

**From:** [bill roelofs](#)  
**To:** [Lane, Roger](#)  
**Cc:** [Daniel J. Evans](#); [dennis.mandt](#); [Nick Brattlie](#); [Town of Deerfield Deerfield](#)  
**Subject:** Town of Deerfield board meeting March 14th  
**Date:** Tuesday, March 15, 2016 10:05:05 AM

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Roger- As promised here is an update on how things are proceeding in our dealings with the Oak Park Quarry. Last night the Town board voted to grant the quarry both a non-metallic mining license, and a blasting license, pending only publication of some minor changes to our ordinances that we also approved last night- changes that made it possible for the quarry to comply with our application requirements, changes they had requested.

So the licenses should actually be issued within a week or so. In addition we will be holding another public hearing in 2 weeks to discuss other concerns that the quarry had raised in our February 24th meeting with them and their team.

I hope this comes as good news to you and your ZLR committee. I'd also like to thank you and the committee for your efforts on our behalf.

**From:** [Daniel J. Evans](#)  
**To:** [Lane, Roger](#); "bill roelofs"  
**Cc:** [dennis mandt](#); [Nick Brattlie](#); [Town of Deerfield Deerfield](#); [Allen D. Reuter](#)  
**Subject:** RE: Town of Deerfield board meeting March 14th  
**Date:** Tuesday, March 15, 2016 11:18:11 AM

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Thanks Roger,

I want to clarify that the ordinance changes approved last night to the non-metallic mining ordinance only modified the date in which the quarry submits its annual report to the Town (to coincide with a state report date based on the annual year), the date the quarry operator must submit an application for a renewal of that license, and the date in which the annual license is issued. The substance of the non-metallic mining ordinance was not modified.

I mention this because the quarry operator was capable since the non-metallic mining ordinance was approved and published last year of complying with the application process set forth in the ordinance for the issuance of the initial license. The quarry operator should have submitted its application well before the date in which it finally was submitted, and in my opinion the quarry operator was not in compliance with the ordinance (or the CUP) when the quarry was operated without the license.

Finally, now that a license is being issued, this does not mean that the licensee will comply with the license requirements and the standards set forth in the non-metallic mining and blasting ordinances. Hopefully it will, but we will find out soon enough.

Thanks again for your time and assistance in this matter.

Daniel J. Evans  
Reuter, Whitish & Evans, S.C.  
44 E. Mifflin St., Suite 306  
Madison, WI 53703  
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<http://www.rwelaw.net>

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**From:** Lane, Roger [mailto:[lane.roger@countyofdane.com](mailto:lane.roger@countyofdane.com)]  
**Sent:** Tuesday, March 15, 2016 10:22 AM  
**To:** 'bill roelofs'  
**Cc:** Daniel J. Evans; dennis mandt; Nick Brattlie; Town of Deerfield Deerfield  
**Subject:** RE: Town of Deerfield board meeting March 14th

Thank you for your prompt response. I will pass this information on to the Zoning and Land Regulation Committee at their March 22<sup>nd</sup> meeting. Given that the licensing was the major issue, staff will recommend that Conditional Use Permit #2103 not be revoked.

Respectfully,

Roger Lane

Dane County Zoning Administrator

**From:** bill roelofs [<mailto:billroelofs@gmail.com>]

**Sent:** Tuesday, March 15, 2016 10:05 AM

**To:** Lane, Roger

**Cc:** Daniel J. Evans; dennis mandt; Nick Brattlie; Town of Deerfield Deerfield

**Subject:** Town of Deerfield board meeting March 14th

Roger- As promised here is an update on how things are proceeding in our dealings with the Oak Park Quarry. Last night the Town board voted to grant the quarry both a non-metallic mining license, and a blasting license, pending only publication of some minor changes to our ordinances that we also approved last night- changes that made it possible for the quarry to comply with our application requirements, changes they had requested.

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I hope this comes as good news to you and your ZLR committee. I'd also like to thank you and the committee for your efforts on our behalf.

## Lane, Roger

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**From:** Allen D. Reuter <areuter@rwelaw.net>  
**Sent:** Thursday, January 07, 2016 11:28 AM  
**To:** Lane, Roger; Charles V. Sweeney (CSweeney@axley.com)  
**Cc:** Town of Deerfield Deerfield; Bollig, Jerome; Gus Heiden; Kolar, Mary; Matano, Alfred; Miles, Patrick; Salov, Robert; Will Haroldson  
**Subject:** RE: ZLR review of CUP 2103 - Oak Park Quarry

Roger: I received confirmation from the Town Clerk this morning that no additional materials required for either application has been submitted to date. The Town has taken no formal action to revise the ordinances at this time. We have had communications with various stakeholders, but no decisions to revise the ordinances have been made to date. I am not aware of conversations between the operator and the church other than the information provided this morning by Ms. Ehlinger.

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**From:** Lane, Roger [<mailto:lane.roger@countyofdane.com>]  
**Sent:** Tuesday, January 05, 2016 10:25 AM  
**To:** Allen D. Reuter <[areuter@rwelaw.net](mailto:areuter@rwelaw.net)>; Charles V. Sweeney ([CSweeney@axley.com](mailto:CSweeney@axley.com)) <[CSweeney@axley.com](mailto:CSweeney@axley.com)>  
**Cc:** Town of Deerfield Deerfield <[townofdeerfield@yahoo.com](mailto:townofdeerfield@yahoo.com)>; Bollig, Jerome <[Bollig.Jerry@countyofdane.com](mailto:Bollig.Jerry@countyofdane.com)>; Gus Heiden <[gusvonheiden@gmail.com](mailto:gusvonheiden@gmail.com)>; Kolar, Mary <[Kolar.Mary@countyofdane.com](mailto:Kolar.Mary@countyofdane.com)>; Matano, Alfred <[Matano@countyofdane.com](mailto:Matano@countyofdane.com)>; Miles, Patrick <[Miles@countyofdane.com](mailto:Miles@countyofdane.com)>; Salov, Robert <[Salov@countyofdane.com](mailto:Salov@countyofdane.com)>; Will Haroldson <[willjoseph2019@gmail.com](mailto:willjoseph2019@gmail.com)>  
**Subject:** ZLR review of CUP 2103 - Oak Park Quarry

Gentlemen,

As you are aware, the Dane County Zoning and Land Regulation Committee held a public meeting on December 8, 2015, with regards to the review and possible revocation of Conditional Use Permit #2103. The Committee postponed action on the matter until the January 12, 2016 meeting to see if progress could be made to resolve the situation.

Chair Miles stated that he would like to see progress made by the landowner on providing all information to make the blasting license application and mineral extraction operation license application complete. He would like to see progress made by the Town of Deerfield to correct the issue regarding the required frequency of the ground vibration as noted in the Town ordinance.

I am asking if you would prepare a statement answering the following questions:

- 1) 1) Has additional information been submitted to make the Towns' Blasting License application complete? If not, what efforts were made to make the application complete.
- 2) 2) Has additional information been submitted to make the Towns' Mineral Extraction License application complete? If not, what efforts were made to make the application complete.

- 3) 3) Has the Town started to address the issue regarding the frequency of the ground vibration in the Town Ordinance? If so, what progress was made.
- 4) 4) Has the mineral extraction operator had any conversations with the Church regarding reassurances that the blasting effects will not harm the structure?

If you can respond to my request by Thursday, January 7, by 1:00 pm, it would be greatly appreciated. The information will be forwarded to the ZLR Committee to review for the January 12<sup>th</sup> meeting.

Respectfully,

Roger Lane  
Dane County Zoning Administrator