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**PAYNE & DOLAN**  
INCORPORATED

March 21, 2016

Zoning and Land Regulation Committee  
Dane County Zoning  
210 Martin Luther King Jr. Blvd  
Madison, Wi 53703

**RE: CUP 2334 - Town of Oregon**  
**Response to the Village of Brooklyn letter of concerns dated March 17, 2016.**

Dear Committee Member;

I would like to provide the following comments and facts to address the concerns of the Village of Brooklyn as outlined in their letter dated March 17, 2016.

- 1) The original Klahn CUP (#1916) was approved in November 2004. The developer of the subdivision adjacent to the site on the south side wrote and spoke in support of the CUP at the public hearings for that CUP. In December of 2012, an extension of 10 years was granted for the site via CUP #2223. The Klahn site, with the exception of that portion listed in the CUP #2334 application, will be depleted and reclaimed by the end of December 2016. The site will be reclaimed to a lake with gentle slopes seeded to grasses as outlined in the NR135 reclamation permit for the site. The CUP #2334 request for the Wingra Real Estate, LLC. is a new extraction site and not an extension of the Klahn site. A small portion of the Klahn site will be used for access to the Wingra Real Estate, LLC. property.
- 2) The current operation on the Klahn property has not caused any impact for neighbor's wells and as a result there have not been any claims on the well protection procedure since the operation began in 2004.

The well protection was only extended to small private wells as private wells may have the potential to be the shallowest wells in the area. High capacity wells such as the Village of Brooklyn's tend to be very deep often many hundreds to thousands of feet into the bedrock and are drawing water from a sandstone and limestone aquifer that is substantially deeper than the water table.

Our operations will not impact the private wells or Village's well because no chemicals are used in the processing operations, we are only removing sand & gravel in the shallow groundwater table, we don't pump any water off site, and finally most of the wells in the area, both public and private, are taking water from the deep limestone and sandstone aquifer.

Even though the scientific evidence shows no anticipated effects on neighbor's wells as a result of the proposed gravel pit operation, we wanted to maintain a good relationship with the neighbors and thus included a private well protection procedure for wells within 2,500 feet of the perimeter of CUP 2334. This is the same private well protection procedure included in CUP #1916 & #2223.

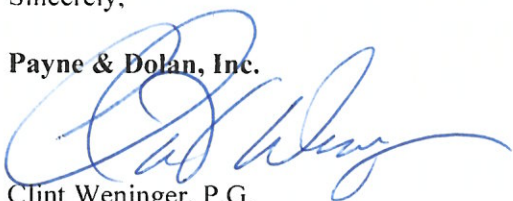
- 3) Even though it was not required, a notice was sent by Payne & Dolan in late January 2016 to all property owners within 1,000 feet of the perimeter of CUP #2334 including a letter to the Village of Brooklyn. This letter was sent to provide notice to the neighbors prior to the public hearing at the Town of Oregon. We did not include plans with these letters but did include a brief summary of the project, a location map of the project and contact information for any property owner requesting more information. We did not receive any requests for additional information. Our letter to the village was noted on the agendas of the Village's plan commission and Board beginning on February 8, 2016.
- 4) The hours of operation have been approved by the Town of Oregon Plan commission and Board. We have had no issues to date with access onto CTH MM from this location. The access was improved per Dane County Highway specifications prior to beginning it's use.
- 5) The berms on the Klahn Site (CUP #1916) will be reduced in height as per the NR 135 reclamation plan for the site. Again, this site will cease to operate on or before December 31, 2016. A new berm will be constructed around the Wingra Real Estate LLC site (CUP #2334) including along the south end of the property adjacent to the reclaimed Klahn site (CUP #1916). The berm will be a minimum of 10 feet in height.

The Klahn Site (CUP #1916) has been in operation since 2004 with no complaints or objections. There were no objections or appearances by anyone speaking against our CUP #2334 request at either the Town of Oregon Plan Commission or Town Board meeting.

Payne & Dolan has a record of operating ethically, respectfully, and openly, and looks forward to continue to do so at the Wingra Real Estate, LLC site. If you have any questions and/or need additional information, please do not hesitate to contact either me (262) 366-5429 (cell) or Bill Buglass (608) 445-0925 (cell).

Sincerely,

**Payne & Dolan, Inc.**



Clint Weninger, P.G.  
Land Resources Manager