

Lyon County Planning
Regular Meeting

TO: Lyon County Planning/Appeals Board; Board of County Commissioners; County Counselor; County Clerk; the Emporia Gazette; and KVOE Radio
DATE: Wednesday, May 14, 2025
TIME: 7:00 P.M.
PLACE: Lyon County Annex, 402 Commercial St., 1st Floor Conference Room, Emporia, Kansas

MINUTES

- ***Chair Langley called the meeting to order at 7:00 P.M.***

- ***The introduction of Board Members.***

Aaron Davis

Mike Langley

Phil Mott

LeRoy Boline

(Absent)

Robert Dieker

Erica Waechter

Vacant

Others present:

Samuel Seeley

John & Karla Ingold

Mark Remmert

Sam Remmert

Nathan & Rachel Mitchell

Monte Miller

Brian Henderson

Marc & Deanna
Wagaman

- ***Minutes.***

Motion: To approve the minutes of the March 12, 2025, meeting, as amended.

Mott (Davis) 5-0

- ***Confirm Jurisdiction. -Confirmed.***

- ***Unfinished Business.***

NONE

- ***Public Hearings.***

Application Q2025-01

A request for Agriculture Conditional-Use "Rock Quarry" by Ben Retter, US Stone, Leaseholder, of the following area:

THE WEST HALF (W ½) OF SECTION 4, TOWNSHIP 20, RANGE 10 EAST OF THE 6TH P.M., ALL SITUATED IN LYON COUNTY, KANSAS, CONTAINING 320 ACRES, MORE OR LESS. OWNED BY WAGAMAN FARMS, INC., A KANSAS CORPORATION OF 435 ROAD 140, EMPORIA, KS 66801, AS SHOWN BY THE COUNTY TREASURER'S OFFICE IN LYON COUNTY, KANSAS. ***1200 Road C***

Opposition

There has been no formal expressed opposition to this application. I do not have anything in writing. However, there has been voiced opposition.

Staff Comment

Staff recommends the application be recommended for approval as a Conditional Use Permit for a "Quarry" in an Ag district.

Reasons;

Section 2.5 Permitted Uses. Industrial. Resource Extraction, with the appropriate permits.

Section 7.17 Quarry Regulations.

It also aligns with the goals and objectives of PlanELC, Section 3. Planning Element I. Objective 4. To not rezone agricultural land outside of a formal zoning process.

The public health, safety, and welfare will be protected, as set out in this application under: Operations, Controls, and Reclamation. This is in a sparsely populated rural area and is compatible with such an area. The only utilities required at

the site will be electricity. This project will create employment and generate tax revenue. 5 trucks in a day, 10 trucks per week, an average of 2 trucks per day. Approval will be needed from the Lyon County Engineer, Chase County Engineer, and BNSF for the rail crossing.

Suggested condition:

Section 7.17 must be complied with regarding all applicable regulations.

Discussion Followed

In Favor

Ben Retter, US Stone, Representing the Wagamans

This is a non-blasting quarry, no crushing

Tested the stone, which is high quality, and removed in blocks.

Want to be a good neighbor. I will work with the county on road use and maintenance.

Reclamation matters and will be done.

Opposition

Mark Remmert- Worried about the noise on the north edge of the quarry, Truck Traffic, Dust Control, and the effect on his property value.

Monte Miller- Would like the Board to Consider the Golden Factors. Would also like the Engineer's input before moving forward.

Sam Remmert- Environmental Concerns, Safety, and the length of time the quarry will be in operation.

John Ingold- The Proposed haul route will pass his home, Safety of the Road as is, will need improvements, and Dust Control.

Board

Member Mott- The project will have minimal equipment, and Safety will be focused on. The County Engineer will determine the Haul Route. We need to keep in mind an individual's right to use their land as they want.

Member Davis- The Haul route will be by the Engineers and the Railroad.

Member Waechter- Verify that the Trucking Contractor has the appropriate insurance.

Motion:

To recommend approval of Application# Q2025-01, 1200 Block of Road C, from Agriculture to Agriculture CUP "Quarry," with conditions;

Reasons;

- Staff Comments
- See attached 8.8.3.a.8 document.

Conditions:

- 7.17 Will be complied with completely
- State Historical Preservation Letter
- All Studies required by Law
- All engineers provide approval

Mott (Davis) 5-0

- ***Other Business.***
- ***Mileage Vouchers. -Completed.***
- ***Adjournment.***
 - **Motion:**

To adjourn the Planning Board Meeting at 7:44 P.M.

Waechter (Deiker) 5-0

Respectfully Submitted,



Samuel Seeley, P/Z/FPM Director
Lyon County Planning and Appeals Board