



Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
 - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
 - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



Re-submittal Form

Case Name/ Number: EXG2019-00002 Henderson Aggregates

Case Manager: Greg Barnes

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Addressing, Building Safety, Neighborhood Services,~~

Engineering, Environmental, Parks, Planner, ROW, SIA ~~Finance, SIA Attorney~~



Development Review Team Comments

Date: 1/3/2020

Project Number: EXG2019-00002

Project Name: Henderson Aggregates Pit Expansion

Commenting Division: Plan Coordination 2nd Review

Name of Reviewer: Greg Barnes

Date: 01/03/2020

Email: gjbarnes@adcogov.org

Resubmittal Required

Commenting Division: Development Engineering Review 2nd Review

Name of Reviewer: Greg Labrie

Date: 01/02/2020

Email: glabrie@adcogov.org

Resubmittal Required

ENG1: The applicant shall submit the design plans for the northbound right turn deceleration lane on Highway 79 at the 72nd Avenue intersection. The applicant must obtain a written letter of approval for the design plans of the turn lane from CDOT and submit this letter to Adams County.

Commenting Division: Environmental Analyst Review 2nd Review

Name of Reviewer: Katie Keefe

Date: 01/02/2020

Email:

Resubmittal Required

Comments provided on page 5

Commenting Division: Planner Review 2nd Review

Name of Reviewer: Greg Barnes

Date: 12/31/2019

Email: gjbarnes@adcogov.org

Resubmittal Required

PLN01: The land survey plat will need to be a separate application. Please file the LSP with the One Stop Customer Service Center and pay the appropriate fees. Let me know if I can assist you with this process.

Commenting Division: ROW Review 2nd Review

Name of Reviewer: Marissa Hillje

Date: 12/18/2019

Email: mhillje@adcogov.org

Resubmittal Required

ROW1: The Land survey plat submitted with this application should be deposited at the Front counter and applicable fees paid.

ROW2: Please email the right of way dedication exhibit and legals to Mhillje@adcogov.org.

Commenting Division: Application Intake 2nd Review

Name of Reviewer: Erin McMorries

Date: 12/06/2019

Email:

Complete

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 08/12/2019

Email: gjbarnes@adcogov.org

External Agencies Selected

Commenting Division: ROW Review

Name of Reviewer: Marissa Hillje

Date: 08/22/2019

Email: mhillje@adcogov.org

Resubmittal Required

ROW1: Parcel # 0181502100002 was created in 2007. This piece of property would have to be over 35 acres to be considered legally created. In order to fix the illegal creation of this parcel, the County will require the owner to create a land survey plat and deposit it at our front Counter. The land survey plat will describe a piece of property that is greater than 35 acres. If you have any questions about this contact Marissa Hillje- mhillje@adcogov.org / 720-523-6837

ROW2: E 72nd Ave is classified as a rural collector street per the 2012 Adams County Master Transportation Plan. As such it should have a half right-of-way width of 40 feet. Since the existing half right-of-way width appears to be 30 feet, this would require a dedication of 10 feet additional right-of-way.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 09/05/2019

Email: gjbarnes@adcogov.org

Resubmittal Required

PLN01: Parcel # 0181502100002 was created in 2007, and appears to have been illegally created. This can be remedied by readjusting lot lines. All parcels over 35 acres are exempt from subdivision regulations, so shifting lines to create a 35 acre parcel would fix the illegality.

PLN02: The County has received many complaints about the existing operations. It may be in your best interest to thoughtfully consider methods for mitigating the concerns of nearby property owners. Very little was provided to describe how impact mitigation will occur on the site. This is an important part of the request.

PLN03: A plan for the Mining Phase and the Reclamation Phase shall provided, with a specific timeline.

Commenting Division: Development Engineering Review

Name of Reviewer: Greg Labrie

Date: 08/30/2019

Email: glabrie@adcogov.org

Resubmittal Required

ENG1: The applicant will be required to complete the roadway maintenance agreement before the "Notice of Proceed" is issued. The roadway improvements will include the right turn deceleration lane at the intersection of Highway 79 and 72nd Avenue and the installation of new asphalt pavement on 72nd Avenue between Highway 79 and Provost Road.

ENG2: The traffic study is required to be revised to indicate how the existing traffic volumes on 72nd Avenue was determined. If the existing traffic volume along 72nd Avenue as described in the traffic study was determined by input from the mine operator, Adams County is requiring that actual traffic counts are completed along 72nd Avenue to verify the estimated traffic volume provided by the mine operator.

Environmental Review Comments

Katie Keefe

kkeefe@adcogov.org

ENV1. The applicant states within the application packet that a concrete crusher will be used up to 90 days per year to recycle aggregate/concrete at the proposed mining and inert fill site. Concrete recycling operations are a conditional use in the A-3 zone district and is not covered by the current excavation and hauling permit application. A separate conditional use permit is required for aggregate recycling operations. "A crusher may be brought on site to crush concrete or other aggregates as needed to recycle materials. However, a crusher will be at the AFS Bennett Pit no more than 90 consecutive days at a time (AFS resubmittal document, pg. 19)"

ENV2. The applicant provided a copy of the CDPHE Construction APEN Permit for Mining Operations, which does not include concrete crushing and recycling operations as permitted processes. A separate conditional use permit for aggregate recycling operations must be obtained from Adams County that will require the submission of an accurate APEN Permit for concrete and aggregate recycling/crushing operations.

ENV3 . In response to public concerns regarding placement of non-inert material into the pit, the applicant indicates that a handheld photo-ionizing detector (PID) will be used to field screen incoming loads for volatile organic compounds (VOC), the presence of which would indicate contamination from petroleum or other organic based chemicals. The applicant goes on to state that if VOCs are detected, the load will be rejected. This procedure is not identified in the Inert Fill Plan or the 'Inspection and Control Policy' addendum to the Inert Fill Plan. The applicant must clarify whether their response to public concerns is an accurate reflection of the procedures that will be actually implemented for the inert fill operations.

ENV4. Control of the fill materials, keeping records of the sources of the materials used at this site, shall be the responsibility of the applicant. Records concerning sources of fill materials and certifications shall be made available to Adams County inspectors upon request. This site is subject to inspection from Adams County inspectors, during reasonable working hours. Adams County may give notice of inspection prior to the inspection.

ENV5. Authorized personnel trained to recognize non-inert material shall be present on site while filling is taking place and shall inspect and screen each load of material brought to the fill site. Loads containing trash, organic material, and other waste material not meeting the definition of inert material shall be wholly rejected and documented as such. All non-inert materials identified and removed from the inert fill location shall be segregated and disposed of at an approved waste disposal facility at regular intervals and records of disposal shall be kept.

ENV6. A setback buffer consisting of a minimum 50 feet from the riparian plant community along the length of Kiowa Creek shall be maintained and protected from mining activities in accordance with ACDSR Section 4-11-02-04-02.5.b.

ENV7. As recommended in the Resources Review, the applicant shall conduct a raptor nest survey one week before disturbing any new area from April 1 through August 31. If raptor nests are found, vegetation shall not be removed as part of land disturbing activities. The applicant shall keep records of all nest survey results and make these available to the County upon inspection.

ENV8. The applicant has committed to collecting a water quality sample from the central most groundwater monitoring well one time each year. Within 15 days of receiving results of water quality monitoring, the applicant shall submit said water quality results to the County.

ENV9. The applicant shall install a wind gauge, such as an anemometer, at the site of active mining to monitor wind speeds and shall stop all mining and material management activities when wind speeds exceed a sustained 25 mph and when gusts exceeding 35 mph occur.



December 30, 2019

Greg Barnes
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Henderson Aggregate Pit Expansion, EXG2019-00002 (formerly RCU2019-00040)
TCHD Case No. 6038

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the resubmittal of a Conditional Use Permit application to expand existing mining operations at 50000 E. 72nd Avenue. Tri-County Health Department (TCHD) staff previously reviewed the application and provided the comments below in a letter dated August 28, 2019. TCHD received a response from the applicant, dated December 5, 2019, and the applicant has responded to our comments satisfactorily.

Air Pollution

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease.

Permit Required

The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions of hazardous air pollutants, asbestos, and chlorofluorocarbons (CFCs). The applicant's air permit may be required to be updated for this project. If required, Tri-County recommends that the County require the applicant to have obtained or updated the facility's air emissions permit as a condition for issuance of a building permit. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/air-emissions-business-and-industry>

Diesel Emissions

The proposed project may increase diesel truck traffic in the area. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions from vehicles including fleet maintenance and limiting idling. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at <https://www.colorado.gov/pacific/cdphe-lpha/air-pollution-mobile-sources-contacts> and <https://www.colorado.gov/pacific/cdphe/diesel-emissions-control-program>.

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Fugitive Dust

The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions, including fugitive dust. Control measures may be necessary to minimize the amount of fugitive emissions from site activities including haul roads, stockpiles, and erosion. The applicant shall contact the APCD, at (303) 692-3100 for more information. Additional information is available at <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/business-and-industry> .

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD