

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Thursday, June 26, 2025**, at **3:00 p.m.**, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Henry Minneboo, Vice-Chair (D2); Ana Saunders (D5); Erika Orriss (D3); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Melissa Jackson (D5); Ron Bartcher (D2); Debbie Thomas (D4); and Greg Nicklas (D3).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseeesse, Deputy County Attorney; and Jordan Sagosz, Operations Support Specialist.

Henry Minneboo stated that if any Board Member has had an ex-parte communication regarding any application, please disclose so now.

### **H.1. Linde Inc. (Kim Rezanka) requests a Conditional Use Permit (CUP) for IU-1. (25Z00017) (Tax Account 2103214) (District 1)**

Trina Gilliam read Item H.1. into the record.

Kim Rezanka spoke to the application. She said she was here with Michael Ashton, Government Affairs Director, to tell the board about Linde. She said it is a natural gas production facility since 1966 in Mims. She spoke to how she was here in January for the zoning and future land use to make it consistent. The board voted unanimously to approve the Heavy Industrial Use and land use, and we had to wait for a site plan to come back for the Conditional Use Permit. She said they're just expanding the plant so they can increase production for all the launches at the space center.

Michael Ashton said he does government relations for Linde. He spoke about Linde, a global industrial gas company, and said that they produce in this facility is oxygen, nitrogen, and argon. He said this is a foundational product for the aerospace industry and other industries. He said they capture the air, cleaning it up, and turning around to sell. He showed a schematic of the facility that already exists that they'll be expanding with the CUP. The facility captures the air, vents impurities, and separates the gases through cold temperature, and it is stored at different storage facilities. They have a loading bay, they put it on trucks for distribution. There are no chemical additives to the process, it's a very clean facility. If there's a power outage, the air can be vented because it's the air we breathe essentially.

John Hopengarten asked how they will transfer finished goods to the space center.

Mr. Ashton said they will use trucks.

Mr. Hopengarten clarified his question was about the route that will be used.

Mr. Ashton explained they would go from Wiley Ave. to Route 1.

Mr. Hopengarten said you're going to be going through on Wiley, through US-1. There are a lot of small lots and houses there along Wiley. He asked how long the plant has been there.

Mr. Ashton said it started up in 1960 and there have been some expansions. He said about 40-45 truckloads leave the plant today.

Mr. Hopengarten asked what would happen with the increase in production.

Mr. Ashton said at peak it could be doubled to about 90 trucks. They don't all leave the plant at the same time. They're spaced out, a handful of trucks an hour. He explained the truck drivers are Linde employees. The trucks will be staggered.

Mr. Hopengarten asked if trucks will be stored on the site and what will be done with surplus materials that are not used.

Mr. Ashton said yes, trucks will be stored on site. He said they have storage tanks for surplus, but if there was too much it would be vented.

Mr. Hopengarten asked about the other gases in breathing air not being used.

Mr. Ashton said those impurities would already be in the atmosphere and those would be vented.

Mr. Hopengarten said but in higher concentrations.

Mr. Ashton said not necessarily, we're taking them in, and they're vented out at that moment. He said they don't need an environmental permit for air at this facility.

Mr. Hopengarten asked if anything was being dumped, he sees ponds on the map.

Mr. Ashton said we do have wastewater retention ponds because they have cooling tower facilities. He said they're not necessarily dumping it.

Mr. Hopengarten asked if anybody was being housed on site as far as offices.

Mr. Ashton said no, the existing site already has offices.

Jerrad Atkins said Wiley is paved, but the section of Dixie or Hammock is dirt. He asked if that was correct.

Mr. Ashton answered yes, that's correct.

Erika Orriss spoke about the number of trucks leaving and how traffic can back up. She asked if there was a stoplight in the works.

Mr. Ashton said they have reached out to FDOT and have begun having that discussion. They did a study a few years ago for the existing facility and didn't find a need, but since there is an expansion there will be a new study done.

Ms. Orriss said especially because of the chemicals on the trucks.

Mr. Ashton said yes, that's why we commissioned the study in the first place. We are confident in our truck drivers, but accidents happen. He said the tanks of the trucks have multiple layers to make sure nothing can get out and they can be vented out in the air in case there is an incident.

Greg Nicklas said so you're taking oxygen, nitrogen, and argon out of the air and what is left of the air is going back to the atmosphere. He asked if Mr. Ashton knew the percentage of the whole cubic footage of air being taken in goes back out.

Mr. Ashton said he wasn't sure of the exact percentage, but it's small. Less than 1%.

Henry Minneboo said he's sure they have every EPA permit. He mentioned there is a plant in North Merritt Island that has generated concern about sounds from the neighborhood there. He asked if the sound differentials are different with a more modern plant.

Mr. Ashton mentioned one of their facilities in Wisconsin that is close to a neighborhood. He said they had a lot of discussions about the noise. The newer technology has efficiencies to mitigate the noise, but they built around to help mitigate the noise. He said they purposely site so that it's around an industrial area. He said it is manufacturing facility that will have noise but should not meet the threshold of any requirement.

Mr. Minneboo explained the neighborhood came after the facility was built.

Mr. Ashton said they have been able to put some kind of fencing to help with noise mitigation at other facilities.

Ron Bartcher asked if the plant operates 24 hours a day and if the truckers were transporting 24 hours a day.

Mr. Ashton said yes. It's based on customer need. He said SpaceX requires a lot for launches. He said for hospitals they have storage on site, they don't need it at a required time.

Mr. Minneboo said that's about 2 vehicles an hour.

Ruth Amato asked if that was what the plant is currently produces, you're just making more of it.

Mr. Ashton said exactly, and it's based on the demand primarily from the aerospace industry.

Ms. Amato asked how much of the wetlands are affected.

Mr. Ashton answered less than an acre with mitigation credits.

Ms. Amato asked how much are affected without mitigation credits.

Ms. Rezanka said what is being impacted is a half an acre of true wetlands with a 25 ft. buffer, so it's a full acre they will get a mitigation credit for of about \$240,000. Only 1 acre total they must mitigate.

Ms. Orriss said you're already producing and have every safety precaution in place. She said she sees some people have concern, there are some residents around and zoning for residential. She said hearing about the nitrogen makes her concerned. She wants to know how they make sure there's no leaking, she read that it can cause boiling liquid, expanding vapor, and bring about fireballs. She said it makes her nervous since there are residential areas around it.

Mr. Ashton said when they vent it, it goes right up in the air. It's a very light material. If there's an accident, they would vent it right away before it could be ignited. He said they want to contain the material and if there's a leak, they're wasting money and the product. All the storage facilities are multi-layered to prevent any leaks. He said even if one of the trucks were to get into an accident, it would have the penetrate to that tanker to expose any of the gases to leak.

Ms. Orriss asked if they have had any leaks so far with the existing facility.

Mr. Ashton said we have not. We're up to almost 10 years where the trucks have not had any major incidents where something could have a potential leak. He said their safety record is very strong.

Ms. Amato asked about where the nitrogen goes after it's vented. Does it go to the ground or go up. She was wondering if one could suffocate if exposed to too much of it or if there were side effects.

Mr. Ashton said not that he's aware of. They're atmospheric gases, they go up, they don't settle. He said there are no side effects, it's the air we breathe, there's 80% nitrogen around us that we're breathing daily.

Ms. Orriss said as it evaporates it can cause suffocation in a poorly ventilated area.

Mr. Ashton said the key there is "poorly ventilated." He doesn't see that being an instance in their plant or the public.

Mr. Hopengarten asked which roads were unpaved near the site and if there are plans to pave the road.

Mr. Ashton said Hammock Rd. going up to where the expansion would be. He said yes, they plan to pave it.

Bruce Moia said Hammock Rd. stops a couple feet north of the intersection with Wiley right at their driveway. The new driveway is going to be up past the ditch, and we'll pave it up to the next driveways. Any driveways they put on Hammock; we're going to pave up to. It's a county Right-of-Way and they will require it.

Ms. Amato mentioned down the road from the facility is one of the few parks in north Brevard. She said she was there recently, and you could hear the noise. Expanding the plant closer to the park, she wonders if it will make it unappealing for people to visit. She asked if the noise mitigation strategies are in place or is it something that's being considered.

Mr. Ashton said it's something that's being considered. He said there can be more discussion.

No public comment.

Ms. Rezanka spoke about the site plan. She said it's binding, that's what it will be. There may be minor tweaks. She spoke about how this isn't a residential neighborhood, there are very few homes around. There are 21 acres of the property that aren't being developed. There's quite a bit of natural buffer there. She said they would still need to meet performance standards if the noise is too high at the property line, they still must follow the code. She said most everything west of the site is wetlands, it can't be developed under Brevard County code. Linde considered purchasing the property to the

north, but it's almost all wetlands. She stated that not a lot can be built around this in the way of residential. The existing site already has the CUP issued for Heavy Industrial Use granted a long time ago. This is just the 10 ½ acres to the north. She said in the staff comments there are no concurrency issues, there's water and sewer.

Mr. Minneboo said he likes that there's a track record.

Mr. Hopengarten asked if there was any comment from Redfish Ranch north of the site. He said he wasn't sure what they did there.

Ms. Rezanka said it's a boat launch.

The board spoke about a motion, Ms. Rezanka let them know they can't choose to put in a light. FDOT would have to do that, it's a state road. She said they're looking into it; they're looking at crash reports. There are things that can be done like lowering the speed limit. She said there's only 10,000 trips a day at that intersection.

Alex Esseeesse let the board know they could recommend looking at putting in a traffic light and noise mitigation and if the study warrants those items, then they be included in the CUP. He explained if there was a noise issue, they would be subject to the code and must fix that. He also said if the study indicated a traffic light needed to go in, they would have to do that.

Motion to recommend approval of Item H.1. with studies for the noise mitigation and traffic light and if those items are warranted, they be added to the CUP by Ruth Amato, seconded by Erika Orriss. Motion passed unanimously.

The meeting was adjourned at 3:38 p.m.