

TOWN OF RED CEDAR

MINUTES – Public Hearing and Planning Commission Meeting

A **Public Hearing and Planning Commission meeting** were held on Tuesday, January 16, 2018 at 6:30 p.m. at the Red Cedar Town Hall, E6591 627th Avenue, Menomonie, WI to gather public input on the request of American (RTT) Express, LLC for a special exception permit to operate a concrete and asphalt mixing plant on a 16.73 acre parcel bounded by I-94 on the south, Co. Hwy. E on the east, the Union Pacific railroad right of way on the north, and Mathy Construction Co. on the west, in the NE ¼ of the SE ¼ and the NW ¼ of the SE ¼ of S16, T28N, R12W, PIN 1702422812164100003, in the Town of Red Cedar.

Public Hearing

1. **ROLL CALL/CALL TO ORDER.** At 6:30 p.m., Planning Commission Chairman, Leon Herrick, called the Public Hearing to Order. Present were Planning Commission members Susan Harrison, Bob Cook, Chad Haldeman, Ron Prochnow, and alternate, Marge Hebert. Also present was Secretary/Clerk, Cheryl Miller. Eight (8) residents signed the roster.
2. **PUBLIC HEARING** on the request of American (RTT) Express, LLC for a special exception permit to operate a concrete and asphalt mixing plant. Arvid (Art) Jereczek and two company representatives appeared on behalf of American (RTT) Express. Art indicated that if this goes through, he intends to buy out the other two owners of the property and use the land to store materials. He does not intend to put up a ready mix plant but to buy products such as sand, fill, dirt, concrete, and asphalt to recycle.

Planning Commission members asked questions pertaining to drainage, testing for contaminants, scrap metal at site, concern for community members, previous project on property which still has not been completed and cleaned up, whether something like this is needed in the area, not enough specifics, noise/fumes/dust/odor from crusher, groundwater pollution, and whether there would be a buffer. It was noted that if the town agreed to this, bonding and a developer's agreement would be required.

Residents voiced concerns with respect to asphalt mixing on the property, time limits on days/times for crushing activities, how long it would take to generate 10,000 yards for crushing, stockpiling for future processing, screening, restrictions on equipment, where the storage and crushing would occur on the property, and what the completed plan will look like in drawings, including what the fully encompassed site would look like during the crushing period.

Company representatives indicated that they have a civil engineer on board who has started preliminary work on the project, they welcome conditions being placed on the project such as plans, limits on sizes of piles, no fuel on site, etc. They will have tanks in pickups and a double-walled 1,000 gallon tank on a trailer which is all contained inside a steel trailer and can be parked on job sites. They provide services to commercial sites and farms, excavation, dirt work, demolition, and hauling. They intend to use the property for storage, processing, mixing, cleaning, and storing materials. All materials will be tested for contaminants before being brought in under DNR permitting rules. No scrap metal will go to this site. They do not know why the previous project was not completed in a timely manner, and they were unaware that storing concrete on the property was not allowed in the zoning district. They can control costs and do a better job if they do their own crushing since Mathy cannot do crushing. The majority of the work would be performed on the southern portion of the property towards the highway and would take up 3.75 to 5 acres. They will not dig holes, and all the work will be done above grade. There are state standards and guidelines for stormwater plans and drainage which they will need to comply with. There will be no asphalt mixing on the property and no buildings. They will be bringing in old materials and will be bringing in a crusher when they accumulate 10,000 yards. They would crush approximately 10-15 days per year, and it would take 4 to 5 years to generate 10,000 yards of materials. There would be, at most, 10-15 crushing days per year, and it would probably be every other year. There is currently

about 1,500 to 2,000 yards in the pile which is there now. They would put up screening and limit hours, days, times for operations and crushing. There would be grinding and welding, 1 or 2 loaders, and night maintenance at times. Crushers would be scheduled. They would agree to keep the north 8 acres mowed and neat.

3. ADJOURN. At 7:35 p.m., the Chairman, Leon Herrick, adjourned the public hearing.

Planning Commission Meeting

1. ROLL CALL/CALL TO ORDER. At 7:35 p.m., the Planning Commission Chairman, Leon Herrick, called the Planning Commission meeting to order. Present were Planning Commission members Susan Harrison, Bob Cook, Chad Haldeman, Ron Prochnow, and alternate, Marge Hebert. Also present was Secretary/Clerk, Cheryl Miller.

2. MINUTES: *Motion by Susan Harrison to approve the Minutes of the November 14, 2017 Planning Commission meeting; motion seconded by Chad Haldeman. None opposed. MC*

3. PUBLIC COMMENTS. None.

4. BUSINESS:

(a) Discuss, consider, and take action on request of American (RTT) Express, LLC for a special exception, and make a recommendation to the town board to approve or deny the request. Discussion had. Residents have 2 weeks to email concerns and questions to the Town Clerk. The Planning Commission will then come up with a list of items to address and get it to the applicant. The applicant can then schedule a date to come back before the Planning Commission and present again. *Motion by Susan Harrison to postpone this matter until the applicant chooses to come back before the Planning Commission; motion seconded by Marge Hebert. None opposed. MC*

Cheryl will email the site plan review ordinance to the applicant and send out notices again to neighbors if the applicant reschedules. Cheryl will send resident comments and questions to Susan to prepare information for the next Planning Commission meeting. It is noted that when the Planning Commission sends further information, comments and questions to the applicant, a disclaimer will be included indicating that complying with the Planning Commission's requirements does not guarantee special exception approval by the Town Board or the Dunn County Board of Adjustment.

(b) Discuss and take possible action on the Tritt 15 acre split. No further information can be obtained on this matter; therefore; this item will be removed from future agendas.

(c) Review updates to Dunn. Co. Zoning Ordinance. Susan prepared a comparison document between the old ordinance and the revised ordinance. The comparison was reviewed. There were a lot of clarifications, and items were moved around. Members were encouraged to review the comparison sheet prior to the next meeting and discuss any questions/concerns then.

5. ADDITIONAL RECOMMENDATIONS. None.

6. COMMUNICATIONS/ANNOUNCEMENTS. Cheryl handed out an informational sheet on the five key provisions of the recently enacted Homeowner's Bill of Rights legislation, as well as upcoming programs from the UW Extension on local land use, planning, and zoning. Cheryl will attend the live Case Law and Legislative Update teleconference on February 14th and order the hard copy of reference materials for members.

7. UPCOMING AGENDA ITEMS. Work on and finalize American (RTT) Express concerns and standards. Cheryl will bring a copy of the Toys Development Agreement and Site Plan Review Ordinance for members.

8. SET NEXT MEETING DATE. The next meeting date was set for Tuesday, February 13, 2018 at 6:30 p.m. Note: Susan will be out of town for the February and March meetings.

9. ADJOURN. *At 8:50 p.m., Leon Herrick adjourned the meeting without objection.*

(The minutes are subject to approval at the next, regularly scheduled Planning Commission meeting)

Cheryl Miller
Secretary/Clerk

January 23, 2018