



**Chard Excavating and Tiling, Inc.  
Proposed Mining Ordinance Amendments**

***Attachment 1: Proposed Amendments***

Chard Excavating and Tiling, Inc. (Chard) is currently operating a mineral extraction facility on portions of the Terry Hanson property. Earlier this year, Chard presented an application to expand the mining operations and requested a variance from some of the current ordinance standards. The Township directed the applicant to request an amendment to the ordinance as opposed to granting variances. As a result the permit application was formally withdrawn. This application is the formal request to amend the ordinance.

Chard Tiling and Excavating, Inc. is requesting that the Township consider three amendments to the San Francisco Township Mineral Extraction Ordinance. The amendments involve hours of operation and Saturday hours, haul truck trips and recycling concrete and asphalt. The following information presents each requested amendment, suggests language and provides an explanation as to why the amendment should be consider.

1. Chapter 7, Section 1. Performance Standards A. Hours of Operation:

The following changes are requested.

A. Hours of Operation. Mineral extracting facilities shall operate only between the hours of **68:00** a.m. and **65:00** p.m., Monday through **FridaySaturday**. A mineral extraction facility may be opened one hour before hours of operation to allow for staging. No **Saturday**, Sunday, or holiday operations will be allowed. The holidays are New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, and Christmas. When New Year's Day, July 4<sup>th</sup>, Thanksgiving, or Christmas fall on a Sunday, the following Monday shall be considered the holiday. When New Year's Day, July 4<sup>th</sup>, Thanksgiving, or Christmas fall on a Saturday, the previous Friday shall be considered the holiday.

The applicant is proposing the following changes to be consistent with their current permitted mining operations. Trucking operations typical peak in the morning at the start of the day. By allowing earlier start, the peak does not coincide directly with morning rush hour traffic. The requested hours of operation are consistent with the current permit and operation of the site. Saturday operations are requested to meet the demand for aggregate on Saturdays resulting from the fact that many construction and road projects include Saturday work hours. This is due to the to the seasonal nature of the construction season and in the case of road projects, in many cases weekend work is scheduled to minimize impacts to the travelling public.

Although the ordinance does indicate in Chapter 7 Section 1 A.2. that other hours of operation may be approved, the language suggests that this would be on a one time basis and not necessarily throughout the life of the operations. Chapter 7, Section 1 A .2. is still pertinent and



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would not change. *“The Town Board must approve other exceptions to the hours of operation, such as Saturday operation, government agency contracts and other evening work.”*

2. Chapter 4, Section 3 Item P:

The following changes are requested:

P. The number of haul trucks ~~will not exceed 12 trucks per hour one way~~ should be established on a site specific basis as determined by the capacity of the roadways of the main haul route to and from the site.

The applicant is proposing this change because the current ordinance is too restrictive to allow the site to meet the current market demand of the area. The existing roadway system that serves the applicant’s site has the capacity to handle increased traffic. It is part of a county transportation system designated as an “A Minor Collector”. According to the Carver County Transportation Plan, ‘A’ minor arterials are roadways that are of regional importance because they relieve, expand or complement the principal arterial system. ‘A’ minor arterials are categorized into four types. A Minor Collectors are roads that provide good, safe connections to and among communities at the edge of the urbanized area and in rural areas.

3. Chapter 7, Section 1. Performance Standards Items B and L:

The following changes are requested:

B. Source of Materials. Only-minerals from the site ~~and recyclable materials; including concrete and asphalt~~, shall be processed at the mineral extraction facility.

L. Accessory Uses. Accessory uses must be identified in the permit. Accessory uses not identified in the permit are not allowed. The accessory uses of a concrete block production plant or ready-mix concrete production plant or asphalt production plant, shall be strictly prohibited. A concrete recycling plant and an asphalt recycling plan are ~~also prohibited~~ allowed. The storage, stockpiling, sale, and mixing of materials that have been excavated off-site are ~~strictly prohibited~~ allowed. Stockpiles of unprocessed concrete and asphalt must be processed at least once every two years. Accessory uses will terminate when the principal use terminates.



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Concrete and asphalt are two of the most recycled products in the United States today. Changes in construction specifications have resulted in increased demand for recycled concrete and asphalt. Recycling these materials keeps them out of landfills and preserves valuable airspace capacity. Recycling is a sustainable practice and should be encouraged. Recycling of asphalt and concrete is typically considered an accessory use at aggregate mines where the recycled material is easily blended directly into various products at the mine site. Recycling concrete and asphalt extends the life of the unrenewable natural resource. A long term supply of local aggregates is an economic benefit to a local community.



**From:** Kirsten Pauly <kpauly@sundecivil.com>

**To:** lchard1 <lchard1@aol.com>

**Subject:** FW: Emailing: Zoning Application.pdf, Ordinance Amendments.pdf

**Date:** Wed, Oct 8, 2014 1:25 pm

**Attachments:** Zoning\_Application.pdf (365K), Ordinance\_Amendments.pdf (183K)

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Can you please verify that you received this. The first time I got an undeliverable message.

-----Original Message-----

From: Kirsten Pauly [<mailto:kpauly@sundecivil.com>]

Sent: Tuesday, October 07, 2014 8:34 PM

To: [lchard1@aol.com](mailto:lchard1@aol.com)

Subject: Emailing: Zoning Application.pdf, Ordinance Amendments.pdf

LeRoy,

Please review the following information, particularly the Ordinance amendments doc and give me a call tomorrow to discuss. I can make any changes tomorrow and you can sign and send in to the Township to get the process started. I will be travelling for part of the day tomorrow so best to catch me on my cell phone at 612 532-8273.

Kirsten Pauly, President  
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Your message is ready to be sent with the following file or link attachments:

Zoning Application.pdf  
Ordinance Amendments.pdf

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