

Lane, Roger

From: Steven Fox <steven_53532@yahoo.com>
Sent: Sunday, December 20, 2020 2:34 PM
To: Lane, Roger
Subject: Petition CUP 2511 and 11621 Madison Sand and Gravel

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Dear Mr. Lane,

Hello, my name is Steven Fox and my family, and I reside 5394 county road V in Deforest Directly across from the proposed new pit. I am writing to you regarding the proposed mineral extraction and separation of existing residence from farmland petitions by 4D Farms LLC. These petitions are being discussed at the upcoming December 22nd Public Hearing.

My concerns are the same as Brent Kelley who sent to you a email on December 14 2020 about the having concerns of safe drinking water and noise and sight pollution from the proposed pit. Madison Sand and Gravel currently has many active pits in the area.

One of many is on Norway Grove School Road they have a wash plant with a Material crusher/separator that you can hear daily very well and the plant is 5/10th of a mile from my home. That being said you can also daily hear the truck dumping material and the tail gates of the trucks slamming ever time with a big bang as they dump their load and also the track turning on their bulldozers. All this being 5/10th of a mile away let alone how loud it would be if this new pit is approved being 500 feet away and this would be going on for 20 years.

Madison sand and gravel is currently working on closing one of their pits that is 1/10th of a mile away and I can tell you first hand that on windy days and your outside that you will get sand in your eyes I can only imagine how bad it would be when the pit is just on the other side of the road and you cant even have your home windows open cause of the dust and noise.

Madison Sand and Gravel has said that they would install a berm around it and plant trees on it to help hide their eye sight nuisance for the next 20 years. This in its self is a eye sight nuisance because (see attached) our current view is of nice looking farm land with pretty full grown trees and 50+ full grown Oak trees and Animals that they want to destroy.

So you can understand how a dirt hill will be sight nuisance. Things will look better if they are left alone.

Also if this is approved the sight of the new landscape that they leave behind is more than undesirable. (see attached from pictures from the pit they are closing 1/10th of a mile from me.)

Another concern of mine is our home that was built in 1966. 54 years ago and the foundation has over the many years has developed cracks in the foundation from the house settling down. More damage from the ground tremors that the digging and bulldozers running back and forth would cause. Much like a construction roller uses a roller that vibrates the ground to compact the soil. if you have ever been near one that is in use you can feel the ground vibrate from quite a distance away and may damage other homes . Would this be the life that a Dad would like their family around?

Thank you for your time

Steven Fox

This is the current view of the pit 1/10th of a mile from my house this would be our new view in 20 years if approved. if you zoom in you can see the pit that is 5/10th of a mile from my house. please for all our families do not approve this



----- Forwarded Message -----

From: Steven Fox <steven_53532@yahoo.com>

To: everson.daniel@countyofdane.com <everson.daniel@countyofdane.com>

Sent: Monday, November 9, 2020, 05:54:33 PM CST

Subject: Fw: Madison Sand and Gravel Inquiry

Mr Everson

Thank you very much for giving me your time not sure if your the one I need to speak with
I am one of the family's that will be negativity affected by the propose expansion of Madison Sand and Gravel
at 5379 country road V.

Madison Sand and Gravel currently have NINE active pits and I feel that this is another example of the Big
business walking over the little person which in this case are families with growing children.

Madison Sand and Gravel Wins

The town of Vienna Wins

Family's Lose

If you look at the attached pictures you will see that most of all the open pits all have water in them.
This is because this area has a very high water table. This is visible in there pits with all the water in them.
Also by the fields in the area that have standing water in them. One Big Example that you may of see is farm
land that you may of seen off the interstate heading towards to the Dells it is by county road dm. also there is a
semi trailer that has a sign on it saying some thing like strawberry you pick.

Then also have been pumping out water (i believe drinking water) with a big industrial Pump that runs pretty
close to 24/7 for the last three years

Madison Sand and gravel also says that if they DRY UP our well that they would pay for the drilling for new
ones for us. and will put this in writing for us. By saying this they are admitting that this may happen. would
you want this? Also they said the same thing about jf our well became POISONOUS (unsafe to drink or we or
one of our children get sick) By saying this they are admitting that this may happen. Would you want this for
your family?



The farm land on the other side of the road that the farmer wants to sell(could the sale be stopped) to Madison said and gravel
I love the country fall view and don't want to be looking at a gravel pit or a big hill the gavel pit will put in to HIDE it
well you cant hide the NOISE and DUST the will be in everything say alone in our homes as well

and what about the current cost of our homes

and if one of us wanted to sell there home who would like to buy it to live next to a gravel pit

I also have hear that the zoning needs to be changed to allow the pit to advance.

Please if you are who approves or denies zoning changes please consider the families and children and deny the change request.

If you are not the person I need to speak with could you please forward

Thank You again

Steven E Fox
5394 County Rd. V
De Forest Wi 53532

----- Forwarded Message -----

From: Rep. Hesselbein <rep.hesselbein@legis.wisconsin.gov>
To: steven_53532@yahoo.com <steven_53532@yahoo.com>
Sent: Thursday, October 1, 2020, 09:04:41 AM CDT
Subject: RE: Madison Sand and Gravel Inquiry

Dear Steven,

Thank you for the additional information you sent. The Department of Natural Resources is reviewing this for me and I will contact you when I receive further information from them.

Sincerely,

Dianne Hesselbein
State Representative
79th Assembly District

From: Steven Fox [steven_53532@yahoo.com]
Sent: Wednesday, September 30, 2020 1:35 PM
To: Rep.Hesselbein
Subject: Re: Madison Sand and Gravel Inquiry

I sure you are extremely busy. I just wanted to confirm you received the bellow email from me .

Thank you
Steven

[Sent from Yahoo Mail on Android](#)

On Mon, Sep 28, 2020 at 4:42 AM, Steven Fox

<steven_53532@yahoo.com> wrote:

Thank you very much for giving me your time and I how also your ability to stop this advancement of the unsightly and destructive Company Madison Sand and Gravel (have included my neighbor Brent Kelley in this email who lives even closer then me to the proposed pit.)

They currently have NINE current pits

This is another example of the Big business walking over the little person which in this case are families with growing children.

If you look at the attached pictures you will see that most of all the open pits all have water in them. This is because this area has a very high water table. This is visible in there pits with all the water in them. Also by the fields in the area that have standing water in them. One Big Example that you may of see is farm land that you may of seen off the interstate heading towards to the Dells it is by county road dm. also there is a semi trailer that has a sign on it saying some thing like strawberry you pick.

Then also have been pumping out water (i believe drinking water) with a big industrial Pump that runs pretty close to 24/7 for the last three years

Madison Sand and gravel also says that if they DRY UP our well that they would pay for the drilling for new ones for us. and will put this in writing for us. By saying this they are admitting that this may happen (Is this legal) would you want this? Also they said the same thing about jf our well became POISONOUS (unsafe to drink or we or one of our children get sick) By saying this they are admitting that this may happen (Is this legal)



The farm land on the other side of the road that the farmer wants to sell(could the sale be stopped) to Madison said and gravel
I love the country fall view and don't want to be looking at a gravel pit or a big hill the gavel pit will put in to HIDE it
well you cant hide the NOISE and DUST the will be in everything say alone in our homes as well

and what about the current cost of our homes

and if one of us wanted to sell there home who would like to buy it to live next to a gravel pit

Thank You
Steven Fox

Re: Madison sand and gravel water level
Yahoo/Inbox

- Brent Kelley <brent.kelley12@gmail.com>

To: steven_53532@yahoo.com

Wed, Sep 23 at 6:49 PM

The static water level in my well is 945'.

The depth of water when my well pumps is 938'.

920' is the excavated lake bottom.

My well is a couple feet from the back of my house. 165' from my well to proposed mining site.

Your place, Melissa Hahn's place, & the Kelley's duplex are under 200' from the proposed mining site. The Midthun's farm house is under 500'.

Kevin doesn't do any measuring of wells. We know the elevations from my well construction report. I'm not sure when the next meeting will be.

On Wed, Sep 23, 2020, 1:24 PM Steven Fox <steven_53532@yahoo.com> wrote:

What is the average static water level depth

How far down do they want to dig

Distance Wells from proposed pit

How far is your home going to be from proposed pit.

Next meeting date

If Mr. Richardson wants to come out and check out my well that's fine too Saturday Sunday's best

Thank you

Steven

On Tuesday, March 10, 2020, 05:51:13 PM CDT, Steven Fox <steven_53532@yahoo.com> wrote:

You can see in the google earth that the gravel pit now has 6 of there pits full of water and they now have dug a deep drainage way and now has a bigger pump pumping out hundreds of gallons of water per hour of our surface drinking water. And the water after four years later they can't pump it out fast enough. This pit has been active for over 40 years they have nothing left but sand so they are digging down ward.





You can see all the piles of sand they are digging out trying to find stone for gravel.

[Sent from Yahoo Mail on Android](#)

On Tue, Mar 10, 2020 at 3:33 PM, Extern
<extern@midwestadvocates.org> wrote:

Inquiry

I have included a pick from google earth from Madison sand and gravel and also a text message from one of my neighbors that's even closer than I am who is also concerned

As you can see they currently have five ponds full of water that they're pumping out drinking water. this Gravel Pit is currently below grade and they're still using it needs to be closed

Hi Steven. Just to bring you up to speed with what's going on behind my house. Madison Sand changed the waterway where it enters their property behind me in August. The waterway used to lead to the culvert by the old school house on Norway Grove School Rd. Now the water way goes directly south into their lake on this side of Norway Grove School Rd. The lake is over 50' deep in spots because they dredged the gravel out. That means all that water running under V by you is dumping directly into the water table. I have contacted Dane County Zoning but they only made Madison Sand widen the waterway. If you can help in anyway, it would be much appreciated. Runoff is going directly into our water table.

4:58



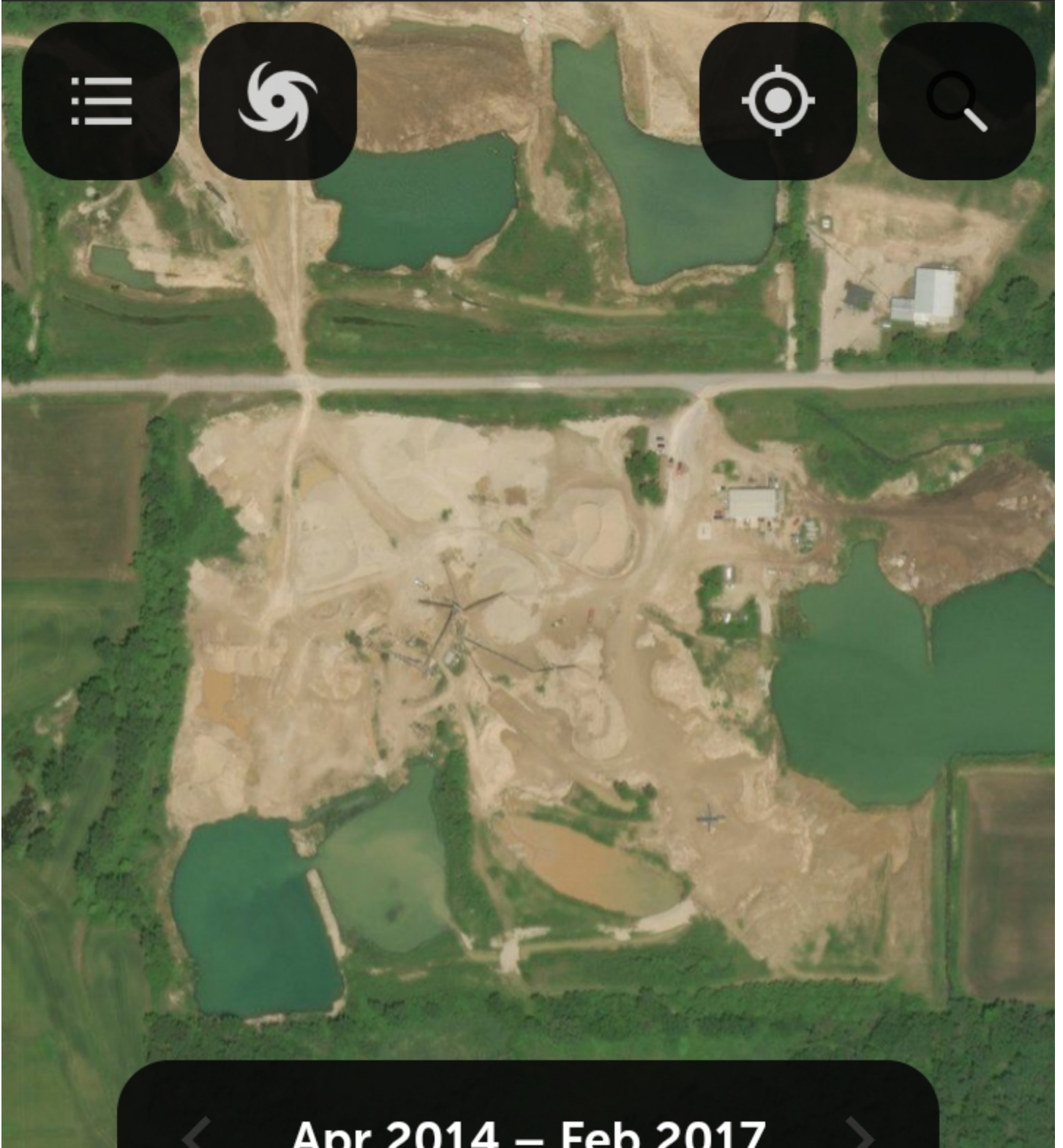
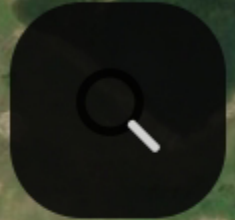
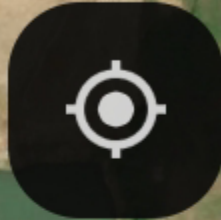
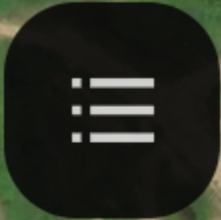
31°



93%



zoom.earth



Apr 2014 – Feb 2017



Good morning. Thank you for the update . Give me some time and I will see what I can find to help us. If you use Google Earth for Madison Sand and Gravel you will see that more than 50% of their pit is underwater that's because they are already in our water table they've been pumping out water(our drinking water) all winter

[Sent from Yahoo Mail on Android](#)

On Wed, Oct 12, 2016 at 3:20 PM, Extern

<extern@midwestadvocates.org> wrote:

Hi Steve,

I am a law clerk at Midwest Environmental Advocates, and I received your inquiry about Madison Sand and Gravel's activities on Norway Grove School Road. If possible, I would like to set up a time to talk to you and learn a bit more on the situation.

I am in the office on Monday and Wednesdays from 9:00am to 4:00pm. If you have time during those hours please give me a call tat (608) 251-5047 ext. 9. Otherwise, let me know if there is a another time or day that would work for you.

Thank you,

Laura Patterson

Midwest Environmental Advocates

Legal Extern

612 W. Main Street, Suite 302

Madison, WI 53703

Phone: 608.251.5047

www.midwestadvocates.org

From: [Brent Kelley](#)
To: [Lane, Roger](#)
Subject: Re: Petition CUP 2511 and 11621
Date: Thursday, December 17, 2020 12:20:27 PM

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Hi Roger

Just wanted to make sure you and the rest of the ZLR committee received my email regarding our concerns.

Thanks
Brent Kelley
5339 Norway Grove Rd
Deforest, WI 53532

On Mon, Dec 14, 2020, 9:23 PM Brent Kelley <brent.kelley12@gmail.com> wrote:

Dear Mr. Lane,

Hello, my name is Brent Kelley and my family, and I reside at 5339 Norway Grove Rd in DeForest. I am writing to you and the Dane County Zoning and Land Regulation Committee over our continued concerns regarding the proposed mineral extraction and separation of existing residence from farmland petitions by 4D Farms LLC. These petitions are being discussed at the upcoming December 22nd Public Hearing.

I am not sure how much information the Town of Vienna has forwarded on to the committee, so I will attach an email I sent our Planning Commission Board via our Town Clerk.

Our property is in close proximity to the proposed CUP submitted by 4D Farms LLC and Madison Sand and Gravel. Currently, Madison Sand and Gravel's operation is roughly 1200 feet from our private well. This mineral extraction will bring their operations within 160 feet from our well and under 500 feet from 4 neighboring wells if approved. Madison Sand and Gravel has agreed to test our well, and neighboring wells, before the extraction starts and annually, but we feel this is still a danger to the private wells. I am a Master Plumber, and the proximity of this proposed quarry is within the Wisconsin Administrative Code Chapter NR 812 guidelines. This gives minimum requirements for proposed wells within 500 feet of a quarry and 1200 feet before October 2014. Our well and 4 neighboring wells will be within 500 feet. These private wells are not new but there must be some concern with wells next to quarries because the code requires a certain well casing depth and well construction. We are unable to find well records of most of the neighboring wells.

The Town of Vienna has extensive water issues, including properties that have standing water from Madison Sand and Gravel's operation on Hahn Road. This puts the neighboring properties and water safety at risk. 4D Farms LLC is applying for this CUP but are selling the proposed land to Madison Sand and Gravel contingent on permitting approval. Our Town and Planning Commission Boards have said this is an extension on an already existing operation, but this is in acquisition of new neighboring land. This greatly affects our property and family. We have 3 young children and are concerned about the mineral extraction being an attractive nuisance as well as decreasing the quality of their home life. The proposed quarry would be in operation 6 days a week from 6am to 6pm for up to 20 years. We are currently able to hear Madison Sand and Gravel's quarry 1200 feet away with the existing natural berm. If approved the operation would be roughly 60 feet from our property line with this berm used as noise control. Clearly this will increase noise pollution and decrease quality of life for our family, and our neighbors. My wife's grandparents

currently live within 100 feet of a different quarry in the Town of Vienna, and the noise can be deafening at times. We have also spent a large amount of money renovating and updating our property for our family. We have created a safe and calming place to raise our children, and this proposal will greatly decrease both our property value and quality of life.

There are also two documented wetlands on this proposed plan. Although there appears to be measures not to disturb them, having mineral extraction around them will greatly affect the ecosystem. We have seen bald eagles, frogs, turtles, and deer both on our property and the adjoining property. These wetlands are an example of how high the water table is in the area.

To the East of our property, there is a drive that will continue to be owned by 4D Farms LLC. If this separation is approved, we would ask that the remaining 4D Farms land surrounding our property have a deed restriction that it can only be used for residential use. We are concerned that at some point this drive would be used for commercial use, trucking, or sold since it is an access point to the proposed mineral extraction site.

We understand the reasoning behind Madison Sand and Gravel's desire to acquire this land. They have agreed to increased fencing and planting of trees as a condition to the CUP. Even with these measures we feel there is too great of risk to our family, our neighbors, and the wells.

We appreciate you and the ZLR committee reviewing our concerns prior to the public hearing. Please do not hesitate to reach out with any questions you may have.

Thank you for your time,

Brent Kelley

5339 Norway Grove Rd.

DeForest, WI 53532

(608) 212-4666

Brent.kelley12@gmail.com