

Dow Quarry Renewal QUARRY PERMIT

Q-16-004

The Board of County Commissioners ("BOCC") held a public hearing on May 3, 2016, regarding the application of Bert W. Dow Revocable Trust (Bert W. Dow, Trustee) ("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 May 3, 2016, heard public comment, and considered written comments.

1. Applicant is requesting a Quarry Permit to operate a 40.08 acre quarry upon approximately 1100 acres for 20 years.
2. The quarry lies within the Agricultural zoning district, is accessed via a private gravel haul road connecting to Beaver Creek Road (CR#87), and is located in the:

SW¼SW¼ Section 36, T55N, R85W; NW¼NW¼ Section 1, T54N, R85W; and the N½NE¼ Section 2, T54N, R85W.
3. After holding a public hearing on April 7, 2016, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the Quarry Permit with the following 5 conditions:
 - a. The permit shall be effective for **twenty years**, commencing on the date approved by the BOCC.
 - b. That the site shall be staked prior to any material excavation.
 - c. No site signage shall be permitted other than directional signs and required DEQ permit signage.
 - d. Normal hours of trucking shall be 7:00 a.m. to 5:00 p.m., Monday through Friday; and between 7:00 a.m. and 1:00 p.m. on Saturdays. Emergency trucking hours may only be granted by the Board of County Commissioners.
 - e. Normal operating hours for crushing, screening and washing equipment will be 7:00 a.m. to 5:00 p.m., Monday through Friday; and 7:00 a.m. to 1:00 p.m. on Saturdays. Emergency operating hours for crushing, screening and washing equipment may only be granted by the Board of County Commissioners.

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 ½ 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 **twenty years**, commencing on the date approved by the BOCC.
9. That the site shall be staked prior to any material excavation.
10. No site signage shall be permitted other than directional signs and required DEQ permit



signage.

- 11. Normal hours of trucking shall be 7:00 a.m. to 5:00 p.m., Monday through Friday; and between 7:00 a.m. and 1:00 p.m. on Saturdays. Emergency trucking hours may only be granted by the Board of County Commissioners.
- 12. Normal operating hours for crushing, screening and washing equipment will be 7:00 a.m. to 5:00 p.m., Monday through Friday; and 7:00 a.m. to 1:00 p.m. on Saturdays. Emergency operating hours for crushing, screening and washing equipment may only be granted by the Board of County Commissioners.

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: *Bob Rolston*
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 24 day of May, 2016
by Bob Rolston, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

Katie Araas
Notary Public

