

**PLANNING AND ZONING COMMISSION  
PUBLIC WORKSHOP ON COMPATIBILITY AND NOTICE  
RELATED TO MINING**

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Monday, July 14, 2008 at 1:30 p.m. in the Commission Chambers of the County Administration Building, 1801 27<sup>th</sup> Street, Vero Beach, Florida. You may hear an audio of the meeting; review the meeting agenda, backup material and the minutes on Indian River County website [www.ircgov.com/Boards/PZC/2008](http://www.ircgov.com/Boards/PZC/2008).

Present were members: Chairman **George Hamner**, Member-at-Large; **Donna Keys**, District 1 Appointee; **Gerard Weick**, District 2 Appointee; **Greg Smith**, District 4 Appointee; **George Lawrence**, District 5 Appointee; and **Dr. Richard Baker**, Member-at-Large.

Absent were **Craig Fletcher**, District 3 Appointee; and **Ann Reuter**, non-voting School Board Liaison (both unexcused).

Also present was IRC staff: George Glenn, Assistant County Attorney; Bob Keating, Community Development Director; Stan Boling, Planning Director; Jim Davis, Public Works Director; Chris Mora, Assistant Public Works Director; and Reta Smith, Recording Secretary.

**Call to Order and Pledge of Allegiance** (12:56:55)

Chairman Hamner called the meeting to order and led all in the Pledge of Allegiance.

**Planning Staff Presentation** (12:58:43)

Mr. Stan Boling, IRC Planning Director, gave a PowerPoint presentation on compatibility and notice issues for mining operations, a copy of which is on file in the Commission Office.

**Presentation by Public Works Staff** (1:25:30)

Mr. Chris Mora, IRC Assistant Public Works Director, reviewed information on trucking expenses related to mine location contained in his memorandum dated July 7, 2008, which is Attachment #6 in the backup on file in the Commission Office.

Mr. Jim Davis, IRC Public Works Director (1:30:59), stated there were two primary users of mining products in the County; those being the private sector for construction and the public sector for the unimproved road network, parks and other County projects. He commented if the required fill locations were moved further out trucking costs would increase because it would require more fuel and increase risk management factors

Mr. Davis observed most of the vibration and wear and tear on the roads from trucks was caused by impact loads, and the smoother the surface, the less impact and vibration occurred. He mentioned the only complaints the County had received about vibration was when a road was being built and vibratory rollers were used to compact the material. Mr. Davis opined if a dump truck was traveling on a poorly maintained road with a lot of wash boarding there might be some impact from vibration that could carry up to one-half mile away.

Ms. Keys asked if vibrations could cause damage to the structure of a building. Mr. Davis acknowledged if the subsurface of the ground was very dense and consolidated the vibration would carry further; however, in his opinion; most of the sandy soil substrate west of the One Mile Ridge would not transmit vibration much further than one quarter to one-half mile.

Chairman Hamner thought the key was to reroute the trucks and maintain the roads and speed of the trucks.

Discussion ensued.

Ms. Keys wanted to know if it was possible to get information about the impact of vibrations on an asphalt road versus sand, because one of the regulations might be to require a road to be paved if there was going to be a mining operation. Mr. Boling agreed to take on this assignment.

### **Public Comments** (1:51:43)

Chairman Hamner opened the public hearing at 2:27 p.m.

Ms. Susan Boyd, 8025 24<sup>th</sup> Street (1:52:45), disclosed she was a candidate for IRC Commissioner, District 1; however, since she lived off of 82nd Avenue she was affected by the mines. She pointed out mining trucks going into a development to build a house would only be doing so intermittently, whereas a person living on a mining egress route where the trucks would be going past their home six or seven days a week for 10 years would be in a completely different situation. Ms. Boyd suggested

people residing all along the egress routes should be notified about mining applications because they could still be affected.

Mr. Victor Knight, 3295 Ranch Road (1:55:09), did not look at 10 years as being a temporary use and found it troubling that mining was compatible in AG-1, 2 and 3 districts if properly regulated. He felt the AG-1 district needed to be looked at as distinctly different because there was very little legitimate agriculture left in the AG-1 district, and it really had become a low-density residential district. He suggested eliminating full-scale mining from the AG-1 district and making sure it was contained west of Interstate 95 (I-95).

Discussion followed about limiting the number of active mines to one area.

Ms. Linda Mitchell, 8340 65<sup>th</sup> Street (2:10:26), expressed concern about compliance and enforcement.

Ms. Amy Banov, a resident of the 69<sup>th</sup> Street area (2:12:37), felt it was important to look at the cumulative impact of various mines in one area and agreed about notification to people living along the haul route. She suggested using AG-1 as a buffer zone for mining operations in the AG-2 and 3 areas.

Mr. Al Videri, West Side Villas (2:15:04), wanted the Board to look at the hours of operation and the number of trucks that would be allowed up and down 82<sup>nd</sup> Avenue.

Ms. Suzanne Franskey, 8190 37<sup>th</sup> Street (2:18:29), described severe foundation cracks at her residence and said this had occurred only when the mining started. She noted 82<sup>nd</sup> Street and 69<sup>th</sup> Avenue were both in horrible condition and expressed concern about safety and welfare of residents.

Mr. Shawn Sexton, 7880 37<sup>th</sup> Street (2:24:44), related the IRC Agricultural Advisory Committee had made a recommendation for a hydrological study of the County to be done to establish base line information to determine impacts to the groundwater table when mining occurred. He recommended any mines contiguous to the Sexton Ranch should require monitoring wells on his property, with the expense to be borne by the miner.

Discussion ensued.

Ms. Sharon Cowan, 2125 82<sup>nd</sup> Avenue Southwest (2:30:40), stated she had lived in the area before the mining operations and resented having them forced on her. She urged the members to consider AG-1 as residential.

Mr. Chuck Cramer, 10729 U.S. Highway #1 (2:32:45), said well monitoring on adjacent property to a mine was a tough issue as some owners got upset because of possible wetlands on their property. Chairman Hamner thought under the special exception use, monitoring was something that could be required if the landowner requested it. Mr. Cramer felt vibration from truck traffic on a stabilized road was not relevant to causing structural damage to a home, and pump vibration was minimal at best. Mr. Cramer did not advocate confining mining west of I-95 because the trucks would still use some of the same routes to get into the urban service area.

Mr. Fred Mensing (3:38:11) disclosed he was a candidate for IRC Commissioner, District 1, and agreed the surface of the road determined what vibration was transmitted off the road. He noted sand miners did not have the deep pockets everyone thought they did and sand mines were a necessity if the area was going to grow.

Ms. Suzanne Franskey (2:40:57) reiterated health, safety and welfare should supersede any cash value.

Chairman Hamner closed the public hearing at 3:15 p.m.

Chairman Hamner wondered about phasing in a mining operation to start at a point farthest away from potential residential areas. Mr. Boling felt this went back to determining what the appropriate volume of truck traffic was for the types of roads being used.

Discussion followed.

Chairman Hamner opined the biggest issue was whether or not to continue allowing mining in the AG-1 area.

Surface water discharging was discussed.

Mr. Boling recapped what came out of today's input was for staff to look for studies on vibration and revise the notice requirements on primary haul routes.

Mr. Weick wondered about restricting jake brakes. Mr. Boling felt the only place to restrict such brakes was on site since it might constitute a traffic safety issue off site. Mr. Weick observed a lot of covers on the trucks were torn up and thought it might be a good idea to spray loads with a binding material to prevent dust from coming off the trucks as they proceeded down a road. Mr. Boling acknowledged one of the suggested requirements was a control plan for spillage, which got back to the Best Management Practices. Mr. Weick wondered about limiting the size of the load to 15 yards as a maximum instead of 17, and reducing the existing 20 acre phase-in to 10 acres so there would be less impact. Mr. Boling clarified he had not found the 20 acre phase-in being practiced in any other county and felt it was fairly restrictive, adding he did not know if less would work economically.

Chairman Hamner believed the idea of changing from administrative permit to special exception was a step in the right direction because it would afford the County a lot more say-so on any given mine.

There being no further business, the meeting was adjourned at 3:40 p.m.

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George Hamner, Chairman

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Date

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Reta Smith, Recording Secretary

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Date