

City of Franklin
Quarry Monitoring Committee Meeting
July 10, 2013
Minutes

Approved
August 15, 2013

I. CALL TO ORDER

Chairman Wilhelm called the July 10, 2013 regular Quarry Monitoring Committee meeting to order at 6:30 p.m. in the Hearing Room at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderman Wilhelm, and Members Knueppel and Shore. Alderman Schmidt was excused. Also present were Planning Manager Dietl.

II. APPROVAL OF MINUTES

- a. Regular meeting of May 30, 2013.

Member Knueppel moved and Member Shore seconded approval of the May 30, 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 6:33 p.m. Le Roy Lewandowski, 8030 West Winston Way, came forward and indicated a concern that discussion of dust control on Rawson Avenue should be an item for each agenda and proposed adding security cameras for dust control monitoring. He also stated that the ordinances governing the Planned Development Districts that include the quarries are not current to today's standards and need to be updated. This update should include correct definition of berm and correct measurement of extraction limits. No other citizens came forward. The Citizen Comment period was closed at 6:40 p.m.

IV. HEARINGS

- a. None.

No action needed. None taken.

V. BUSINESS

- a. Review and discussion of the letter dated June 14, 2013 from Payne & Dolan Inc. to the City of Franklin regarding Payne & Dolan's purchase of the Vulcan Materials Company portion of the quarry.

Planning Manager Dietl presented the information regarding the purchase by Payne & Dolan of the Vulcan Materials Company quarry property in the City of Franklin and impact on the Planned Development District ordinances. He indicated that he had met with City Attorney Jesse Wesolowski on July 3, 2013 to discuss possible action required by the City. A preliminary determination by the City Attorney was that no action was required but continued research, as time allows, would be done.

- b. Continuing review and discussion of Planned Development District No. 23, including comments and notes from Member Knueppel, comments and notes from Member Shore, and dust control measures.

(Item V.b. continued)

Member Knueppel presented his review of Planned Development District No. 23, pages 18 through 25. He noted that the ordinance is written similar to a contract and may be difficult to change. Prior quarrying property rights may have extended further than today's standards, and believes that once the extraction is completed the established lake indicated by remediation will be a benefit to the City. Questions posed and assigned to the Planning Manager is whether any stockpiling for retail sales is present, are there any crossings at the Root River, are up to date air photos available from the quarries and status of the bi-annual asphalt plant operations report to the Plan Commission. Continued discussion was relative to the exact location of the extraction limits and its measurement/location. Alderman Wilhelm noted the Committee should forward a summary and suggestions/recommendations for any issues they may identify to the Plan Commission and/or Common Council.

Member Shore presented her review of pages 33 through 40 of the Ordinance for Planned Development District No. 23. Questions and concerns from her review centered on reclamation plan requirements, any wetland modifications, permits and approvals required under the Clean Water Act, permits for discharge of water into navigable streams from the Wisconsin Department of Natural Resources, area property well protection and noise monitoring.

Further discussion of the quarry's water quality and discharge occurred, and if permitted. Mr. Dietl was directed to obtain a map of the quarry area and extraction boundary, obtain a copy of the Restrictive Covenant FF6.1.b for the next meeting, and to inquire of a possible informational meeting with a U.S. Army Corps of Engineer representative. Member Knueppel will review the Municipal Code for noise requirements. It was noted that continued discussion of this item will be included as a regular item on forthcoming Quarry Monitoring Committee agendas.

Members agreed to a break at 7:50 p.m. The meeting was reconvened at 7:55 p.m.

- c. Continued review of a possible tour of the Payne & Dolan quarry, tentatively scheduled for 3:00 pm, Friday, August 2, 2013.

Planning Manager Dietl noted the earliest available date proposed by Payne & Dolan to conduct a tour of the quarry area is August 2, 2013. Committee members indicated unavailability for the date and continued discussion on possible alternatives to be considered. Committee members indicated they would tour the quarry individually. Planning Manager Dietl was requested to contact Payne & Dolan for consideration of alternatives offered by the Committee for tours by the general public.

- d. Update from the Planning Manager about matters pertaining to staff's quarry monitoring activities.

Planning Manager Dietl informed the Committee of staff's recent activities relating to quarry monitoring. He noted that Payne & Dolan indicated willingness to also share information relayed to the City, with the City's consultant. He noted that the online copy of the Unified Development Ordinance included a listing of all Planned Development District Ordinance numbers; and the quarry's Ordinance documents are located on the City's website at "Quarry Monitoring" and "Quarry Complaint Process".

Mr. Dietl noted Payne & Dolan had blasted 100 times this year (as of 7-1-2013), 12 official complaints were filed and 6 unofficial complaints were received about those blasts.

VI. SCHEDULE NEXT MEETING

It was agreed that the next scheduled meeting of the Quarry Monitoring Committee will be Thursday, August 15, 2013 at 6:30 p.m., or at the call of the Chairman.

VII. ADJOURNMENT

Member Shore moved and Member Knueppel seconded to adjourn the meeting at 8:20 p.m. All voted 'aye'; motion carried.