



**STORY COUNTY
 PLANNING AND DEVELOPMENT
 STORY COUNTY ADMINISTRATION
 900 6TH STREET
 NEVADA, IOWA 50201-2087**

“Commitment, Vision, Balance”

515-382-7245

**MINUTES
 STORY COUNTY
 BOARD OF ADJUSTMENT**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: April 15, 2020	Steve McGill, Chair	2022
	Randy Brekke, Vice Chair	2020
	Kelly Winfrey	2024
CALL TO ORDER: 4:00 PM	*Matthew Neubauer	2021
PLACE: Public Meeting Room	Wendie Schneider	2023
Administration Building	*Absent	

Special Note: Due to recommendations to limit gatherings to no more than ten (10) people in order to help slow the spread of the COVID-19 virus, public access to the meeting was provided via conference call to listen and participate in the meeting.

PUBLIC PRESENT BY CONFERENCE CALL: Carson Cummings, Liz Pehl, Randy Cummings, Carol McCracken, Neil Grant, Jim Marek, Scotty Gerbes

STAFF PRESENT: Jerry Moore, Planning and Development Director (Phone); Marcus Amman, Planner (Phone); Stephanie Jones, Recording Secretary

ROLL CALL: McGill, Brekke, Neubauer, Winfrey (Board was present via conference call in response to COVID-19.)

ABSENT: Neubauer

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES

Motion by Brekke, Second by Winfrey to approve the March 18, 2020, minutes. (MCU)

APPROVAL OF FINDINGS OF FACT From March 18, 2020, Meeting

Motion by Brekke, Second by Winfrey (MCU)

**VOTE: Ayes: McGill, Brekke, Winfrey, Schneider
 Nays: None
 Absent: Neubauer**

Written Findings of Fact CUP01-20 Windstream
 Written Findings of Fact ADMN02-20 Swanson

PUBLIC COMMENTS: None

HEARINGS:

CUP02-90.6 Martin Marietta Ames Mine Slurry Drops and Offsite Rescue Equipment Storage

Amelia Schoeneman provided a summary of the case and stated that this request is for a minor modification to a conditional use permit to allow the off-site storage of rescue equipment/a trailer for the mine in an existing 40' x 60' steel utility building at 3210 North Dayton Avenue and the addition of four slurry drops at the Ames Martin Marietta Mine.

The Board of Adjustment previously heard the request at their December 18, 2019, meeting and February 19, 2020, meeting, and tabled to request additional information. At the December 18, 2019, meeting, the Board tabled the request and requested testing and analysis of the slurry to determine its makeup and a pipeline leak protection plan. Martin Marietta submitted the requested slurry testing results and a pipeline leak prevention plan for the February 19, 2020, meeting.

At the February 19, 2020, meeting, the Board of Adjustment tabled the request until the EPA registered or permitted the slurry drop/injection activities. The Board also requested that Martin Marietta contact the Iowa Department of Natural Resources Water Quality Bureau and ensure no state-issued registration/approval is required and the state groundwater protection rules are met.

For the April 15, 2020, meeting, the EPA and Martin Marietta provided the EPA's rule authorization on the injection of slurry underground. The authorization found no adverse impact to any underground sources of drinking water or otherwise adversely affect the health of humans. The EPA did place several conditions on the authorization, including that Martin Marietta will sample and analyze the slurry biannually and submit the results to the EPA, only wastewater from the washing of crushed limestone is approved to be injected, the EPA should be consulted before alterations to the wash process that may change the chemical composition of the wastewater, and that the EPA be notified before new slurry drops are constructed to ensure testing requirements are adequate. Martin Marietta also followed up with the DNR to ensure no other permits were required and provided an email from the DNR that no further permission or authorization from the DNR is required.

The applicant, Neil Grant, stated he does not have any further comments other than that they are in agreement with the proposed conditions.

No members of the public provided comments.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the addition of slurry drops and off-site rescue equipment/trailer storage at the Martin Marietta Ames Mine as put forth in case CUP02-90.6, as submitted, with conditions as follow:

- 1. Conditions of the approved Conditional Use Permit Case No. CUP02-90 and subsequent modifications shall be maintained.**
- 2. When the use of the slurry drops ceases, the drops shall be plugged and the drive removed. The impacted area shall be revegetated.**
- 3. The conditional use permit for the slurry drops, including the conditional use permit boundary around the properties with the drops, shall expire as follow unless subsequent modifications are approved to extend the permit:**
 - **January 1, 2022, for drop 1 and parcel 05-13-300-415**
 - **January 1, 2026, for drop 2 and 3 and parcel 05-13-300-415**
 - **January 1, 2028, for drop 4 and parcel 05-24-100-425**
- 4. A zoning permit for the 40' x 60' utility on parcel building shall be submitted in 30 days from the approval of the conditional use permit.**
- 5. Annual inspection of the slurry drops and pipes by Planning and Development Staff shall occur.**

Motion: Brekke
Second: Schneider
Ayes: Brekke, Schneider, McGill, Winfrey
Nays: None
Not Voting: None
Absent: Neubauer
Vote: (4-0)

CUP02-20 Izaak Walton League Shelter

Marcus Amman presented the Staff Report and stated that Izaak Walton League is proposing construction of an 18'x12' shelter at the trap and skeet range. The shelter is to provide protection from sun or rain for spectators. The shelter is not expected to increase any spectators. This Conditional Use Permit addresses the proposed shelter structure as well as the existing uses to include shooting ranges and campground and their associated structures bringing a legal non-conforming use into conformance. This proposed 18'x12' shade shelter to be constructed by the Boy Scout Troop 101's Carson Cummings will be used to provide shade and some shelter from the elements at the Izaak Walton League's Trap and Skeet shooting range. The Izaak Walton League has been in place at its current location since 1952 with Story County adopting zoning in 1958. Private Gun Clubs are allowed in the A-1 Zoning district through a conditional use permit process per Chapter 90 of the Story County Land Development Regulations. This shade shelter will be an accessory use to the existing private gun club.

Consistent with Code of Iowa chapter 657.9, the Story County Planning and Zoning Commission also reviewed and approved (6-0) the Conditional Use Permit request at their April 1, 2020 meeting.

Brekke asked if the stadium lighting allows shooting at night. Amman stated they are allowed to shoot at night with time restrictions. Amman stated that they generally stop shooting around 9:00 p.m.

McGill asked how long it takes to save up the bullets. Randy Cummings stated he isn't sure of the exact time, but the recommendation is every 8-10 years. Carol McCracken stated refurbishing with the new trap inside the range was 6-7 years ago where new material was installed to collect bullets.

MOTION: The Story County Board of Adjustment recommends approval of the Conditional Use Permit for the Izaak Walton League proposed shelter and existing storage buildings associated with the existing gun club, to include the indoor range, and campground use as put forth in case CUP02- 20, with the following conditions:

- 1. The applicant shall apply for zoning permits for all existing structures where there are no zoning permits on county record.**
- 2. Adjoining of parcels 0536100420, 0536200305, & 0536400140 to create one parcel with no internal property lines. (This will be completed late July or early August due to the assessment cycle the county is currently in. P&D staff was informed of this on April 2nd, 2020 by the county Assessor's Office.)**

Motion: Brekke
Second: Winfrey
Ayes: Brekke, Winfrey, Schneider, McGill
Nays: None
Not Voting: None
Absent: Neubauer
Vote: (4-0)

BOARD/STAFF COMMENTS:

Staff: Jerry Moore thanked the Board for their patience in support of the conference call pertaining to Covid-19. Moore stated all staff is working from home and the activity level has picked up because of spring. The Board of Supervisors recently took action recommended by the Board of Health to recommend Governor Reynolds issue a statewide shelter-in-place order. Moore provided a summary of upcoming cases and a Citizenserve update.

Board: Brekke asked how a shelter-in-place will affect the staff. Moore stated that the staff is working from home effectively already so he feels it wouldn't affect the department. McGill stated these are trying times and everyone is learning daily.

ADJOURNMENT: 4:43 PM


Approval of Minutes


Title and Date
