

March 12, 2013 **Hearing for Ordinance 2013-1**

HEARING - Ordinance 2013-1
Cochrane VFW Post 10406 – 7 PM

The Town of Belvidere Board, nine residents and Attorney Gerald O'Flaherty, who assisted in the Ordinance drafting, were in attendance.

Chairman David Danzinger called the Hearing to Order for Ordinance 2013 -1: Nonmetallic Mining Site and Processing Operator's License to order.

Deborah Ruff, Clerk, verified the Notice of Hearing was published in the C-FC Recorder on Thursday, February 28th and March 7th, 2013 and posted in three places per Statute. No requests for a copy of the draft Ordinance were received either verbally, written or emailed to the Clerk.

David stated that the 6 member Ad Hoc Committee has been meeting since June and also toured a sand mining facility near Bloomer in September. Many discussions held on what the Town can regulate with a Licensing Ordinance and reviewed other enacted Ordinances.

At the final Ad Hoc meeting, February 19, 2013, the committee voted 5-1 to go forward with this draft after modification were made.

Al Kochenderfer, Ad Hoc Committee member, was unable to attend tonight's hearing. He provided a written statement which was read in to the record concerning his objection to this Ordinance based on it being too prohibitive to sand mining in the Township by implementing extreme regulations and high fee structure.

Joan Gresik, Ad Hoc Committee member, spoke in favor of this Ordinance. She also stated that WI DNR needs to monitor the existing sand mines in operation more closely since many are in non-compliance today.

Chairman David Danzinger spoke about Buffalo County's pending Ordinance proposal. Townships have non-binding input; Proposal is not restrictive enough nor Buffalo County has not addressed devaluation of properties near mining locations. Moratorium expires April 30, 2013.

Bob Miller, Ad Hoc Committee member, stated the State of Wisconsin does not have a good Reclamation Program in place and this is a concern of his.

Attorney Gerald O'Flaherty stated he has reviewed many other Ordinances when assisting the drafting of this Ordinance for the Town of Belvidere. He stated that mining facilities are presently allowed in Ag zoned areas and Buffalo County should address them being zoned Industrial. A Conditional Use Permitting process is being used now.

David stated that the Town of Belvidere does have a 2 acre parcel zoned as Industrial – old Saw Mill property not functioning in over 10 years.

With no other discussion, at 7:19 pm Warren Rivette made a motion to close the hearing with Bob Miller seconding the motion. Motion carried.

Respectfully submitted,

/s/ Deborah M Ruff

Deborah M Ruff, Clerk