

Eaton's Ranch 2 QUARRY PERMIT

Q-17-005

The Board of County Commissioners ("BOCC") held a public hearing on October 3, 2017, regarding the application of Eaton Brothers Inc. ("Applicant") for a Quarry Permit pursuant to the Rules and Regulations Governing Zoning, Sheridan County, Wyoming ("Zoning Regulations"). The BOCC received the written Staff Report dated October 3, 2017, heard public comment, and considered written comments.

1. Applicant is requesting a Quarry Permit to operate a 15 acre quarry upon approximately 5626.91 acres for 10 years.
2. The quarry lies within the Agricultural zoning district, is accessed via a private gravel haul road connecting to Beckton Road (CR # 89), and is located in the:

NW¼ Section 34, T56N, R86W.
3. After holding a public hearing on September 7, 2017, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the Quarry Permit with the following 8 conditions:
 - a. The permit shall be effective for ten years, commencing on the date approved by the BOCC.
 - b. That the 15-acre site shall be re-staked prior to any further material excavation.
 - c. No site signage shall be permitted except for directional signs and that required by WDEQ.
 - d. That all quarry activities (except for the haul road) shall be prohibited within 50 feet of the woody draw bisecting the quarry.
 - e. That hours of operation are Monday-Friday 7:00 a.m. to 7:00 p.m., Saturday 8:00 a.m. to 5:00 p.m., and no hours of operation on Sunday.
 - f. The County Engineer has determined that dust suppression will be required for haul operations on County Road #89. A single full-rate application of 0.5 gallons per square yard per season should be sufficient to control dust. This shall be cost-shared with Sheridan County in an amount not to exceed \$12,500 per year. Eaton Brother's Inc. share for dust control shall be at the rate of \$0.50 per cubic yard of material removed from the quarry. Eaton Brother's Inc. shall provide documentation once annually, by December 1st, which includes an accurate accounting of the number of loads hauled, and the size of each load hauled, to be used to compute the amount owed. The Sheridan County Public Works Office shall invoice Eaton Brother's Inc. based on the documentation provided.
 - g. That the operator will be required to place warning signs during haul operations.
 - h. That Q-15-006: Eaton's Ranch Quarry, approved December 1, 2015, is hereby cancelled.

THE BOCC HEREBY FINDS AS FOLLOWS:

4. Applicant properly applied for a Quarry Permit, proper notice was published, and hearings were held in accordance with the Zoning Regulations.
5. No residences are located within ¼ mile of the proposed quarry.
6. Negative impacts to public roads will be mitigated by the conditions listed below.

7. Negative impacts on the health, safety, or welfare of the public will be mitigated by the conditions listed below.

NOW THEREFORE, THE BOCC HEREBY GRANTS the Quarry Permit with the following conditions:

8. The permit shall be effective for ten years, commencing on the date approved by the BOCC.
9. That the 15-acre site shall be re-staked prior to any further material excavation.
10. No site signage shall be permitted except for directional signs and that required by WDEQ.
11. That all quarry activities (except for the haul road) shall be prohibited within 50 feet of the woody draw bisecting the quarry.
12. That hours of operation are Monday-Friday 7:00 a.m. to 7:00 p.m., Saturday 8:00 a.m. to 5:00 p.m., and no hours of operation on Sunday.
13. The County Engineer has determined that dust suppression will be required for haul operations on County Road #89. A single full-rate application of 0.5 gallons per square yard per season should be sufficient to control dust. This shall be cost-shared with Sheridan County in an amount not to exceed \$12,500 per year. Eaton Brother's Inc. share for dust control shall be at the rate of \$0.50 per cubic yard of material removed from the quarry. Eaton Brother's Inc. shall provide documentation once annually, by December 1st, which includes an accurate accounting of the number of loads hauled, and the size of each load hauled, to be used to compute the amount owed. The Sheridan County Public Works Office shall invoice Eaton Brother's Inc. based on the documentation provided.
14. That the operator will be required to place warning signs during haul operations.
15. That Q-15-006: Eaton's Ranch Quarry, approved December 1, 2015, is hereby cancelled.

Pursuant to W.S. 16-3-114 and Rule 12 of the *Wyoming Rules of Appellate Procedure*, any person aggrieved or adversely affected by this decision may seek judicial review in the appropriate district court by filing a petition for review within 30 days.

**BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING**

BY: Mike Nickel
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 22 day of February, 2018
by Mike Nickel, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

A. Carroll
Notary Public

