

Barth CUP 2011-14 and Segerstrom CUP 2011-07
 Seven Considerations That the BOA Must Evaluate in Deciding on the CUP

	Applicant and CUP #	
Seven Considerations	Barth CUP 2011-14	Segerstrom CUP 2011-07
The location, nature, and size of the proposed use.	The location for the sand mine on the property is compatible with the nature of the property and the surrounding land usage. The sand mine will be located NE of the landowners house and across Plattes Valley Rd. Plattes Valley Rd is a town road. The entire mine will fit on the landowner's property while maintaining 20' setbacks from adjoining property lines. If a mine would open up on the neighboring properties, the 20' setback distance would be eliminated on the adjoining fence line. Also, the mine will be no closer than 133' from the centerline of Plattes Valley Rd.	The location for the sand mine on the property is compatible with the nature of the property and the surrounding land usage. The sand mine will be located near an existing nonmetallic mining quarry.
The size of the site in relation to it.	The site in question has adequate room for the sand mine. The total acreage included within the application is 50 acres in which the sand mine will be located. The entire property owned by the landowner comprises 257 acres.	The site in question has adequate room for the sand mine. The total acreage included within the application is 570.4 acres in which the sand mine will be located.
Location of the site with respect to existing or future roads giving access to it.	The landowner has been working with the Buffalo County Highway Department and the Town of Buffalo in respect to any access concerns and road upgrade/maintenance. Agreements will be signed and on file prior to any construction beginning at the site. The access into the site is off of an existing driveway, of which a haul road will be implemented.	Landowner(s) have been working with the Wisconsin DOT in respect to any access concerns. The access into the site is off of an existing driveway, of which a haul road will be implemented.
Its compatibility with existing uses on land adjacent thereto.	The site is located in the Agricultural District and is surrounded entirely by agricultural land. Article TV, Section 41.1, lists sand mines as a conditional use in the Agricultural District.	The site is located in the Agricultural District and is surrounded entirely by agricultural land. Article IV, Section 41 .1, lists sand mines as a conditional use in the Agricultural District.
Its harmony with the future development of the district.	As of the date of the hearing, the zoning office has not been made aware of development or subdivision plans within the immediate vicinity that would be impacted by a sand mine.	As of the date of the hearing, the zoning office has not been made aware of development or subdivision plans within the immediate vicinity that would be impacted by a sand mine.
Existing topography, drainage, soils types and vegetable cover.	The mine will be located towards the North East from the landowner's residence, which consists primarily of ridge which includes forest and a cropfield. The drainage patterns here are rolling hills with adequate vegetative cover. Drainage issues will be dealt with via NR 135. The primary soil type in the area is FvD3, Fayette silt loam that is well-drained with 12-20% slopes.	The mine will be located behind and near the Segerstrom residence, which consists primarily within a large bowl. The primary soil type in the area is FvD2, Fayette silt loam that is well-drained. Existing vegetative cover currently consists of agricultural crops, both row crops and forestland.
Its relationship to the public interest, the purpose and intent of this ordinance and substantial justice to all parties involved.	The zoning department has received written opposition to the sand mine, all letters are on file at the Buffalo County Zoning office. The letters range from: the county is moving to quickly on fracture sand mines to road issues to public safety and blasting. The road issues were alleviated through contractual agreements between the operator and Buffalo County/Town of Buffalo. As far as public safety, the operator will have to follow OSHA and MSHA standards along with meeting all DNR rules and regulations placed on mines. To keep dust down, a dry plant was not allowed at this site. Paving of 200' and installing a tire bath will also aid in dust reduction. Along with that perimeter trees are to be left standing to alleviate additional dust and noise. Blasting will be regulated through the Department of Commerce. A private consultant will develop a blast plan, at that time this individual will submit plans and supervise the blasting process. The Board of Adjustments must make a decision based on siting, it was deemed in this case to be a proper site for a sand mine based on its rural nature, surplus distance to groundwater, etc. Some questions were raised in respect to the reclamation process, addressed through NR 135.	The zoning department has not received any written opposition to the sand mine, itself. Some questions were raised in respect to the reclamation process, addressed through NR 135. Parties were also concerned about the affect of the mine in respect to truck traffic in the Village of Nelson and its effect upon tourism. It was addressed by limiting haul hours on weekends April 1-October 31.