

TOWN OF OSCEOLA
PUBLIC HEARING
Regarding Haas Sons, Inc Request
to Crush Recycled Concrete and Asphalt
Thursday, August 25, 2016
MINUTES

The Board of Supervisors of the Town of Osceola met for a Public Hearing Thursday, August 25, 2016 at 6:30 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

THE PURPOSE OF THE PUBLIC HEARING WAS TO LISTEN TO PUBLIC COMMENTS REGARDING THE REQUEST BY HAAS SONS, INC. TO CRUSH RECYCLED CONCRETE AND ASPHALT.

CHAIRMAN DOUG SCHMIDT CALLED THE PUBLIC HEARING TO ORDER AT 6:30 P.M.

Chairman Schmidt verified that the Public Hearing notice had been published in the Wednesday, August 10, 2016 and August 17, 2016 publication of the SUN newspaper and posted at the Town Hall, Dresser Post Office, First National Community Bank and the website.

ROLL CALL:

PRESENT: Doug Schmidt, Mike Wallis and Dan Burch

ABSENT:

ALSO PRESENT: Lorraine Rugroden – Clerk/Treasurer, Jason Haas, Maxine Vaneps, Mike Vaneps, Sue La Roche and Jack La Roche

A Public hearing was called to hear public comment regarding the request by Haas Sons, Inc. to crush recycled concrete and asphalt that was trucked into the gravel pit located at the NW ¼ of the SE ¼, Section 16, T33N, R18W, off of 90th Avenue next to Lotus Lake in the Town of Osceola. This short-term project is estimated to take 6 – 8 days once the crusher is set up, with hours of operation being 6 a.m. – 7 p.m. They want to restore the property as soon as the material is cleaned up and sold.

They currently have a nonmetallic mineral extraction & processing permit with the Town of Osceola that is in effect through March 26, 2020 for the purposes of hauling and restoration only. They are requesting to modify their permit to include crushing. Neighbors within ½ mile were notified of the public hearing.

Jason Haas said that Haas Son's would like to crush some blacktop and concrete that was hauled into the pit from a project at St Croix Falls. Once crushed it would be sold and hauled back out. When they have done recycle in the past, they mixed the recycle with the

rock, but wouldn't be doing that this time. Jason said that recycle is a lot softer to crush and there would be considerably less noise.

Sue La Roche, 217th Street & 90th Avenue, started by reading a letter written by her neighbor Chad Oye. He said he has small children that he often walks to the park with. Since 90th Avenue has no shoulders, it is very difficult to safely walk to the park with the increase in heavy truck traffic. There are no set hours for this to happen, leaving multiple residents in limbo. Having small children near 90th Avenue and increased noise from the crusher are not acceptable to the neighbors of this rock pit. It would not be acceptable for us to create this noise, nether should it be for them.

Sue La Roche stated that she and her husband have lived in Osceola for 16 years and this year there was tremendously more traffic than we've ever seen in the sixteen years. They started as early as 7:00 a.m. and worked until 7:30 p.m. Some days there were trucks as often as 15 minutes apart. She said that they discovered that the contour of their side yard is changing on 90th Avenue, and beginning to ripple. This started several weeks after the trucks started hauling. When the trucks come down the hill they start jake breaking near her neighbors property, causing her house and china cabinet to shake. She is concerned with the heavy trucks on 90th Avenue causing the road to deteriorate, and asked a friend that does paving to look at the road. He said it was because of too much weight on the road. Sue said the amount of traffic on the road each day is unacceptable. When you have two trucks meeting at the same time and if you have anyone walking or biking, there is very little place for them to go but in the ditch, creating a very unsafe situation. We also have the walking trail where people are entering and exiting the trail. We have Lotus Lake boat landing and park and have all these wonderful things that we're attracting people to the area for, but no safe way to get there. Vehicles are starting to park on 217th Street and in the field across from the trail because they don't feel safe riding their bikes down 90th Avenue. She said they are done with the loss of peaceful enjoyment of our property. It's been a very loud summer. It's a residential area with the walking trail and lake and it's not appropriate for the amount of truck traffic. She said she is definitely opposed to the pit operating from 6:00 a.m. to 7:00 p.m.

Mike Vaneps said based on past history he's not in favor of the mine. Mike lives straight north of the mine on 210th Street. He remembers when Haas was crushing in the past. It was very distracting and you couldn't be outside, mow your lawn or work in the garden. That went on for several months and was very disturbing for him. It doesn't sound like the current crushing and longevity will be as bad. He went on to say that if he is outside he can hear the trucks like they're in his my backyard.

Maxine Vaneps stated that they have bikers that travel on 210th Street. She doesn't know if the truckers would be using the road but there are no shoulders on the road and that concerns her. Previously, crushing was 24 hours a day and was disturbing, "even if the windows were closed we could hear you screeching", but can put up with it temporarily. Jason Haas said that is why they kind of stopped hauling so much out of the pit because it was to disturbing to the houses around the pit. They decided it was just going to be used for restoration. But then they hauled some material into the pit, and now they would like to crush that material, sell the recycle and restore the pit before selling the pit.

Jason Haas assured Sue La Roche that they are not affiliated with Kraemer Mining or the Blue Rock Quarry. Dan Burch said there is a Chapter 14 Nonmetallic Mining ordinance in place. On 3/26/15 Haas Sons, Inc. was issued a permit but did not request to crush because Jason said they were going to be in a reclamation process. It's a little different when

a mine is trying to go through the process to shut down, there is a reclamation procedure that needs to be followed. The permit is for the applicant. When the applicant doesn't renew the permit, it would be considered a new application if someone else were to request a permit to operate.

Mike Wallis stated that we have to evaluate every application independently. When we developed our nonmetallic mining ordinance there was a clause for existing mines. Haas Sons, Inc. were given an automatic conditional permit. They had that permit for 5 years and then they had to reapply. Because it is a preexisting mine, the town could not unreasonably deny a permit. Everything that's been happening with this mine is the result of the history that has been going on there. We really have no authority to deny them.

There was no written correspondence received by the town regarding Haas Sons, Inc. request to crush.

Jason Haas said he feels bad that home owners have had bad experiences. It wasn't Haas Sons intention for there to be so much noise with the trucks. They try to enforce their trucks as best they can but they cannot follow them around. If the jake brakes were making noise, it wasn't something they were encouraging. If they limit the hours, they will be there longer and it will take longer to get the crushing done. Typically they don't have breakdowns. Most of the recycle will be used for road gravel.

Jason Haas answered questions Mike Wallis had for him by saying the alternative to crushing is burying the material. He said it is better to crush the recycle and reuse it, otherwise it is getting wasted. They would have to haul the blacktop out and burry the concrete if they didn't crush. If that were the case, once it was restored, you wouldn't want to put a building there. If we were to crush the blacktop and the concrete, it makes good gravel for roads. From a future standpoint, you want to get the material out of there instead of burying the concrete. If everything is all natural when it gets restored, it is better for future land use.

Jason said the air quality shouldn't change when crushing. They have spray bars on the crusher. He said it is less than 5 percent visible emissions. Supervisor Wallis reminded Jason that the town's ordinance does require no dust outside of the boundary. Jason said if the dust is 5 percent at the crusher, there is no way that dust would get out at the property line. Crushing will be done more than 100 feet from the property line so it is expected that noise will be less than 70 decibels. Since fall is right around the corner, they would like to crush in 2017.

After all Comments were herd, The Public Hearing was adjourned.

**ADJOURNMENT:
MOVED, SECONDED BY WALLIS/BURCH TO ADJOURN THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.**

Public hearing was adjourned at 7:04 PM.

APPROVED: 09/6/2016

Lorraine Rugroden, Clerk/Treasurer