

City of Franklin
Quarry Monitoring Committee Meeting
August 15, 2013
Minutes

Approved
September 26, 2013

I. CALL TO ORDER

Chairman Wilhelm called the August 15, 2013 regular Quarry Monitoring Committee meeting to order at 6:35 p.m. in the Hearing Room at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Aldermen Schmidt and Wilhelm, and Member Shore. Excused was Member Knueppel. Also present was Planning Manager Dietl.

II. APPROVAL OF MINUTES

- a. Regular meeting of July 10, 2013.

Member Shore moved and Alderman Schmidt seconded approval of the July 10, 2013 minutes of the regular meeting of the Quarry Monitoring Committee as presented. On voice vote, all voted 'aye'. Motion carried.

III. CITIZEN COMMENT PERIOD

The Citizen Comment period was opened at 6:36 p.m. Le Roy Lewandowski, 8030 West Winston Way, came forward and indicated continued dissatisfaction with dust control measures on West Rawson Avenue, and stated concerns with berm location on properties outside the extraction limits and measurement for the extraction area from the street centerline. No other citizens came forward. The Citizen Comment period was closed at 6:39 p.m.

IV. HEARINGS

- a. None.

No action needed. None taken.

V. BUSINESS

- a. Discussion of Payne & Dolan's purchase of the Vulcan Materials Company portion of the quarry.

Discussion regarding the purchase of the Vulcan Materials Company portion of the quarry by Payne & Dolan included the street dust concerns voiced by citizens. It was noted, that since the purchase, the dust conditions have appeared to have increased.

- b. Review and discussion of Planned Development District No. 23 including comments and notes from Chairman Wilhelm (pages 26-32) and follow up research from Commissioner Knueppel related to noise.

Alderman Wilhelm reviewed the comments on her handout regarding pages 26-32 of Ordinance No. 1997-1456 Establishing Planned Development District No. 23 (Payne & Dolan).

Discussion that as it is not clear what is meant by the end use development proposal implementation, as it is not clear how the detailed reclamation plan is linked to the PDD ordinance and if it was completed and approved; when the final write up is prepared these regulation should be kept to the forefront. It was agreed that the Department of Natural Resources (DNR) reclamation standards should be reviewed at the Committee's next meeting to determine if any changes to the Reclamation Plan or PDD ordinance should be suggested to the

Item V. b. (cont.)

Plan Commission and/or Common Council. Also noted was the importance to remind the City that implementation of the detailed reclamation plan needs to be completed within three years of the closing of the quarry.

Discussion regarding the required Financial Assurance and that it might be more appropriate for the City to hold that money rather than the quarry operator, and this could also be suggested to the Plan Commission and/or Common Council.

Discussion regarding placement of any future quarry monitoring equipment closer to the residences closest to the quarry, and having Payne & Dolan provide earlier and more detailed information about the location of their blasts. Committee members agreed that the consultant should place its monitors at such locations, and recommended that the City send letters to such property owners asking for permission to place quarry monitoring equipment on their property.

Air blast limits and reporting requirements set forth in the Ordinance, clarifying the wording of this section, were discussed and should be suggested to the Plan Commission and/or Common Council, and that the record of all blasts should be sent to the delegated City Department. Opacity and air quality concerns that there may be dust issues associated with the quarry operations were discussed, as well as continued support of the use of the wheel wash on the former Vulcan property in an effort to curb street dust, and possible use of a wheel wash at the Payne & Dolan property. It was mentioned that these concerns and suggestions should also be forwarded to the Plan Commission and/or Common Council.

Bi-annual reporting was discussed and concerns voiced that it appears not to have been done but should be. Monitoring and administrative costs were discussed and noted that any such costs incurred by staff could also be charged to the quarry operator. Discussion that all such concerns and suggestions should be combined in to one document and forwarded to the Plan Commission and/or Common Council.

Carry-over zoning restrictions were discussed and if still applicable, should be further researched.

- c. Review and discussion of Quarry Activity monitoring measures such as:
- dust control, feasibility of monitoring cameras or other equipment or procedures that may assist in the City's monitoring efforts.
 - review of PDD limits and mapping.

The Committee reviewed and discussed the map of the quarry prepared by staff.

Discussion relative to dust control measures, primarily the wheel wash utilized by Vulcan Materials, and agreement that such a measure should be a reasonable and cost-effective measure that should be continued to be used.

The use of cameras to monitor the quarry activity was discussed. The Committee requested the Planning Manager contact the consultants for information of area communities utilizing cameras for such purposes. Alderman Schmidt was requested to research the feasibility of using cameras.

- d. Review and discussion of restrictive covenants pertaining to the quarry as referenced in Section FF.6.1.b. of Planned Development District No. 23.

Planning Manager Dietl noted a copy of the Restrictive Covenant Agreement for both Vulcan Materials and Payne & Dolan were distributed. It was agreed that this item would be placed on the next agenda for review and discussion.

- e. Discussion of individual tours of the Payne & Dolan quarry by Committee members, and a public tour tentatively scheduled for September 27, 2013

Planning Manager Dietl noted the latest discussion with a Payne & Dolan representative indicated continued support by the quarry operator of individual tours, but not support of a group tour primarily for neighbors and/or citizens.

- f. Update from the Planning Manager about matters pertaining to citizen complaints and staff's quarry monitoring activities.

Planning Manager Dietl noted that monitoring by Aquifer had been terminated earlier in the week and that administrative and organizational type activities had been initiated by Stantec and Giles Engineering. He further noted that monitoring and site visits will likely begin in September 2013.

In response to questions raised at the last meeting, Mr. Dietl reported that according to a Payne & Dolan representative, the stockpiling of stone at the Payne & Dolan entrance is for the nearby asphalt plant and has been there for a long time. Also noted by the representative, there are no longer any crossing of the Root River via the quarry properties, and pipes noted extending in to the Root River are part of approved permits from the DNR, one for water withdrawal and two for water discharge. Planning Manager Dietl noted that in response to a similar request in 2011, he had confirmed the situation with the Department of Natural Resources.

The Planning Manager noted that since the last meeting of the Quarry Monitoring Committee, one official and three unofficial complaints regarding blasting had been received, all of which were within Ordinance limits. He also noted one weed complaint had been filed with the City's Weed Commissioner, and was being addressed.

VI. SCHEDULE NEXT MEETING

It was agreed that the next scheduled meeting of the Quarry Monitoring Committee will be Thursday, September 12, 2013 at 6:30 p.m., or at the call of the Chairman.

VII. ADJOURNMENT

Member Shore moved and Alderman Schmidt seconded to adjourn the meeting at 8:55 p.m. All voted 'aye'; motion carried.