

Attachment i

June 20, 2006

Box Elder County Planning Commission
1 South Main Street
Brigham City, UT 84302

Subject: Circle C Excavation Application for New Gravel Pit Conditional Use Permit

Submitted By: Ronald J. Taylor
11575 North Highway 38
Deweyville, UT 84309-9745
Tel. # 435-257-7462

RE: A New Gravel Pit owned by Circle C Excavation That is Located Approximately Two Miles North East of Deweyville City in Unincorporated Box Elder County.

Dear Box Elder County Planning Commission

The following concerns and comments are provided with the expectation that they will provide insight to the Box Elder County Planning Commission about issues involved and help determine conditions stipulated in the conditional use permit issued. Some of the issues are serious enough in my opinion that unless addressed adequately they should preclude issuance of the conditional use permit. A copy of these comments has been provided to Mr. C. Earl, Owner of Circle C Excavation.

ISSUES AND CONCERNS

1. The road used by Circle C to access their gravel pit begins at the juncture of Highway U-38 and the conditional-use dirt road passing through my property (building lot #8 of the Winford Barrus Minor Subdivision). At the top of the hill the road proceeds east through property owned by Doug Hunsaker and property in the Hunsaker Family Trust. The large trucks owned by Circle C have caused a widening of the conditional-use road by approximately 24 inches on each side (total of 4 feet) through my property, which contains a very steep portion of the road. I am willing to negotiate a reasonable purchase price for the north 1/3 of my building lot with Circle C. This would allow them to widen the road without encroaching my property.
2. Several major safety issues are involved with gravel trucks exiting and entering U-38. The matter of the steep grade (estimate 11 – 22 %) involving the first 500 feet of road going up onto the first bench and the blind approaches on U-38 are serious deterrents to anyone using this road. As mentioned above I have observed problems with Circle C trucks. When the road is wet or snow covered it will be difficult if not impossible to use this part of the road. I have observed that in order for a truck to make the turn onto U-38 from the dirt road it is necessary to use both lanes of traffic.
3. Stopping a fully loaded truck coming off the hill is difficult even in optimum conditions and will require excellent driving skills and equipment that is well maintained with better than average

brakes. I have observed that the majority of the time the loaded trucks do not come to a full stop when entering the highway and must use both traffic lanes to make the turn. The Circle C trucks are going very slow at this point but do not stop and in order to make the turn they have to swing fully across the two-lane highway (sometimes onto the highway shoulder) to make the turn. I have observed the truck driver having to apply the brakes fully due to not seeing cars coming from the north and make an emergency stop. The terrain hides cars coming from the north. Drivers frequently exceed the 45 mph speed limit, which adds to the hazard of trucks entering the highway at this point. For the reasons outlined in this paragraph I think it advisable to select a different route.

4. If a loaded truck loses its brakes coming off the hill I think it will end up going through the white frame house on the west side of highway U-38. The house is in direct line with the angle of the road coming off the hill and I don't think that a driver would be able to avoid hitting the house if the truck was out of control.
5. I have observed that there is a safety concern due to the steep grade of the road at where a vehicle leaving highway U-38 must accelerate up the hill in order to not lose traction. A week or so ago an empty Circle C dump truck with trailer lost traction on the hill. After trying in vain to get the truck moving up the steep grade the driver tried to back up but ended up getting the truck and trailer jackknifed on the road. Circle C finally was able to move the dump truck up the hill with the assistance of a 4-wheel drive pickup.

A few days later I observed an empty Circle C belly-dump tractor-trailer unit going up the hill only to be met at the top by a loaded Circle C belly-dump tractor-trailer unit on its way down. The loaded truck was fortunately able to stop and with a great deal of effort backup to the point where the empty truck was able to swing off the road and pass the loaded truck. Unfortunately the turnout involved trespassing on private property owned by Doug Hunsaker.

A solution to this issue would be to develop a different travel route that does not have such a steep grade. I think it is a matter of when the accident will happen here not a matter of if an accident will happen.

6. The next one-mile of dirt road involves grades of 7 to 11 % before coming to more level sections. I mention this because of the effect this will have on brakes and transmissions thus increasing the probability they will fail and be the cause of accidents. Most highways are designed to not exceed grades of 6 % due to the risks of trucks losing control. This road really isn't a good road to use and an alternate route should be selected.
7. The conditional-use road in question here is a one-lane road. The increased traffic load is causing difficulties with the need of a turnout so other vehicles can pass. Negotiations with affected property owners need to take place to resolve this problem.
8. Gravel pits are notorious for being an ugly scar. Does Circle C have plans in place and monies set aside to contour and revegetate the area?
9. What is the estimated life of the gravel pit?
10. What controls are in place to control dust generated at the gravel pit?
11. Has application been made to the Utah Department of Air Quality for air permits regarding the dust emission issue?

12. What controls are in place to make sure the trucks are not overloaded?
13. Shouldn't the loads of dirt and gravel have tarps in place to prevent dust and rocks from leaving the load? I have observed that most loads aren't covered.
14. Is there a liability for property owners that the conditional-use road passes through if the gravel trucks are involved in an accident? If so, I state for the record that controlling who travels the road going through my property is beyond my control due to laws regarding public use. If I could close the road legally I would do so.
15. A decrease in property value due to the gravel truck traffic will be a major effect to me since the conditional-use road passes through the north 1/3 of my building lot #8 and is close to my adjacent building lot # 7. The only solution I can see to this would be to use a different access road to the Circle C Gravel Pit.
16. Dust stirred up by the trucks needs to be controlled. I have observed that when the Circle C water truck wets the road down that the dust is controlled for, at the most, 30 minutes. Possible solutions to control the dust would be to pave the road or to apply a dust control agent, i.e. acrylic polymers or magnesium chloride solution to the road surface.

I ask that these comments be included in the record of the meeting and that the concerns outlined above be resolved by conditions added to the conditional use permit.

Respectfully,

Ronald J. Taylor