



Staff Report

Public Hearing: **March 22, 2016**

Petition: **CUP 2334**

Zoning Amendment:
None

Town/sect:
**Oregon
Section 36**

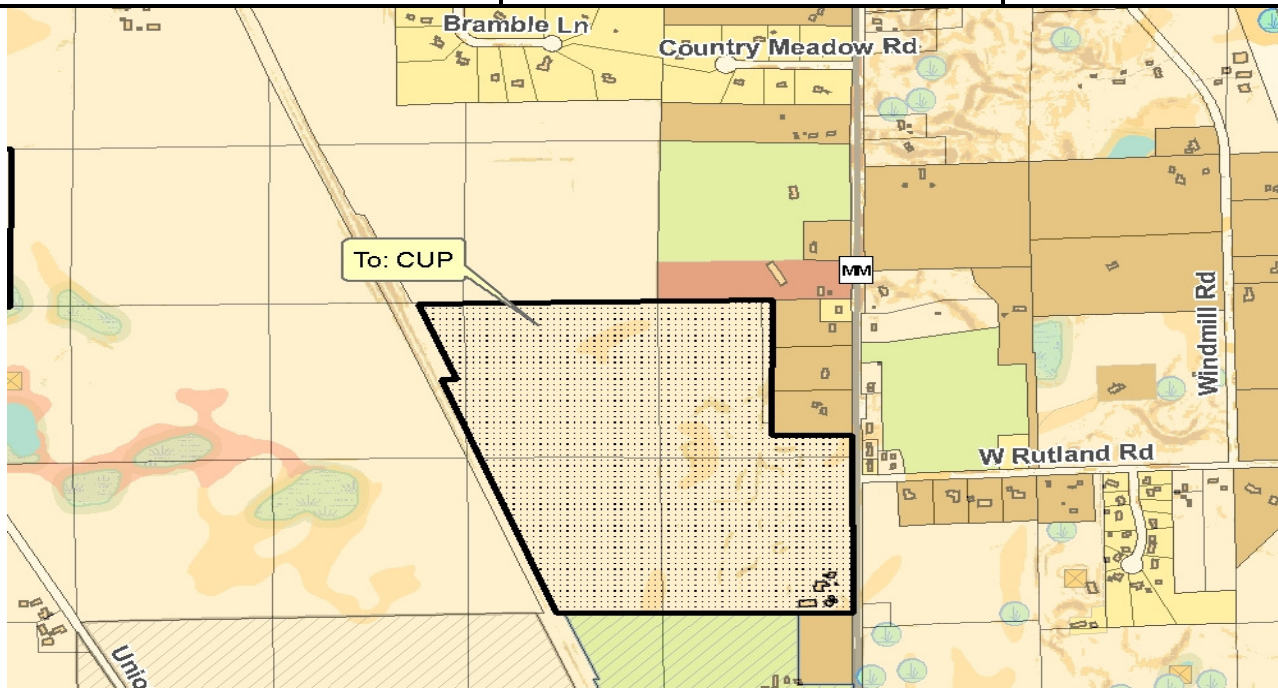
Acres: **143**
Survey Req. No

Applicant
Wingra Real Estate LLC

Reason:
Mineral Extraction use

Location:
**201 County Highway
MM**

Zoning and Land Regulation Committee



DESCRIPTION: The applicant wishes to continue and expand an existing mineral extraction and processing operation that was permitted as CUP #2223 (often referred to as the “Klahn site”). This proposed CUP covers an approximate 5 acres of the existing Klahn site operation, and will extend northward into the Wingra LLC property, totaling 143 acres. The total permit period requested is 30 years.

OBSERVATIONS: See Attached Staff Report.

TOWN PLAN: The subject property is in the *Agricultural Preservation Area* planned land use district in the Town of Oregon Comprehensive Plan. The overall goal for this area is preservation of productive agriculture and preventing land uses that conflict with agriculture. Mineral extraction was identified in the list of lands to be included in the agricultural preservation category, stating “Mineral Extraction uses must be within an agriculturally planned and zoned area to be considered for approval”.

TOWN: Approved with Staff’s suggested conditions.

3/22 ZLR: The petition was postponed due to public opposition. The public expressed concerns regarding the height of the existing berms, truck traffic during school hours, and arsenic concerns.

STAFF UPDATE: County Staff has investigated the concerns that were brought up at the public hearing.

Berms: A site inspection was conducted on the property and found that the currently constructed berms are consistent with the approved plans under CUP #2223.

Truck Traffic: The site accesses onto County Highway MM. The posted speed limit is 45 mph. The roadway is designed to facilitate large truck traffic. There have been no concerns expressed by the bus operators along Hwy MM with hauling trucks. The County Highway Department has no concerns with trucks sharing the road with other vehicles in this location.

Arsenic concerns: No chemicals are used in the sand and gravel operation. The pond was tested and found to have an arsenic level of 0.76ppb (state limit is 10ppb). The Kahn well tests at 4.4ppb. The extraction of sand would not have an impact on the naturally occurring arsenic levels in the ground water.