

TOWN OF CENTER

Planning Committee Minutes

April 3, 2024

Chairperson Schmeichel called the meeting to order at 5:30 p.m.

Planning Committee Members Present: Steve Schmeichel, Gary Timm, Greg Nettekoven, Gary Blank, Ryan Kramer, Patrick O'Brien, Jeanne Baum, Josh Boucher

Planning Committee Members Absent: Al Kramer

Town Board Members Present: Gary Timm, Gary Blank, David Vander Bloomen, Ron Klemp

Others Present: Gail Ruuti, Tim Jenkel, Jerry Lingnofski, John Dexter, Keith Doyle, Mike Wilbert, Bill Vachon, Steve Wieckert, Paul Garvey, Todd Vande Hei, Tim Trapp, Eric Ashline, Shelly Ashline, Chris Ashline, Gus Weber, Mike Manteufel, John Malcom, Dawn Garvey, John Garvey, Danielle Simonis, Chase Simonis, Michelle Sasman, Scott Schmidt, Ryan Wettengel, Amanda Wettengel

Gary Timm moved, seconded by Ryan Kramer to approve the minutes of the March 6, 2024, Planning Committee Meeting. Motion carried - 8 aye, 0 nay.

Chairperson Schmeichel read the public comment guidelines. He clarified the Planning Committee's role is to make a recommendation to the Town Board. The Town Board will then make their own recommendation that will be passed on to the Outagamie County Zoning Committee for final approval or denial.

Marshall Properties of Appleton, LLC, a solely owned entity of Vinton Construction Company (VCC), petitioner, requested approval for a Special Exception Permit to expand on the current non-metallic mining operations in the area – Parcels: 040-045700, 040-051800, 040-046200, 040-051900, 040-046001, 040-052000, 040-046000, 040-052100, 040-045800 and 040-052300. Bill Vachon is the representative for the project and provided information on their proposed request. VCC has an offer to purchase Garvey's property, but it has not yet been purchased. Mr. Vachon explained the farmland on the corner of Hample and Rock Road was previously approved in 2004 for quarry expansion. They are aware they will need to get wetland delineation reports and permits from the county due to the creek running through the area. They will not be mining all sections of each property because not all minerals needed cover all property. They will primarily be blasting and crushing road aggregate for VCC's own personal road project needs – not selling commercially. They do not plan on removing the trees on the southern section of the property abutting Hample Road.

Ryan Kramer asked if there would be a concrete batch plant. Mr. Vachon replied that yes, it is already set up for a batch plant and they would use it for their construction projects.

Gail Ruuti lives on Pleasant Road and has concerns about windows rattling from the blasting (will they consider reducing the magnitude?), dust control, the timeframe for mining the section by County Road A & Pleasant Road and she inquired about what measures VCC has in place for a Reclamation Plan and the protection of nearby homes. Ms. Ruuti also questioned what measures of enforcement are in place to make sure they would be complying with all regulations. Mr. Vachon mentioned they operate two other mining facilities for Badgerland Aggregates in Manitowoc County if anyone wants to hear if their local residents have had any issues. Ms. Ruuti requested it go on record that she would like the northern section between Pleasant Road and Rock Road (Parcel 040-045700) be removed from the plan since it is in close proximity to homes. Mr. Vachon explained the blasting process and the measures they take to ensure they are blasting according to

legal limits. They hire structural engineers for home and well inspections. They submit reports to the DNR and to East Central Regional Planning to ensure they are following the rules to control dust and fuel emissions. Scott Konkle of East Central Regional Planning is currently the one who verifies the compliance of mining activities.

John Dexter lives on Pleasant Road – he was a driller/blaster for 20 years and he is aware the shockwaves can travel a long distance. Mr. Dexter has concerns about the 250’ radius around his home because his well is close to the property line. There was also concern about having a lake for the Reclamation Plan and how to prevent people from jumping in it, like they do in Red Granite. Mr. Vachon explained they are now required to slope the sides so there isn’t a drop off and they have security fencing and no trespassing signs.

Danielle Simonis lives on Dax Daniel Lane with property that borders the southern section of the expansion area. She raised concerns about the active eagle’s nest close to the expansion area and wants to ensure they will be protected. Ms. Simonis requested the trees not be cut on the south side of the lot. Ms. Simonis also has concerns about the vibrations, dust and silica exposure and the potential risk of pollutants entering the creek. Mr. Vachon indicated they have no intention of removing the trees. Mr. Vachon explained the process for making gravel. VCC has dust management processes in place to keep their emissions down and their employees safe.

There were concerns raised about the dust levels and vibrations from the current mining operation. Those issues should be addressed with Outagamie County Zoning or the East Central Regional Planning Agency.

There was a question about where the water goes when pumped from the quarry. Mr. Vachon stated the water gets pumped to the stream, but the DNR studies and regulates all water being pumped into a body of water. Ms. Simonis requested to receive a buffer plan. Ryan Kramer asked for a copy of existing reclamation plans. Mr. Vachon will provide copies to the clerk so they can be shared with anyone who is interested.

Tim Jenkel has property on Hample Road and reiterated that the tree line on the south side provides a beneficial berm and he does not want the trees cut.

Wayne DeBruin lives on Hample Road and indicated Badgerland received permits in the past with no issues. He explained the blasting process and vibrations he notices from his property.

Chris Ashline has interest in the Shakin Rock Vineyard and he is concerned about the risk of the neighboring areas being flooded when the quarry needs to pump out water. Does the state regulate the amount and speed of water pumped? VCC does a water discharge study before pumping to prevent them from overflowing the creek capacity. There was discussion about the projects VCC bids on and if they use asphalt or concrete. Mr. Vachon stated they only use concrete.

Shelly Ashline lives on County Road A and is owner of the new Shakin Rock Vineyard and inquired about the hours of operation. Mr. Vachon indicated the hours would typically be from 6:00 a.m. – 6:00 p.m. M-F and possibly 6:00 a.m. – 12:00 p.m. on Saturdays. Ms. Ashline questioned where they would set up their temporary asphalt operation, as a strong asphalt odor would affect their customer’s experience. There was a question about whether Rock Road could sustain the heavy traffic. Chairperson Schmeichel stated the road was built for truck traffic.

Gail Ruuti asked what the financial benefit of this quarry expansion would be to the town. Chairperson Schmeichel explained it would be assessed much higher than farmland and he said this area has been designated as a mining area in the town for a long time.

Ron Klemp suggested checking with the East Central Regional Planning Agency to see how many complaints have been received about the existing operations. Steve Schmeichel said the Planning Committee's role is to review the new application but if the Town Board wants more information on existing operations, they should research it for their meeting.

Ryan Wettengel lives on Dax Daniel Lane – he thanked the committee and proposed having an electronic presentation for the next meeting so the maps would be easier to see and understand better.

John Garvey lives on Hample Road – he stated it is important to have good neighbors and he believes VCC will be better than Michels Construction.

Several attendees submitted their emails to the Town Clerk to receive updated information from Mr. Vachon about the Reclamation Plans for the existing quarries.

The review of VCC's request at this meeting was for informational purposes only. The Planning Committee will recommend approval or denial at the next scheduled meeting on May 1, 2024.

Chairperson Schmeichel shared that there are two Planning Committee members with their term ending before the May meeting so the Town Board will be selecting members to fill those seats for the next 3-year term at their next meeting. At the next Planning Committee meeting, a new Chairperson, Vice Chairperson and Clerk will be selected for the next year.

Gary Blank moved, seconded by Josh Boucher to adjourn at 7:01 p.m. Motion carried.

Respectfully submitted,

Amy Olson
Town of Center Clerk-Treasurer