To: Chad Dewyre – Please share this with members of the BOA

Advance Written Comments for the Board of Adjustments Meeting 3/8/12

I request that any item on the agenda for the BOA's 3/8/12 meeting concerning a Conditional Use Permit associated with a non-metallic frac sand mine be denied. The applicant should be made to re-submit an application and it should cover all detail needed for them and the Zoning staff to make a decision. It also should be delayed until the County updates their ordinances to reflect the sensitive and "new" nature of frac sand mining compared to the usual and customary matters coming before the BOA. Frac sand mining presents much different issues for the County residents than just a traditional gravel pit or any of the building conditional uses that affect immediate neighbors.

Short of this, I request that the BOA stop making decisions on frac sand mine requests in the field during site visits. They should adjourn the public meeting they are conducting out at the proposed site and give themselves time to digest the testimony and other material back at a Court House meeting before making such a monumental decision.

I request an item on the BOA agenda regarding frac sand mine conditional use permit requests. **I ask that the BOA take a vote on requesting that the Zoning Committee and the full County Board enact a one year moratorium on any further such conditional use permits.** All currently pending such permit applications should be forthwith denied. Re-application can be made and they can be considered after the moratorium.

The Zoning Ordinance for Buffalo County states in a few places ".....promote the public safety, health, welfare, convenience and enjoyment of public travel and to preserve and enhance the scenic beauty of lands bordering public highways".
The continued granting of Conditional Use Permits for frac sand mines drastically violates this intent of the ordinance. Doing so must stop until procedures are put in place unique to frac sand mines that guarantee compliance. The non-metallic mine ordinance deals with reclamation of land. Frac sand mining presents a much more complex set of issues than the typical gravel or sand pit. Special provisions are needed beyond that traditional reclamation language.

Thank you.

Craig Brooks
Buffalo City