



NATRONA COUNTY

Development Department

200 North Center Street, Room 202
Casper, WY 82601

MINUTES OF THE NATRONA COUNTY PLANNING COMMISSION March 26, 2014

MEMBERS PRESENT: Harold Wright, Jim Brown, and Bob Bailey
MEMBERS ABSENT:

STAFF MEMBERS PRESENT: Jason Gutierrez, Trish Chavis and Peggy Johnson

OTHERS PRESENT: Bill Knight

Chairman Wright called the meeting to order at 5:30 p.m.

ITEM 1

Chairman Wright opened the public hearing for CUP14-0003 - A request by Thomas Petroleum, LLC, and represented by Dennis Baker of BrokerOne Real Estate for a Conditional Use Permit to allow bulk storage of flammable and combustible liquids in excess of 12,000 gallons. Thomas Petroleum is a supplier of fuels, lubricants, frac fueling services, motor fuels, bio fuels, gas treatment chemical and oil field services, and states no more than 35 haul trucks per day. The proposed tank farm is located on the 5.04 acre Lot 6 of the Zero Road Industrial Park in Section 3, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. The property is addressed 738 N. Robertson Road.

Gutierrez gave the staff report. Staff proposes a motion and vote by the Planning and Zoning Commission to consider the request and recommend approval, denial or tabling by the Board of County Commissioners of this conditional use permit allowing outdoor storage of flammable and combustible liquids exceeding 12,000 gallons in the Light Industrial (LI) zoning district.

Staff recommends that the motion incorporate by reference all findings of fact set forth herein and make them a part thereof.

Questions for staff

Bailey: Is it my understanding that the Town of Mills has made no comment.

Gutierrez: No nothing at this time.

Open public hearing

Those speaking in favor

Dennis Baker, 550 N. Poplar Street, representing the Thomas Petroleum Company. Thomas Petroleum is a family owned corporation out of Houston Texas. They are currently operating in more than 13 states now with over 35 warehouses, 700 trucks with over 17 million miles. They have not had any spills or accidents at any of their sites as of this date. They are asking for this permit and they did site selection based on safety issues and access to the property this is in light industrial and that is why we are here asking for more storage on this property the site offers plenty of space for the trucks to pull off the road so the trucks will not encumber traffic in either the north or south bound lanes. The site is all fence we have fire hydrants at the south east corner of the property as well as on the northeast corner of the property and the new fire station is a quarter of a mile down the road. All of the tanks will be above ground, they all will be placed on concrete pads, and then with a bunker type retaining wall and their standard containment area is 110% of the largest tank plus annual rainfall for the area. It is my understanding that most companies use just the 110% and they are going above and beyond that with the rainfall. We will comply with all the DEQ, and EPA requirements as well as all Fire codes and building codes requirements. We feel that this is a very safe facility going forward. They are only going to store fuels and lubricates and coolants for operation of engine's and oil field that is the purposed for site this is no intention to store fracking material or chemicals at this site. So that I think, we are just asking for a recommendation to approve it.

Wright: Can you get this picture that is on my screen on to the large one.

Gutierrez: No I cannot we are having technical difficulties, but if you give me a minute I can hook the projector up to Mr. Tillman's laptop and get the map.

Wright: I can give you that.

Wright: My question to you Dennis is where is the drain field for the septic system?

Baker: The drain field for the septic system is to the north.

Bailey: You can go to the map if you want to show us.

Wright: Do you how much area that covers.

Baker: The exact area, No, I do not. I cannot tell you that

Brown: It appears to me that the lay of the land affecting that parcel that the nature drainage is primarily southward.

Baker: Yes

Brown: Along that, ditch and I did not hear this question about the septic deal is that something that.

Wright: Drain field for the septic tank there is not sewer available in the area.

Brown: Drain field that is just kind the opposite of the nature drainage and that is something that occurred to me.

Bailey: Mr. Chairman did you file this application and use the attachments that are back behind it? Did you create those?

Baker: I did along with Thomas Petroleum.

Bailey: Along with Thomas Petroleum I might visit with you about that afterwards, there are some spelling errors and grammar errors in here. We try to be a little bit more professional with our stuff up here so we can understand some of that than that but there is glaring errors that are in there.

Baker: I apologize for that we use spell check and try to go through it and sometimes it just get by us.

Brown: Looking through the application and the attached materials I do not see an elevation in the plans am I missing something. A ground view elevation of what the facility might look like when it is completed.

Baker: Thomas Petroleum is currently working on the elevation, but before they submitted their plans with elevation on the site, they wanted to first make sure they could obtain the conditional use, but all plans will be submitted before they begin construction.

Brown: Another question that you may not be able to answer. Would be about the security lighting the nighttime security lighting around that facility. Do you have any information about that?

Baker: Right now, there are minimal security lights around there and of course, Thomas Petroleum operates on a 24/7 bases so there will be somebody at the facility at all times. However, it will be low lighting on the facility as not to provide a large glare to the neighbors. The facility is fully fenced with a 6' fence all around the facility with the three-wire barbwire and has a locking gate as well.

Bailey: How many tanks are they proposing to put on this property?

Baker: I believe in my mind that it is about 24 tanks and those are various size tanks

Bailey: So you do not have or know what those are so we could calculate an area for each tank? How much area I mean we have five acres, we have a building that has the parking in the front. I was there the other day. In addition, on one of these plans it shows an entrance to that parking with a sort of round about area. Obviously they will

have big trucks and tankers in there and I am just concerned about the fact to where in the heck are you going to put 24 tanks.

Baker: Well the 24 tanks remember that they are not all are the larger tanks some are going to be small tanks.

Bailey: Excuse me that is why I wondering if you could give us if you knew the footprints of the tanks it would be very helpful for us to say yes these tanks will take up one acre of the five and here is the parking and here is the building and we have this much left The tanks take up this so here is the distances that we will have for these tanker trucks coming and I assume they will be tanker trucks with pups except some of these turns look just as tight for that but

Baker: Most of the delivery trucks are tandem trucks that are delivered out to the rigs so the only trucks that will be coming in will be the trucks filling from the tanks.

Bailey: They have got to get it there.

Baker: Right, that is what I am saying is that they do not use semi's to go out to the rigs it is just the truck that comes in unloads and leaves out of there.

Bailey:

Well I understand what you are talking about but if you half a million gallons you are going to have to have some big trucks in there to off load that stuff before the smaller trucks get there to take it out.

Baker: Correct, but not all of those tanks will be carry fuel.

Bailey: But it will be liquid

Baker: It will be liquid that is true but the different size trucks will come in in different ways.

Bailey: I understand,

Baker: And if you look at the exhibit and I know, it is somewhat small as it was reduced down because of the size. This one shows the area with the existing facility.

Bailey: That is the one I am looking.

Baker: And this back in here is where the tankage is so you can see the area.

Bailey: But you could not tell the footing area

Baker: If I could blow this it up and see, it I could tell you that but I cannot read it. I am sorry I am sight impaired.

Bailey: Well see us old guy's carry things like this in our pocket.

Bailey: You can see in the area of where the tanks are going to be located are not labeled.

Wright: We may have some more questions for you if we do; I will call you back up here.

Those speaking in opposition

Bruce Smidt, 6809 Zero Road, my major concerns are that I raise trees and eatable food there and I do not think this facility is compatible with my type of operation. I am afraid it may cut into my business for one thing. My other major concerns are the size of the pollution, possible leakage there is a drainage right below it, and some of the others will speak on that they know more than I do. The linings have me really concerned; I would like to know how many light towers are going up what the candlepower is. How far that light is going to project out, I am sure it will be on all night long, some of us live right under underneath there. I do not know what it is going to do for our property values. Some of those people live really close and I am really concerned for them and myself. I am also wondering why Thomas Petroleum is not here, they have a realtor speaking for them and I think I know why the realtor is here. However, I would like to see Thomas Petroleum and I cannot understand why they would not be here with an exact drawing of what they are proposing. I cannot believe that they are not here. Another point that I would like to make is I had my eye on another facility that is very similar that is right up the road. And it looks like to me that they are not in compliance with any of the laws of the EPA; there is a 1000 foot rule I know, if there is any drainage or streams within a 1000 feet of these facility and then there are some special things that need to be done and I would like to know what they are doing for containment. There are primary and secondary containment that needs to be done and I would like to know what it is; we need to know these things soon. We should know them tonight. In addition, there is going to be a lot more traffic and I do not know if it is going to require a stop light up there on Zero Road and Robertson. That is a very congested area already. All those people live out there at 6 to 8 in the morning, noon, and five it is a mess and I am pretty sure you could not get a fire truck through there at those times. With a bunch, more trucks on the road and I know that needs to be looked at. I know they said that they are not going to have fracking chemicals and if you look at the list of what they are planning on having; you see fracking chemicals so I believe they will have the fracking chemicals. I assume that these tanks would have placards on them stating what was in the tanks. This other facility up the road does not have any placards on their tanks stating what is in them. I just cannot believe that you drive by and you cannot even tell what is in it. I do not know how the fire department would know if they pulled up there or if they could even get there. My main questions would be able safety just the construction of containment as exact; I would like to see the blueprints of it myself. How many gallons that it is going to contain, they cannot even tell how many tanks are going to be there so I do not know how they can tell how big the containment area would have to be. And my visual tells me that that site slopes

to the west not to the south but mainly to the west. So someone needs to look at that. I guess that is all that I have.

Bailey: Mr. Smidt is the half center pivots you.

Smidt: No, I am right up above it.

Bailey: I know that but I did not know if that was you because it extends quite a ways down if you look at the drainage that comes out to the west when I was out there it looks to me that it drains to the southwest to me but sometimes my eyes are crooked.

Smidt: Well I talked to the guy that lived there before and he said that when they sprayed for weeds before it drained right to the west and that it killed all of his trees.

Bailey: From this location?

Smidt: Right he had a row of trees that are no longer there.

Brown: Mr. Smidt, there are several large storage tanks that are within a half mile of your property a lot of them appear to have the floating covers on them have you ever had any problems with them as far as vapors or smells coming from them.

Smidt: Only once about a year and a half ago on a Sunday night I do not know what happened but man you could hardly breathe. I went outside to see if I could tell where it came from but did not see anything, but I did see an emergency vehicle with its lights on that night. But it was cleared up within a couple of hours. You know those big white tanks do not really concern me because I have watched those people over the years they really watch those close they are painted, there are placarded, they are always working on them. You can see that they have really big containment rings around them, I do not know if they are underneath them or not but I am sure they probably are. They seem to take real good care of that facility.

Bailey: One more quick question Mr. Chairman, where are these tanks that the photos were attached to your letter. Where are they at on this map?

Smidt: They are right there referring to the map.

Bailey: Oh, right there.

Smidt: Those are a mess I saw two semi's in there today loading and they were not small straight trucks they were semis.

Bailey: So these other bigger tanks behind them in the picture to the right that is not these.

Smidt: That is Platte Pipeline, do they still call it that anybody know.

Bailey: Those bigger tanks there do they connect up to the tank farm area is that what you are saying are they related.

Smidt: I am sure they are.

Dean Dick, 903 Rosberg Road, which is the property directly west of the subject property. I would like to clear up some questions about the drainage; the drainage is directly west of that property. The arrow (referring to the map) that is pointing there right now is pointing to a pond that sits right there roughly 100 feet from the back fence and I do not think that anyone on this committee has addressed the issue of the pond that is live water and that is the head point for the Alcova Irrigation District area drain and that drains directly south to the pond, you can see the trees along the drain there and it goes down and drains directly down and falls into the Platte River. So anything that came off of the property or drains off of this property would be directly into waters that drain into the Platte River. Chemicals are applied often to these yards for weed control and as the former gentleman indicated that, there was a row of trees along that fence at one that had been killed from run off from rain, chemical, and what not that sheds that direction. I guess I would like to say one thing and I am not against Thomas Petroleum. I think all of us in this community understand that business is what drives many of the jobs that we need to thrive on. I just feel like there are better locations for type of activity and for instance, recently there has been an industrial park develops out just west of the airport. In my opinion it is designed for activities just like this, so I think there are better locations that are much better suited than this. He also did mention the traffic and that is a concern of mine. The county went to great expense to build a new facility out kind of on the end of town to improve their response time to areas to the west of town. My fear is with all the traffic congestion that is already there and adding 35 semis a day that will create more traffic congestion and will further hamper their emergency services from getting to locations that they may need to out on 20-26 or to the west. One of the things I realize is that this can correct is the fence but the fence this on the west side to this property is propped up with boards, because it had fallen down and I was afraid that my daughter's horse would walk across it. The fence is probably about 3' off the ground; there is a gap underneath it anybody could crawl underneath it. I would also like to not that, there is an easement across the north edge of this property that has not been noted here. But there is an easement across the north edge of this property for a water line. My wife and I secured that about 12 years ago or 11 years ago.

Wright: Can you walk over to the map and show up where this is located.

Dick: The city of Mills has the meter right here (pointing to the map) it sits right here off the road. This water line goes directly parallel to the north fence across the whole north side.

Wright: Can you give me the width of that easement?

Dick: Um, I believe it is 50' but I cannot, I did not bring it with me but I can supply it.

Wright: So that easement is on the south side of that line fence.

Dick: Correct

Bailey: This is your easement or is it Mills easement that they did for you.

Dick: It is my easement

Bailey: It will run with the land.

Dick: Correct

Bailey: Is it used today

Dick: It is, yes

Bailey: You have Mills water correct

Dick: I have Mills water and we have two wells on the property but our household water is supplied by the city of Mills and that basically is the end of my comments if anyone has any questions.

Brown: You mentioned that the pond was the head of the irrigation district. What is the source of the water in that pond? Is it ground water? If it drainage, the way you explained it, it is hard for me to see how the water gets in there.

Dick: It is the head end of the Alcova Irrigation drain. So all of the property to the north and west drains to that pond. The pond is basically the low point; from that pond, it then drains to the south so everything from the north, west, and east actually drains towards that pond and then from that pond it drains to the south.

Brown: That drainage is through existing ditches or surface, it is kind of hard to see.

Dick: Yes, it is through an existing ditch there are the trees that you can see there are you can see that scar that kind of goes down that is the drainage ditch that the Casper Alcove Irrigation District digs out and maintains.

Brown: Thank you

Bailey: As I drive out Zero Road, I noticed by Mr. Smidt's property there is quite a big ditch that comes through there, does that end up in there somewhere and that is what brings it out or is that ditch. I just kind a lost that ditch in my mind. I really did not pay attention to it, where does it go.

Dick: The irrigation canal comes clear across here, across these properties'. I cannot tell from the map can I see a little farther south. It comes right here.

Bailey: So it turns south.

Dick: It turns south and this way. So all of this ground was irrigates at one time it is not anymore. So here is the live water from the ditch and here is the drain that goes back to the North Platte River.

Bailey: Oh, ok so that goes back to the North Platte.

Dick: Correct

Bailey: So this is really the end, really the end of the Casper Alcova Irrigation District and then that pond picks up things headed this way and then it all heads southwest.

Dick: Correct

Wolfgang Baldwin, 904 Rosberg, I want to echo everything the Dean and Mr. Smidt has said. I would like to add that the pond this is behind the question property. In my mind, that is surface water and I feel it is for an underground aquifer there. On my property when they did the prec test for my septic, they hit water at 7 ½ or eight feet.

Bailey: Excuse me just a moment, can you show us your piece of property, where you live, that will be very helpful.

Baldwin: I am right there (pointing to the map).

Bailey: And how much of that big square is yours.

Baldwin: I have this

Bailey: Ok, alright thank you

Baldwin: Is it ok if we go back to your presentation.

Bailey: Where they show the property in the different locations.

Baldwin: I just wanted to point out something else out on that, for the drainage in the southwest and west.

Gutierrez: Is this the photo you are looking for.

Baldwin: Yes, if you notice my house is about 8 feet higher than Mr. Dicks and this property slopes down here right into the pond over here and basically goes like this (making a hand gesture). I know if anything gets spilled in that accident or otherwise

cause I know they say they do not have any incident reports but accidents happen and once that gets out you cannot put it back in, we got three crowns to prove that and playing golf on the red grass and the odors are bad. The other thing that I would like to bring you is, is there really room for truck traffic to pull off of Robertson Road. Can you go back to the Robertson Road picture to the north or south that works? I guess I do not see where a truck is going to pull off, I can see where they are going to pull in; but if you have to get off that road, you are not going to get off that road, there is not emergency parking even a small one half the size of a truck. Even if you go to the north there see there is no, this is two lane traffic. Then you got Energy Transportation there that intersection, and then you got the piping company there lots of truck 24/7 it is just heavily congested. I would like to reiterate what Mr. Dick said, we are not opposed to business it is just the chemical part of it, once that gets out how do you put it back in, that's all I have.

Janet Valentin, 923 Rosberg, my house is this sweet little piece of property right here (referring to the map) with a barn and my home and this is where you want to put your chemicals.

Bailey: Excuse me can you give us an outline of your property.

Valentin: Right here

Bailey: Ok, thank you

Valentin: I got a hold of my real estate agent today and she said it will significantly diminish the value of my property not to mention the probability of someone wanting it once those tanks go in. I have been crying for three days. I have worked my fingers to the bone for this place. I just got done putting in new windows, new doors and a new garage door and it is all for not. As the gentlemen have pointed out there are other places to put this. I have a horse back there. I have dogs, cats, chickens. It is just not, why I moved there. When I bought that place, my mom said to me "why do you want to live there next to that industrial park"? I said, "Mom I sell donuts, those people buy my donuts and as long as I see them being busy then I know I am busy; but I also know it is light industrial it is not going to get real heavy. Go put that somewhere else because there are many other places in Casper, there are other places to put it. I do not want to the value of my home to go down; I do not want to sell my home. But if I have to, I would really like to know I could. I do not know else to say I am pretty much ground zero right there at it. The thoughts of the fumes I have a macaw; she cannot smell the burning of a Teflon pan I am going to open my windows one day and my bird is going to die because of an accident. I google earth the Thomas Petroleum, I took a look at a couple of their other storage facilities. Barrels tipped over rusted out, dead dirt all around them. They are not in any type of agricultural area they are in industrial area. The only type of living facility was the one in Victoria and it was an RV park. It is my home, it is my sanctuary, when I go home, I want to be able to open my windows at night and not hear trucks all night long. The lights, I appreciate that they said they are going to be dim, I am expecting Vegas. I have really in my mind built it up more it is a scary thought when you

sink your heart and soul you money that is my investment it is my hobby it's my project. It was built in the 70's I have been scraping popcorn and glitter off of the ceilings for a year now. You do those things to improve the value of your home or at least maintain the value. Thomas Petroleum can afford to go somewhere else if they move in I will not be able too.

Steve Deveraux, 1103 Mile High Drive, I live west of Robertson Road, just off of six mile road. I would like to thank you for the opportunity to express my concerns about this. A lot of my comments or concerns are going to be repetative and redundant of what people have already expressed. The big one for me and the lady before me was very articulate in that matter, but as far as property values and potential impact or the impact on our property values. We all moved out there for the quality of life. We build our homes for the quality of life, we want to be able to maintain that but I got to ask myself the question well if someone builds 24 tanks out there what are the potential chances that someone would want to go out there and invest their hard earned dollars into a property where they are going to be exposed to the same things that we are facing at this point. I do not believe it is reasonable to assume that our property values are going to go up because of this. One issue is traffic on Robertson Road and Zero Road it is a huge issue for us at this point in time. I happen to have a little bit of experience with fuel trucks coming and going out of a heavy industrial site and this is a light industrial site, but if you loading any fuels and you start talking about gallons, you are talking about a semi with a 10,000 tank with a pup behind it. That is a lot of truck to maneuver in a small space and in particularity if you are talking about 35 of them a day. Robertson Road was never constructed to handle that kind of traffic and it will not do so at this time. It will create a huge traffic jam as well on Zero Road that was mentioned. In the mornings and evenings people are trying to come and go, there is no place for these trucks to go. The issue we are facing at this point in time and in the future as well is the West Belt loop bypass. Robertson Road has kind of gone off route there but one of the kind corpse there just heading west to east before the fire station there is a quite a big curve in there and that is Poison Spider now intersects with Robertson Road from that point on over to Zero Road that is going to be a huge mess. Traffic is not well controlled; the people building the West Belt Loop have no real anticipation of what the traffic is going to be. Will be a huge congested nightmare for us out there. Environmental impact as well one of the things I found very interesting when Mr. Baker was speaking they were asking you to make a recommendation for the construction of these tanks yet they did not have the elevations or any information about what it was going to take to build containments for these tanks. The water tables are very shallow. We all operate off of surface water and the surface water travels and to expect to have a CUP approved for this without providing elevations or more documentation is irresponsible. It will never get past the DEQ or I would hope it does not. In my line, my line of work we deal with those every day. There is a lot more information that needs to be given for those types of issues then what has been given at this point. It would be irresponsible to recommend a yes vote to proceed with this without having better information from them on the elevations and those kinds of things. We still live about probably three quarters of a mile away and our water table is at 7 feet. In probably the last ten years our well water has changed out there. We do have city water at this time

and one of the reasons we put that in is the quality of our well, which is a shallow well also, but it is not the same. So I am certain that they would not only be impacting the ground water out there but I do not believe that they have had no spills, maybe they have had non reportable spills but that is a significant difference. So I think those needs to be taken to consideration as well. There are levels of tolerant for reporting spills and we all know that. I believe it was also mentioned that the fuel facility down the road on Zero Road that is owned by Swaco a lot of us question that one as well. If you at the tanks the containment or the barriers were made out of jersey barriers and maybe some lining. The questions I have is I do not believe they are comply with the requirements and do not believe that they are of sufficient size to capture the fluids if those tanks fail. So I am have a little bit of trouble reconcile that someone wants to put 24 tanks in my back yard. So at this point fire is a little of a concern I heard a little bit about fracking chemicals. We do not know what the construction of the tanks is going to be if they are single wall or double wall I am not really concerned about the fracking chemicals at this time I am more concerned about the fact that there will be 500,000 gallons of chemicals there. That is my concern. Fire coverage depending on what is in the tanks; here in the county we do not have the ability to contain a fire in that facility if one broke out. So I would like to register my objection to this matter. I too, believe there are other locations that are better suited to accommodate this company.

Bailey: Would you show me where you live? Is it on this map?

Deveraux: Yes, it would be west.

Bailey: Just to the west

Deveraux: it is a small subdivision called West crest ranches.

Don Williams, 10245 Zero Road, just about everything has been said but if you are going to have that kind of truck traffic and you do not have asphalt on it then you are going to have dust. You know the wind does not blow in Casper, Wyoming. I think along with the dust it goes in all directions. The windows start to frost up and if there is any contamination in the dust then it just follows with it and that is the reason those tree died. Along with that kind of truck traffic, you are going to resurfacing that road about every two years and I do not think the County will like that. But if you go over by my property on Queens there are facilities that are available. There is room to get in and out everybody goes to work there and at the end of the day they go home and no body lives there. I am not against the oil patch that is how I make my living but I just feel there is a better place to go.

Bailey: Is your house on this map?

Williams: Well my pivot is it is the big one there.

Bailey: And the house is close,

Williams: The house is about a half a mile down the road and at the end of Zero Road the place with the big flag that is my place too.

Bailey: I think this morning about six or 6:30 there was no wind.

Deidra Homann, 6785 W. Zero Road, I just want besides to reiterate what everyone else has. There is a large gas line (goes to the map) also that would run right here and that is a huge natural gas line and you are also putting another possibility of an explosion here in the area. Also, Thomas states that their construction will be above and beyond however they could not even spend the money to come here.

Dean Zeitner, 924 Rosberg, I just moved there like a year ago and I am pretty new there and I these are my neighbors. I moved there because I was forced out of my old home because of zoning problems and now I am back again. I wrote a letter and I am sure you looked at it. A few issues were addressed there, but I would like to bring your attention to a few more. They mentioned that antifreeze was going to be stored, antifreeze is a very bad chemical just a touch of antifreeze will kill your dog and that is something can be very detrimental. I worry about anybody could have a spill or some other kind of leakage while loading or unloading a truck it can easily go down to that pond. Or down to that drainage area with the water table being so shallow. I remind you of your definitions of noxious matter, material; these are materials capable of causing injury to living organism or capable of causing detrimental effects on individuals, capable. I remind you about protecting prime agriculture land and this is prime agricultural land it has been used for many years here we still grow hay, crops and animals we even grow produce and thing like that. Those are at risk. The other thing to think about is Zero Road and the turn off to Robertson if a truck is sitting there waiting to turn west or south there will be cars back behind them waiting to turn there could be 20 or 30 cars waiting for them to turn. So that road will have to be redone, it will have to be widen and there will have to be a turning lane put in there. If you go on Zero Road now between Robertson Road and Yellowstone there are huge bumps and cracks already in there from the trucks so you will have to redo that road. So just a few more things for you to consider and I know you are an advisory board and I appreciate that. In a week, we gathered and came together as a neighborhood on this and a lot of neighborhoods do not but these are good people. I have only been there a year. These are good hard working people. They are citizens of Natrona County and I would like you to represent us as citizens of Natrona County.

Brown: I have a question; I was out there yesterday, is your house relatively new.

Zeitner: It is I am not sure where it is on the map there.

Bailey: Is that where the arrow is?

Zeitner: Yes it is.

Brown: Thank you

Janette Valentin, 923 Rosberg Road, I am also still using well water as is my neighbor to the north of me. I use well water for my home.

Rob Davis, 633 Six Mile Road, as a matter of fact my house is not even on this map. I have this property located right here (referring to the map), right here off of this pivot, this section here. As that gentleman mentioned we lived out there, I got a lot invested in this property, and we have no complaints about development as far as industrial coming in that is what makes us click. But, I live out there because I want the comfort of the city and I want the country life also. Right now it is a busy area from eight – 5 and at 5:30 the area shuts down, it is quite, it is dark. You can see the deer's, the coyotes. We have horses and as you can see, there are large hay fields on both sides of it. You cannot see Dr. Wetness his is to the south, which in another 80 – 100 acres and just to the west of his the Casper College just purchased Scully Downs, which is another huge agricultural area, which is 120 acres. But as I mentioned I got a lot invested in this property. I got a lot invested in Casper. When I built my house, I used all contractors from Casper. I want to spend my last days there. I do not want to have to sell this property for a \$100,000 when it cost me a half a million to build. We would like to invite these companies to come in but there are a thousand other places it could go. I recently went to a zoning thing on the new route road and in my opinion this is going to cause major congestion with that loop road because as the gentleman mentioned they are going to come in on Zero Road not Robertson. But what is it going to take to stop those trucks from coming down on that loop road and turn right on Robertson Road. That loop road is designed to move traffic; if there are trucks on that loop road 24 hours, a day at that intersection there is going to be problems. There are millions of dollars invested in that loop road and we do not want to use it like that. We want the traffic to move and we want to keep our area the way we like it. Thank you

Teresa Dick, 903 Rosberg, I am not going to say much but can we get a copy of that power point and could you pull up those four points again. We want to make sure that the criteria's are met. I think you also mentioned an appeals process; I would like a copy of that before we leave. The third one, impair use of adjacent property, alter neighborhood character I think it does. I could not read it from over there but I would like it to be publicly stated that it does. If this is going back to the Thomas Company and they say they are a family owned company then what are they not here?

Connie Williams, 10245 Zero Road, I am married to Don Williams. We have a little farm on Six Mile and the parcel with the pivot is about 40 acres. When you said or the previous speaker said it could impair the use, well it will. We have to run our farm equipment down Zero Road from one farm to another who is to say that they will always turn right and go to Yellowstone. At what point does this new outer belt loop provide another way for them to change and turn left on Zero Road and take a different route. What I am saying is what does that do to people like us that has to move farm

equipment that is slow and cumbersome. We were on a farm road now it is an industrial road.

Devery Davis, 633 Six Mile Road, I am married to Rob Davis; I just wanted to ask as I have not heard anyone speak of it yet. The noise does anyone know if it is going to open 24/7.

Wright: Do not know

Davis: So will those trucks be coming in and dumping fuel late at night. Would be my question before we give them any permits; is that a question that they will have to answer? Because as heard Rob Say at 5:30 all the noise stops. That is why we moved out there, as we like quiet and that will go away if they run 24/7.

Lance Thormehler, 6715 Zero Road, thank you for the opportunity to speak tonight. We moved from downtown, in fact from the area around the Nicolasion. We bought some property up here and we have a nice little ranchette type of place. It is nice to have a little piece of land out in the country. Then we notified that there is going to be a new tank farm with lots of trucks and traffic. Just since we moved out there in the last year and a half there has been the closure and reroute of Poison Spider road, the truck traffic has doubled and from 7 – 9 an, noon, and from 4 – 6 pm. It is a nightmare driving out there and now you want to add more trucks. With them running 24/7 who will be able to sleep. Property values will go down not increase and we did not sign up for a tank farm, with many lights. The application says fracking oil and fuels, how tall are the tanks going to be. Nobody here can answer those questions I am oppose to it is not a good idea.

Wright: Mr. Baker can you come back up to the podium.

Baker: This building is not a new building it had a business in there that had 15 or 20 trucks running in and out all day long with drill pipe on them. Thomas Petroleum did submit drawing but by the time, you shrank them down it made it really hard to see. Thomas Petroleum on those drawing did have the elevations and the will be working the EPA and the DEQ on venting the tanks. The fire station is half a mile away and there are two fire hydrants on each corner on Robertson Road. Thomas Petroleum is trying to be a good neighbor. The tanks will be sat on a concrete pad with a concrete berm around the containment area. The five-acre site is typical of their other sites for this company.

Wright: Normally it is not the Chairman's position to ask questions of the applicant; but we normally have a full board and tonight we do not and I am put in that position. There are a few things that really stand out to me. First and foremost, you have no company representation here and that does not vote very well with me. If you, excuse me if you are so eager to do this I want to know why there is no company representation here. Second – I noticed this CUP is kind of open ended on the amount of totals that could be stored, I do not like that. The other thing is we do not have , you do not have, if I

Discussion

Brown: I guess I got a question; there is a clause in there I cannot quite remember where I heard it this evening about changing the character of the neighborhood, can you elaborate on that one.

Gutierrez: Mr. Chairman I believe (pulls up the correct slide from presentation)

Brown: Oh, there it is impair use of adjacent property, alter neighborhood character.

Gutierrez: Mr. Chairman, Mr. Brown, what we are referring to is the four standards that are defined by our zoning regulations that the applicants must meet these conditions and all four must be met in order to grant a conditional use permit and you asked about number 3, impair use of adjacent property, alter neighborhood character, is that correct? So we provided to you the facts that the applicant has provided for your consideration whether or not this conditional use permit would alter the use of the neighborhood or affect the use of the adjacent property.

Brown: Thank you

Bailey: I had a thought; I told them I was too old to be here. Mr. Chairman, I guess we are in the discussion area right at the moment. A couple of things that I think the neighbors should know. When I look at this I see a great amount I believe and I need to look back at my notes is it UA to the west; is that what it is and light industrial to the east, is that how I am reading your map.

Gutierrez: Our current

Bailey: This map

Gutierrez: Our current proposal has light industrial on all sides with the exception of the on the west it is Urban Ag.

Bailey: But that other piece of property that abuts it to the south, then again that is UA.

Gutierrez: It is light industrial

Bailey: No, it is Urban Ag; there is our lot then one lot and then Urban Ag. That is what I read on your map.

Gutierrez: I stand corrected

Bailey: From a prospective of looking at this, I think the neighbors a, when you but in those areas you should look because there is light industrial close, it was there when

some of these people bought and this is just a comment for our discussion purposes some may have been there longer than this but I think it has been light industrial out in that area for quite time. I am somewhat concerned that we do not have enough information on the structure, I will call it a structure itself that will be placed, how it will be placed within the confines of this 5-acres. We do not know where the tanks will be placed, we do not know where, we have a map that shows the roads obviously someone got a bigger one but even shrunk down there was not an area that showed the square footage, there was some square footage on there, I could not read them they were too small, but some of the areas did not have the square footage. I do not know the distances of the roads, was not a very good survey type thing for us to tell us can a truck make that turn does not look like we there have 50' or 100' turning radius to get those big trucks in there; cause it looks like they are going to have to come in and they are going to have to turn around. We do not know where the tanks are going to be, we do not know how much of that area is going to be used. Now they may be good neighbors, I worked in the oil patch when I was younger it got me through college and I am not against it at all but it seems like Mr. Chairman that we need to much more information in front of us to make an advisory board recommendation to the county commissioners. I am just a little frustrated with the lack of shall we call it preparedness or whatever contained in the application. I was out there, I try to go out to every one of these sites, I have many questions, and I do not think they can answer them.

Brown: Unlike Bob, I actually worked in the oil field when I was old. I would agree we do not have enough information and from what I have seen, we should move to deny this permit. I do not think we can table it that is just passing the buck. I mean if we turn it down and they want to come back with an enhanced robust presentation as the individuals want, I mean I hate to bring everybody back here and repeat everything again but I think we need to do that and I do not think tabling is the answer.

Bailey: If we approve or deny it goes to the county commissioners if we table for more information they have to come back to us with that information. I am sure all these wonderful people would like to come back and see all of that and repeat all of this again. I will keep my notes but I do not know as an advisory board to the county commissioners that we have the ability or knowledge to deny it and say it is not good or to approve it and say it is a great thing or send it to ya and you decide. They are going to have to deal with the same kind of lack of information as we did. Would it not be better to make Thomas Petroleum or their representative come back to us with a hell of a lot better plan? So that we can make that decision. So we can say we do not like your berms, we do not like your drainage, or we do not like your truck turnouts, or whatever. If we want to turn it, down at that time. But I am a little bit concerned that we do not have enough information to send to on either way. If we say, deny or we say go-ahead we are sending it to our boss with I would say is 20% of the information that we need to make a valid decision on this. Personally wither you make that side I just got a bad feeling that when it get there they are going to run in to the same problems there and I think part of our duty is to keep this kind of junk away from them, as they are very busy. If we get better, information and we say we do not think and here is why I think that

would carry more weight with the commissioner then if we sent it up and say we do not like this because we do not have enough information.

Brown: That a good point.

Bailey: Table it and require that Thomas Petroleum had their representative – as a side note had their representative been here tonight they would be aware of where our concerns lie with the layout and the structure of this are. I move that we table this and request additional information.

Brown: Provided by a representative from the company rather than through a third party.

Bailey: Yes to provide us with the information you know we talked about tank placement, elevations, road type stuff turn off the road.

Wright: I got a motion do I have a second.

Brown: I just got a procedural question. I know we take good notes of these meetings or procedures but it is my understanding if we table and the company chooses to come and present it then all these individuals that made the effort to come down here tonight and I am presuming would be coming back here to issue their same comments is that true? Is that a procedural thing or could we accept those comments.

Wright: No, we would open it up to a public discussion again.

Brown: I will second the motion.

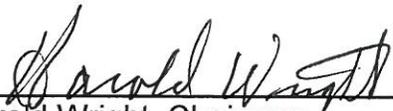
Wright: I have a motion and second all in favor this motion carries. This cup is tabled pending more information and investigation. Now please I applaud all of you for being here. I know it takes time but at least you are interested in your area and it is of the up most importance assuming there is another meeting to address this and address the company representative with your questions that we cannot answer.

Gutierrez: Mr. Chairman once we do get more information we would send out that information and send another letter letting everyone know of the date.

Public Comment

Janette Valentin, 903 Rosberg Road, if there people do not care enough to be here is this what we can look forward to them to maintain the facility.

Motion to Adjourn at 7:19 p.m.



Harold Wright, Chairman
Natrona County Planning and Zoning Commission



Renea Vitto
Natrona County Clerk