

PLATTE COUNTY
PLANNING AND ZONING
JULY 13, 2011

Chairman Marty Shepard called the Platte County Planning and Zoning Commission regular meeting to order at 7:00 P.M. Commission members present were Bob Brockman and Sherry Maston. Board of Commissioner members present were Tim Millikin and Steve Shockley. Also present were Reed Elmquist and Dennis Becker from the Planning Department.

The Commission reviewed the minutes from the June 15, 2011 meeting. Commission member Brockman made a motion to accept the minutes from that meeting. Commission member Maston seconded the motion and it carried.

New Business:

Item #1: Dennis Becker, for the Planning Department, presented a Special Permit Request to allow a commercial gravel pit in an Agricultural District from Oftedal Construction, Inc., applicant, and Bernard R. McGuire, Jr. titleholder.

The applicant has been working with the State Department of Environmental Quality (DEQ) Land Quality Division (LQD) to consider a gravel quarry on this property. Operations will include a portable crusher to make aggregate in addition to an onsite setup of a hot plant for asphalt paving. The proposal would disturb a maximum of ten (10) acres. No future expansion beyond the ten (10) acre area is being planned at this time. An additional request via another Special Permit through this Commission would be required for any expansion.

The proposed site is surrounded by Agricultural Zoning District with no occupied structures within one-half mile of the site. Access to the mine site is via an existing gravel approach and undeveloped access road.

Hours of operation will be from 7AM to 7PM Monday through Friday and until noon on Saturdays in accordance with the Aggregate Extraction Section of the Platte County Zoning Rules and Regulations.

ADVANTAGES: The primary benefit would be to allow the applicant to produce gravel for which there is an increasing need from many consumers in Platte County and the surrounding area.

The quarry is proposed to be a small operation. There are no residences in the immediate vicinity of this site.

DISADVANTAGES: Mining that is not accomplished with care for the environment can excessively scar the land visually and can damage natural resources like soils and water, as well as cultural resources.

COMPATIBILITY: This type of use can be compatible with agricultural uses, particularly dry land grazing.

AGENCY COMMENTS: Wyoming Game & Fish comments they have no terrestrial wildlife concerns pertaining to this special permit application. To minimize impacts to the aquatic resources of Sybille Creek, we recommend the following:

- Accepted best management practices be implemented to ensure that all sediments and other pollutants are contained within the boundaries of the work area. Disturbed areas that are contributing sediment to surface waters as a result of project activities should be promptly re-vegetated to maintain water quality.
- If equipment has been used in an area known to contain aquatic invasive species, the equipment will need to be inspected by an authorized aquatic invasive species inspector certified in the state of Wyoming prior to its use in any Wyoming water. If aquatic invasive species are found, the equipment will need to be decontaminated.
- Decontamination may consist of either 1) Drain all water from equipment and compartments, clean equipment of all mud, plants, debris, or animals, and dry equipment for 5 days in summer (June, July & August; 18 days in spring (March, April & May) and fall (September, October & November); or 3 days in winter (December, January & February) when temperatures are at or below freezing, or 2) Use a high pressure (3000 psi) hot water (140 degrees F) pressure washer to thoroughly wash equipment and flush all compartments that may hold water.
- Riparian areas and floodplain should not be used as staging or refueling areas. All chemicals, solvents and fuels should be kept at least 300 feet away from streams and riparian areas. (Copy of comments attached.)

The matter was routed to Platte County Resource District, the EPA, and the Director of DEQ as well as DEQ Active Mine Reclamation, Air Quality, Land Quality, Water Quality and Soil & Hazardous Waste.

OTHER COMMENTS: At the time of this report no other comments have been received.

ANALYSIS: The application appears to meet the minimum standards of required information considering the small nature of this proposal.

Landowners should always have the ability to request a beneficial use of their property, but causing detriment to other landowners should be of equal concern. Small mining operations can be mixed judiciously with other uses. This request will have an impact on future land uses in this area as only industrial type uses and agricultural uses will be compatible on the immediately adjacent areas.

The other primary area of local concern is the potential volume of truck traffic, particularly any impact on public safety. The County could consider making formal requests to WYDOT to consider signage and acceleration/deceleration lanes in the interest of public safety and traffic flow if deemed necessary and appropriate.

The Wyoming Department of Environmental Quality does regulate such uses through Land Quality, Air Quality and Water Quality permitting and is responsible for review and enforcement of environmental issues.

The applicant has submitted a Mine Site Plan (copy attached) that provides details of Pre-mine Conditions and Mining & Reclamation.

STAFF RECOMMENDATION: Staff makes no recommendation to approve or deny this request to allow a commercial gravel pit with a crushing operation in an Agricultural District; however, does recommend that any approval include consideration of the following conditions, plus any others that might be deemed appropriate:

1. That this approval be conditional upon approval of required State permits, with the understanding that final approval is expressly not granted until issuance of required State permits;
2. That this approval be for a maximum of ten (10) acres total and be confined within the NE1/4SE1/4 of Section 27, Township 23 North, Range 69 West;
3. That no derelict vehicles or miscellaneous junk be stored on the site during the life of the operation;
4. That the applicant be subject to all requirements in the Aggregate Extraction Section of the Platte County Zoning Rules and Regulations; and
5. That this be reviewed on a complaint basis.

Chairman Shepard opened the floor to public comment. Chairman Shepard asked the applicant if he understood and accepted the conditions. Shawn Coffin, representing Oftedal Construction, Inc., indicated they were.

Commission member Brockman clarified with the applicant the location of the site, which is north of the old gravel pit on the 2-Bar where there are two small pits just south of the bend.

Hearing no additional comments, Chairman Shepard closed public comment and brought the issue to the Board for discussion.

Hearing no Board discussion, Chairman Shepard called for a motion. Commission member Brockman moved to recommend do pass for the Special Permit request to allow a commercial gravel pit in an Agricultural District with the five (5) recommendations in the Staff Report. Commission member Maston seconded the motion.

Chairman Shepard called for discussion, there was none; he called for questions, there were none. Chairman Shepard called for the vote and the motion carried.

With no further public business Commission member Maston made a motion to adjourn. Commission member Brockman seconded the motion. Chairman Shepard called for discussion, there was none; question, there was none. Chairman Shepard then called for the vote and the motion carried. The meeting closed at 7:10 P.M.

Respectfully Submitted, Dennis Becker, Clerk to the Planning Commission