

Edwin and Margaret Birky have requested a Special Use Permit (SUP) to open a “Quarry” on their property. This SUP is necessary as the property is zoned Mixed Use – 20. The original SUP request was tabled during the March 17th meeting as the County Staff Report included condition 5 which would cause a significant issue for the planned business: “No rock crusher, cement plant, or other crushing, grinding, or polishing or cutting machinery, or other physical or chemical process for treating the product of such quarry shall be permitted.” Condition 5 appears to be appropriately included in the Staff Report as there are additional regulations for Natural Production Use, in addition to the MU-20 requirements, located at 8.1.5 in the County Zoning Regulations.

During the March 17th Board meeting Mr. and Mrs. Birky’s consultant expressed concern with Condition 5 and voiced their interest in requesting the Board modify this condition to include the use of a Rock Crusher. This request to modify Condition 5 is anticipated and allowed by the County regulations:

8.1.5 NATURAL PRODUCTION USE

(2) No rock crusher, cement plant, or other crushing, grinding, or polishing or cutting machinery, or other physical or chemical process for treating the product of such quarry shall be permitted, except in an I-2 District, or by permission of the ZBOA.

Our interpretation of the basis for the language in 8.1.5(2) is to limit the potential impacts caused by Sound Pollution, Dust Pollution, and Chemical Pollution. We believe the combination of our proposed mitigation, the mitigation proposed in the Staff Report, and our limited request to modify 8.1.5(2) directly mitigate the potential Sound, Dust and Chemical pollution from this project.

As a show of our commitment to minimizing impacts to Cascade County and the neighboring residents, we are proposing the following mitigation measures:

- 1) Operation hours will be limited from 7:00 a.m. to 7:00 p.m.
- 2) The operation will limit itself to 6 days/week (MTWRFS).
- 3) A water truck will be utilized to minimize dust pollution.
- 4) An approximately 8-foot-tall berm will be constructed on the east and north sides of the four-acre site to serve as a sound and visual barrier.

In addition to the our proposed mitigation measures, we fully intend to comply with Conditions 1, 2, 3, 4, and 6 as written in the Staff Report. Further, we are not requesting a full deletion of Condition 5, but rather only a modification as follows: No ~~rock crusher~~, cement plant, or other crushing, grinding, or polishing or cutting machinery, ~~or other physical~~ or chemical process for treating the product of such quarry shall be permitted. This is necessary to allow our operation to utilize a mobile crusher and screens.

Finally, with respect to the duration of the potential impact from the mobile crusher we felt it was important to understand the potential impact from the mobile crushers. Our estimates for the potential quantity of material available on this 4 acres is approximately 100,000 yards and some of this amount will not be crushed. The typical production rate for a mobile crusher is around 200 to 300 yards per hour. Given these known variables our potential run-time for the mobile crusher is estimated to be between 500 and 333 hours to crush all the potential material on the site. It is also highly likely that the hours of mobile crushing will be spread across multiple years.