

Tim & Erica Zick Testimony

Address: 690 Craig Rd Edgerton, WI 53534 Home has been in family since 1994

Location to CUP #2260 – 500ft from Yahara Materials CUP North boundary

1. There is a violation with CUP2260 of Dane County Code or Ordinances Section 10.255 2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use; where if CUP2260 is granted it will substantially impair the ability of my children to safely ride horses on our property an already permitted use.

(Read Letter and hand in from veterinarian Dr. Peterson DVM)

2. Also, in concern for my family's and animals' safety, I requested as a condition to have Yahara Materials install a fence around the perimeter of the quarry. I was basically laughed at and told by Mr. Venske the Town Chair that if I was worried about it to fence in my own property. Why is it my responsibility and expense to fence in my entire property due to a change in land use, which we don't want, of an adjacent property that affects my already permitted use of my property. This also shows the town's apparent disregard for their citizens and their valid concerns.

3. We have a petition of now 92 total signatures requesting the denial for zoning change for CUP2260, 3 out of state, and 77 are local Edgerton/Albion residents, of which I was a Town of Albion board member. There were also comments made at the end of one of the petitions from 20+ signers. This was a petition provided at the second public hearing to Town of Albion and was ignored as "invalid" per Mr. Venske, the Town Chair. (hand copy to Chair)

4. It also has been stated by the Town board that this quarry here will save the state money. Here is an email from Craig Pringle with DOT in regards to this.

"As for Yahara or the Town or County telling you they're doing it to save the State money – it may well be true that WisDOT got a savings because of their lower bid on the project. But frankly – I think they're just using that as a convenient reason to tell you that's why they're doing it. Believe me, if they weren't making money off that deal, they wouldn't be doing it. Saying they're doing it to help the State save money is just a way to shift the blame, in my opinion. Townships and Counties have no problem fighting the State on all kinds of issues if they don't think something is in their interest. Nor does Yahara have any problem fighting the State if it is to their financial advantage. I've had them on a previous project where we got into a dispute, and they weren't at all interested in the State's best interest." (hand email to Chair)

We request of you to hear the testimonies of the appellants, citizens, and professionals who speak in opposition, and read the supporting information provided and conclude that not only is this CUP in violation of several Dane County Ordinances and proper procedure, but a detriment to the adjacent wetland environment there and downstream waterways, and as noted by the many signatures, not a change in land use that residents want to see.



Janesville Animal Medical Center
5021 Wright Court Milton, WI 53563

To Whom it May Concern,

Horses and sudden loud noises usually do not mix well. A sudden noise can cause a horse to panic and run, which may cause injury to the horse or a rider. With over 43 years of Equine Veterinary experience, it is my professional opinion that horses are not pastured near a gravel pit where sudden loud noises occur.

Sincerely,

Dr. Dean Peterson DVM

September 14, 2014

Environmental Issues related to CUP #2260: mineral extraction

Statement by David E. Blockstein, Ph.D., Senior Scientist, National Council for Science and the Environment

I am David Blockstein, Ph.D. I hold a doctorate in ecology from the University of Minnesota (1986) and a bachelors of science in wildlife ecology from the University of Wisconsin-Madison (1978). I was a full-time resident of Madison from 1964-1978 and again in 1987. My late mother Liesl Blockstein was an elected member of the Dane County Board of Supervisors until her untimely death in December 1986.

Since 1987, I have primarily been in Washington DC, where I was a Congressional Science Fellow with the Natural Resources and Environment subcommittee of the US House of Representatives (1987-88) and have been working at the interface of environmental science and policy for more than 23 years with the National Council for Science and the Environment, where I am Senior Scientist.

I here tonight due to my own interest, and using my own funds. I am not being paid for my participation in this case.

Summary

- In my professional opinion as an ecologist, the proposed quarry as described in the revised plan of May 17 2014 poses significant risk and has significant potential to damage the immediately adjacent Albion prairie and Albion wetlands, and the wildlife that resides in the proposed Resource Protection Corridor.**
- I do appreciate that the applicant is making efforts to minimize the footprint of the proposed quarry, but the project is simply in the wrong place - it is ecologically part of the Resource Protection Corridor and it drains directly into the wetlands.**
- The proposed plans to minimize soil erosion do not take into account recent information on the increased frequency and severity of high precipitation events (3 inches of rainfall or more) due to climate change.**
- The burden of proof should be on the applicant. Unless they can show to "courtroom standards" that their proposed use will not violate the standards of the statutes, it should be the responsibility of this Board to deny the permit.**

- Additional concerns can be found in my statement (Blockstein May 8) provided in the hearing record
<https://dane.legistar.com/View.ashx?M=F&ID=3069510&GUID=4A7D2738-8DA8-4935-8E77-B7CFFE67AEEC>
- I urge the Board to reject the permit in the appeal process.

Importance of wetlands

- The importance of wetlands is identified in federal statutes such as the Emergency Wetlands Resources Act of 1986, which states "The Congress finds that —(1) wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water supply and quality, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation and economic well-being of all our citizens of the Nation." (16 USC 3901 SEC. 2).
- According to the Dane County Wetlands Resource Management Guide, "Wetlands are among the most complex and least understood of natural community types. Most wetlands also serve multiple functions. One of the greatest threats to wetlands has been the incremental and piecemeal destruction often described as "death by a thousand cuts." The loss of wetland resources has become a national problem. Efforts are needed at the local level to protect, restore, and enhance the wetlands that remain, preserving the many benefits which they provide."
http://danedocs.countyofdane.com/webdocs/PDF/capd/Wetland_Guide_web.pdf (page 107)
- Wetlands are connected with the larger landscape. Some egg-laying species such as ducks and turtles move out to the adjoining uplands, even in agricultural lands, to lay their eggs because if the eggs are water-saturated they will not hatch.

The importance of the Albion prairie and wetlands

- The Albion prairie and wetlands is a rich local ecosystem that contains both wetland plants and wildlife.
- The importance of the wetland has been identified in the Albion town plan as one of the largest components of a very large contiguous proposed Resource Protection Corridor along Saunders Creek that contains both wetland plants and wildlife and drains into Lake Koshkonong (draft 12/19/13, Dane County Planning and Development). (Exhibit 1)

- Such corridors are critical to providing transit routes for wildlife as well as maintaining the quality of the water downstream.
- The corridor is equivalent to an Urban Service Area that protects the floodplains and adjacent woodland as well as the wetlands.

The importance of the site

- The proposed quarry is adjacent to a wetland-woodlands complex, which is part of the proposed Resource Protection Corridor and is one of the widest sections of the corridor.
- The forest and the wetland together provide a rich habitat that is much more productive and diverse than either component would provide alone.
- The wetland site is important for wetland plants and resident and migratory wildlife, including rare birds such as Bald Eagles (a federally protected species that have been frequently sighted in the past three years over the area), Sandhill Cranes, many nesting and migrating Geese, Ducks and other waterfowl, River Otters, Bobcats and even a Mountain Lion.

Problems with the proposed quarry and the revised plan

- The natural drainage pattern of the site has a significant slope and provides water to the drains directly into the Resource Protection Corridor through wetland interfaces at the western edge and southern edge of the site (Stantec Figure 2) and through the drainage lines evident on the aerial photo (exhibit 2).
- The proposed area to be covered in the permit extends south into the section that contains the wetland as well as including the entire wooded area that forms buffer for the wetland that is south and west of the proposed site,. No justification is provided for the permitted area for the quarry to include these areas.
- There are no scientific criteria that identify a "safe" distance from the wetland boundary, but given the topography of the area, the quarry is likely to impinge upon and damage the wetlands.
- Sources of damage include airborne particulates (dust) that will be generated by the project, erosion of soil and silt and possible contamination of groundwater.

- The primary proposed means of sediment control is mechanical barriers – dirt berms and plastic covers.
- These barriers will not prevent silica dust and other particles from entering woodlands, wetlands and nearby properties.
- The sediment control plan is designed for the previous rainfall patterns and is inadequate for the current and future rainfall patterns featuring heavy rains (such as the 3 inch rain of a few weeks ago) that the upper Midwest is now experiencing and that are projected to increase due to climate change (data from the Regional Planning Commission and the 2014 National Climate Assessment).
- There is no plan for independent scheduled monitoring of erosion and no statement of what will happen when the erosion controls provide inadequate.
- Once the sediment runs off the site into the wetlands, no remediation is possible.
- Black dirt has already been moved onto the site, perhaps in anticipation of the permit, although no permit has been issued. This dirt has not been covered and is an immediate threat of erosion into the Resource Protection Corridor.
- The water table on the site slopes downwards towards the wetlands and it is likely that the excavation will penetrate the water table (the information provided by the applicant on the depth of the water table appears to be erroneous according the geological evaluation provided by HydroGeoLogic), providing another source of contamination.
- It is possible that the quarry would be the best quarry ever in terms of environmental compliance, but history of the applicant and the nature of the business suggests that this is unlikely.

Criteria for denying the permit

- The permit should be denied because it does not satisfy Criteria 1 (detriment to public, health, safety, comfort or welfare) and Criteria 2 (impairment and diminishment of uses, values and enjoyment of other property in the neighborhood). (Section 10.255(2)(h)).

- **The effect of the proposed use on water or air pollution, soil erosion and rare of irreplaceable natural resources (Additional Factor 10) (S. 10.123(3)(a)) – is a critical concern.**
- **The proposed permit does not account for drainage patterns and other hydrological aspects (including the increased intensity of storms) and creates a strong likelihood that the proposed project will damage the Resource Protection Corridor.**

Thank you very much for your time and attention.

Thank you for this opportunity. I'm Pat Tesar and I live at 676 Craig Road, Edgerton, in the town of Albion and have lived here for 20+ years.

I'm appealing this CUP because my concerns are:

Personal loss of property value

Hy 73 access and the traffic congestion it will create as Hy 73 is to be an Interstate 39/90 alternate route

The poor process and lack of citizen consultation on the part of the Albion Town Board

The inconsistency this CUP has with the Town's Comprehensive Plan and the County Code of Ordinances

I want to raise substantive concerns about:

- The process
- The track record of the applicants
- The impact of the proposed quarry on our personal economic well-being, our health, and that of the area animals and wildlife
- The impact on the environment

I greatly appreciate the valuable time of the county board in hearing my appeal of CUP 2260.

Although this may seem like a small very local issue, it is very much a classic example and a symptom of what is happening throughout Dane County where corporate interests of a developer are pitted against the local citizenry.

1)This CUP is for a quarry to be blasted into land jammed in between residential uses on two sides and a high quality environmental corridor on the other two sides. A totally inappropriate land use decision.

- This CUP goes completely against the Town of Albion's Comprehensive Plan and the County's Code of Ordinances stating:

- o A rural life style shall be maintained and farm operations shall be preserved
- o Use shall not be detrimental to the comfort and general welfare of its citizens
- o Use shall not be detrimental to the use and value of one's property

Our mortgage holder, Anchor Bank of Madison, has stated our property value has already decreased because of the fact there is a proposed quarry for which a CUP has been granted which has to be disclosed when attempting to sell and who's going to buy a residence next to a quarry for any price!? Numerous recent expert studies have shown a drop in property value of 25-30% within our proximity.

The Court of Appeals Case #03-0734 vs the Dane Co Board of Supervisors et al found that the Zoning Committee failed to meet the requirements of Dane Co. Ordinance 10.255 (2)(h) and 10.123 (3)(a)1 and that two members were impermissibly biased; thereby reversing the CUP approval. The point of this case was that the CUP shall not be detrimental to or endanger the public health, safety, comfort or welfare and that the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished! The Court of Appeals said that the County was correct in accepting the testimony of citizens and rejecting the quarry operator's expert opinions regarding

the extent of potential environmental damage. Here we have a similar situation; a proposed quarry in an environmentally sensitive area with a high water table and jammed in between residences! YM did not provide expert opinions to refute Lori Huntoon and Dr. Blockstein's opinions!

2)Why does the property owner's profit motive trump the public interest in the environment and the existing uses and value enjoyed by neighboring properties?

- Our property adjoins the quarry property and we'd be approximately 1600 ft from the actual quarry and actually overlooking it because we're at a higher elevation and no berm could be high enough to shield that view or block the noise and dust. Testimonies have stated that we'll be affected by noise, dust, loss of aesthetic views and we personally would experience a significant drop in property value from \$490K to potentially \$340K; that is if anyone would be foolish enough to buy a potential \$500K property next to a quarry! This has been demonstrated within Dane Co where property values have decreased \$35-\$50K in the Schuetz quarry area outside Stoughton off Halverson Rd., resulting in a significant loss of tax revenue.

3)There are two sets of standards; one for CUP's and one for Exclusive Ag! The ZC didn't make any actual findings on either set of standards; especially the one about the necessity for a quarry use in an Exclusive Ag. District!

- The A1EX standard requires a showing of a NEED for the USE of a quarry as well as the ECONOMIC need for another quarry. This hasn't been shown.
- The initial intent of this CUP was for gravel for Hy73 reconstruction which is now a moot point. YM doesn't have a contract for Interstate 39/90 so that's a moot point as well. Instead it has become a quarry for Albion's use and there are more than enough quarries in the immediate area to satisfy that and I have a list of them which was submitted to both the Albion Town Board and you. Besides, Albion is attempting to abandon its gravel roads so its need for gravel is minimal and diminishing.
- Hy 73 is currently undergoing reconstruction as an alternate to Interstate 39/90 and it's been quite a challenge getting in and out from our property. Many times we've had to wait for a bulldozer to create a path for us so I've had opportune time to talk with supervisors on the job, as have other neighbors, and they've commented that all there "rock" is coming from T&T, a local quarry, and T&T has enough to supply at least 6 more such projects so another quarry in the neighborhood is NOT needed! Unlike what YM will have you believe, the issue isn't enough gravel, as there is plenty already available, but not enough trucks to haul it! This land has been crop farmed for generations with no issues and currently has a vibrant crop of corn on it. Again, contrary to YM's claims, aerial photography shows no rock outcroppings and testimonies state that reclaimed farm land is never as good as what existed before hand.

4)The ZC had it backwards when they assumed they could put in place a bunch of conditions to satisfy the standards, but they should first have to find that the project could actually satisfy the standards!

- The conditions in place won't make the project satisfy the standards. Instead of making affirmative findings on each of the ordinance standards for the issuance of the CUP, the committee assumed that the "standard" quarry CUP conditions, plus a few extras automatically qualified the project as conforming to the standards. One example, YM never provided any report to refute information being provided by Dr. Blockstein and Lori Huntoon. The only thing

YM provided was a two page incomplete portion of a "preliminary" wetland report that omitted any conclusions from the applicant's consultant! Yet the committee decided that the project wouldn't have a detrimental effect on the wetlands, groundwater and drinking water quality and quantity! These potential negative effects are not being mitigated by any of the conditions being imposed.

- Driveway access in particular! YM has stated they're looking at **200** trucks a day pulling in and out of this potential quarry! Hy 73, which already has a heavy traffic flow, will be a two lane alternate for the Interstate. Allowing a quarry entrance into basically 2-lane interstate traffic is ludicrous and would create an unbelievable hazard to the public! At the 5/13 ZLR meeting Supervisor Salov asked about Hy 73 access and is it questionable. Mr. Lane responded that Hy73 access is a required condition of the CUP and without it the CUP would be null and void and he went on to say he hadn't heard from the DOT yet we have proof that the DOT did contact him stating they would not issue a driveway permit onto Hy 73 using the existing dirt farm field path and asked that the CUP be denied because of this. Since that time apparently YM has friends in high places who apparently are considering overriding local DOT officials in granting a driveway permit! Just because one has friends in high places doesn't make it right! Something else that has come to light this past week is that Wileman's/Crazy Acres are stockpiling dirt being taken from the HY 73 reconstruction on/near the proposed quarry site! Is this legal; is a permit required; plus it's a source of erosion into the wetlands as there don't appear to be any sort of erosion/run off control barriers.

Throughout this process, we, the most affected residents have been on the defensive. Public notice has been minimal although public opposition has been great. We have had to hire attorneys and engage with expert consultants both paid and volunteer.

We have provided substantial written evidence of legal procedural, economic, environmental, and overall quality of life concerns

Yet it seems to us that both the town and county zoning commissions have given great deference to the applicant *W NO PROOF SUBMITTED TO SUPPORT THEIR CLAIMS.*

The Albion Town Board and Dane Co. committees proceeded as if it was the objectors' (our) burden of proof to show that the CUP standards were not met, instead of appropriately placing the burden on the applicant (YM) to show that all the CUP standards could be met by the proposed operation. The burden of proof should be on the applicant, not on us! The Committee must affirmatively make findings under each of the standards, and not simply assume that the CUP conditions imposed on the quarry operation will make up for any negative effects of the operation. Just because these are "standard" CUP conditions doesn't mean they are going to mitigate the negative land use impacts – that is a faulty assumption.

Why aren't we provided equal protection of our property rights; we're tax paying citizens. Why are we being forced to protect our property rights?!

The testimony we are providing has not been rebutted but has been largely ignored. That is why we are here tonight and greatly appreciate your time.

We and our expert witnesses have presented evidence that the proposed quarry does not meet the standards for the CUP.

- * Hy 73 is the only route for emergency services from Edgerton to our area & gravel truck congestion could stall traffic and cost a life or home.

The Town and County boards' need to honor their comprehensive plans and code of ordinances and in the interest of what is just, right and ethical we ask that the approval of CUP 2260 be overturned.

Thank you again for your time and attention.

Quarry Studies

Pembina Institute, 2005 (Pembina.org)

Quarries result in:

- Natural Habitat Removal
- Water Storage area is lost
- The release of significant amounts of particulate matter, i.e. dust
- Significant noise pollution
- Heavy truck traffic creating a serious hazard

Crush The Quarry. org

- Home values within ¼ mile drop 30%
- Home values a mile away drop 13%
- Home values 3 miles away drop 6%

Eda Projects. org, 2009

(Economic Development Authority)

Property Value Losses from Quarrying Operations

- Home values within 1/3 mile drop 25%
- Home values within 2/3 mile drop 20%
- Home values within 1 mile drop 15%
- Home values within 2 miles drop 10%

Diane Hite, 2006, Impact of operational Gravel Pits on House Values, Auburn University
George Erichcek, 2006, Assessment of Economic Impact of Proposed Gravel Mines,
W.E. Upjohn Institute

Similar drop in home values

Government economist: Albion & Dane Co. would lose a minimum of \$84,000 in tax revenue each year for the 10 years this proposed quarry could be open; most likely over \$1,000,000 or more loss depending on inflation.

18 September 2014

Water and environmental issues regarding Conditional Use Permit #2260/Albion Quarry

Statement by Lori Huntoon, PG, Principal Hydrogeologist, HydroGeoLogic Consulting, llc.

I am Lori Huntoon. I hold a Professional Geologist license #008 with the State of Wisconsin. I have a degree in Geology from UW Platteville, over 25 years of experience with environmental issues impacting groundwater, and served as Chief of the Technical Section of the PECFA Fund with the Department of Commerce from 1997 through 2004. I was a fulltime resident of Dane County, Wisconsin from 1994 to 2011.

I am here tonight as a Technical Expert representing the concerned citizens of Albion.

Based on an extensive review, it is my professional opinion that the proposed quarry poses significant potential for groundwater and surface water contamination, disruption of neighboring wells, and negative impacts to the adjacent wetlands.

The statements provided tonight are described in further detail in my report dated May 7, 2014.

Most significant are concerns with ARSENIC AND SULFIDE contamination to water supply wells.

There is significant potential for mobilization of arsenic into the groundwater from quarry operations.

The geology of this area is glacial overburden underlain by the Platteville Formation over St Peter Sandstone.

Sulfides are found at this interface of the Platteville and St Peter. Arsenic is released through exposure of these sulfides to air, where the air-comes into contact with the sulfide-rich rock.

Arsenic is a documented problem in many counties throughout Wisconsin, including Dane. (for reference only: Oconto Shawano Outagamie Winnebago Green Lake Dodge Jefferson Rock Green Iowa Grant LaCrosse and Dane Counties).

You can find this information yourself. For example, search Arsenic in the DNR Groundwater Retrieval Network for Dane County. Of 500 wells that have been sampled, 5 water wells exceed the Enforcement Standard of 10 ppb, and 80 water supply wells exceed the Preventative Action Level.

The Bible Baptist Church in Utica is located only a few miles north of Albion. They had a water well completed at this very same Platteville St Peter interface (36N 12E). This well had arsenic levels exceeding 40 ppb. (for reference only: DNR Water Quality database of public water systems).

In addition, a number of groundwater wells in the McFarland area have documented concentrations of Arsenic from 20 to 30ppb. These levels far exceed the Enforcement Standard and are life-threatening to citizens.

Quarry operations will have the same impact on groundwater quality as drilling into these formations does.

Another concern is the quarry location adjacent to ENVIRONMENTALLY SENSITIVE AREAS

The application materials reviewed as part of the technical evaluation identify quarry operations within areas identified as wetlands, creating a foreseeable risk of significant impairment to these environmentally sensitive areas.

Local wetlands, as well as areas of wetland indicators, are identified within and directly west and south of the proposed quarry. Records submitted with the proposed quarry application indicate mining operations within each of these wetland class areas. Revised boundaries of the proposed quarry include farmed wetland areas, and border sensitive areas of wetlands and wetland indicators to the west, southwest and south.

GROUNDWATER LEVELS

Records for water supply wells within 2 miles of the property were reviewed, including residential wells, irrigation wells, and industrial wells.

Of 60 residential wells, located within a mile radius of the site, 42 well construction reports indicated static water levels of twenty feet below land surface. The average depth to water is 22 feet bls.

Groundwater levels in well construction reports are consistent with the groundwater levels expected across the area, with depth to water greater north and east of the proposed quarry site. Shallow groundwater flow beneath the proposed quarry is toward the southeast.

Water level elevations in the area range from less than 840 mean sea level (msl) in the area of the proposed quarry to 860 msl north of Craig Road. The application materials reviewed as part of this review identify the quarry floor to be estimated at 850 msl. This estimate puts the base of quarry operations at or near the water table.

Water supply wells could be significantly impacted by the proposed quarry if quarry operations extend beyond the current proposal of 850 msl.

If dewatering activities occur, or if the quarry operations extend beneath the groundwater level, there is a foreseeable impact to local water supply wells, including residential, farm and irrigation wells.

The lowlying wetlands area within the parcel provide a sensitive network of plants and substrates that allow filtering and recharge of the aquifer, replenishing valuable groundwater supply. The proposed quarry would cause a foreseeable impact to the recharge in this area, including negative impacts on both water quality and water quantity.

And lastly, there does not exist a need for this quarry at the current time. Alternative sources are available. Existing quarries in the area supply sufficient material for current and planned projects.

Thank you for your time and consideration.

The key points from appellants of CUP 2260

1. The process by which the decision was made is flawed and violates a number of statutes and regulations designed to enable public input.
 2. The local citizens and the constituents of the elected Supervisors are in strong opposition to the project.
 3. The quarry provides unacceptable economic, environmental and social risks in violation of statutes and existing permitted uses.
 4. The quarry is not needed because alternative sources of rock are available.
 5. Yahara Minerals' track record makes it risky and unlikely that they can safely carry out the project.
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1. There are flaws in the process to date.
 - i. The Town vote was rushed and with lack of proper notification (include no date or location in the published notice, a "second letter" to residents that was not received and that the town does not have proof of even sending, planning commission and boards' failure to check that the certified notice was indeed proper and complete before proceeding, only 4 day notice from Dane County etc.)
 - ii. Incomplete CUP application at time of public notice (include items as stated by Tim Zick {March 11 Dane county meeting transcript} no labeling of neighboring zoning, storm water plan etc. deficient etc. In *Weber v. Town of Saukville*, 209 Wis. 2d 214, 237-38, 562 N.W.2d 412 (1997), the Wisconsin Supreme Court held that the sufficiency of a CUP applicant's materials must be measured at the time that notice of the final public hearing is first given. It is a violation of the open meetings law to hold a public hearing and vote on an incomplete conditional use application. That Albion violated the law in voting on this matter on Jan. 7, 2014. CUP #2260 should be revoked on that issue if none other.
 - iii. Citizens were told to prepare five minute statements before meetings, than restricted to three minutes, preventing vital objection issues from being heard by the ZLR and town board.
 - iv. That the applicant was allowed 2 people to speak in rebuttal at ZLR meeting in violation of zoning ordinance rules of procedure.
 - v. The Town Board of Albion failed to reconsider their initial approval at the March 24 meeting as requested to do to address the procedure violations, despite huge public opposition and almost no public support, they instead voted only to approve added conditions.
 - vi. That zoning staff withheld documents submitted for inclusion to the objection file, and withheld information requested by a ZLR board member regarding contact with the DOT at the May 13 meeting.

2. The local citizens and the constituents of the elected Supervisors are in strong opposition to the project.
 - i. 88 residents of Albion attended March 24 meeting, more than a dozen spoke in opposition
 - ii. Petition of opposition
 - iii. Despite only 3 days to organize before spring election, two write in candidates received large numbers of votes in the highest turnout of any Albion town election.
 - iv. Continued opposition at this hearing.
3. The quarry provides unacceptable economic, social and environmental risks in violation of statutes and existing permitted uses.
 - i. Economic and social risks
 1. The mine will damage the neighbors' quality of life and will cause economic damage
 2. Home values have been shown to be decreasing because of the plans for the quarry
 3. Permitted economic and agricultural activities such as horse breeding will be restricted due to the quarry
 4. The haul road is proposed to exit onto State Highway 73 but the State Department of Transportation has expressed opposition.
 5. Alternative routes for truck traffic would require a new road through a Resource Protection Corridor
 - ii. Environmental risks
 1. The Albion wetlands are ecologically important and flow into Lake Koshkonong
 2. Part of Resource Protection Corridor
 3. The proposed quarry will drain into and damage the wetland
 4. Climate change is causing more frequent downpours (heavy rains) in the Midwest thus increasing the risk of runoff from the site.
 5. The protection plan is insufficient
 - a. The buffer zone is arbitrary
 - b. The sediment containment plans are based on an outdated view of climate and are not sufficient for heavy downpours.
 - c. The plan does not control air pollution – toxicants and sediments
4. The quarry is not needed because alternative sources of rock are available.
 - i. There are existing quarries in the area.
 - ii. These quarries are supplying sufficient materials for current and planned projects.
5. Yahara is unreliable
 - i. have been documented violations in the past
 - ii. Contradictory statements - Where is the water table? Key issue regarding connection between quarry and wetland. Depth of mine relative to water table

Albion area Quarry Sites
Active, Potentially Active, Historically Active

Ramsey (Olson) Pit
Lindberg Pit
Sandmire Pit
Gausmann Pit
Kendall Pit
Rockgen Pit
Utica Pit
Wolf Pit
T&T Pit
Hurd Farm Pit
Jon Halverson Pit

Pits at 720 Hillside and 289 Hy 106 already owned by Wileman's

The area bounded by Hy 106 on the south, Hy 73 on the west, Craig Rd on the north and Hillside on the east; i.e. 775-909 Hillside Rd. This is a very poor crop producing area littered with rock and rock outcroppings and also owned by Wileman's

Ridge at 582 Hillside Rd. and this owner has no issue with a mine.

Intersection of Hillside Rd & Lake Dr; NW corner; unused south end of Eastman Hunt Club and they would appreciate the income and it's right next to the Interstate.

Ridge behind Albion recycling center site west of Goede Rd

The Interstate 39/90 corridor is a mining gold mine with mound after mound and ridge after ridge that aren't farmed or have homes nearby. This was done for the initial Interstate construction so why not again?!

Ridge area along west side of Hy 73 between Hy A & Tobacco Rd.

Ridge area behind the Rockdale Tower west of Hy 73

Mound on the NW corner of Koskonong Rd & Hy 73; caddy corner from Christiana Town Hall

Ridge area east of Hy 73 south of PQ

From: Hinkle, Scot - DOT
Sent: Monday, May 12, 2014 2:39 PM
To: 'lane.roger@countyofdane.com'
Cc: Oestreich, Dale - DOT; Lybek, Rita - DOT
Subject: Access to STH 73

Rodger,

I see by the revised map that Yahara Materials plans to gain access to STH 73 via an old farm entrance. This will not be acceptable without approval from the State wide access committee. I will not request the committee to change this access. This section of highway is controlled under statute 84.25. The current authorization is for ag use only. I see no public benefit in allowing the trucks to enter and exit at this location. I would not support any request to change the use of this driveway. If Yahara wishes to open a quarry at this location they will have to seek access another way. I will also ask that any approval to the CUP be based on gaining access first.

Thanks

Scot Hinkle
SW Region
Access Management
Planning Section
608 246-5334

An economist who works in a government capacity calculated the tax loss to Albion/Dane Co. based on value loss of properties within a three mile radius to this quarry. He said that he only used the median home price of \$188,000 for the 140 resident addresses with three miles even though the assessed value is MUCH higher for these homes. He multiplied the average tax bill from 2012 for an Albion home valued at \$188,000 times the 140 households within the 3 mile range, then he deducted 20% from that total, he chose 20% being the averaged loss calculation (derived by the individual higher value of homes like ours and others closest to the mine, the density of populated areas and values of homes in a range from closest to farthest from the quarry losses based on the studies he looked at). His conclusion was that Albion/Dane county will loss a minimum of \$84,000 in tax revenue each year for the ten years that this CUP is open. He said that it will likely be about \$1,000,000 or more loss in taxes by the end of ten years depending on inflation. So in short, this is going to cost the Town/County a million dollars to line the pocket of Wileman and Yahara. He says he doesn't know what they expect to get in taxes from the quarry, but based on his research it would not exceed the loss in tax base; basically that the Town/County would lose more than it would gain.

2004 WI App 26

**COURT OF APPEALS OF WISCONSIN
PUBLISHED OPINION**

Case No.: 03-0734

Complete Title of Case:

**WILLIAM KEEN, LISA KEEN, OLIVER HIMSEL, KAREN
LAMERE, CLEMENT LAMERE, FLOYD LAMERE, BERTILLA
LAMERE, AND MANFRED ENGBURG,**

PLAINTIFFS,

MARGARET L. JONES,

PLAINTIFF-APPELLANT,

V.

**DANE COUNTY BOARD OF SUPERVISORS, DANE COUNTY
ZONING AND NATURAL RESOURCES COMMITTEE AND
PAYNE & DOLAN, INC.,**

DEFENDANTS-RESPONDENTS.

Opinion Filed: December 23, 2003
Submitted on Briefs: October 14, 2003

JUDGES: Dykman, Vergeront and Lundsten, JJ.
Concurred:

Dane County Board (board) which upheld the decision of the Dane County Zoning and Natural Resources Committee (ZNR) to grant a conditional-use permit. She asserts that ZNR failed to meet the requirements of Dane County Ordinances (DCO) §§ 10.255(2)(h) and 10.123(3)(a)1 and that two ZNR members were impermissibly biased. We reverse and remand with directions for ZNR to consider the factors in § 10.123(3)(a)1 and to reconsider § 10.255(2)(h)

Deny Zoning Change for CUP2260
 Petition published by Erica Zick on Mar 01, 2014

92 total Signatures

* 3 out of state signatures
 * 177 Signatures from Edgerton addresses

Background (Preamble):

We are calling on the Dane County Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction due to the following reasons: according to section 10.255(2)(b) in findings of fact for conditional use permits #2 states, that the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use, which if CUP 2260 zoning change is approved, our home values will decrease; there will be substantial air (dust & contaminates), water (private wells, water table, and surrounding waterways) and noise pollution; quality of life will be destroyed; and destruction of a major wildlife habitat area used by migrating and non migrating animals.

Petition Text:

We, the undersigned, call on the Dane County Planning and Development - Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction at West of 983 State Highway 73.

Total signatures 62 (Signature comments can be viewed in the Appendix of this document)

all at end of this petition

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
62	Mr.	Dave	Fallow	dfallow@yahoo.com	102 Leon St.	Madison	WI	N/G	53714	N/G	Sep 11, 2014
61	ms	Valerie	Grover	citizenvalerie@gmail.com	149 Oakwood Avenue	Edgerton	Wisconsin	N/G	53534	N/G	May 11, 2014
60	Mr	Robert	Feggestad	bobfeggestad@yahoo.com	586 Prestige Ct	Edgerton	WI	USA	53534	N/G	May 06, 2014
59	Ms	Lisa	McConkey	tzalmcconkey@charter.net	2623 S. Stoughton Rd	Madison	WI	USA	53716	View	Apr 04, 2014
58	ms	Patricia	Tucker	pat426@gmail.com	835 S Main St	Oregon	wi	USA	53575	N/G	Apr 04, 2014
57	Ms.	Jocelyn	Sveum	sveumje21@uww.edu	781 Thronson Road	Edgerton	N/G	N/G	N/G	N/G	Apr 01, 2014
56	Mrs.	Sharon	Sveum	donovansveum@aol.com	781 Thronson Road	Edgerton	N/G	N/G	N/G	N/G	Apr 01, 2014
55	Mr.	Nicholas	Sveum	sveumnj39@alumni.uww.edu	781 Thronson Road	Edgerton	N/G	N/G	N/G	N/G	Apr 01, 2014
54	Mr	Donovan	Sveum	donovansveum@aol.com	781 Thronson Road	Edgerton	WI	USA	53534	N/G	Apr 01, 2014
53	Mr	Steven	Livingston	swl65@hotmail.com	512 Edgerton rd	Albion	Wi	N/G	N/G	N/G	Mar 31, 2014
52	Mrs.	Mary Ann	lvey	wmjivey@aol.com	259 Craig Road	Edgerton	Wisconsin	USA	53534	N/G	Mar 30, 2014
51	Ms	Lindsey	Sveum	bransonfan88@aol.com	781 Thronson rd	Edgerton	Wi	USA	53534	N/G	Mar 25, 2014
50	Mr	Lawrence	Beck	orley@chorus.net	1504 County Road A	Edgerton	WI	N/G	53534	View	Mar 25, 2014

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
49	Ms	Kirsten	Almo	almokirsten@gm ail.com	1504 County Road A	Edgerton	WI	USA	53534	N/G	Mar 25, 2014
48	Mr.	Robert	Goessling	bgoessling@wko w.com	309 Craig Road	Edgerton	WI	N/G	53534	N/G	Mar 24, 2014
47	Mrs.	Shirley	Anderson	midajah2123@g mail.com	132 Seminole Dr.	Edgerton	N/G	N/G	N/G	N/G	Mar 23, 2014
46	Mr.	William	Anderosn	starfysh@charter. net	132 Seminole Dr.	Edgerton	N/G	N/G	N/G	N/G	Mar 23, 2014
45	Mr.	Jason	Anderosn	janderson230@e mail.itt-tech.edu	132 Seminole Dr.	Edgerton	N/G	N/G	N/G	N/G	Mar 23, 2014
44	Mr	Casey	Lund	calff1982@yadoo .com	1346 Highway 73	Edgerton	WI	USA	53534	N/G	Mar 23, 2014
43	Ms	Krista	Lund	carleygirl@hotma il.com	1346 State Road 73	Edgerton	WI	USA	53534	N/G	Mar 23, 2014
42	Mr	Joe	Freye	jbfreye@gmail.co m	1511 willow drive	Albion	N/G	N/G	N/G	N/G	Mar 23, 2014
41	Mr.	Andrew	Seithamer	seithamer@gmail .com	737 Albion Rd	Edgerton	N/G	N/G	N/G	View	Mar 22, 2014
40	Mrs.	Ellen	Seithamer	seithamer@gmail .com	737 Albion Rd	Edgerton	WI	N/G	53534	View	Mar 22, 2014
39	mr.	Paul	Skolaski	plskolaski@yaho o.com	240 Koshkonong Drive	Edgerton	WI	USA	53534	View	Mar 22, 2014
38	Ms	Cheryl	Nuenthel	nuenthel@gmail. com	737 Albion Road	Edgerton	WI	USA	53534	N/G	Mar 22, 2014
37	Ms	Virginia	Paque	gpaque@gmail.c om	375 Liguori Road	Edgerton	Wiscon sin	USA	53534	View	Mar 21, 2014
36	Ms	Gail	Richardson	gailrichardson195 4@gmail.com	781 County Road A	Edgerton	WI	USA	53534	N/G	Mar 21, 2014
35	mr	Tim	Dickinson	scrapiron72@hot mail.com	10 Cty N	Edgerton	N/G	N/G	N/G	N/G	Mar 21, 2014
34	Mrs	Jessica	Seblom	jseblom@gmail.c om	238 Edgerton Rd	Edgerton	Wi	USA	53534	N/G	Mar 20, 2014
33	Mr	Jeffrey	Lehnherr	rockyguy532@g mail.com	532 Craig Road	Albion	Dane	N/G	53534	N/G	Mar 20, 2014
32	Mr.	Rick	Wilson	wilonescm@yah oo.com	w9626 State road 106	EDGERTON	Wiscon sin	USA	53534	View	Mar 12, 2014
31	Ms	Peggy	Luther	pluther14k@yaho o.com	471 Aarback Road	Edgerton	N/G	N/G	N/G	View	Mar 11, 2014
30	Mr	David	Fontaine	holly3dave@yaho o.com	1046 State Road 73	Edgerton	WI	USA	53534	View	Mar 11, 2014
29	Mr. and Mrs.	Thomas A.	Lenox	tajllenox@hotmail .com	599 State Road 106	Edgerton	Wiscon sin	USA	53534	View	Mar 11, 2014
28	MR	RICHARD	KLUBERTANZ	klubertanz@ticon .net	1165 STATE ROAD 73	EDGERTON	WI	USA	53534	N/G	Mar 10, 2014
27	Mr	Edward	Claassen	eclaassen@edge wood.edu	532 Craig Rd	Edgerton	Wiscon sin	USA	53534	View	Mar 10, 2014
26	Mrs.	JANICE	BLASER	jb8sells@hotmail. com	983 State Road 73	Edgerton	WI	USA	53534	View	Mar 10, 2014
25	Mrs	Sara	Clark	coonsox1912@c harter.net	4510 E Tomahawk Ln	Janesville	N/G	N/G	N/G	N/G	Mar 09, 2014

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
24	Ms	Jeanne	Richardson	richardson@centurytel.net	748 Albion Rd	Edgerton	WI	USA	53534	N/G	Mar 09, 2014
23	Mr	Howard	Richardson	richardson@centurytel.net	748 Albion Rd	Edgerton	WI	USA	53534	N/G	Mar 09, 2014
22	Mr	Larry	Hainstock	hainstock@charter.net	603 Craig Rd	Albion	WI	N/G	N/G	View	Mar 09, 2014
21	Mrs	Terry	Opitz	dtmopitz@gmail.com	536 Craig Rd	Edgerton	WI	N/G	N/G	N/G	Mar 09, 2014
20	Mr	David	Opitz	dtmopitz@gmail.com	536 Craig Rd	Edgerton	WI	N/G	N/G	N/G	Mar 09, 2014
19	mr	thad	andrews	thadandrews1996@gmail.com	131 Lakeview ave	Edgerton Wi 53534	N/G	N/G	N/G	View	Mar 08, 2014
18	Mr	Randy	Nelson	arbormonrn@gmail.com	1029 county road A	Edgerton	Wi	N/G	N/G	N/G	Mar 08, 2014
17	mr	dean	johnson	dinopantera@aol.com	983 state rd 73	albion	wis	USA	53534	View	Mar 08, 2014
16	Ms	Heather	Mihm	hmihm@me.com	4509 County Line Rd	Caledonia	N/G	USA	N/G	N/G	Mar 08, 2014
15	Dr	David	Blockstein	daviddebrahome@gmail.com	7016 Sycamore Ave	Takoma Park	MD	USA	20912	View	Mar 08, 2014
14	Mr.	JORGE	ZAMACONA	jzamacona@gmail.com	38 LOCKWOOD LANE	RIVERSIDE	CT	USA	06878	View	Mar 08, 2014
13	Ms	Nancy	Richardson	ilovecharms@yahoo.com	647 Hwy 73	Edgerton	Wisconsin	USA	53534	N/G	Mar 08, 2014
12	Mrs	Lorelyn	Leisure	loirelynleisure@yahoo.com	521 Greenview Drive	Evansville	WI	N/G	53536	N/G	Mar 08, 2014
11	mrs.	Lisa	Miller	lisamiller6@verizon.net	1305 Greenfield Circle	Venice	FL	USA	34292	View	Mar 07, 2014
10	Mr	Timmy	Suggs	tsuggs@sccoast.net	431 Heritage Road	Loris	N/G	N/G	N/G	View	Mar 07, 2014
9	Mr.	Daniel	Rosenbaum	rnrranch1978@gmail.com	690 Craig Road	Edgerton	Wi.	USA	53534	N/G	Mar 07, 2014
8	Mrs.	Sara	Rebiger	mousenbunny@gmail.com	103 Koshkonong Dr.	Edgerton	WI	USA	53534	N/G	Mar 07, 2014
7	Ms.	Cindy	Morrison	cindylm@charter.net	3704 Labrador Drive	Janesville	WI	USA	53546	N/G	Mar 07, 2014
6	Mrs.	Linda	Coughlin	lkcough@tds.net	N9150 Cardinal Crest Lane	New Glarus	WI	USA	53574	N/G	Mar 07, 2014
5	Ms	Ashley	Rosenbaum	spanshlee@gmail.com	2040 Church Street	Beloit	Wi	USA	53511	N/G	Mar 07, 2014
4	mr	Jeff	Rosenbaum	jefjoro@yahoo.com	2040 church st	Beloit	N/G	N/G	N/G	N/G	Mar 07, 2014
3	mrs	Daniel	Rosenbaum	rnrranch1978@gmail.com	690 Craig Road	Edgerton	WI	USA	53534	N/G	Mar 07, 2014

#	Title	FirstName	Surname	Email	Address	Town/City	S/C/P	Region	Zip/PC	Commen	Date
2	Ms.	Pam	OConnor	blanchehd@yahoo.com	1116 Stoughton Ave	Stoughton	Wisconsin	USA	53589	View	Mar 07, 2014
1	Mrs.	Signe	Gronbeck-Johnson	aubrnenigma@aol.com	983 State Road 73	Albion	Wi.	USA	N/G	View	Mar 07, 2014

* N/C - field not collected by the author

* N/G - not given by the signer

* S/C/P - State, County or Province

* PC - Post Code

* View - view comment

Appendix: All signatures comments

59 Lisa McConkey

[Back to signature list](#)

ENOUGH ALREADY! It's time someone thinks of the planet and wildlife before profits!!!

50 Lawrence Beck

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Albion Town Board has failed to exercise due diligence in informing Albion residents of this sensitive issue. Not everyone gets the Edgerton Reporter and the town clerk has limited hours in which to view related information. I work days so am unable to get to the town hall during the day.

41 Andrew Seithamer

[Back to signature list](#)

Adding the gravel pit will cause even more accidents on this already unsafe highway.

40 Ellen Seithamer

[Back to signature list](#)

Hwy 73 already has a lot of accidents. Adding the gravel pit will cause even more accidents on this already unsafe highway. Plus you would be ruining all of that beautiful farm land.

39 Paul Skolaski

[Back to signature list](#)

our natural resources what we have left should remain and continue un disturbed especially wetland and marshes.....erosion and run off into our lakes and streams continues to be a problem lets not make it more so.....

37 Virginia Paque

[Back to signature list](#)

We are very concerned about wildlife, traffic patterns wetlands, zoning.

32 Rick Wilson

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There has to be a better location for this.

31 Peggy Luther

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There are already quarries in and around Albion Township, thus the request to grant this new quarry is not only NOT necessary, it is harmful to wildlife habitat and NOT wanted by neighboring Albion Prairie residents. The only purpose seems to be profit, which would be fine IF IT WAS NECESSARY. But as already stated, there are existing quarries close by, thus making this proposed quarry completely UNNECESSARY. Please: protect our Albion Township wildlife, fauna, and "good neighbor" community.

30 David Fontaine

[Back to signature list](#)

Stop this ridiculous assault on our peaceful life on the Albion Prairie. This will totally ruin our quality of life not to mention our precious wetlands.

29 Thomas A. Lenox

[Back to signature list](#)

We , Thomas A. and Julie Lenox actively oppose the cup #2260.

27 Edward Claassen

[Back to signature list](#)

Since when does someone else get to destroy my well water. My home value and my peace of living in the noise free country.

26 JANICE BLASER

[Back to signature list](#)

I STAY HERE WITH MYBEST FRIEND WHEN ON THE MAINLAND, AND PLAN TO RETIRE HERE TOO. I DO NOT WANT TO LIVE HERE IF A STRIP MINE IS THE BACK YARD FOR HEALTH REASON AND IF THE BEAUTIFUL SERENITY IS GONE. THIS CAN NOT HAPPEN!!!

22 Larry Hainstock

[Back to signature list](#)

I am the Trustee for the above mentioned property. I noted the address 603 Craig Rd address as mine. My mother in-law who bought the Craig Rd property 20 years ago dreamed of returning to a simple, peaceful country life, unfortunately illness struck and she was never able to reach her dreams. Although she has passed her wishes and wishes of the trustee this gravel quarry should never go in. It will devalue the surrounding property, ruin a peaceful life and place our water and land into a potentially contaminated cesspool of chemicals making our water undrinkable and unsafe.

19 thad andrews

[Back to signature list](#)

Hi I am a supervisor on the town of Albion and I did vote for this but now it has come to my attention that a lot of the neighbors were not notified in time for our meeting in February when we passed this now I am wondering if I should have.

17 dean johnson

[Back to signature list](#)

This is not fair to existing residents, it will damage our quiet enjoyment, our property value, our already permitted use (horse and antiques), it will damage our air quality and health, it will prevent my sleep (which is often required during the day), there is no way it will not cause traffic congestion and accidents on Hwy 73, it poses a dangerous risk to my family, my guests, my animals, and my property with flyrock, and dust, and noise, and lighting preventing our seeing the stars. It will damage the sensitive habitat of animals INCLUDING BALD EAGLES. This does not meet any of the standards required for a CUP in Dane County. It is damaging in all respects to neighbors that did due diligence in buying a property away from mines and zoning that would permit any from being put in.

15 David Blockstein

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This is no place to build a quarry!

14 JORGE ZAMACONA

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I grew up on the west side of Madison and am making plans to move back with my family. This quarry plan is an affront to the green, beautiful, environmentally caring city I remember. I cannot fathom the idea that rank greed and unsound environment standards would be tolerated in the city the I love so much. Please stop this mining plan in the name of common sense to the citizens of Madison and to the wetlands and wild life that would surely die and vanish.

please...please....please...

Sincerely, Jorge Zamacona

11 Lisa Miller

[Back to signature list](#)

My family members live at the site they want to destroy.their way of life will be destroyed, the wildlife will no longer exist. Please stop the permit.

10 Timmy Suggs

[Back to signature list](#)

Please do not ruin this land for all close by for personal monetary gain

2 Pam OConnor

[Back to signature list](#)

Marsh land? you are going to kill mother natures filter for a quarry?? not a good decision. think there is a better alternative. do not endanger wetlands.

1 Signe Gronbeck-Johnson

[Back to signature list](#)

This is not compatible with the already permitted use of neighboring properties and will cause loss of enjoyment, value, peace, and wildlife. I oppose CUP 2260

1

+ 30
Letters
Packets

Petition to Deny Zoning Change for CUP 2260

Petition summary and background:

We are calling on the Dane County Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction on 100+ acre site due to the following reasons: according to section 10.25(2)(b) in findings of fact for conditional use permits #2 states, that "the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use", which if the CUP 2260 zoning change is approved, our home values will decrease, preventing future sale; there will be substantial air, water (private wells, water table, and surrounding waterways), and noise (blasting and grinding equipment) pollution, unnecessary hours of operation M-F 6am-6pm and Sat 6am-2pm, which will impede outdoor enjoyment on surrounding properties and neighborhood; quality and peace of life will be destroyed; and destruction of a major wildlife habitat area used by migratory and non migratory animals with the site located immediately adjacent to and on greater than 20% slope above the Albion marsh and wetlands. This approval will be valid for 10 years with the ability to be re-approved over and over. There is also intention to install a high capacity well, which could damage water table levels and increase contamination.

Action petitioned for:

We, the undersigned, call on the Dane County Planning and Development - Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction at West of 983 State Highway 73.

Printed name	Signature	Address	Comment	Date
FAT TESAR	<i>[Signature]</i>	676 CRAIG TERPSTROU	Opone Wellman	3/2/14
James Barry-Hanna	<i>[Signature]</i>	593 Hwy 73	Quarry	3/2/14
Josephine	<i>[Signature]</i>	84 W. 73, Edgerton	oppose	3/2/14
Steve Thomas	<i>[Signature]</i>	739 State HWY 73	Edgerton	3/2/14
KEE J KENNEDY	<i>[Signature]</i>	695 W. "	OPPOSE - HOME VALUE	3/2/14
Michael Young	<i>[Signature]</i>	555 Hwy 106	Opone	3/2/14
		Edgerton		

Printed name	Signature	Address	Comment	Date
Tom Lennix	[Signature]	1000 Sisk Rd 75	oppose	3/8/14
Julie Lenoir	[Signature]	599 Sisk Rd 106	oppose	3/8/14
Margaret Thomas	[Signature]	599 Sisk Rd 106	oppose	3/8/14
David Johnson	[Signature]	453 Long Rd Albin	oppose	3/10/14
Erica Zick	[Signature]	640 Creech Rd Elberton	oppose	3/10/14
Tina Zack	[Signature]	600 Long Rd	oppose	3/10/14

3

Petition to Deny Zoning Change for CUP 2260

Petition summary and background:

We are calling on the Dane County Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction on 100+ acre site due to the following reasons: according to section 10.255(2)(b) in findings of fact for conditional use permits #2 states, that "the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use", which if the CUP 2260 zoning change is approved, our home values will decrease, preventing future sale; there will be substantial air, water (private wells, water table, and surrounding waterways), and noise (blasting and grinding equipment) pollution, unnecessary hours of operation M-F 6am-6pm and Sat 6am-2pm, which will impede outdoor enjoyment on surrounding properties and neighborhood; quality and peace of life will be destroyed; and destruction of a major wildlife habitat area used by migratory and non migratory animals with the site located immediately adjacent to and on greater than 20% slope above the Albion marsh and wetlands. This approval will be valid for 10 years with the ability to be re-approved over and over. There is also intention to install a high capacity well, which could damage water table levels and increase contamination.

Action petitioned for:

We, the undersigned, call on the Dane County Planning and Development - Zoning Division to deny the zoning change requested in CUP 2260 for mineral extraction at West of 983 State Highway 73.

Printed name	Signature	Address	Comment	Date
John Groves	<i>[Signature]</i>	521 Aulbeck Rd	Don't put it	3/18/14
Randi Meen	<i>[Signature]</i>	581 Aulbeck Rd.		3/8/14
Don Johnson	<i>[Signature]</i>	650 Oak St		3/8/14
Robbi Larison	<i>[Signature]</i>	632 Dean St		3/8/14
Don Teeter	<i>[Signature]</i>	111 E ST R773		3/9/14
DAVID A SCHULSON SR	<i>[Signature]</i>	983 CRAIG RD	NO!!!	3/9/14

Cup for DA #4

Printed name	Signature	Address	Comment	Date
WALTER MITCHELL	Walter Mitchell	555 Hwy 106 Edgerton Rd	not want more truck traffic.	3-10-14
ADELLA MISK	Adella Misk	633 W. R. 73 Egan	opposed to noise of truck traffic	3-10-14
Nathan Powell	Nathan Powell	1077 Hillside Rd	Opposed to Quarry	3-10-14
Orlando Smedley	Orlando Smedley	1097 Hillside Rd	Opposed to Quarry	3-10-14
Nancy Hart	Nancy Hart	1170 Hillside Rd	Opposed to Quarry	3-10-14
Gordon Hart	Gordon Hart	1170 Hillside Rd	Opposed to Quarry	"
Carol Ann	Carol Ann	676 Craig St	OPPOSED	3/10/14