

**PLATTE COUNTY**  
**PLANNING AND ZONING**  
**October 20, 2014**

Chairman Marty Shepard called the Platte County Planning and Zoning Commission special meeting to order at 7:00 P.M. Commission members present were Bob Brockman and Bonnie Lockhart. Also present were Reed Elmquist, Planner, and Don Offe.

The Commission reviewed the minutes from the September 10, 2014 meeting. Commission member Brockman made a motion to accept the minutes from that meeting. Commission member Lockhart seconded the motion and it carried.

**New Business**

**Item #1:** Reed Elmquist, Planner, presented a Special Permit to allow aggregate extraction in an agricultural district from Brad & Heather Reese, applicants & titleholders.

The applicant was granted a Special Permit for aggregate extraction to the immediate east by the Board of Commissioners in 2013, and Western Sunset LLC was granted a Special Permit for aggregate extraction to the northwest the year before. The applicant now wishes to produce fines, chips, rock, and road base from this area in anticipation of further oil activity in the area.

**ADVANTAGES:** There are no residences in the immediate vicinity of this site. It will be accessed via Reese Road/Converse County Road 49 and not utilize any Platte County roads.

**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:** Comments from the State Game & Fish Department include:

To minimize impacts to the aquatic resources of nearby waterways, they 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.

- Preventing the spread of aquatic invasive species (AIS) is a priority of the State of Wyoming, and in many cases, the intentional or unintentional spread of organisms from one body of water to another would be considered a violation of State statute and Wyoming Game & Fish Commission regulation. To prevent the spread of AIS, the following is required:

If equipment has been used in a high risk infested water [a water known to contain Dreissenid mussels (zebra/quagga mussels)], the equipment must be inspected by an authorized aquatic invasive species inspector recognized by the State of Wyoming prior to its use in any Wyoming water.

Any equipment entering the state by land from March through November, regardless of where it was last used must be inspected by an authorized aquatic invasive species inspector.

Equipment should be serviced and fueled away from streams and riparian areas. Equipment staging areas should be kept at least 300 feet away from riparian areas.

Brady Irvine, Platte County Resource District Manager, commented that there appear to be limitations regarding soil types associated with dwellings and small commercial buildings, landfills, roads and streets, shallow excavations, lawns & landscaping, potential source of gravel, and sewage lagoons. (Please call this office if you would like a copy of the Resource District report.)

The matter was routed to the EPA as well as Converse County Road & Bridge, DEQ Active Mine Reclamation, Air Quality, Land Quality, Water Quality and Soil & Hazardous Waste.

OTHER COMMENTS: None received at this time.

ANALYSIS: The application appears to meet the minimum standards of required information considering the 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.

STAFF RECOMMENDATION: Staff makes no recommendation to approve or deny this request to allow aggregate extraction 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 confined within the W1/2 of Section 2, Township 30 North, Range 68 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 or if access to this site is re-routed to any road maintained by Platte County.

Chairman Shepard opened the floor to public comment.

Hearing none, Chairman Shepard closed public comment and brought the issue to the Board for discussion. Hearing none, he called for a motion. Commission member Lockhart moved to recommend do pass for the Special Permit to allow aggregate extraction in an Agricultural District with the five (5) conditions in the staff report. Commission member Brockman 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.

**Item #2:** Planner Elmquist introduced an application for a Simple Subdivision request to divide one parcel into two parcels from Don and Pearl Offe, applicants and titleholders.

The applicants wish to split off a 10-acre parcel from this 40-acre parcel. As only two parcels are proposed and both are over 5 acres, this can be processed as a simple subdivision.

The property is zoned Residential District and is surrounded by agricultural zoning on three sides, with residential zoning on the south side. It has good access to Lakeside Drive, maintained by WYDOT as Highway 317.

**ADVANTAGES:** The proposed lot sizes easily allow for adequate individual water supply. Wastewater disposal systems will be approved by DEQ. The property has decent access to Lakeside Drive.

**DISADVANTAGES:** There appear to be none.

**AGENCY COMMENTS:** The property lies outside the boundaries of the Wheatland Irrigation District.

OTHER COMMENTS: As this is not an advertised hearing and as notices are not sent to adjoining landowners there should be no other comments.

ANALYSIS: The proposed lot sizes easily allow for adequate individual water supply and wastewater disposal systems. Both lots have access to Lakeside Drive.

STAFF RECOMMENDATIONS: The Planning Office recommends approval of this subdivision request with the condition that one parcel of approximately 10 acres be created.

Chairman Shepard opened the floor to public comment. Hearing none, Chairman Shepard closed the floor do public comment and brought the issue to the Board for discussion. Hearing none, Chairman Shepard called for a motion. Commission member Brockman moved to recommend do pass for the Subdivision Request to divide one parcel into two parcels in a Residential District. Commission member Lockhart 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.

**Item #3:** Chairman Shepard brought the review of a Special Permit approved in February 2010 to allow a commercial gravel pit in an Agricultural District from Croell Redi-Mix, Inc.; applicant, and Thomas McGuire, titleholder, to the Board for discussion. The original Special Permit was granted in 2002 and the company now wishes to construct an asphalt hot mix plant on the site. Chairman Shepard asked Planner Elmquist whether any neighbors had expressed concerns. Planner Elmquist answered that one neighbor had stopped by the office and expressed concerns about an increase in truck traffic. Chairman Shepard stated that he was willing to ultimately give Croell approval and the other Board members agreed.

Hearing no further Board discussion, Chairman Shepard called for a motion. Commission member Brockman motioned to recommend allowing a hot mix asphalt plant on the property in addition to the existing commercial gravel pit. Commission member Lockhart seconded the motion. Chairman Shepard called for the vote and the motion carried.

Planner Elmquist noted that as no one from Croell had been able to make the meeting, he had not been able to notify neighbors of a rescheduling in time, and one neighbor had expressed concerns about an increase in truck traffic, the Board of Commissioners may choose to table the issue until the next Planning and Zoning meeting.

The meeting closed at 7:15 P.M.

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Respectfully Submitted, Reed Elmquist, County Planner