

ADDED COMMUNICATION
FOR ITEM 6.4.2

To
Co-ordinator, Economic Development and Planning Committee
City of Hamilton,
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From
Don Lyons
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April 27, 2011

Regarding Applicant Super Sucker Hydro Vac Services Inc. Re. Files ZAC-10-029,
OPA-10-009 and ROPA-10-001

I would like to deal with this application in point form separating three distinct businesses yet to be interwoven; namely a) the manure business b) the NASM business or 'Sludge business' and c) the super sucker business.

Initial Comments.

a) Manure Business

The manure business operation because it is clearly defined as a farm related business may be in the right place but zoned incorrectly. It is 100% farm related.

b) NASM Business

This business combines both farm and commercial enterprises; commercial in the sense that it is non-agricultural source material that is being transported and disposed of on farms. At the farm level it becomes agricultural as tractors and equipment are used to inoculate the sludge. Inoculating the sludge refers to the process by which the sludge is put into the ground. I would suggest this business to be a 50-50 mix of farm and commercial businesses.

c) Supersuckers

I find it hard to believe that this business could be anything other than commercial in that municipalities, the construction industry and hydro to name a few are the primary users of this service.

Initial Conclusion.

In rough percentages the manure business is 100% farm, the NASM business is 50 % farm and 50% commercial and the super sucker business is 100% commercial. Overall this calculates out to a 50-50 mix of farm and commercial business use.

Secondary Comments

In fairness, items a) the manure business and b) the NASM business are closely related and could be combined under farm use. However as I have already mentioned, I believe the super sucker business is commercial. What's confusing is how commercial use was tied into farm use. The manure and NASM businesses were operating together before the supersucker business.

The super suckers began in 2002 with a one truck increase each year up to the present time. In 2010 the company was ordered by the city of Hamilton after a complaint to stop dumping on their farm on Fiddlers Green Road as well as their facilities on Shavers Road. In speaking with the Bartels they contend that the product they dump from the super suckers is safe. I disagree. No product testing is done, no containment is provided for the dumped product nor is there a holding tank for the water used to wash out either the trucks or the equipment used to inoculate the sludge. Furthermore the site on Shaver's Road where they are currently dumping is beside a watercourse that leads to the Grand River.

Environmental Issues.

a) the manure business

The product that remains on the machines when brought back to the Shaver Rd. facility should be washed off and contained.

b) NASM business

This product when manufactured or processed is run through ultra violet light to kill bacteria. In most cases this works but occasionally some bacteria gets through necessitating again a wash of the equipment and a containment of the wash product.

c) Supersuckers

Again the same procedures should apply. In addition there is no testing of the imported product for contamination. It is assumed to be non hazardous. It is dumped, dried and later trucked away.

Lost Revenue in Taxes

Businesses should not be disguised to be something they are not. Taxes should be paid in accordance with the business.

Final Conclusions

As the Bartells own property in the Ancaster Industrial Park and have made little or sparing use of this site an old adage comes to mind 'It is easier to seek forgiveness than to ask for permission'. This company has grown to forty employees and has had plenty of time to comply.

Sincerely yours

Don Lyons

