

**REVISED MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
February 6, 2012
7:00 p.m.**

MEMBERS PRESENT: Jerry Reynard, Chairperson; Phil Anderson; Linda Morse; Stephanie Rolley; Gary Stith; Mike Hill; and, Mike Kratochvil.

MEMBERS ABSENT: None.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; and, Chad Bunger, Planner II.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE FINAL PLAT OF ALPHA TAU OMEGA ADDITION, GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF N. MANHATTAN AVENUE AND MCCAIN LANE AT 1632 MCCAIN LANE. (APPLICANT /OWNER: DELTA THETA CHAPTER OF THE ALPHA TAU OMEGA BUILDING CORPORATION, A KANSAS NOT-FOR-PROFIT CORPORATION)

Stith moved that the Board approve the Consent Agenda. Anderson seconded the motion, which passed on a vote of 7-0.

III. WORK SESSION AGENDA

CONTINUATION OF A DISCUSSION REGARDING A RECOMMENDATION FOR CREMATORIUM

Zilkie presented information requested by the Board at its December 19, 2011, meeting including (1) that someone from the Kansas crematorium association provide information on the emission levels from a crematorium; (2) to put crematorium emissions in some context with emissions from wood burning stoves as the stoves may cause more problems compared to higher efficiency cremators; and, (3) if the Commission wants an answer sooner than later.

Zilkie indicated the organization representing the crematorium industry is the Cremation Association of North America (CANA) and referred to an attachment to the staff memo from CANA explaining its position on mercury emissions.

Zilkie presented the Board with a report from an environmental consultant for the city of Spring Hill, Tennessee, which was considering a crematorium. Part of the report put the crematorium in context with residential wood fired stoves and fireplaces, residential furnaces, and commercial/industrial boilers. The report's conclusions were that certain emissions from the residential and commercial uses were greater than those expected with a crematorium. Mercury emissions from a commercial boiler were of the same order of magnitude as a crematorium.

Zilkie said staff has provided as much information as possible in order for the Board to forward a recommendation to the City Commission.

Zilkie also described an air emission modeling example from the Spring Hill report and the complexity of the model. One of the findings included in the report was that short term health effects are possible but in the long term health impacts are not expected. Zilkie mentioned a news article in which an elected official's of Spring Hill commented that the short term health effects were a reason the crematorium was denied 8-1.

Anderson asked if the Board could forward two alternatives to the Commission and Zilkie said they could.

Reynard asked for comments.

Reynard said he thought there isn't a problem with mercury but the location by a residential area wasn't appropriate. A possible location is on Stagg Hill in the cemetery.

Anderson said he visited the Ryan Mortuary, 137 N. 8th, Salina, and the mortuary is located downtown near residential, churches and a school. He said the crematorium had been at the mortuary for many years and there have been no complaints. Anderson said the stack of the crematorium was next to a light colored roof and there was no evidence of emission deposits. He said he saw no reason why a crematorium could not be a permitted accessory use but that it should be regulated.

Kratochvil said he thought there were two choices, one the "as is" condition with some regulations or not at all based on information presented. He said the Stagg Hill location would be close to residential neighborhoods. He didn't think it was right to have the Board of Zoning Appeals consider a conditional use and locating one in an industrial area would be difficult.

Rolley asked if staff had looked at the Veterans Cemetery as a location and Zilkie said it had not been considered. She said she thought that existing crematoriums in Kansas were in place before the whole issue was understood so what exists is different than what may be. She mentioned the issue is complex and the information is such that no one really knows the impact but there may be short term negative impacts.

Morse said the Veteran's Cemetery is a possibility and a crematorium should not be in a residential area. She also thought any mercury residue should be disposed of properly.

Morse thought a crematorium could be in Riley County as well.

Hill thought the Veteran's Cemetery was a good idea and was open to other locations. He commented that the Spring Hill report indicates some comparable activities that are worse than a crematorium. He said something of concern to him is locating a crematorium in an industrial area, which doesn't seem appropriate but a cemetery or funeral home location is better location.

It was noted that a stack from a crematorium in the AO District should not be a problem.

Kratochvil said he could support Alternative 1 or 2. He and Hill agreed that it would be the City Commission that will make the decision. Kratochvil also mentioned there are other emitters in town may need to be studied.

Reynard asked for a motion.

Stith moved that the Planning Board recommended that if the Commission is inclined to place a crematorium in cemetery locations, or the Kansas Veterans Cemetery, then staff should be directed to investigate if the opportunities makes sense in a cemetery setting, and second, crematoriums should be to limited to an industrial zone and the crematorium should be located no closer than 500 feet to a residential property.

Rolley seconded the motion.

Hill asked why 500 feet was chosen. Stith said it is based on examples that had been presented and it will allow for dispersion of emissions. Hill thought it was more of a visual barrier as emissions could affect people other than those in a residence. He thought the distance was based more on fear than fact.

Anderson said none of the studies suggest any reasonable danger and the proposal is to locate the use to a remote area as if ~~it didn't exist~~ *there was a potential danger* (note: revised text in italics). Rolley disagreed and said she thought there was not adequate information to know with any confidence that the use didn't have an adverse impact on the public.

Rolley called for the question.

On a vote the motion passed 5-2, with Hill and Kratochvil opposed.

Hill said he couldn't find anything that was factual to dispute his thinking that crematoriums are dangerous. He said he couldn't come up with a fact why crematoriums shouldn't be allowed at the proposed location on Poyntz. He said his vote wasn't that he wasn't concerned about pollutants in the neighborhood but he couldn't find a factual basis and didn't want to make a decision based on fear.

**APPOINT A MUAPB MEMBER TO SERVE ON A RILEY COUNTY
BILLBOARD ADVISORY GROUP**

Phil Anderson volunteered to serve on the advisory group.

REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

Rolley said the billboard pole at the 17th Street PUD was rusty and unpainted and wondered when it would be painted. Cattell said staff would contact the owner.

Morse asked Anderson to consider the impacts of flashing lights on drivers. Anderson said KDOT was concerned about that as well.

Stith said KSU has started its master plan review and his previous concerns about outreach have been lessened based on the proposed process.

Respectfully submitted,

Steve Zilkie, AICP, Senior Planner