSITY
 Z: FD

School
 LU: RL LOW DENSITY
 Z: R2 SCHOOL

Industrial
 LU: INDUSTRIAL
 Z: I-3

Planned Development Site Plan

Scale: 1"=100'



FILE: N\FT. PIERCE INDUSTRIAL - EAKIN - 17-1207\ORA\WINGS\CURRENT\17-1207 DESIGN BASED\WG
 PLOTTED: 8/26/19 AT 3:56PM BY: DTLAN
 XREFS: ECSI\506 TASK 418 REV CLIENT_COPY.DWG 1808-BASED\WG

Prepared By and Return To:
Steven K. Platzek, Esq.
Graner Platzek & Allison, P.A.
720 East Palmetto Park Road
Boca Raton, Florida 33432

ACCESS AND MAINTENANCE AGREEMENT

This Access and Maintenance Agreement ("Agreement") entered into on this 2nd day of March, 2018, by and between BHT of Florida 4008, LLC, a Florida limited liability company (hereinafter "BHT"), with an address of 5081 SW 48th Street, Suite 103, Davie, FL 33314 and D.S.E. Holdings, Inc., a Florida corporation (hereinafter "Eakins"), with an address of 1481 Kinetic Road, West Palm Beach, FL 33403.

RECITALS

- A. BHT owns a parcel of real property identified and set forth on Exhibit "A" ("Parcel A").
- B. On this date, Eakins acquired from BHT a certain parcel of real property identified and set forth on Exhibit "B" ("Parcel B").
- C. Parcel B is located adjacent to Parcel A.
- D. A private road (hereinafter the "Roadway") was constructed on portions of Parcel A which is identified and set forth on Exhibit "C" ("Easement Parcel").
- E. Part or all of the Easement Parcel is subject to those easements granted in the Easement Agreement dated October 25, 2004, and recorded December 15, 2004, in Official Record Book 2116, Page 2209, Public Records of Saint Lucie County, Florida; and the Access and Easement Agreement dated January 27, 2017, and recorded February 10, 2017, in Official Record Book 3962, Page 1646, Public Records of Saint Lucie County, Florida (collectively the "Existing Easements").
- F. As part of the sale of Parcel B to Eakins, BHT agreed to provide for access and maintenance to Eakins over the Easement Parcel.

NOW, THEREFORE, in consideration of the mutual promises, terms, and conditions herein, and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, BHT and Eakins agree as follows:

1. **RECITALS**. The above recitals are hereby ratified, adopted and incorporated herein.

2. **DECLARATION OF EASEMENTS.** BHT hereby grants to Eakins, his successors and assigns or its officers, directors, members, guests, employees, agents, contractors, subcontractors, vendors, customers and invitees, a perpetual but non-exclusive easement for pedestrian and vehicular traffic and the installation of utilities over and across the Easement Parcel to and from Parcel B.

3. **MAINTENANCE/REPAIR.** BHT shall have a perpetual obligation to maintain and repair the Easement Parcel. Notwithstanding the foregoing, BHT and Eakins agree that the cost and expense of any maintenance and repair of any portion of the Easement Area shall be shared proportionately by BHT and Eakins based on acreage. Should a party fail or refuse to perform any needed material maintenance or repairs within fifteen (15) days after the other party delivers written notice of the need for such maintenance or repairs, or if such maintenance or repairs are of a nature that they cannot be completed within such fifteen (15) day period and thereafter pursue such maintenance or repairs to completion, then Eakins have the right, but not the obligation, to perform such maintenance and repairs and it shall be entitled to recover the costs of such maintenance and repairs from the other party, together with interest thereon from the date advanced until paid in full at the rate of eighteen percent (18.00%) per annum.

Notwithstanding the foregoing, nothing herein shall affect or diminish the repair, maintenance and other obligations of the grantees and the grantees' successors and assigns under any existing easements, including, but not limited to the Easement Agreement dated October 25, 2004, and recorded December 15, 2004, in Official Record Book 2116, Page 2209, Public Records of Saint Lucie County, Florida; and the Access and Easement Agreement dated January 27, 2017, and recorded February 10, 2017, in Official Record Book 3962, Page 1646, Public Records of Saint Lucie County, Florida.

4. **NON-EXCLUSIVE GRANT.** Notwithstanding the grant of easement contained herein, such easement shall be non-exclusive and BHT retains all rights to utilize the Easement Parcel and grant additional easements as long as such use and easements do not impede, prohibit, deter, or any in way interfere with Eakins' use of the easement herein. If BHT grants additional parties similar ingress/egress rights over the Easement Parcel, the parties agree that such future grantees shall be legally bound to share in the maintenance and repair of access improvements such that all parties shall equally share in the costs thereof.

5. **AGREEMENT RUNS WITH THE LAND.** All terms and conditions of this Easement Agreement and all rights and burdens hereby created shall run with the lands to which they refer, and all rights granted hereunder shall be appurtenant to the interests of the parties hereto and the lands benefitted thereby. This Easement Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs and personal representatives.

6. **ACCESS AVAILABILITY.** Neither BHT or Eakins nor any subsequent owner of any portion of the Easement Parcel granted herein shall construct, maintain or permit any

improvement or condition on any portion of the Easement Parcel which would impede pedestrian or vehicular traffic over, across or upon the easement granted herein.

7. **ATTORNEY'S FEES.** In connection with any litigation, including appellate proceedings, arising out of this Easement Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs from the non-prevailing party.

8. **RECORDATION OF AGREEMENT.** This Easement Agreement shall be recorded in the Public Records of St. Lucie County, Florida.

signatures appear on the following pages

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first written above.

Kristin Albrecht
Printed Name: Kristin Albrecht

Steven Platzer
Printed Name: Steven Platzer

BHT OF FLORIDA 4008 LLC,
a Florida limited liability company,

By: BHT Manager, LLC,
a Florida limited liability company,
Its Manager

Ariel Edry
Name: Ariel Edry
Title: Manager

STATE OF FLORIDA)
COUNTY OF PAUM BEACH) ss

THE FOREGOING INSTRUMENT was acknowledged before me this 20th day of February, 2018, by Ariel Edry, as Manager of BHT Manager, LLC, the Manager of **BHT OF FLORIDA 4008 LLC**, who is personally known to me or who has produced FL D/L as identification and who did take an oath.



Kristin Albrecht
NOTARY PUBLIC, State of Florida

(Seal)

WITNESSES:

[Signature]
Elle [unclear]
[Signature]
Christopher Kammerer

D.S.E. Holdings, Inc., a Florida corporation

[Signature]
By: D. Steven Eakins, Jr.

STATE OF FLORIDA)

COUNTY OF Palm Beach) ss

THE FOREGOING INSTRUMENT was acknowledged before me this 1st day of March, 2018, by D. Steven Eakins, Jr. who is personally known to me or who has produced _____ as identification and who did take an oath.

[Signature]
NOTARY PUBLIC, State of Florida
Commission # PC 130225
Expires June 10, 2018
Bonded This Day For the Sum of \$35,000

(Seal)

EXHIBIT "A" - PARCEL A

The land referred to herein below is situated in the County of St. Lucie, State of Florida, and is described as follows:

Being a parcel of land lying in Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, said parcel being more particularly described as follows:

Commence at the Northwest corner of said Section 32; thence North 89 degrees 50'34" East along the North line of said Section 32, a distance of 343.65 feet to the Point of Beginning; thence continue North 89 degrees 50'34" East along said North line, a distance of 604.07 feet; thence South 00 degrees 47'49" West, a distance of 460.07 feet; thence North 89 degrees 52'58" East, a distance of 170.02 feet; thence South 00 degrees 47'37" West, a distance of 234.76 feet; thence South 89 degrees 50'34" West, parallel with, as measured at right angles to the North line of said Section 32, a distance of 1045.29 feet to the Easterly right-of-way line of Selvitz Road, said point being the beginning of a non-tangent curve, concave to the East having a radius of 1859.86 feet, the chord of which bears North 07 degrees 18'48" East; thence Northerly along the arc of said curve through a central angle of 00 degrees 35' 09", a distance of 19.02 feet; thence North 07 degrees 36'23" East, a distance of 41.51 feet; thence departing said Easterly right-of-way line North 89 degrees 50'34" East, parallel with, as measured at right angles to the North line of said Section 32, a distance of 576.52 feet; thence North 00 degrees 03'48" East, a distance of 235.93 feet; thence South 89 degrees 50'34" West, parallel with, as measured at right angles to the North line of said Section 32, a distance of 304.33 feet; thence North 00 degrees 04'06" East, a distance of 398.93 feet to the Point of Beginning.

AND

Being a parcel of land lying in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

Beginning at the Northwest corner of the Northeast 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, recorded in Chancery No. 680-E, dated April 25, 1938; thence run South 89°36'15" East (assumed datum), a distance of 77.86 feet to the South 1/4 corner of Section 29, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run North 00°54'36" East, along the North-South 1/4 Section line, a distance of 527.49 feet, more or less, to the South shore of Ten Mile Creek; thence run Southeasterly, meandering the said South shore, to a point on the West line of a tract to Adams Ranch, Inc., as in Official Records Book 328, at Page 1222, of the public records of St. Lucie County, Florida; thence run South 01°09'02" West, a distance of 1185.88 feet, more or less, to a concrete monument; thence run North 88°07'52" East, a distance of 682.40 feet, to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 32, by said Chancery No. 680-E; thence run South 01°49'35" West, a distance of 594.97 feet, to an iron pipe in concrete at the Southeast corner of the said Northwest

1/4 of the Northeast 1/4 by said Chancery No. 680-E; thence run South 88°03'45" West, along the South line of said Northwest 1/4 of the Northeast 1/4 by said Chancery No. 680-E, a distance of 1350.98 feet, to the Southwest corner of the said Northwest 1/4 of the Northeast 1/4, by said Chancery 680-E; thence run North 00°25'20" East, along the West line of said Northwest 1/4 of the Northeast 1/4, by said Chancery No. 680-E, a distance of 1332.57 feet, to the POINT OF BEGINNING; all lying and being in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

AND

The Northeast 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, lying and being in St. Lucie County, Florida.

AND

The East 230.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, and the West 170.00 feet of the East 400.00 feet of the North 460.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

EXHIBIT "B" - PARCEL B

The land referred to herein below is situated in the County of St. Lucie, State of Florida, and is described as follows:

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE NW 1/4 OF THE NE 1/4 AND A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 32, TOWNSHIP 35 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE NE 1/4 OF SAID SECTION 32;

THENCE NORTH 85°18'27" EAST, ALONG THE NORTH LINE OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 32, A DISTANCE OF 690.53 FEET;

THENCE SOUTH 00°34'35" WEST, A DISTANCE OF 683.26 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00°34'35" WEST, A DISTANCE OF 85.76 FEET;

THENCE NORTH 87°33'45" EAST, A DISTANCE OF 685.15 FEET;

THENCE SOUTH 01°13'27" WEST, A DISTANCE OF 745.23 FEET;

THENCE NORTH 89°54'55" WEST, A DISTANCE OF 2,869.29 FEET;

THENCE NORTH 00°56'43" EAST, A DISTANCE OF 289.36 FEET;

THENCE NORTH 00°49'02" EAST, A DISTANCE OF 436.28 FEET;

THENCE NORTH 00°47'37" EAST, A DISTANCE OF 110.02 FEET;

THENCE NORTH 89°49'03" EAST, A DISTANCE OF 562.46 FEET;

THENCE SOUTH 00°10'58" EAST, A DISTANCE OF 45.12 FEET;

THENCE NORTH 89°49'02" EAST, A DISTANCE OF 1,626.43 FEET TO THE POINT OF BEGINNING

Said lands situate, lying and being in St. Lucie County, Florida.

TOGETHER WITH an access easement as set forth in Access Easement from BHT of Florida 4008, LLC, a Florida limited liability company, to D.S.E. Holdings, Inc., a Florida corporation, recorded in Official Records Book _____, Page _____, of the public records of St. Lucie County, Florida.

EXHIBIT "C" - EASEMENT PARCEL

A parcel of land lying in Section 32, Township 35 South, Range 40 East, City of Fort Pierce, St. Lucie, County, Florida, described as follows:

COMMENCE at the Southwest corner of the Northwest 1/4 of said Section 32; thence N00°03'46"E, along the West line of said NW 1/4, a distance of 53.50 feet; thence S89°56'27"E, departing said West line, a distance of 50.00 feet to the East right-of-way line of Selvitz Road and the North right-of-way line of North St. Lucie River Water Control District (NSLRWCD) Canal No. 101; thence continue S89°56'27"E, along said North right-of-way line of NSLRWCD Canal No. 101, a distance of 1223.12 feet to the West line of the Official Records Book 1814, Page 1541, of the Public Records of St. Lucie County, Florida; thence N00°49'02"E, departing said North right-of-way line of NSLRWCD Canal No. 101 and running along the West line of the said Official Records Book 1814, Page 1541, a distance of 801.18 feet; thence N51°03'36"W, 241.52 feet; thence N00°49'02"E, 235.44 feet; thence S89°56'27"E, along the North line of the said Official Records Book 1814, Page 1541, a distance of 80.01 feet to the POINT OF BEGINNING (the preceding four courses and distances being along the Northerly and Westerly limits of the proposed PRECAST SPECIALTIES Plat); thence N00°49'02"E, departing the North line of the said Official Records Book 1814, Page 1541 and being 80.00 feet East of and parallel to the East line of the Official Records Book 1252, Page 1370, of the Public Records of St. Lucie County, Florida, a distance of 703.92 feet, to the beginning of a curve concave to the Southwest having a radius of 23.00 feet; thence Northwesterly 36.52 feet along said curve through a central angle of 90°58'28"; thence S89°50'34"W, being along the North line of the said Official Records Book 1252, Page 1370, a distance of 1102.75 feet to the East right-of-way line of Selvitz Road and to the beginning of a curve concave to the Southeast having a radius of 1,859.86 feet; thence Northeasterly 19.31 feet along said curve through a central angle of 00°35'41" and having a radial bearing of S83°22'04"E; thence N07°13'38"E, continuing along the East right-of-way line of Selvitz Road, a distance of 41.18 feet; thence N89°50'34"E, leaving the East right-of-way line of Selvitz Road and being 60.00 feet North of and parallel to the North line of the said Official Records Book 1252, Page 1370, a distance of 1199.50 feet; thence S00°49'02"W, being 160.00 feet East of and parallel to the East line of the said Official Records Book 1252, Page 1370, a distance of 787.62 feet to the North line of the said Official Records Book 1814, Page 1541; thence N89°56'27"W, along the North line of the said Official Records Book 1814, Page 1541, a distance of 80.01 feet to the POINT OF BEGINNING (the preceding course and distance being along the Northerly limits of the proposed PRECAST SPECIALTIES Plat).



**Fort Pierce Industrial Aggregate Recycling Facility
Planned Development
Justification Statement
Original Submittal: November 30, 2018
Revised as Planned Development Application: April 30, 2019**

On behalf of the owner and applicant, D.S.E. Holdings, Inc., Gentile Glas Holloway O'Mahoney & Associates, Inc. is submitting an application for Zoning Atlas Map Amendment from St. Lucie County Light Industrial Zoning to City of Fort Pierce as a Planned Development District (PDD) for the purpose of a mixed industrial/commercial use allowing a Recycling facility with a contractor's storage yard. Additional permitted uses include a two story - 15,491 square foot office/warehouse (3,589 s.f. office and 11,902 s.f. of warehouse space). The subject site is 52 acres of land and is located east of Selvitz Road in the City of Ft. Pierce Florida.

Based on Section 22-40 (c).1.e, of the Planned Development Code, when applying for a Planned Development code exceptions are allow for developments. The applicant is proposing code amendments, named PD requirements, for the proposed development as it relates to the height of fences, height of outdoor storage and landscape code for both the north and south sides which are industrial uses and the northeast and east side with residential and institutional uses, along with the west side with an access easement/paved roadway.

The purpose of applying for a Planned Development District (PDD) will allow this unique use to be provided; and

- Reduces screening and changes trees from 1 tree per 200 square feet to 1 tree per 30 linear feet as the current codes are onerous and unnecessary for like to like heavy industrial uses;
- the Planned Development (PD) requirements will go above code to screen the site and buffer sound to make a good neighbor for the residential development and school, heavily vegetating a much deeper buffer on an earth berm 7' high for a total (there are 2 times the number of trees) of 15' height of non-vegetative screen/buffer and 40' minimum mature vegetative buffer;
- The Planned Development (PD) requirements will allow increased height of outdoor storage to 30' in clean organized piles which will provide for a sound barrier to the surrounding properties.

Please see the attached letter with the requested code exceptions that are part of this application.

UPDATE: Since the initial submittal on November 30, 2018, there have been several things that have happened which has resulted in changes to the site plan as resubmitted.

1. On January 22, 2019, the Applicant held a public meeting inviting property owners within a 500' radius of the site.
 - a. Approximately 50 people attended
 - i. School Board/School staff – represented by Ft. Pierce Central Principal Todd Smith and Executive Director of Growth Management Marty Sanders plus 4 others.
 - ii. River Oaks homeowners – represented by HOA President John Cherveney

- iii. Palm Gardens (further than 500' from the site) – represented by HOA President Jay Stewart.
 - b. The general consensus of the attendees was that the pre-cast facility to the south of the subject property is a nuisance. Their feelings towards that facility colored how they looked at the proposal of the Applicant.
 - c. Concerns voiced included air quality (dust), noise and water quality.
 - d. The Applicant presented that they had had no complaints against their West Palm Beach facility, by either residents or controlling agencies.
2. Keeping stakeholder concerns in mind, the Applicant redesigned the site to place the recycling processing facility as far west as possible and reduced the footprint. There is no recycling closer than 500 feet to the adjacent Residential and Institutional Uses.
3. Based on meeting with the City, the applicant is amending the application to Zoning Atlas Map amendment to allow a Planned Development.
4. Additional use of Office and Warehouse has been added to the most eastern area, closest to the stakeholders. This places a non-conditional type uses on the site in an area that then becomes a buffer for the recycling facility.
5. The Applicant, his Engineer and Attorney met with Marty Sanders, representing the School Board on February 25, 2019. A copy of the email from Mr. Sanders is included with his notes from the site visit after reviewing the revised plan.
6. On March 12, 2019, Mr. Sanders and Rebeca Guerra, Assistant Planning Director visited the D.S.E. Holdings West Palm Beach Facility to observe the process. A copy of the email from Mr. Sanders is included with his notes from the site visit (same email referenced above).
7. The March 27, 2019 meeting with staff resulted in a redirection of the Conditional Use Application and possible variances, to a request by the Applicant to a Zoning Atlas Amendment to a Planned Development.

Site History:

The subject site was annexed into the City limits in 2004 via Ordinance K-310, which annexed a collection of properties generally located between Selvitz Road and 25th Street. The subject property, in a group of seven parcels, was annexed as it was identified as being contiguous to the municipal boundary, and corresponding FPUA annexation agreements were on file with the City. Based on conversation with the City of Fort Pierce staff, the subject site was annexed into the City of Fort Pierce and received a Future Land Use Designation of HI – Heavy Industrial Land Use, however, the zoning remained under the County designation as LI – Light Industrial Zoning. The surrounding properties listed below were approved as follows:

Fort Pierce Central High School was approved in 2008;
River Oaks at Ten Mile Creek was approved in 2007; and
Palm Lake Gardens was approved in 2004.

Currently, both the property to the north and to the south (all part of the original group) have been rezoned into the City's I3 – Industrial designation in 2017. The south property has been approved to operate as a precast concrete manufacturing facility.

Applicant & Use:

D.S.E. Holdings has a long, successful history of providing benefit to communities and to the environment. The company has been recognized and applauded as a premiere recycler for its work in reducing materials to be landfilled. Leftover or retired materials in the form of concrete and asphalt are recycled into concrete aggregate of different sizes which will be used in new concrete

applications by others. This is a private company doing a public service. Their primary facility in West Palm Beach, located at 550 Benoit Farms Road in West Palm Beach, has been in operation since 1990. During that time they have recycled 13 million tons of concrete. In Palm Beach County, they are second only to SWA. D.S.E. Holdings has other operations at 800 Railroad Avenue in Lake Park and 500 Rinker Way in Lake Worth, indicating their wealth of experience.

Recycling of leftover or retired concrete and asphalt keeps these materials out of our landfills while lessening use of raw resources which leads to a more sustainable community. Adding such a facility in Ft. Pierce REDUCES the trip length for heavy trucks to deliver rubble or pick up aggregate, therefore reducing the carbon footprint when compared to using other facilities far afield. *There is a small facility that does many things, including some concrete recycling, which is around the corner at 4880 Glades Cut-Off Road (East Coast Recycling).*

SETBACKS: The Applicant is dedicated to being a good neighbor and has such a reputation at their other facilities. It is important to **visually** block operations from the adjacent townhome owners to the north and the high school to the west by providing a generous setback for the facility, far exceeding code. With the modified Planned Development Site Plan, the operation has been pushed back west, into the site and further away from residential and institutional uses.

Table 1

Setbacks	Facility Limits	PDD Requirement
River Oaks Property Line	500 Feet	500 Feet
River Oaks Building Line	850 Feet	
High School Property Line	1200 Feet	500 Feet
High School Classrooms	2000 Feet	

By the nature of the facility, an aggregate recycling facility is an outdoor storage facility for unprocessed and processed material. This operation accepts and stores large amounts unused or retired concrete (large rubble coming off demolition of buildings and roadways) and sometimes asphalt. They then process the material into different sized aggregate by crushing. The addition of the office/warehouse and the storage yards for equipment and supplies will act as a buffer to the residential/school areas to the east and northeast.

Surrounding Zoning and Land Use:

Table 2

	North	South	East	West
Land Use	Industrial	Industrial	RL	Industrial
Zoning	I-3	I-3	PD & R2/School	IL

Site:

The site is currently vacant agriculture land as evident by the drainage ditches crossing the property. These drainage ditches will be filled as part of the proposed use. The environmental report indicates that this land was in agriculture for over 25 years. Per the report, 'The primary vegetative cover is comprised of common non-native pasture grasses, ruderal weeds, and sparse native and non-native vegetation. Field reconnaissance conducted in November 2018 indicated that there are no wetlands or native upland habitats present on the subject property.'

DRAINAGE: Please see the Drainage Statement from Jonathan T. Ricketts, Inc. Generally, the site will drain north and south to perimeter swales. These swales will drain to a retention lake on the east side of the property.

ENTRY: The entry to this site is via an easement road from Selvitz Road running east/west. It is a shared easement with the property to the south of the subject property. The access easement continues north/south across the subject property with the agreement that the property to the south would bring water and sewer through this easement which will then serve both properties.

ADJACENT LAND:

- Property to the west is developed as industrial with no landscape buffers. A canal runs within the subject property long this property line.
- The eastern portion of the north side is a townhouse development under a homeowner association called River Oaks at Three Mile Creek. There is a preserve buffer ranging from 100 to 350 feet between the subject property and improvements in the residential community. This preserve consists of large Laurel Oaks and Sabal Palms with various understory vegetation. With the re-configured site, the aggregate recycling activity is further away. See Table 1 for distances.
- The property to the east is the Ft. Pierce Central High School. Recreation fields abuts the subject property. With the re-configured site, see Table 1 for distances.
- The property to the south is a recently approved built and operational precast concrete manufacturing facility on a piece of land of similar size to the subject property. There is no landscape buffer to the north (subject property's south) as no buffer was required, at the time, adjacent to agriculture.

Function & Use:

Ft. Pierce Industrial Aggregate Recycling Facility is a recycling facility for unused and retired concrete and asphalt materials with a well-defined process and set of procedures. Part of the project, future Phase 2, will be an office warehouse building serving as the headquarters for D.S.E. Holdings, similar to their Lake Park Facility.

Bringing Waste to the Site:

1. Trucks with concrete debris arrive at the gatehouse, commonly called the ticket booth, to check in, pay, and get directed where to dump.
2. They travel on the paved road to the Unprocessed Material Area on the east side of the property and dump in pile as directed by the ticket booth.
3. Trucks then depart on the two-way roadway back towards the gatehouse and exit.

Collecting Recycled Material:

1. Trucks buying recycled material enter through the gatehouse, pay, get ticket and are directed where to go.
2. They travel along the unpaved road to the Finish Material Storage Area on the West side of the property as directed by the ticket booth and are loaded by a Wheel Loader.
3. Trucks then depart on the roadway back towards the gatehouse and exit

Process:

1. The processing occurs in the area labeled 'Processing' in the middle of the property (see Image A below).
2. Materials are taken from the Unprocessed Materials Storage Area to the Processing Area for processing.
3. Once the material is processed, it is then stacked in the Finish Material Storage Area.

Operations:

STOCK PILES | OUTDOOR STORAGE

While the code allows outdoor storage and stock piling, it is typically a condition of approval, recommended by staff, that there be no outdoor storage on industrial projects.

Sec. 22-67 (e)(5) *Commercial and industrial buffers.* Outside storage of materials for commercial and industrial uses shall be screened

We respectfully request that this condition not be placed on the PDD. The whole concept of aggregate recycling is a large-scale outdoor operation which includes outdoor stockpiling of unprocessed material delivered by large trucks and processed material to be picked up by large trucks. The entire operation is outdoors baring a small office. In addition, we are proposing an area for outdoor storage yards as a complimentary use for equipment and construction materials. The operation is organized and clean, not unsightly. As mentioned in other parts of the Statement, the recycling facility has moved further west allowing for a much greater buffer distance with some use by right in between the property line on the east / northeast and the aggregate recycling facility.

DUST CONTROL PLAN

Dust control is an everyday on-going process for recycler which is mandated through licensing by the Florida Department of Environmental Protection via the Health Department. The operators of this facility have a nearly a 30 year record of successfully operating aggregate recycling facilities without a dust problem. A watering truck will be on-site to keep all of the operating areas moistened which prevents dust from occurring. The specialized recycling equipment used to convert the larger pieces of concrete into aggregate also uses water to prevent the creation of dust on the site. All of the operators of the key equipment needed for the recycling operation are trained in monitoring keys factors that prevent dust from occurring.

Please see the DEP Operating Permit for the West Palm Beach facility attached.

HOURS OF OPERATION

The maximum working hours for the facility will be 7 AM to 7 PM Monday through Saturday, with a typical week consisting of concrete recycling and processing occurring on Monday through Thursday 7 AM to 7 PM. One day during the week, typically Friday will be used for maintenance and repairs on the equipment. On weeks where rain prevents recycling during some portion of the week, Saturdays may be used for either recycling or maintenance.

Employees:

The gatehouse/ticket booth is manned by one employee during operating hours. The office modular building will be used by a site manager and office assistant for site coordination and dispatch. The

processing equipment requires one person to run. Between 1 and 4 equipment operators will operate onsite equipment (Wheel Loaders, Track Excavators, Water Truck and Off Road Trucks).



IMAGE A

Wheel front end loader placing material into the crusher. Crushed material exits onto conveyor belts to send the material to the appropriate pile.



25 acre D.S.E Holdings facility in West Palm Beach.

The following is a list of the areas on the PDD Development Plan:

- Finished material storage area – approximately 10.74 acres
- Unprocessed materials area – approximately 8.65 acres;
- Processing area – approximately 1.48 acres;
- Equipment storage area – approximately 6.15 acres; and
- Phase 2 office/warehouse area – approximately 3.69 acres.

Landscape Buffers:

SIZE & LOCATION: The landscape buffers for this property are required to be 10' wide and run the perimeter on all sides per code. With this PDD application, the following buffers are proposed for the District:

- Buffer A (north and south) 10' wide
- Buffer B (east and northeast) 24' wide - Enhanced
- Buffer C (west) 10' wide*

*On the west side, the buffer has been placed on the east side of the road access easement.

SECURITY:

- Buffer A (north and south) 8' chain link fence on property line
- Buffer B (east and northeast) 8' chain link fence with sight obscuring wind screen on 7' high berm 24' inside the property line.
- Buffer C (west) 12' chain link fence with sight obscuring wind screen on 3' berm set 10' inside the access easement.

LANDSCAPE MATERIAL:

The landscape material is all native plant material planted in a casual, natural pattern. To avoid a monoculture in the plant material, various types of trees have been specified minimally to meet the PD requirements. The understory shrubs have been planted in a staggered meandering pattern 5-foot on-center which will allow them to reach a healthy thick plant in the 6-10' height range.

- Buffer A (north and south) 1 tree per 30 linear feet.
- Buffer B (east and northeast) 12' tall trees 1 per 30 linear feet, plus 6' tall trees at 1 per 15 linear feet, plus shrubs at 1 per 2 linear feet.
- Buffer C (west) 1 tree per 30 linear feet.

Conclusion:

On behalf of the applicant, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of the Rezoning and Conditional Use request. The Project Team at Gentile Glas Holloway O'Mahoney & Associates, Inc. are Emily O'Mahoney, Dylan Roden and Pat Lentini.

Attachments:

- Proposed Planned Development District (PDD) Code Language;
- Response Letter to December 20, 2018 TRC comments including references to PDD proposed;
- Revised Justification Statement including PDD;
- Proposed PDD Development Plan and Landscape plans including cross sections;
- Revised Drainage Statement and Engineering Plans;
- Revised Traffic Report;
- Revised Survey;
- Access and Management Agreement;
- Dust Mitigation Plan;
- Email regarding meeting and site visits with School Board and Zoning Department
- Aerials of Benoist Site (CD Only);
- Aerials of Subject Site (CD Only);
- Environmental Assessment (CD Only) originally submitted on November 30, 2018.