

**PLANNING AND ZONING COMMISSION  
PUBLIC WORKSHOP ON TRAFFIC AND NUISANCE IMPACTS  
FROM MINING**

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, May 22 2008 at 9:00 a.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.irccgov.com/Boards/PZC/2008](http://www.irccgov.com/Boards/PZC/2008).

Present were members: Chairman George Hamner, Member-at-Large; Donna Keys, District 1 Appointee; Gerard Weick, District 2 Appointee; Craig Fletcher, District 3 Appointee; Greg Smith, District 4 Appointee; George Lawrence, District 5 Appointee; and Dr. Richard Baker, Member-at-Large.

Absent was Ann Reuter, non-voting School Board Liaison (excused).

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** (8:03:47)

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

**Planning Staff Remarks** (8:04:26)

Mr. Stan Boling, IRC Planning Director, gave an update on what had transpired since the last workshop on April 9, 2008.

Mr. Boling reviewed the information contained in his memorandum dated May 7, 2008, and gave a PowerPoint presentation, copies of which are on file in the Commission Office.

**Presentation by Chris Mora, Assistant Public Works Director** (8:14:19)

Mr. Chris Mora, IRC Assistant Public Works Director, gave a PowerPoint presentation, a copy of which is on file in the Commission Office.

**Presentation by Chuck Cramer, Fischer & Sons** (8:27:24)

Mr. Chuck Cramer, Mining Operator, discussed practices used by Fischer & Sons under the current ordinances in order to minimize dust, blowing sand and noise on the site itself. He described turbo-type mufflers used to quiet the sound on standing equipment such as pumps. Mr. Cramer outlined policies for loading of material on trucks and criteria used by his company regarding its employees and subcontractors, which he felt were common sense issues.

Discussion followed about monitoring road maintenance and the condition of routes used for mining operations.

Mr. Weick asked Mr. Cramer what the hours of operation were at Fischer & Sons. Mr. Cramer responded the mines were open weekdays from 7:00 p.m. until 6:00 p.m. and the trucks ran 7:00 a.m. to 5:00 p.m., with early mornings being the peak hours.

Mr. Fletcher mentioned he would like to see where the coquina rock deposits were located in the County. Mr. Cramer said he would provide a copy of a packet designating the resources which he had received from the State.

**Public Comments** (9:26:44)

Chairman Hamner opened the public hearing at 10:19 a.m.

Mr. Steve Chavis, Vice President of ROD Logistics operating the Hammond mine on 82<sup>nd</sup> Avenue (9:26:59), stated their area of operation covered a total of 72 acres and they were limited to 36 acres, which created a stockpile issue if the heights were changed. He advised his company was now using a water truck and a motor grader was running full time on the roads, adding he had established better communication with the IRC Public Works Department to resolve any issues in a timely manner.

Mr. Bob Keating, IRC Community Development Director, noted ROD Logistics was the new operator of the Hammond mine and had been there less than six months. He specified the problem early on was both the mines on 82<sup>nd</sup> Avenue were running trucks south, which was not on the haul route. Mr. Keating related staff had initiated action to pull their compliance bond and confirmed there had been far fewer complaints since January when that action was taken.

Ms. Keys asked Mr. Chavis if he thought the current Land Development Regulations (LDRs) were adequate to resolve the problems or should other regulations be added. Mr. Chavis felt the present LDRs would cover it as long as common sense practices were followed. He was not in favor of over-regulation to create a situation where the product became so costly it could not be marketed.

Mr. Steve Smith, owner of the Ranch Road Lake sand mine on 82<sup>nd</sup> Avenue (9:40:42), stated just over a year ago his company had put about six inches of road-based type material on 82<sup>nd</sup> Avenue and was now travelling on the north end of the road was like driving on a highway.

Discussion followed about the condition of the road.

Ms. Linda Mitchell, 8340 65<sup>th</sup> Street, Vero Beach (9:15:50), acknowledged there had not been a lot of recent complaints about 82<sup>nd</sup> Avenue partly because it was better than it used to be and also because the mining workshops were occurring people were trying to work together to improve the situation. She disagreed the north end of 82<sup>nd</sup> Avenue was like driving on a highway because of significant problems with mud at certain times, along with truck drivers not following regulations. Ms. Mitchell felt prevention and enforcement were the keys, adding in the past this had not been looked at as closely as it should have.

Mr. Frank Weigell, 8060 142<sup>nd</sup> Street, Vero Beach (9:51:24), thought tracking pads should be required in the mine areas just prior to the trucks getting on the roadways. He suggested the County maintain the roads and charge a toll to the mining operators based on axle loadings, tire pressures and the distance driven by the trucks.

Mr. Jim Davis, IRC Public Works Director, related in any one year there were probably four or five mine operations and his department did not have sufficient resources to maintain haul routes in several locations throughout the County.

Discussion followed.

Ms. Bea Gardner, 4480 25<sup>th</sup> Lane, Vero Beach (9:58:11), felt it was necessary to have a Best Management Practices (BMP) booklet and suggested the mining companies put together a guide in order for the County to see where the regulations needed to be adjusted and improved upon.

Ms. Mary McGuire Smith, 6625 West 82<sup>nd</sup> Avenue, Vero Beach (10:03:35), opined the Fischer operation seemed to be the model that was not being adhered to by the other miners. She said there were problems with the amount of truck traffic and speeding when there was no enforcement around. Ms. McGuire Smith reported the condition of eastbound 69<sup>th</sup> Street had deteriorated considerably and trucks were driving on the wrong side of the road. She related she ran a horseback riding operation and had lost 65% of her business because of interference created by the mining operations. Ms. McGuire Smith wanted a limitation on the amount of truck traffic and the number of mines allowed in one area.

Lengthy discussion ensued.

Mr. Al Videri, Westside Villas (10:21:12), 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.

Mr. Harry Van Wormer, 7355 69<sup>th</sup> Street, Vero Beach (10:25:49), complained about the deterioration of 69<sup>th</sup> Street and speeding of trucks from the Hammond mines.

Chairman Hamner called a recess at 11:27 a.m. and the meeting reconvened at 11:36 a.m.

Mr. Bob Bruce, 12396 North A-1-A, Vero Beach (10:31:30), wanted a definition of a haul route. Mr. Boling said it was the primary route of trucks leaving a mining site and it must be on collector or arterial roads unless a local road served non-residential uses.

Mr. Bruce stated the problem was the truckers and not the mines, because the mines seemed to be relatively well regulated. He noted the more trips a trucker made in a day the more money he made, which created a problem with the flow rate. Mr. Bruce mentioned he had felt a lot

of vibration from trucks in his house during the Sebastian Inlet sand haul project.

Ms. Suzanne Franskey, 8190 37<sup>th</sup> Street, Vero Beach (10:35:20), described the dust, environmental pollution and the condition of the roads around the mines. She said vibration from mining trucks had caused foundation cracks in her residence and she was against industrial mining being allowed in AG-1 zoning.

Chairman Hamner closed the public hearing at 11:53 a.m.

### **Wrap Up and Direction to Staff** (10:48:20)

Chairman Hamner went over the fourteen potential recommendations of staff as outlined in the backup on file in the Commission Office.

Mr. Weick suggested the stockpile height and amount of area mined area at any given time should be reduced. He wanted turbo style mufflers to be included in recommendation number four. Mr. Fletcher wanted recommendation number five clarified to mean explosive blasting.

Chairman Hamner did not see how it would be possible to monitor truck fill levels to ensure trucks left mining sites with little or no loose material, as outlined in recommendation number six. After some discussion it was decided truck fill levels should be deleted but staff should look at methods and alternatives to ensure there would be no spillage.

Chairman Hamner thought rather than requiring applicants and operators to pay for random law enforcement monitoring on all haul routes as outlined in recommendation 11, staff needed to look at how the County could increase random law enforcement monitoring.

Mr. Smith suggested requiring the trucking firms to have GPS devices installed in their trucks. He noted it did not cost a lot for software associated with a GPS system and felt the County should consider this as a way to monitor truck speeds.

Discussion ensued.

Mr. Weick suggested limiting the total number of runs on any one haul route.

Lengthy discussion followed.

Mr. Keating advised 82<sup>nd</sup> Avenue was under design to run from County Road 510 to State Road 60, with completion depending on funding.

Dr. Baker thought it would be a good idea if the County decided where to allow mines and then build the roads accordingly. Chairman Hamner suggested adding criteria to look at distance between mines and agreed a BMP document should be created outlining out what the County expected from mining operators. Mr. Weick wanted to reconsider hours of operation for mines, depending on location.

There being no further business, the meeting was adjourned at 12:35 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