

TO: Dane County Zoning

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RE: CUP 02584 – Tri County Paving, Inc. Non-metallic mineral extraction operation

I strongly object to the passing of this CUP and subsequent development of the quarry on Bonetti Road. I've lived at my current address for more than 45 years and in that time I've seen numerous changes. None of the changes will have the impact of a quarry in this area. I've seen heavy traffic because of expansion of dairy farm into corporate dairy farms. The farms have far more manure to haul and the traffic is more frequent, the vehicles heavier and the roads degraded.

The entire notion of granting a 75 year cup is outrageous. That would take the expiration of the CUP nearly into the next century. If this goes forward the length needs to be shortened and I suggest a period of 3-5 years for the beginning length of the CUP with a renewal after that. Tri County would be responsible for collecting feedback during this period. The shorter time would allow the community to acquaint with the new issues that surround a quarry and decide whether we can live with this business in the neighborhood.

During my term as clerk on the Dane Town Board I have seen several proposed CUP's put in place and then the burden shifts from the requestor to the objectors. People that object to the CUP at a later time or report a violation of the CUP will have a long haul to get major changes. I point to CUP 2103 Deerfield – Oak Park Quarry as an example of how arduous and expensive the process can be once the CUP is in place. The objectors, of course, would be burdened with attorneys fees.

It is questionable how Bonetti Road will stand up under the weight and frequency of trucks going back and forth. I checked with long term residents of the Town of Dane, including former chairman Robert Lee, and nobody can remember roadbed work on Bonetti Road. I suspect if any improvements were done it was probably in the 1950's or before. Robert Lee was chairman for the Town of Dane for many years and before that his father was chairman. Robert cannot remember any major improvements to Bonetti Road in his lifetime, he is 92 and sharp as ever. It is very unlikely the roads Tri County is proposing to use will stand up to the weight. A combination of manure haulers and the addition of the gravel trucks will certainly cause accelerated wear on the road to the point of damage requiring expensive repairs. Some dump trucks can carry 80,000 pounds and even the smallest trucks would be in the 60,000 pound range. According to highway studies conducted in Minnesota and South Dakota the estimate is that a 20,000 pound axle creates a 1000 time more wear than a 2000 pound axle. The

Zoning Department staff report states the road is 18 feet wide in some places and a maximum of 20 feet wide. Not much of a road for the amount of weight being hauled and no shoulders.

The preferred route by Tri County is to drive south on Bonetti Road and then across on Viaduct Road to County Highway DM and subsequently to County Highway I to their plant in Arlington. The shortest route would be north on Bonetti Road to Meek Road and then to County I. The primary reason for Tri County's choice is to avoid bonding for the roads, as well as more town roads of questionable quality. With all the money that will be made off this quarry Tri County can easily afford the bonding and the repairs.

No matter which route would ultimately be used the roads are narrow in this area and there are people that enjoy walking/running, bicycling and other activities on the road. There are families with children living near the road. Safety must be a concern since the road is barely wide enough for two gravel trucks to pass each other and there isn't a functioning shoulder. Due to recent legislation farm equipment has few, if any, width restrictions. Pieces of farming equipment use a lane and a half when moving on the road from farm to field. Tri County should think about what will happen when two trucks or a truck and a piece of wide farm equipment meet head on. Without road width one of the vehicles will either need to drive through the ditch or back up. I doubt the farm equipment will back up. That implies the trucks, due to planned frequency could be bunching up because there isn't any road width to let them by.

Tri County has indicated the gravel will be sold openly for other contractors, road builders and any company/person that wants to buy the product. This will increase the traffic not only on Bonetti Road but any road/route the driver chooses with their trucks. These sales will undoubtedly put additional wear on town roads in Dane, Vienna and adjoining townships. There are no provision in the CUP for this additional traffic. The costs for road maintenance will be absorbed by the community.

In the Tri County presentation they state their drivers will be coached on expected behaviors such as not using engine braking and other unnecessary noise. I assume that means exhaust and brake maintenance. Then they turn around say the only noise we will hear from the pit would be the backup safety beepers on the trucks. Tri County cannot control the behaviors of the trucks that are not under contract or owned by them. With the hills on Bonetti it is unlikely the trucks will not make more noise than is being represented.

Included in the CUP is the addition of a portable asphalt plant and/or a concrete plant and a high capacity well. These items should be in a separate CUP or an addendum to facilitate discussions before anything is done about these two additions. Lumping everything together the way this document is constructed looks like Tri County is trying to slip through a wish list hoping no one will notice. Their document contains broad expectations and additional development that will not have review or appropriate governance. These changes are not trivial to the people that live in this area and may impact the quality of comfort and general welfare. It seems like this CUP was written with broad expectations and developments with no governance. It should be unacceptable that the residents of this area will not be able to comment on changes, amendments or request new CUPS related to this quarry. Again, once this CUP is in place the people most affected will not have a voice that will be heard.

Concerns about the impact of having the high capacity well should be addressed in a CUP. Any remediation as a result of this well should be the responsibility of Tri County. The presence of the well could impact the quality of water for surrounding wells. High capacity wells may have detrimental effects on water availability for the residents in this area. Provisions will have to be included to manage usage so that other wells will continue to function properly. Tri County should be required to test surrounding wells every year to verify the water quality has not been changed. If there are any personal wells that require remediation the costs should be Tri County's and the homeowner will not be subject to further litigation in attempts to slide out from under responsibility. I point to polluted wells in the northeastern and southwestern parts of Wisconsin where the polluters refuse to accept the responsibility for the well pollution they have caused and the process has been in the courts for years without any resolution. Meanwhile the well water is not safe for consumption.

Residents on Bonetti road tell me the vein of gravel runs under their houses. Their personal wells are only cased part way down because the rest of the depth is in rock and would not need casing. Considering there will be blasting that may damage the wells Tri County would need to commit to any and all additional needs if these wells are damaged or become unusable. Tri County should commit to remediation without finger pointing how the damage was not a result of their quarry activities.

Blasting should will be limited to one day a week and reasonable notification should be displayed at the pit if there will be blasting on that designated day. The day of week for blasting will be the same each week and something like a flag pole with a red flag, for example, would mean blasting will occur. This is done at other quarries and should be a standard here.

Tri County states berms will be constructed to help suppress noise and dust. On top of these berms there would need to be a chain link fence of sufficient height to disallow access. The fence should surround all excavated areas. Along with the fence there should be a double row of evergreen trees to assist in dust control. Tri County would need to install environmental monitors in and around the quarry to test for level of pollutants. The results, of course, should be made available to the public.

There is a pollution abatement plan stated in the CUP but I don't have it. If this document is on Dane County's website the navigation to access it is not intuitive. Water reclamation plan either is not clearly described or not included in the CUP document. The plan should be clearly stated.

Tri County has not provided any locations where they have performed quarry reclamation. Without some tangible examples there is no guarantee they know how to do this work.

Tri County will take the responsibility of generating a document on expected behaviors of the truck drivers. The document to include 'no engine braking' provisions as well as reduced speeds, jack rabbit starts and power braking. The document should be handed out at the scales for any drivers that are not under contract to Tri County.

Tri County will establish a help desk phone number. Any issues the people in the area have will be recorded and documented and all phone calls will be answered or be called back for detail information. Problems might include excess noise complaints, truck complaints, road complaints, general comments for improvement or anything else. Periodically (monthly) a report will be generated for use by town boards and will be kept at the quarry for anyone that wants to see the complaints. This information will be valuable should the CUP duration be renewed periodically.

Tri County will need to commit to clearing the roads of any debris dropped or left behind from the trucking or equipment movement. This is particularly needed on Bonetti Road and the other more traveled roads. The cleanup should be done daily, preferably in the afternoon.

Tri County states in their presentations that they will only be hauling gravel 35 – 40 days a year. Depending on whimsy it is not clear when those days would be on the calendar. It's unclear of the rest of the year the quarry would still be servicing need of other haulers not connected directly to Tri County.

Tri County originally stated the working hours would be 8:00 AM to 6:00 PM. Then it changed from 7:00 AM to 5:00 PM. Working hours should be from 8:00 AM to 4:00 PM and would include startup and shut down so those activities do not stretch before or after the posted working hours.

The towns should have control over the quarry activities including the passing of ordinances and the power to apply those ordinances retroactively.