

Hahn CUP 02563

Travis Leaser

To Dane Co Planning and Development Board Members,

May 8, 2022

I am currently a member of the Town of Rutland Planning Commission. Although, I am writing as a resident of the Town of Rutland in regards to the Kevin Hahn CUP application. First, I will address comments to each of the 8 standards. Then, lastly I will make recommendations for potential conditions I have been thinking about.

Standard 1 The proposed land use will not be detrimental to or endanger the neighborhood health, safety, comfort, or general welfare. Explain how the proposed land use will fit into the neighborhood. If there is going to be lighting, noise, outdoor storage, traffic, or other outside activities, explain how the activities will be limited to a reasonable level.

Personally, I believe the expansion of an already existing quarry fits under standard 1. There will not be any lighting, and there are multiple agencies that control specifically how mineral extraction pits operate in Dane County. There has been multiple testimony against this new expansion but the fact is that the expansion is moving away 5 residences and towards 2. Below are a large number of conditions that I would think can address and remediate any problems with #1

Standard 2 The uses, values and enjoyment of other properties in the neighborhood already permitted shall be in no foreseeable manner be substantially impaired or diminished by establishment, maintenance or operation of the proposed conditional use. Explain how the proposed land use will fit into the neighborhood and what will be done to avoid potential nuisances, such as limiting the hours of operation, noise control measures, paving the parking area, or the screening of outdoor storage.

This has been the biggest controversial topic of all. Again, with specific operating conditions, I think this can be managed. The current neighborhood already has a mineral extraction pit. So, I am not sure how the argument that the new one doesn't fit #2 is viable. See conditions below.

Standard 3 The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Explain how the proposed land use will not interfere with the development of the surrounding property. It's possible that there may already be limitations on development on the surrounding properties such as being deed restricted to just agriculture.

The only thing that it may impede is specifically where development rights are used. Neighboring properties have the right to build somewhere on their property. To my knowledge, none of these properties are land locked into building within the mineral extraction pit setback, but this could potentially hinder where people can or decide to build.

Standard 4 There are adequate utilities, access roads, drainage, and other necessary improvements to allow the land use, or improvements are planned to provide adequate measures. Explain what impact the proposed use has on such things as water, septic, storm water, electricity, and traffic. Provide information on improvements that may be needed or if additional buildings are needed.

There are a significant amount of other agencies that restrict/control mineral extraction pits utilities, drainage, water, etc.

Standard 5 Adequate measures have been or will be taken to provide adequate ingress /egress to public streets and the proposed conditional use will not present traffic conflicts. Provide information on vehicle traffic that the proposed use will generate. Include frequency and types of vehicles.

I believe that IF this CUP is granted, one of the conditions would be to abandon the two entrances to the north and provide a new approved entrance to the south. The two current entrances are extremely dangerous. Granting this CUP gives us the ability to control a new, safe access road into the pit and make this road safer for neighbors

Standard 6 The conditional use shall conform to all applicable regulations of the district in which it is located. Provide information on any necessary licensing, or regulations associated with the proposed land use. Explain any buffering or screening that will be installed as part of the proposed use.

Again, Licensing for mineral extraction pits is controlled and enforced by numerous other agencies.

Standard 7 The conditional use is consistent with the adopted Town and County Comprehensive Plans. The Town and the County may have specific policies on the development of particular areas of the county. Please provide any specifics that relate to the conditional use.

Mineral extraction falls under a farm related activity. The rift of mineral through this specific area is highly valuable for making new stronger roads across Dane County and within our own township.

Standard 8 If the conditional use is to be located in a Farmland Preservation District, the conditional use must meet the findings as listed below: If the property is located in the FP-35, FP-1, or FP-B Zoning District, additional information is needed.

Additional standards in Farmland Preservation Areas

1. The proposed use is consistent with the purpose of the district. **Mineral extraction is a CUP in FP areas. The zoning is not changing**
2. The proposed use is reasonable and appropriate with alternative locations considered. **I believe so yes**
3. The proposed use is reasonably designed to minimize the use of agricultural lands. **The reclamation plan could (in the future) create a very usable space for both farmers and community members.**
4. The proposed use does not substantially impair the current or future agricultural use of surrounding parcels. **Correct.**
5. Construction damage to remaining lands in agricultural use is minimized and/or repaired. **Correct**

POTENTIAL CONDITIONS

- 1) Limited hours of operation specifically for Crushing, loading/hauling, general maintenance, and blasting.
- 2) Removal of two existing driveways to the North and providing a NEW approved access drive to the South in a safer, more visible location.
- 3) CUP is null and void upon sale of property. With an exception to the Hahn son (Devin Hahn)
- 4) Limiting disturbance of 5 acres "chunks" of property at a time.
- 5) Removal of Grandfathered status of existing site and both new and old pits fall under new CUP conditions
- 6) Setting an annual meeting to address concerns/questions of the pit with residences
- 7) Road maintenance- road must be kept swept and cleaned at all times
- 8) Supplying a specific number of chronographs for each blast.
- 9) No external lighting to be used
- 10) Back up sirens to "XYZ" decibels
- 11) Notifying residents within 1000 ft of property 7 days prior to blasts.

In conclusion, in my opinion, with a vast amount of conditions placed on this CUP. I think this could make that road much safer and residences happier. The applicant is willing to revoke his NC status on the existing site to accommodate this proposed CUP. I think that largely outweighs anything else. A large amount of testimony given was directly related to the truck traffic. I think it is crucial to know that we cannot determine if this traffic is coming from the Hahn pit or the Northwestern pit down the

road. Without actual data on this, I find it hard to group that truck traffic specifically on the Hahn pit. Although, I do think it's a problem, I think with the correct conditions this could be an asset to us.

Thanks for your time

Travis Leeser