

MINUTES
JACKSON COUNTY ZONING & LAND INFORMATION COMMITTEE
October 17, 2011

October 17, 2011: Special Committee Meeting

Meeting Called To Order by Chairman Gary Olson at 5:00 p.m.

A Motion by Gaylord Olson, to approve the October 6, 2011 minutes, seconded by Jim Olson. Motion carried.

OLD BUSINESS:

- **ZONE CHANGE PETITION AND CONDITIONAL USE REQUEST # 2011-40** as requested by Gelhar Real Estate Investments LLC and Taylor Real Estate Investments LLC on property described as follows: All of the NE1/4-NE1/4, the SE1/4-NE1/4 and part of the NW1/4-NE1/4 of Section 6; all of the SW1/4-NW1/4, the NW1/4-NW1/4, the NE1/4-NW1/4 and the SE1/4-NW1/4 and parts of the SW1/4-NE1/4, the NW1/4-SE1/4, the NW1/4-SW1/4 and the NE1/4-SW1/4, Section 5, all in T21N, R6W, Town of Springfield, Jackson County, WI. The request is to change 304.14 acres of the Official Zoning Map from the A-1 (Agriculture) District to the M-2 (Industrial Extractive) District for the operation of a non-metallic sand mine. A conditional use is also requested per Section 17.41 of the Jackson County Zoning Ordinance for the operation of wash plants and other related sand extraction activities at the property.

Township supports the request with the following stipulations:

1. Require all trucks loaded with sand to be tarped.
2. Hours of blasting operation shall be 8:00 a.m. to 4:00 p.m.
3. Notice of blasting must be given to adjacent landowners.
4. Lights cannot be pointed up or away from the site.
5. A 3rd party independent inspector shall be used to conduct an initial pre-blasting inspection of homes and wells of all adjacent landowners and the Bariliani property located at W16782 St Hwy 95, Taylor WI by December 31, 2011. All costs associated with said inspection shall be borne by Taylor Frac LLC.
6. The fair market price taken from the 2011 Assessment roll should be used when purchasing homes in the future.

Terry Schmidt took the recommendations from the Town of Springfield and added

several other items for consideration, these conditions were reviewed by the committee, see Addendum A.

He asked if a road repair or maintenance agreement has been developed between the Town of Preston, Trempealeau County, Town of Springfield, Jackson County and Taylor Frac LLC regarding River Road. He added that a Traffic Impact Analysis could be requested and completed by an independent road engineer. This analysis inspects the current road condition and traffic patterns over and above normal. This would aid the local municipality in determining if an agreement is needed and developed for the company that will be impacting the roadway, require a road bond or agreements that assess a percentage or amount per load of material shipped from the site for a fund for road maintenance.

The Town of Springfield has not developed an agreement with the Town of Preston and Taylor Frac LLC at this time. John Curran added that nothing has been developed at this point due to Blair Grain trucks and milk trucks that travel on River Road. Terry stated that milk trucks are exempt under State Statute and if this use is going to be as an example 40% increase in traffic, you could have an agreement for that percentage of increased traffic and road maintenance expense. Terry added that the Town of Preston had an agreement developed with Winn Bay for road maintenance or repair to Helmer's Lane prior to any working commencing on the conditional use permit site.

The Wisconsin Department of Transportation will require this Traffic Impact Analysis to be completed for Hwy 95. If there is no agreement, the local municipality can establish weight limits on the township road to limit the damage to the roadway. The committee stated their concerns of this road maintenance or repair burden being placed on the taxpayers of the local township.

Terry added that the condition about material on the roadway is due to personal experience in Monroe County where debris was left on the roadway, it would have been a bad situation if a motorcycle hit this debris instead of his truck. Rob Hargrave, Taylor Frac LLC, recommended changing the wording regarding the prevention of material accumulating on the roadways. He recommended instead of truck washes to utilize tracking pad for trapping sand before it leaves the site and enters the public roadway.

John Curran, Chairman of the Town of Springfield, noted that the township added the statement recommending the 2011 assessment values as the bottom price for purchasing property that may be devalued due to the mine.

Rob added that the owners have agreed to bear the costs of conditions as long as they are fair. He took one of the owners to the Town of Preston to discuss the roadway condition and maintenance. They are willing to work with the local municipalities to develop an agreement. The Town of Springfield is working with the County Highway Department to have a road inspection completed to establish a

baseline for the existing roadway.

A Motion by Jim Olson, to approve conditional use request # 2011-40 for Gelhar Real Estate Investments LLC and Taylor Real Estate Investments LLC with the stipulations and conditions of Addendum A as changed, seconded by Norm Stoker. Motion carried.

A Motion by Jim Olson, to adjourn the meeting, seconded by Ray Ransom. Motion carried. Meeting adjourned at 5:30 p.m.

**Addendum A to Conditional Use Request # 2011-40
For Taylor Frac LLC**

I/We agree to the following conditions or stipulations of approval placed on the issuance of the Conditional Use Permit:

1. Notification must be provided to the Jackson County Zoning Department and adjacent land owners at least 24 hours prior to any blasting.
2. Blasting is to be limited to between the hours of 8:00 a.m. and 4:00 p.m., Monday thru Friday.
3. Require all trucks loaded with sand that leave the site and travel on any public roadway to be tarped.
4. No materials are to be left on the public roadways.
5. Lighting at the site must stay within the property. Lights cannot be pointed upwards or away from the site.
6. All Jackson County Land Conservation Department requirements for reclamation must be met.
7. All Wisconsin Department of Natural Resources air quality standards must be met.
8. Department of Commerce DCOMM 7 standards must be met.
9. A third part independent inspector(s) are to be utilized to conduct the initial pre-blasting and pre-mining inspections of the homes and private wells of all adjacent landowners, as well as the Bariliani property located at W16782 St. Hwy 95, Taylor, WI by December 31, 2011. All costs associated with these inspections shall be borne by Taylor Frac LLC.
10. The fair market value established from the 2011 Property Assessment roll should be used when purchasing any homes in the future.
11. Road agreements to be managed by the local municipalities and Taylor Frac LLC.
12. Any trees located within the 100 foot setback from the perimeter of the property should be maintained for aesthetics and dust control, except within the berming area.
13. The delineated wetlands on the property are to remain undisturbed.
14. The list of conditions is not to be construed as all inclusive. The committee reserves the right to revisit and establish other conditions, if the need arises.