

Lomax 2 QUARRY PERMIT

Q-17-001

The Board of County Commissioners ("BOCC") held a public hearing on May 2, 2017, regarding the application of James Lomax (Lomax Land & Livestock) ("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 2, 2017, heard public comment, and considered written comments.

1. Applicant is requesting a Quarry Permit to operate a 15-acre quarry upon approximately 837.73 acres for 10 years.
2. The quarry lies within the Agricultural zoning district, is accessed via an existing private quarry access connecting to Amsden Creek Road (CR #90), and is located in the:

N½NE¼ of Section 2, T56N, R87W, and the S½SW¼ Section 36, T57N, R87W.
3. After holding a public hearing on April 6, 2017, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the Quarry Permit with the following 13 conditions:
 - a. The permit shall be effective for **ten years**, commencing on the date approved by the BOCC.
 - b. That the applicant shall contribute \$1,000.00 annually for purchase of mag chloride for haul roads.
 - c. That the County Permit boundary shall be staked prior to any material excavation.
 - d. No site signage shall be permitted except for directional signs and that required by WDEQ.
 - e. That all quarry activities shall be prohibited on natural terrace slopes that exceed 10%.
 - f. That days/hours of operation are Monday through Sunday, 7:00 a.m. to 5:00 p.m., with hauling limited to 8 a.m. to 4 p.m. during school hours.
 - g. The applicant shall submit phasing plans to the Public Works Department showing excavation and screening limited to two acres, and up to one additional acre for equipment and material storage. Written notification of any changes to the plan shall be given to the Public Works Department.
 - h. All areas within the current active phase, following approval of this permit, shall be fully reclaimed including topsoil replacement and seeding with a cover crop before any subsequent phase commences. Each subsequent phase's disturbed area shall be reclaimed in the same manner. No subsequent phase shall commence until written approval is issued by the Public Works Department.
 - i. No truck shall 1) exceed any load limits that might be imposed by the Town of Dayton, and 2) not exceed 20 mph on Tongue Canyon Road within the Town of Dayton.
 - j. No crushing shall be permitted at the quarry site.
 - k. Product stockpile height shall not exceed 20 feet.
 - l. Hauling shall be limited to an average of 8 round trips per day, excluding water trucks and transport vehicles.

- m. Haul trucks shall not exceed 30 mph on any county road.

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. Applicant's proposed mitigation plan will satisfactorily ameliorate impacts to noise, light, and air quality caused by the quarry to homes located within ½ mile of the quarry and to the surrounding area.
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 applicant shall contribute \$1,000.00 annually for purchase of mag chloride for haul roads.
10. That the County Permit boundary shall be staked prior to any material excavation.
11. No site signage shall be permitted except for directional signs and that required by WDEQ.
12. That all quarry activities shall be prohibited on natural terrace slopes that exceed 10%.
13. That days/hours of operation are Monday through Sunday, 7:00 a.m. to 5:00 p.m., with hauling limited to 8 a.m. to 4 p.m. during school hours.
14. The applicant shall submit phasing plans to the Public Works Department showing excavation and screening limited to two acres, and up to one additional acre for equipment and material storage. Written notification of any changes to the plan shall be given to the Public Works Department.
15. All areas within the current active phase, following approval of this permit, shall be fully reclaimed including topsoil replacement and seeding with a cover crop before any subsequent phase commences. Each subsequent phase's disturbed area shall be reclaimed in the same manner. No subsequent phase shall commence until written approval is issued by the Public Works Department.
16. No truck shall 1)exceed any load limits that might be imposed by the Town of Dayton, and 2) not exceed 20 mph on Tongue Canyon Road within the Town of Dayton.
17. No crushing shall be permitted at the quarry site.
18. Product stockpile height shall not exceed 20 feet.
19. Hauling shall be limited to an average of 8 round trips per day, excluding water trucks and transport vehicles.
20. Haul trucks shall not exceed 30 mph on any county road.

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.



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BOOK: 569 PAGE: 313 FEES: \$0.00 PK APPROVAL - BOCC
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

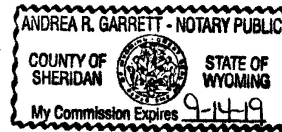
**BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING**

BY: Steve Maier
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 15th day of September, 20 17
by Steve Maier, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

Andrea R. Garrett
Notary Public



NO. 2017-737570 APPROVAL - BOCC
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
PUBLIC WORKS-ANDREA