

From: Diana K <karlsdi@yahoo.com>
Sent: Tuesday, March 21, 2023 4:13 PM
To: Planning & Development <plandev@countyofdane.com>
Subject: CUP 2584 Joseph and Diane Ripp

3/24/2023

Dear Dane County Zoning and Land Regulation Committee,

We live and own the property at 7815 Benson Rd. in the Town of Dane. Our property sits just west of the proposed JD Quarry that Tri County is proposing (CUP2584). We are located less than a mile from the site; however, our home and the home of our neighbors (Jennifer and John Persike) are not shown on the map from Tri County even though there lays no buffer area between us and the site. We are adamantly opposed to the proposal.

We feel that several of the 8 CUP standards have not been met and have confidence that the board will look into these concerns to make sure that due justice is met.

1) We are extremely concerned with not meeting standard #1 as it relates to not being detrimental to the public health, safety, comfort or general welfare. **PLEASE be aware that his property lies in the Yahara Watershed boundaries HUC12-070700050204 critical source area for erosion per dnrmapi.wi.gov.** Also note that our property and most of the property going up towards the nonmetallic mineral extraction site including a field that directly borders the site, lies in a **“proximity” restriction** area! Please note the attachment with restrictions from the Environmental Corridors map. I am sure that the board will do its due diligence to investigate this. I would hope that the DNR is also aware of this situation and that all proper requirements, impacts and analyses are *attached* to the CUP 02584 file/application and are met **prior** to any approval of this proposal.

Also under the first standard, Tri County indicates berms being constructed to provide for visual and sound barriers but does not take into account the west side of the property. When I questioned them about this, they said that a small berm may be in place but that we would have a full view of the quarry. This also means that we would hear and see all activity. Why wouldn't there be a stricter requirement and also planting of trees on the west side to help alleviate the sound, smells and sights? The welfare of our 10 grandchildren is a concern with no indication of a fence on the west side. There needs to be specific requirements of the size and type of fencing used.

We do not feel that the noise comparisons from the Hahn Road Pit can compare with that of the JD Quarry proposal. With the Proposed JD Quarry being on a hill with little to no berms on the west side, property noises will be exemplified, due to the

valley. Who actually performed the noise testing, Tri County? In order to provide fair and impartial testing, several tests in other or similar quarries need to be provided by a non-bias entity.

There is a strong south westerly wind that blows through the site. There is potential for dust to get blown across property lines jeopardizing the health of neighbors. The CUP has no reference as to how they will control dust crossing property lines. It should be clearly defined in the CUP how this will be handled (such as all loads leaving the quarry must be tarped) and how to maintain the dust within the site.

We are also concerned about chemical additives to help control this situation and would hope that this condition is included in the CUP in the event that the CUP is approved.

2) Repeated in standard #2 Tri County states that Berms will be constructed and maintained to provide for visual and sound barriers to other properties in the neighborhood. Again, the west side of the property seems to have been forgotten. The proposal also doesn't account for the actual truck usage noise, such as backing up and transferring and dumping rock into trucks. There is only a general sign that states "No Jake braking in the town." Having more clear verbiage may lead to a better outcome, such as "Absolutely no Jake braking entering, leaving, while in or out of the quarry or on any town roads is permitted." Of course, the next question is what the penalty is for that and who polices that and the other restrictions. This seems to put a pretty heavy burden of enforcement on the town. There are 3 homes on Benson Rd. We bike, walk and run all of the roads in the neighborhood with Benson, Viaduct and Bonettie Roads used by us weekly. [

3) In regards to Standard #3, Tri County indicates that they plan on installing a high capacity well in the future. Given that high capacity wells are able to pull out 100,000 gallons of water per day, how will this affect my well, and where will all that water be going to? Has Tri County communicated this to the DNR, and has an Impact and Analysis been done yet? Will a wastewater permit be issued? Will you inform the surrounding landowners of these results? With the proposal as it is currently presented as a 75-year quarry, how can you guarantee that over that 75 years the aquifer, private wells, runoff, contamination, erosion will not be affected? What happens if it is? What measures are set in place to protect the community? There should at least be yearly well testing (at the cost to Tri County) and measures set in place if wells are damaged or contaminated.

4) Standard #5 addresses traffic congestion. Are you aware that Viaduct Road is used quite frequently by bikers, vintage car enthusiasts, runners, hikers, photographers and birders? The railroad Viaduct Bridge attracts travelers to the area as well as the historic marker on the corner of DM and Donroven. With so much added truck traffic, this becomes a dangerous road for travelers to this area.

5) Per standard # 7, there is only 1 paragraph in the Town of Dane's Comprehensive Plan where it addresses nonmetallic mining. The whole rest of the document is devoted to keeping the town a farming community. Having a restoration plan is great, but removing productive farmland for decades takes away from years of productive farmland use which is what the Town of Dane's, as well as Dane County's Comprehensive Plans are based on. Why have a farmland preservation plan in place if you disregard it for decades? How will the potential of dust blowing onto the crops in the bordering fields affected that production?

6) In regards to the 8th standard and Tri County's statement addressing the use of its location in the farmland preservation area, they state that the quarry will be located in a rural area with very few homes adjacent to the property or *even in the vicinity*. Considering that this is generally a farming community, this area happens to be one of the few areas with a "cluster" of homes in the town. People who live in most of these homes have lived here for decades and even generations. People who live in this area stay in this area. We live here because of the clean water, air and land. Most of the area landowners are also hunters who purchase licenses to hunt and trap in this area. We have worked hard with neighbors to use proper deer and turkey management to secure good and healthy deer and turkey in the area. This has led to the area being good for hunting, trapping and birding. Has there been a wildlife study on the impact of the deer, turkey, bobcats, ducks, birds, Sandhill cranes and the other multitude of wild animals that will also be affected? In addition, we feel that home values will diminish and would expect a non-bias

analysis to be done with current data on the value of the homes as they sit now versus what someone would currently pay for the home with the addition of a quarry. Please keep in mind that many of us have property that is rare and valued due to the hunting alone.

In the proposal they have stated their hours of operation (item 8). However, there is no clarity around what “operations” actually mean. I would request that the CUP be amended to state the hours of operation listed *include* equipment, maintenance, warm- up and cool down.

With complete transparency to taxpayers, could you tell us if the state has the right to override the stipulations of the hours, if a state project is issued to Tri County which would allow the Quarry to operate beyond the hours stated?

I believe that Tri County is shooting for the moon on this one. There is no mention of neighbor’s well monitoring and testing or repairs to wells that could be damaged. We feel that Tri County has severely underestimated the proposed gravel extraction. The CUP # 02584 has a total extraction of 8.5 million tons of product, noting an anticipated +/- 60,000 tons extracted per year. In their recent application CUP file #02497 they proposed to extract 100,000 tons per year from a site with a total extraction of 7 million tons. This non-metallic mineral extraction site has potential for larger volume of product and would anticipate a similar or larger volume of extraction increasing the truck volume significantly above the proposal in the CUP impacting roads, neighbor wellbeing and concern for erosion control and water. All you have to do is the math and it just doesn’t seem to work out. We ask for complete and honest transparency.

I would ask the Board to compare the requirements and conditions unique to the CUP 2511 on Hwy V quarry. Tri County’s proposal is far from the details in that CUP. Tri County **seems** to have met the standards without detailed specifics, which leaves for a lot of unanswered questions.

I would ask for the Board to do its due diligence in helping to ensure that no corners are cut and that all standards are truly met. We appreciate the system that is set in place to ensure that all entities have clear understanding and expectations to ensure the health and safety of future generations.

Sincerely,

Paul and Diana Karls

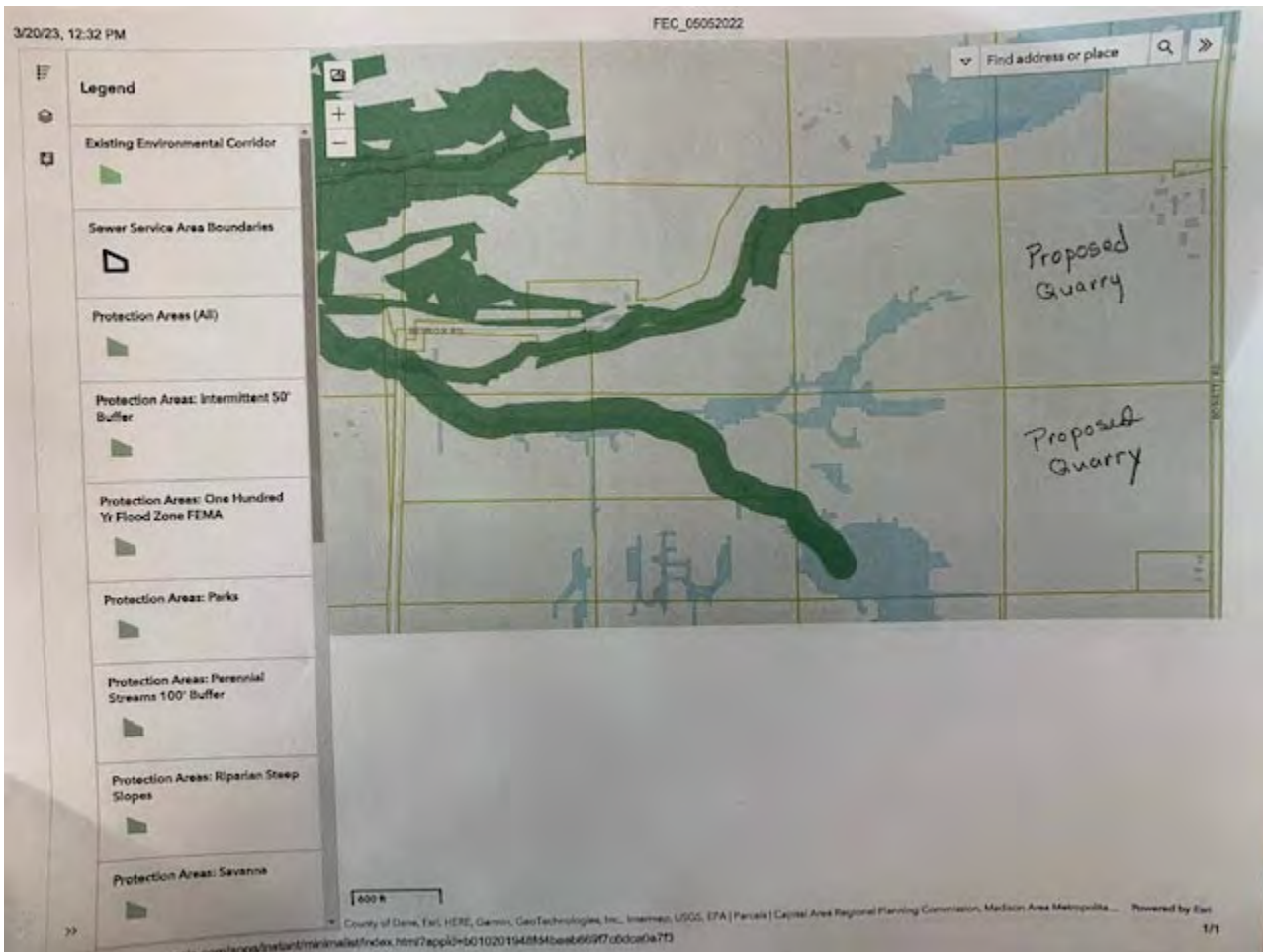
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Dane, Wis. 53529

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