

~~18004.2. 26.10.4.2-3. 210.0001~~

18004.2. 26.10.4.2-3. 001.0001

Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse, Rm. A180
731 Oxford Avenue
Eau Claire, Wisconsin 54703
(715) 839-4741

- Housing & Community Development 839-4741
- Emergency Services Management 839-4736
- Real Property Description 839-2944
- Land Use Controls 839-4743
- Building Inspection 839-2944
- Land Conservation 839-4226
- Planning 839-5053

County Surveyor 839-4742

NOTIFICATION OF ACTION ON CONDITIONAL USE PERMIT

Official notification is hereby given to Karl & Hazel Riekemann, S4975 Maple Drive Road, Eau Claire, WI 54701-9540, Owner; Paul Ayers, American Materials, Corporation, PO Box 388, Eau Claire, WI 54702-0388, Applicant; pursuant to your request for a conditional use permit brought before the Eau Claire County Committee on Planning and Development for action on April 11, 1995, pertaining to land located in the Town of Brunswick being further described as follows: Government Lot No. 1 & Parcel No. 26.10.4.2-3, Section 4, T26N-R10W.

The following action was taken by the Committee on Planning and Development on your request to issue a conditional use permit for the expansion of an existing non-metallic mine (sand & gravel).

Approval subject to the following conditions:

1. The site be developed as per the submitted plans with reclamation conducted as the mine moves from west to east. A buffer of 75 feet shall be maintained. Slopes in the water shall not exceed 3:1 extending to a water depth of 6 feet be maintained during lengthy periods of inactivity and established permanently when mining is complete.
2. The wetland or ponds that are to be developed should be in conjunction with the WI DNR Wildlife Manager and the County Land Conservation Division.
3. A buffer strip sufficient to screen the river from the mine operations and provide a stable river bank during flood events must be provided.
4. The property should be examined by the regional archaeologist for the presence of historic or prehistoric archeological materials. The review shall take place within thirty days of permit approval with contact by the Department. A reasonable opportunity shall be given to explore and rescue from destruction any significant materials found on the site without unduly delaying the project.
5. All stockpiles shall be flood protected to the flood protection elevation and shall have the minimum impact upon flood flows and flood storage capacities. Large long term storage areas shall not impact the floodplain.
6. Copies of permits issued by State, Federal, and local jurisdictions must be filed in the Department prior to commencing operation of the mine.
7. Financial assurance to guarantee reclamation shall be filed with the Department. This guarantee can be either a signature guarantee, cash bond, or surety bond.
8. An annual certificate of insurance shall be on file in the Department.
9. This permit is subject to Section 18.21.080 to 18.21.100 of the zoning code. These are the review procedures for conditional use permits.

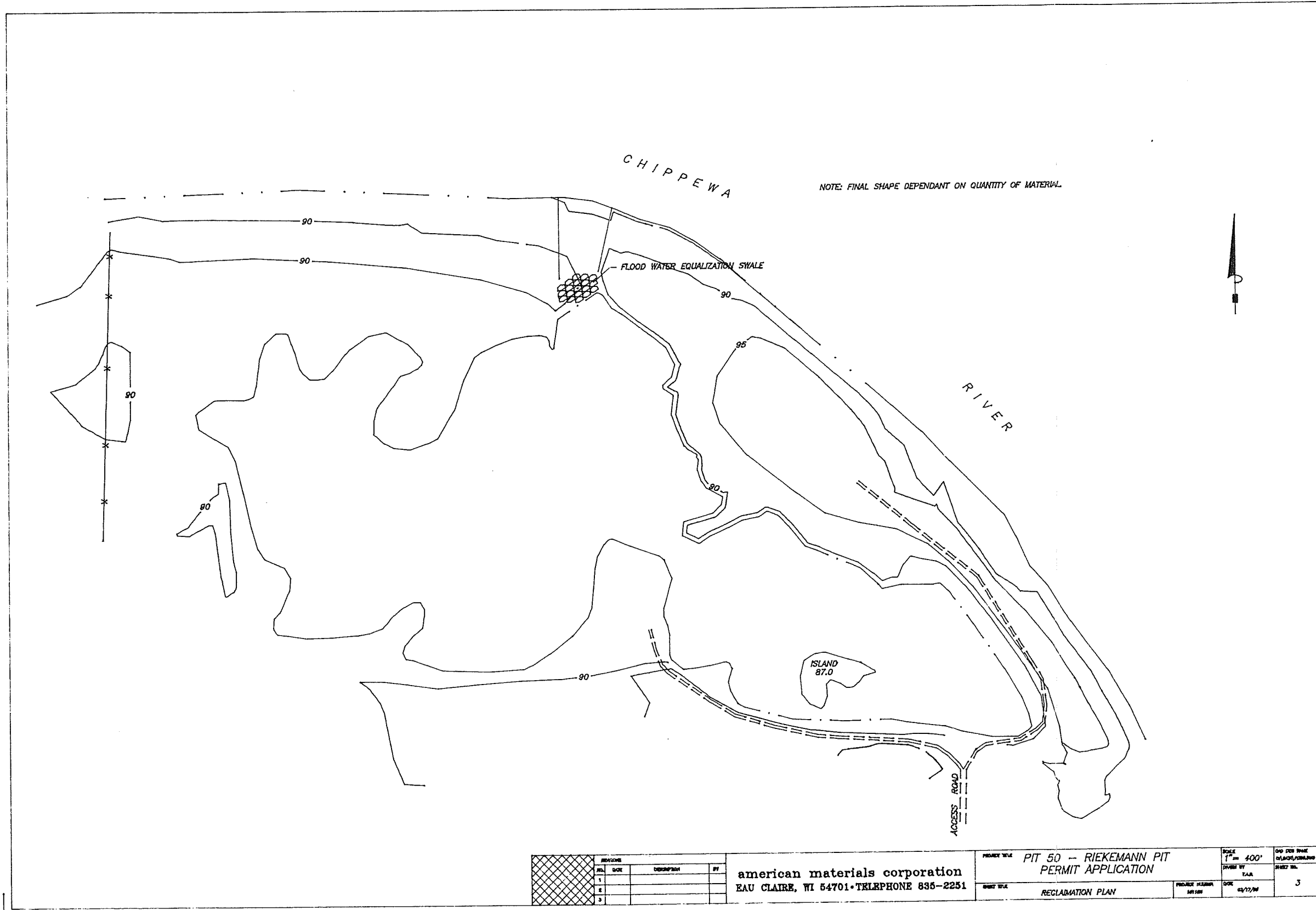
NOTE: 18.21.080 give applicant one year to start business;
18.21.090 outlines how a permit may be changed; and
18.21.100 allows a use to continue, except if the business or use is discontinued after 12 months, then the permit is no longer valid.

4/19/95

Date

Committee on Planning and Development

, Clerk



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1			
2			
3			

american materials corporation
 EAU CLAIRE, WI 54701 • TELEPHONE 835-2251

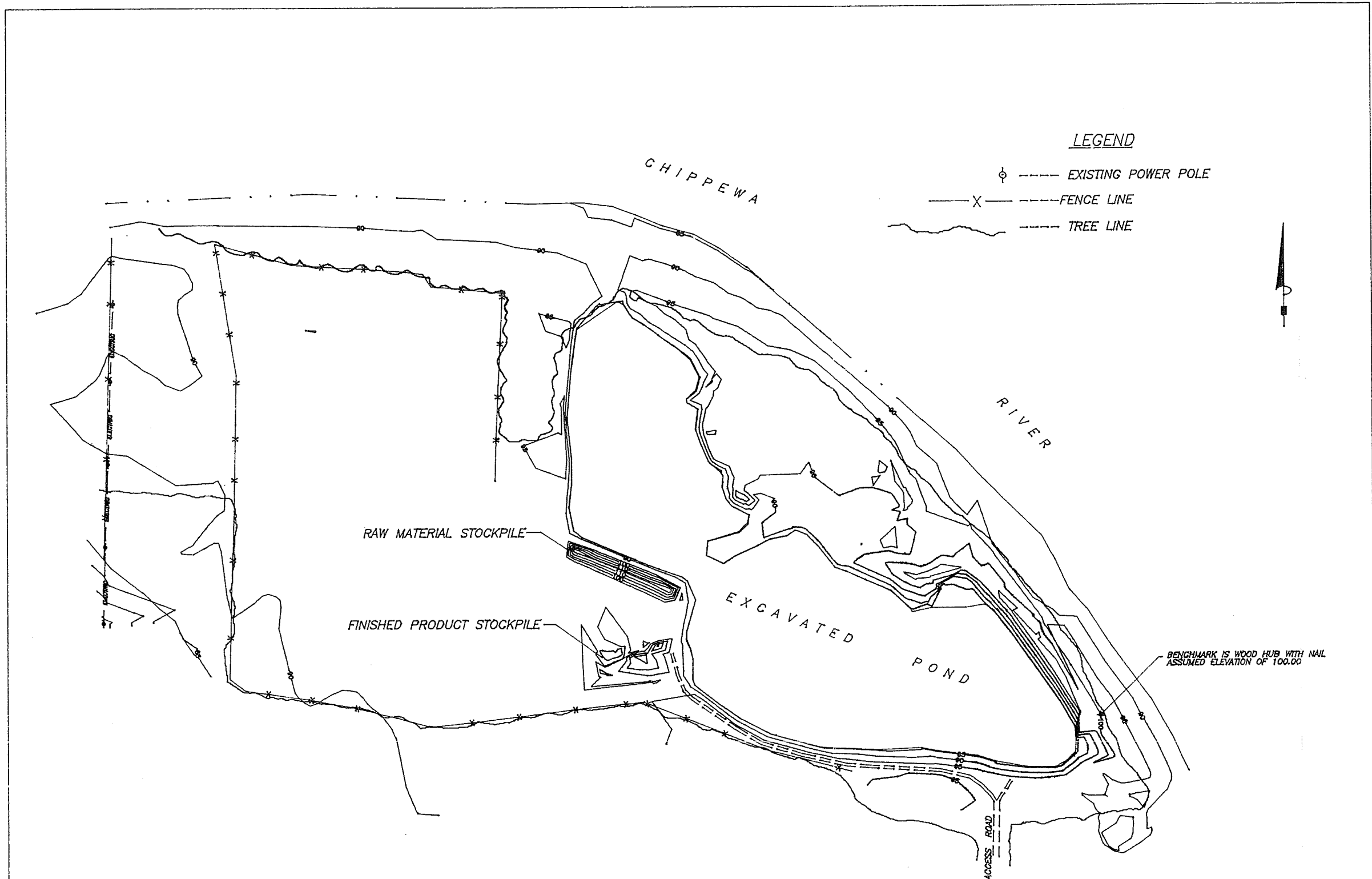
PROJECT TITLE PIT 50 -- RIEKEMANN PIT
 PERMIT APPLICATION

SHEET TITLE RECLAMATION PLAN

SCALE 1" = 400'

DATE 04/17/64

SHEET NO. 3



LEGEND

- ⊕ ----- EXISTING POWER POLE
- X— ----- FENCE LINE
- ~~~~~ TREE LINE

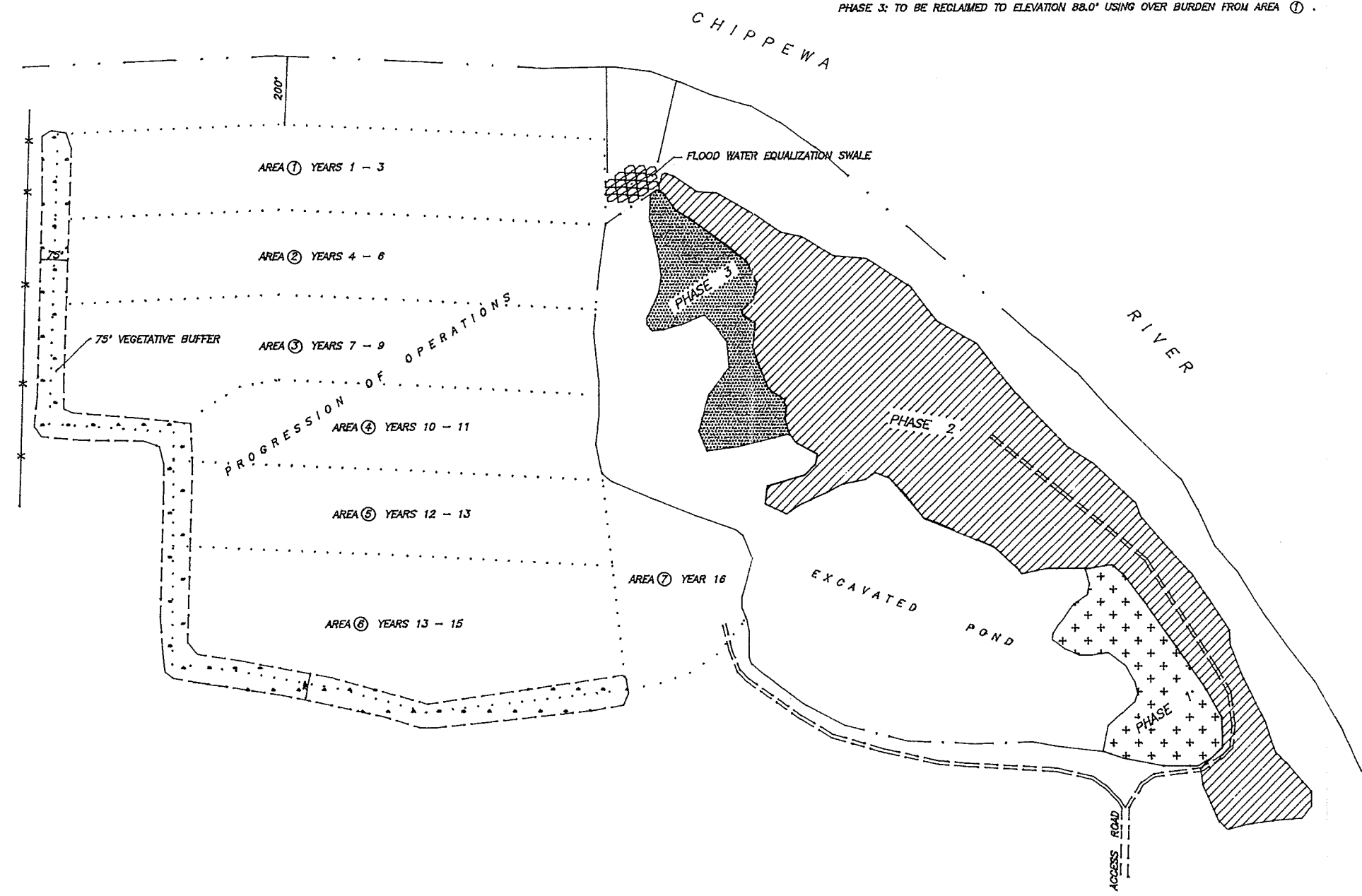


NO.	DATE	DESCRIPTION	BY
1			
2			
3			

american materials corporation
EAU CLAIRE, WI 54701 • TELEPHONE 835-2251

PROJECT TITLE	PIT 50 - RIEKEMANN PIT PERMIT APPLICATION	SCALE	1" = 400'	NO. OF SHEETS	1
SHEET NO.	EXISTING CONDITIONS	DATE	8/12/57		

PHASE 1 : TO BE CONVERTED TO WETLANDS WITH WATER DEPTH OF 1 FOOT. (ELEVATION OF TOP OF FILL TO BE 83.0')
 PHASE 2: TO BE RECLAIMED USING TOPSOIL STRIPPED FROM AREA ① . VEGETATIVE COVER TO BE GRASSES AND RED PINES.
 PHASE 3: TO BE RECLAIMED TO ELEVATION 88.0' USING OVER BURDEN FROM AREA ① .



NO.	DATE	DESCRIPTION	BY
1			
2			
3			

american materials corporation
 EAU CLAIRE, WI 54701 • TELEPHONE 836-2261

PROJECT TITLE
 PIT 50 - RIEKEMANN PIT
 PERMIT APPLICATION
 PROJECT NUMBER
 OPERATION PLAN

SCALE
 1" = 400'
 DRAWN BY
 L.A.R.
 CHECKED BY
 L.H.L.
 DATE
 05/12/88
 SHEET NO.
 2

WHEREAS, Eau Claire County has determined to regulate land use within the County via the Eau Claire County Zoning Ordinance, and
WHEREAS, there are certain uses which because of their nature require special consideration to make them compatible with approved uses in any given district, and

WHEREAS, the Eau Claire County Committee on Planning and Development (Hereafter referred to as the Committee), may issue conditional use permits for the expansion of an existing non-metallic mine (sand & gravel), and

WHEREAS, the Committee has held a public hearing, and

WHEREAS, the Committee has determined that the proposed use can:
1) Comply with the character of the district as described and defined by the uses permitted and the intent established in the Zoning Code - Eau Claire County; 2) Blend with adjacent uses and will not cause substantial injury to the value of other property in the neighborhood; 3) Be reasonably necessary for the public convenience at that location; and 4) Be so designated, located and proposed to be operated that the public health, safety and welfare will be protected.

NOW, THEREFORE, BE IT RESOLVED that the Committee issues a conditional use permit to allow for the expansion of an existing non-metallic mine (sand & gravel), Town of Brunswick, Eau Claire County, Wisconsin and subject to the following conditions:

1. That this permit is subject to revocation or modification of or further conditioning by the Committee if:

- A. The Committee finds that there has been noncompliance with any of the following conditions, or
- B. The Committee finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing and heard in the following manner.

Whenever, in the opinion of the Zoning Officer or the Committee, the conditions of the granting of this conditional use permit have been violated, the Zoning Officer shall call a hearing to be held on the matter of revocation of said permit by giving notice of hearing as provided in the Zoning Code - Eau Claire County, and in addition thereto, by serving by mail upon the owner of such property, as such fact appear from the latest tax rolls of the County of Eau Claire an order to show cause why such permit should not be revoked.

After the conduct of such revocation hearing, the Committee may revoke such permit, modify the same or deny the revocation.

EAU CLAIRE COUNTY COMMITTEE ON PLANNING AND DEVELOPMENT STAFF
RECOMMENDATION

DATE PREPARED: April 7, 1995

PUBLIC HEARING DATE: April 11, 1995

OWNER: Karl W & Hazel M Riekemann, S4975 Maple Drive Road, Eau Claire, WI 54701-9540

PETITIONER: Paul Ayers, American Materials Corporation, P.O. Box 388, Eau Claire, WI 54702-0388

LOCATION: Government Lot 1 and Parcel Number 26.10.4.2-3, Section 4, T26N-R10W, Town of Brunswick

SIZE OF PARCEL: 70 Acres

CURRENT ZONING: A-1, Exclusive Agriculture

REQUEST: The request is to modify a conditional use permit to allow expansion of a non-metallic mine (sand and gravel) into previously undisturbed properties.

ADJACENT ZONING & LAND USE:	<u>Zoning</u>	<u>Land Use</u>
NORTH:	A-1	Chippewa River
WEST:	A-1	Agriculture
SOUTH:	A-1	Agriculture
EAST:	A-1	Existing mine ops.

BACKGROUND: The Riekemann property is located south and west of the City of Eau Claire on STH85 approximately 2 miles from the intersection of STH37/85. The request is being made to expand an existing sand and gravel mine that is located between STH 85 and the Chippewa River.

ANALYSIS:

There are seven standards that must be reviewed for the Committee to grant a conditional use permit. These standards and staff analysis are listed below:

STANDARD:

1. The uses are in conformance with the purpose section of the zoning district.
2. The use shall not be injurious to the use and enjoyment of the immediate area.

ANALYSIS:

1. The use is a conditional use in all districts.
2. The shoreland area of the Chippewa River will need to be protected.

- | | |
|--|---|
| 3. Adequate utilities, access, drainage, and other necessary facilities are provided. | 3. Access is existing (STH-85), utilities are not required, and drainage will be addressed. No facilities should be required. |
| 4. Off-street parking and loading must be to the code standards. | 4. Not applicable. |
| 5. Adequate measures are taken to prevent noise, dust, odors, and vibrations. Lighting shall not disturb neighboring properties. | 5. These need to be addressed in the conditions of the permit. |
| 6. Soil conditions are adequate for the proposed use. | 6. The site is underlain by sand and gravel deposits. |
| 7. Proper facilities and access points are provided to prevent a traffic hazard or congestion | 7. There is an existing access with good visual clearance for traffic. |

Section 18.28.010 of the zoning code outlines the procedures for granting a permit for a non-metallic mine. The applicant must submit a site plan of the property, a reclamation plan, and an operational plan. It is mandatory that all State, County, Town, and Federal regulations are complied with and necessary permits obtained. There is an insurance requirement of one hundred thousand dollars for bodily injury coverage. The permit is valid for a five year period with renewals through Committee approval.

In reviewing the materials presented by American Materials, it appears that they have met the requirements of the zoning code. Because the mine is located adjacent to the Chippewa River, there should be substantial screening present. This can be a forested buffer strip. Staff is recommending side slopes flatter than 3:1 for safety purposes in any constructed pond created.

STAFF RECOMMENDATION:

Staff recommends approval subject to the following conditions:

1. The site be developed as per the submitted plans with reclamation conducted as the mine moves from west to east. A buffer of seventy five feet shall be maintained. Slopes in the water shall not exceed 3:1 extending to a water depth of 6 feet be maintained during lengthy periods of inactivity and established permanently when mining is complete.

2. The wetlands or ponds that are to be developed should be in conjunction with the WI DNR Wildlife Manager and the County Land Conservation Division.
3. A buffer strip sufficient to screen the river from the mine operations and provide a stable river bank during flood events must be provided.
4. The property should be examined by the regional archaeologist for the presence of historic or prehistoric archeological materials. The review shall take place within thirty days of permit approval with contact by the Department. A reasonable opportunity shall be given to explore and rescue from destruction any significant materials found on the site without unduly delaying the project.
5. All stockpiles shall be flood protected to the flood protection elevation and shall have the minimum impact upon flood flows and flood storage capacities. Large long term storage areas shall not impact the floodplain.
6. Copies of permits issued by State, Federal, and local jurisdictions must be filed in the Department prior to commencing operation of the mine.
7. Financial assurance to guarantee reclamation shall be filed with the Department. This guarantee can be either a signature guarantee, cash bond, or surety bond.
8. An annual certificate of insurance shall be on file in the Department.
9. The permit is subject to Sections 18.21.080 to 18.21.100. These are the permit review procedures for conditional use permits.

COMPUTER NO./S 004102304000 004104004000	APPLICATION FOR CONDITIONAL USE PERMIT EAU CLAIRE COUNTY, WISCONSIN PERMIT APPLICATION NO: CUP95-04	TOWN OF BRUNSWICK ZONING DISTRICT A1 PARCEL NO. 26.10.4.G.L.1
SEC.04 TN26N, R10W		

Owner(s) Name & Address	Telephone	Agents Name & Address	Telephone
KARL W & HAZEL M RIEKEMANN S4975 MAPLE DRIVE RD EAU CLAIRE WI 547019540		PAUL AYERS AMERICAN MATERIALS, CORP P.O. BOX 388 EAU CLAIRE, WI 547020388	715-835-2251

CUP AREA: GOV. LOT NO. 1 & PARCEL NO.26.10.4.2-3

Fee: \$50.00 \$100.00	Received By: <u>PAW</u>	LOT SIZE: 70 ACRES
Receipt No.: <u>0052</u>	Date: <u>3/14/95</u>	

A Conditional Use Permit is requested as authorized by Section(s):
18.28.010 of the Eau Claire County Code of General Ordinances for:
EXPANSION OF AN EXISTING NON-METTALIC MINE (SAND AND GRAVEL)

SIGNED: _____
 OWNER


 AGENT

NOTE: Conditional Use Permits are granted by the Committee on Planning and Development after a public hearing. The Committee has the authority to establish conditions as prescribed in Chapter 18.21.070 of the County Code. The applicant or a representative should attend the hearing. This application will not be processed until all information required by Section 18;.21.030 C of the County Code has been provided.

The applicant, as witnessed by the applicant's signature on this application hereby attests that the information contained therein is accurate and true. Any assistance by County Staff was at the applicants request.

Governing Body	Date	Approve	Deny
Staff Recommendation Hearing P & D Committee Action			

REMARKS:

COMPUTER NO./S
004102304000
004104004000

APPLICATION FOR CONDITIONAL USE PERMIT
EAU CLAIRE COUNTY, WISCONSIN
PERMIT APPLICATION NO: CUP95-04

TOWN OF
BRUNSWICK
ZONING DISTRICT
A1
PARCEL NO.
26.10.4.G.L.1

SEC.04 TN26N, R10W

Owner(s) Name & Address	Telephone	Agents Name & Address	Telephone
KARL W & HAZEL M RIEKEMANN S4975 MAPLE DRIVE RD EAU CLAIRE WI 547019540		PAUL AYERS AMERICAN MATERIALS, CORP P.O. BOX 388 EAU CLAIRE, WI 547020388	715-835-2251

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Receipt No.: <i>0052</i>	Date: <i>3/14/95</i>	

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18.28.010 of the Eau Claire County Code of General Ordinances for:
EXPANSION OF AN EXISTING NON-METTALIC MINE (SAND AND GRAVEL)

SIGNED: _____
OWNER

Paul T. Ayers
AGENT

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Governing Body	Date	Approve	Deny
Staff Recommendation Hearing P & D Committee Action			

REMARKS:

CHECK IF DATCAP MUST BE NOTIFIED X

CHECK IF DNR TO RECEIVE COPY X

Brans
CUP

Riekemann/Cher. Materials 2-3

Sec 4 T26 R10 G.L. 1

GL 2 K. Riekemann

2-4 " "

3-1 G. Riekemann

3-2-A " "

3-2-B K. Riekemann

Sec 5 T26 R10

4-1-A D. Johnson

1-4 " "

G.L. 4 " "

Minor Sec 32 T27 R10

GL 4 A. Davidson

Minor Sec 33 T27 R10

GL 1-A } City of E.C.

GL 1-B } " " "

GL 2 " " "

PROPERTY OWNERS WITHIN 660' OF
K. RIEKEMANN/AMERICAN MATERIALS
(CUB. REQUEST)

Harold Davidson
7936 Upper Applegate Road
Jacksonville, OR 97530

City of Eau Claire Clerk
City Hall
203 S Farwell Street
Eau Claire, WI 54701

Robert & Donna Riekemann
W5544 State Road 85
Eau Claire, WI 54701

David & June Johnson
S4800 Maple Drive Road
Eau Claire, WI 54701

COMPUTER NO./S
004102304000
004104004000

APPLICATION FOR CONDITIONAL USE PERMIT
EAU CLAIRE COUNTY, WISCONSIN
PERMIT APPLICATION NO: CUP95-04

TOWN OF
BRUNSWICK
ZONING DISTRICT
A1
PARCEL NO.
26.10.4.G.L.1

SEC.04 TN26N, R10W

Owner(s) Name & Address	Telephone	Agents Name & Address	Telephone
KARL W & HAZEL M RIEKEMANN S4975 MAPLE DRIVE RD EAU CLAIRE WI 547019540		PAUL AYERS AMERICAN MATERIALS, CORP P.O. BOX 388 EAU CLAIRE, WI 547020388	715-835-2251

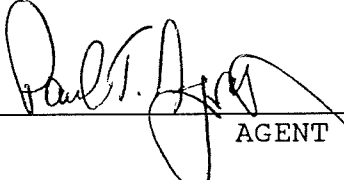
CUP GOV. LOT NO. 1 & PARCEL NO.26.10.4.2-3
AREA:

Fee: \$50.00 / 100.00	Received By:	LOT SIZE: 70 ACRES
Receipt No.:	Date:	

A Conditional Use Permit is requested as authorized by Section(s):
18.28.010 of the Eau Claire County Code of General Ordinances for:

EXPANSION OF AN EXISTING NON-METTALIC MINE (SAND AND GRAVEL)

SIGNED: _____
OWNER


AGENT

NOTE: Conditional Use Permits are granted by the Committee on Planning and Development after a public hearing. The Committee has the authority to establish conditions as prescribed in Chapter 18.21.070 of the County Code. The applicant or a representative should attend the hearing. This application will not be processed until all information required by Section 18;.21.030 C of the County Code has been provided.

The applicant, as witnessed by the applicant's signature on this application hereby attests that the information contained therein is accurate and true. Any assistance by County Staff was at the applicants request.

Governing Body	Date	Approve	Deny
Staff Recommendation Hearing P & D Committee Action			

REMARKS:

CHECK IF DATCAP MUST BE NOTIFIED X CHECK IF DNR TO RECEIVE COPY X

County of Eau Claire, BOARD OF ADJUSTMENT

JUL 3 1981

NOTICE OF ACTION ON APPEAL

Date July 1, 1981

American Materials Corporation
General Office American Blvd.
Eau Claire, WI 54701

Dear Sir (s) :

At the Tuesday, June 30, 1981 meeting of the Board of Adjustment, your appeal for a ~~(variance)~~ ~~(special exception)~~ ~~(interpretation)~~ ~~(variance)~~ (special exception) was considered.

On the basis of the evidence presented at the hearing of this case, it was determined that your appeal be (granted) ~~(denied)~~ ~~(modified as follows)~~ : contingent upon stipulations enumerated by the Land Use Administrator. This is for the request to place a gravel operation within the floodplain of the Chippewa River and to create a lagoon within 300 feet of the Chippewa River.

NOTE: Use only if decision reversed

The Zoning Administrator has been informed of our decision and has been ordered to issue a permit as requested.

NOTE: Use only if decision modified

The _____ has been notified of our decision and has been ordered to issue a permit as requested subject to the above modifications.

A complete record of the hearing and the decision of the Board is available for your inspection at the Planning and Zoning Office (place available)

If copies are desired, they may be secured upon request and payment of transcription costs.

Copies to: Zoning Administrator
or County Sanitarian
Parties to Appeal

Yours very truly
Samuel J. Smith, Secretary
Board of Adjustment
Chairman

Recommendations of the Land Use Administrator

Mr. Richard DeVriend
Land Use Administrator
Eau Claire County Courthouse
Resource Planning & Zoning Dept.
721 Oxford Avenue
Eau Claire, WI 54701

1. The Board in granting this request should require machinery fuels stored on the property be placed at or above the flood protection elevation and that the structure that supports the fuel containers be flood proofed.
2. Any stock piles on the property shall be removed or protected so as not to cause sedimentation problems during flooding or to cause the flood-plain capacity to increase by more than 1/10 of a foot.
3. When an area is completed or all materials removed, it shall be restored as to a restoration plan and that vegetative cover be applied as soon as possible by using fast growing grasses or other vegetative cover.
4. All necessary permits shall be acquired including those necessary from state and federal agencies.

File pit 50 B

EAU CLAIRE COUNTY BOARD OF ADJUSTMENT - STAFF REVIEW AND RECOMMENDATIONS
June 22, 1981

APPLICANT: American Materials Corporation.

LOCATION: E $\frac{1}{2}$, NW $\frac{1}{4}$ & W $\frac{1}{2}$, NE $\frac{1}{4}$, Sec.4, T26N, R10W, Town of Brunswick.

SPECIAL EXCEPTION PERMIT REQUESTED: To operate a sand and gravel operation in the floodplain, to create a lagoon or pond within 300 feet of the Chippewa River.

HISTORY:

In 1978, American Materials made application to operate a sand and gravel operation in the Town of Brunswick to the Committee on Resource Planning and Zoning. This permit was granted. Subsequently to that application, they applied to the Board of Adjustment to grant a special exception permit for a permit to operate a sand and gravel operation in the general purpose district of the Shoreland Zoning Ordinance. This permit was also granted. American Materials started operation of the pit shortly thereafter. In May of 1981, the zoning office informed American Materials that a renewal of the original permit was necessary as directed by the Comprehensive Zoning Ordinance. American Materials made application for renewal of the permit. During staff analysis of this request, it was found that initial permits were not necessary from the Committee on Resource Planning and Zoning and that the application reviewed by the Board of Adjustment was deficient as to the requirements of the floodplain ordinance. Further, it became known that American Materials had made application to the Department of Natural Resources to create a pond or lagoon within 200 feet of the Chippewa River. Staff recommended to American Materials that they pursue another Special Exception Permit to clarify the existing one issued and to create a lagoon within three hundred feet of navigable water.

ANALYSIS:

The Board is reviewing a request which has jurisdiction in two different ordinances, the shoreland and the floodplain ordinance. Since Section 17.20.250E requires the Board to determine that a sand and gravel operation is similar to the permitted uses in the floodplain district, it should first make a determination on the use requested.

Under NR116 of Wisconsin Administrative Code, sand and gravel operations are listed as permitted uses. It appears similar to other permitted uses in that it is an open space use and that when the sand and gravel operation is completed, it will be restored to its natural state.

Section 17.20.250D is pertinent to this request because American Materials will be processing materials, i.e., sand and gravel, and they will be using fuel to run machinery in the operation. The Board should review the stock piling of sand and gravel for if there will be hazards to human, animal or plant life, it will come from these stock piles. Secondly, if flammable materials such as diesel fuel is stored on the property in quantities greater than one day's use, they should be protected against flooding or be above the flood protection level.

As American Materials excavates the sand and gravel, they will be creating a lagoon within 300 feet of the high water mark of the Chippewa River. Section 17.12.220 requires that the Board issue a special exception permit. Standards for approval are listed in Sections 17.16.340 and 17.16.350 and gives the Board authority to utilize the Soil and Water Conservation District for their expertise.

Section 17.16.340 details the standards for the evaluating a special exception permit. The standards are:

Maintenance of safe and healthful conditions, prevention and control of water pollution, including sedimentation, existing topographic and vegetative cover on the site, location as to floodplains and floodways, the erosion potential of the site, location as to existing roads and proposed roads, the need for the site to be in the shoreland area, compatibility with adjacent land uses, amount of liquid wastes that will be generated, and locational factors such as domestic factors are to be preferred, uses that inherently are not a source of pollution, and locations that will minimize pollution.

Section 17.16.350 gives the Board the power to grant conditions on the proposed request and the power to request specific information on the request from the applicant, the Soil and Water Conservation District, and other State and Federal agencies.

RECOMMENDATION:

It appears that sand and gravel operations are allowed in the floodplain and should be considered similar to a permitted use.

The Board should utilize the expertise available to them. The DNR is or has reviewed this request and the Board should ask for their recommendations. If the Board decides that a restoration plan or a sedimentation control plan is necessary, it could be reviewed by the Soil and Water Conservation District or their representative.

The Board in granting this request should require that either the machinery fuels be only one day's quantity or that any fuels stored on the property be placed at or above the flood protection elevation and that the structure that supports the fuel containers be flood proofed. Secondly, any stock piles on the property shall be removed or protected so as not to cause sedimentation problems during flooding. Thirdly, when an area is completed or all materials removed, it shall be restored as to a restoration plan and that vegetative cover be applied as soon as possible by using fast growing grasses or other vegetative cover. All necessary permits shall be acquired including those necessary from state and federal agencies.

RAD/keh

~~May 26, 1981~~

Jun 22, 1981

13

File

STATEMENT PIT 50 - BOARD OF ADJUSTMENT

AMERICAN MATERIALS CORPORATION HAS IN GOOD FAITH AND TO THE BEST OF OUR KNOWLEDGE OBTAINED AND COMPLIED WITH ALL REQUIREMENTS SET FORTH BY THE COUNTY AND DNR.

ON APRIL 10, 1981, AMERICAN MATERIALS CORPORATION APPLIED FOR A RENEWAL OF THE CONDITIONAL USE PERMIT FOR OUR PIT 50. HOWEVER, ON MAY 12, 1981, WE WERE ADVISED THAT THE ZONING BOARD COULD NOT RENEW THE CONDITIONAL USE PERMIT AND THAT THE REQUEST BE PLACED ON FILE SUBJECT OF SUBSEQUENT REVIEW BY THE ZONING ADMINISTRATOR. ON MAY 22, 1981, WE WERE ADVISED THAT THE PERMIT REQUEST WOULD HAVE TO BE TAKEN BEFORE THE BOARD OF ADJUSTMENT - THUS OUR PRESENCE HERE TONIGHT.

SPECIFICALLY, THE AREA UNDER CONSIDERATION FOR PERMIT WHEN TOTALLY EXCAVATED WILL COVER APPROXIMATELY TWENTY ACRES. EACH ACRE WILL AVERAGE ABOUT 30,000 CUBIC YARDS OF SAND AND GRAVEL YIELDING APPROXIMATELY 50% ROCK, OR ABOUT 15,000 CUBIC YARD OF GRAVEL PER ACRE. ALTERNATELY, THE UPLAND GRAVEL DEPOSITS IN THE AREA, LOCATED ON AGRICULTURAL LAND, AVERAGE 16,000 CUBIC YARDS SAND AND GRAVEL PER ACRES, BUT WITH ONLY 30% ROCK RESULTING IN 4,800 CUBIC YARDS PER ACRE. IN ORDER TO REALIZE A COMPARABLE GRAVEL YIELD SIXTY ACRES OF AGRICULTURAL LAND WOULD BE REQUIRED AS COMPARED TO ONLY TWENTY ACRES IN THE AREA UNDER CONSIDERATION. BY USING THE PROPOSED PLAN WE WOULD MAKE USE OF THE VERY NECESSARY SAND AND GRAVEL IN THIS AREA WITHOUT USING UP VALUABLE AGRICULTURAL LAND.

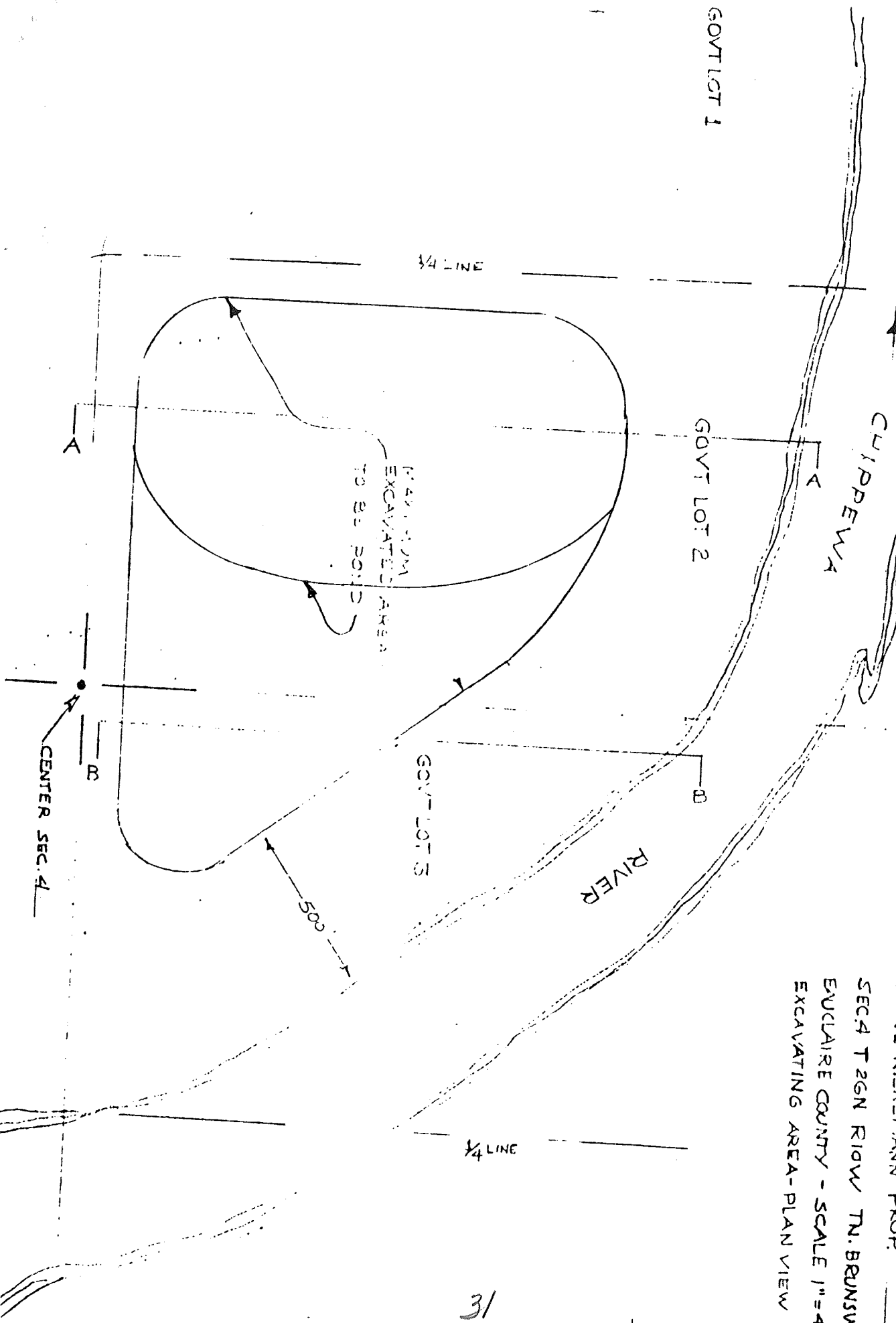
IT IS IMPERATIVE THAT WE CONTINUE THE BASIC PLAN AS APPROVED BY THE BOARD OF ADJUSTMENT IN 1978 AND THE 1981 MODIFICATION PROPOSED HEREWITH.

TIME IS OF THE ESSENCE IN THIS MATTER. WE LOOK FORWARD TO THE APPROVAL OF THIS REQUEST.

ANY QUESTIONS?

(M(A))
VIEW

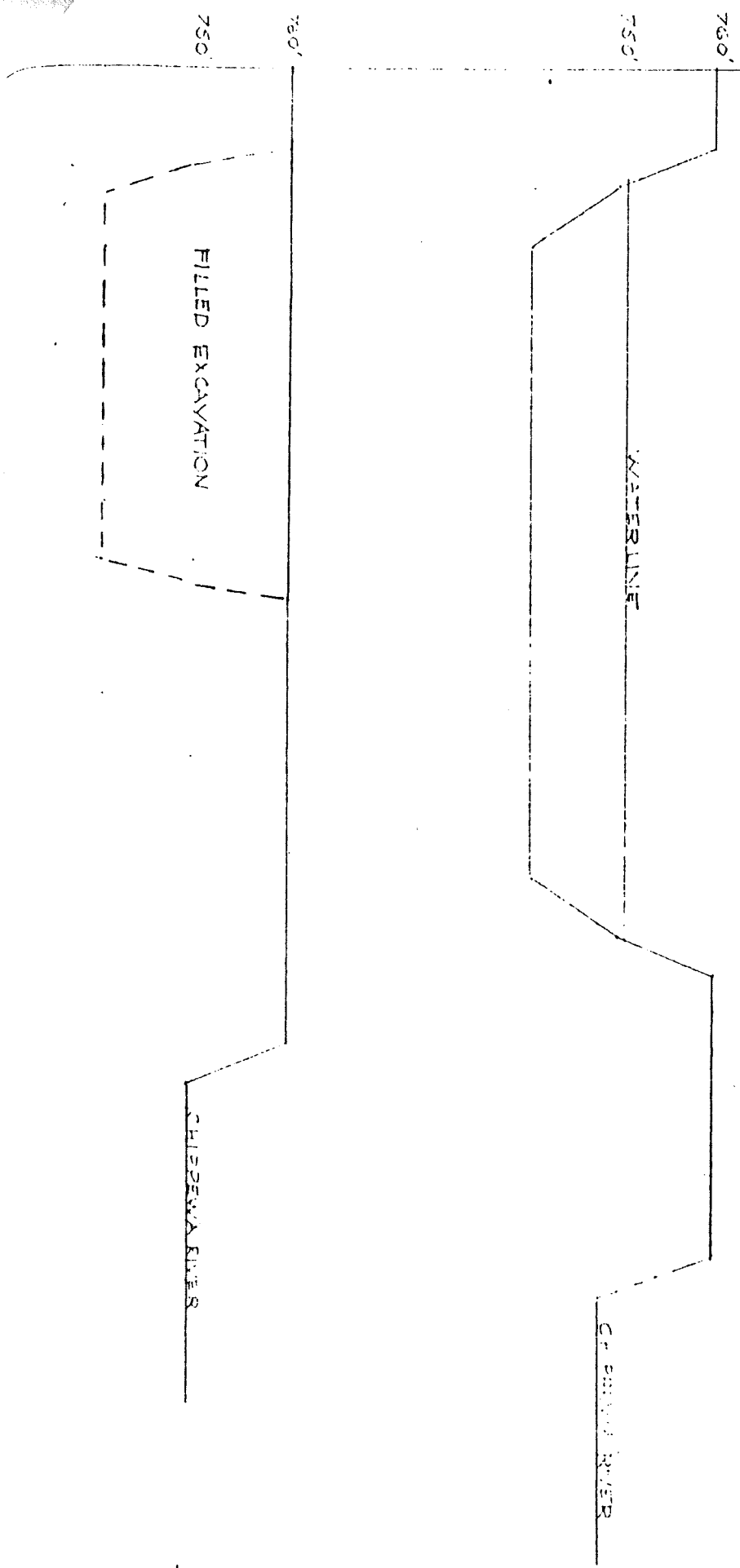
KARL RIEKEMANN PROP.
SEC 4 T 26N R 10W TN. BRUNSWICK
EUCLAIRE COUNTY - SCALE 1" = 400'
EXCAVATING AREA-PLAN VIEW

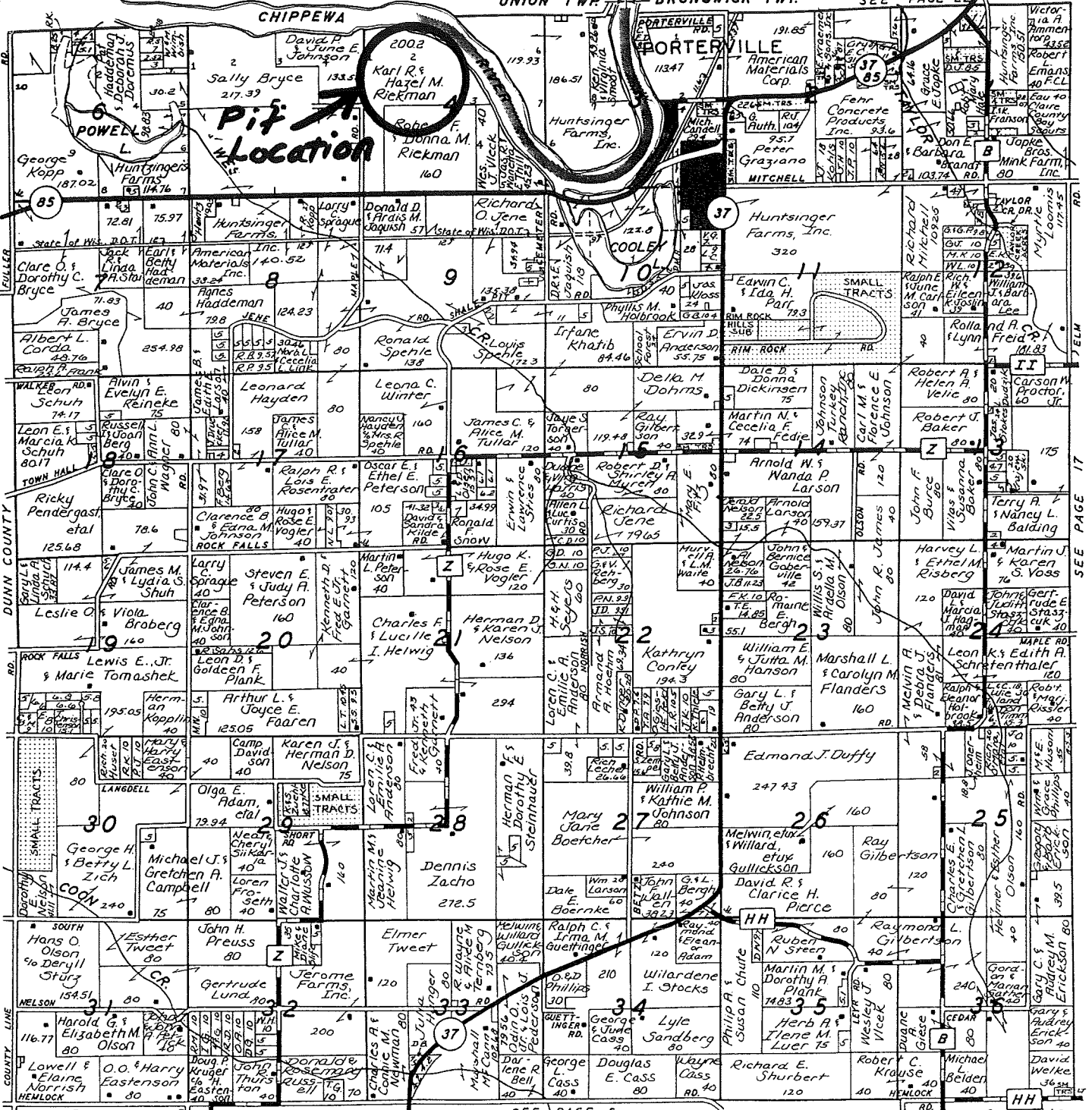


CENTER
LINE
SEC. 4

KARL RIEKEMANN PROP.
X-SECTIONS SHOWING PIT AREA
AFTER EXCAVATION

HORIZONTAL SCALE = 1" = 300'
VERTICAL SCALE = 1/8" = 2'-0"





FALLS DAIRY COMPANY

"EAT MORE DAIRY PRODUCTS"

FOSTER, WISCONSIN 54758 - PHONE: 597-3093

April 7, 1995

Rich DeVriend
Eau Claire County Planning and Development
Courthouse
731 Oxford Avenue
Eau Claire, WI 54703

SUBJECT: Permit Application for American Materials Pit #50
Karl and Hazel Riekemann Property

Mr. DeVriend:

Pursuant to Chapter 18.28.010 of the Eau Claire County Zoning Code please find the following attached documents:

1. Location map of site.
2. Contour map of existing conditions.
3. Operations plan.
4. Reclamation plan for final land use as a deep water resource.

Specific discussions as to section 18.28.010 are as follows:

18.28.010.A.1.a. Description of site.

The legal description of leased property is as follows:

"All of the lands owned by the said Karl W. Riekemann and Hazel M. Riekemann in the Northwest Quarter and the West one-half of the Northeast Quarter, Section Four (4), Township 26 North, Range 10 West."

The conditional use permit application is for the area west of the existing excavated area.

18.28.010.A.1.d. Phasing of operations.

The pit area will be worked from north to south with the resource being exhausted in approximately sixteen years.

- i. Raw material below the water surface will be dredged using either a dragline crane or a backhoe into stockpiles. End loaders will be used to transport the raw material to the crushing operations load point.
- ii. If water is required to meet WDNR/EPA air emission standards for portable crushing equipment, a water tanker will be brought to the site for such usage. It is

not expected that water will be required to meet these standards due to the nature of the raw material.

iii. The stockpiles and associated processing areas will be placed along the east side of the proposed excavation and progress from north to south with the operations of the pit.

iv. The existing access to the pit area will be maintained during the duration of the operations.

v. Hours of operation would be from 6:00 a.m. to 6:00 p.m.

18.28.010.A.2. Reclamation plan.

The final land use for this property will be a deep water resource approximately 15 to 20 feet in depth. The extent of the creation of the deep water area will be dependent on the actual amount of excess materials and overburden incurred on the site. The plan as shown is based on today's product market and past percentage of excess material from the adjacent site.

All required WDNR/COE permits would be acquired prior to the start of the project.

18.28.010.E. Topsoil Removal.

All topsoil removed from the site shall be used to stabilize the slope of the final reclamation of this site as well the slopes of the adjacent pit to the east. It is anticipated that there will be no excess topsoil as a result of this project.

We at American Materials feel that this project will be successful both in providing aggregates for economic development in the Chippewa Valley and a potential deep water fishery habitat. We also feel that the engineering studies being completed will provide the necessary floodplain protection for both the Riekemann property and adjacent properties to the west of the proposed pit.

Respectfully,



Steven K. Sletner, P.E.
Safety, Resource and Regulations Manager

attachments